

1           GENERAL PROVISIONS, THIS SUBTITLE

2   **SEC. 3101. INVENTORY OF BROADBAND SERVICE CAPA-**  
3                   **BILITY AND AVAILABILITY.**

4           (a) **ESTABLISHMENT.**—To provide a comprehensive  
5 nationwide inventory of existing broadband service capa-  
6 bility and availability, the National Telecommunications  
7 and Information Administration (“NTIA”) shall develop  
8 and maintain a broadband inventory map of the United  
9 States that identifies and depicts the geographic extent  
10 to which broadband service capability is deployed and  
11 available from a commercial provider or public provider  
12 throughout each State.

13           (b) **PUBLIC AVAILABILITY AND INTERACTIVITY.**—  
14 Not later than 2 years after the date of enactment of this  
15 Act, the NTIA shall make the broadband inventory map  
16 developed and maintained pursuant to this section acces-  
17 sible by the public on a World Wide Web site of the NTIA  
18 in a form that is interactive and searchable.

19   **SEC. 3102. WIRELESS AND BROADBAND DEPLOYMENT**  
20                   **GRANT PROGRAMS.**

21           (a) **GRANTS AUTHORIZED.**—

22           (1) **IN GENERAL.**—The National Telecommuni-  
23 cations and Information Administration (“NTIA”)  
24 is authorized to carry out a program to award  
25 grants to eligible entities for the non-recurring costs

1 associated with the deployment of broadband infra-  
2 structure in rural, suburban, and urban areas, in ac-  
3 cordance with the requirements of this section.

4 (2) PROGRAM WEBSITE.—The NTIA shall de-  
5 velop and maintain a website to make publicly avail-  
6 able information about the program described in  
7 paragraph (1), including—

8 (A) each prioritization report submitted by  
9 a State under subsection (b);

10 (B) a list of eligible entities that have ap-  
11 plied for a grant under this section, and the  
12 area or areas the entity proposes to serve; and

13 (C) the status of each such application,  
14 whether approved, denied, or pending.

15 (b) STATE PRIORITIES.—

16 (1) PRIORITIES REPORT SUBMISSION.—Not  
17 later than 75 days after the date of enactment of  
18 this section, each State intending to participate in  
19 the program under this section shall submit to the  
20 NTIA a report indicating the geographic areas of  
21 the State which—

22 (A) for the purposes of determining the  
23 need for Wireless Deployment Grants under  
24 subsection (c), the State considers to have the  
25 greatest priority for—

1 (i) wireless voice service in unserved  
2 areas; and

3 (ii) advanced wireless broadband serv-  
4 ice in underserved areas; and

5 (B) for the purposes of determining the  
6 need for Broadband Deployment Grants under  
7 subsection (d), the State considers to have the  
8 greatest priority for—

9 (i) basic broadband service in  
10 unserved areas; and

11 (ii) advanced broadband service in un-  
12 derserved areas.

13 (2) LIMITATION.—The unserved and under-  
14 served areas identified by a State in the report re-  
15 quired by this subsection shall not represent, in the  
16 aggregate, more than 20 percent of the population  
17 or of the geographic area of such State.

18 (c) WIRELESS DEPLOYMENT GRANTS.—

19 (1) AUTHORIZED ACTIVITY.—The NTIA shall  
20 award Wireless Deployment Grants in accordance  
21 with this subsection from money appropriated for  
22 Wireless Deployment Grants by this subtitle to eligi-  
23 ble entities to deploy necessary infrastructure for the  
24 provision of wireless voice service or advanced wire-

1 less broadband service to end users in designated  
2 areas.

3 (2) GRANT DISTRIBUTION.—The NTIA shall  
4 seek to distribute grants, to the extent possible, so  
5 that 25 percent of the grants awarded under this  
6 subsection shall be awarded to eligible entities for  
7 providing wireless voice service to unserved areas  
8 and 75 percent of grants awarded under this sub-  
9 section shall be awarded to eligible entities for pro-  
10 viding advanced wireless broadband service to under-  
11 served areas.

12 (d) BROADBAND DEPLOYMENT GRANTS.—

13 (1) AUTHORIZED ACTIVITY.—The NTIA shall  
14 award Broadband Deployment Grants in accordance  
15 with this subsection from money appropriated for  
16 Broadband Deployment Grants by this subtitle to el-  
17 igible entities to deploy necessary infrastructure for  
18 the provision of basic broadband service or advanced  
19 broadband service to end users in designated areas.

20 (2) GRANT DISTRIBUTION.—The NTIA shall  
21 seek to distribute grants, to the extent possible, so  
22 that 25 percent of the grants awarded under this  
23 subsection shall be awarded to eligible entities for  
24 providing basic broadband service to unserved areas  
25 and 75 percent of grants awarded under this sub-

1 section shall be awarded to eligible entities for pro-  
2 viding advanced broadband service to underserved  
3 areas.

4 (e) GRANT REQUIREMENTS.—The NTIA shall—

5 (1) adopt rules to protect against unjust enrich-  
6 ment; and

7 (2) ensure that grant recipients—

8 (A) meet buildout requirements;

9 (B) maximize use of the supported infra-  
10 structure by the public;

11 (C) operate basic and advanced broadband  
12 service networks on an open access basis;

13 (D) operate advanced wireless broadband  
14 service on a wireless open access basis; and

15 (E) adhere to the principles contained in  
16 the Federal Communications Commission's  
17 broadband policy statement (FCC 05-151,  
18 adopted August 5, 2005).

19 (f) APPLICATIONS.—

20 (1) SUBMISSION.—To be considered for a grant  
21 awarded under subsection (c) or (d), an eligible enti-  
22 ty shall submit to the NTIA an application at such  
23 time, in such manner, and containing such informa-  
24 tion as the NTIA may require. Such an application  
25 shall include—

1 (A) a cost-study estimate for serving the  
2 particular geographic area to be served by the  
3 entity;

4 (B) an engineering plan;

5 (C) a proposed build-out schedule to resi-  
6 dential households and small businesses in the  
7 area;

8 (D) for applicants for Wireless Deployment  
9 Grants under subsection (c), a build-out sched-  
10 ule for geographic coverage of such areas; and

11 (E) any other requirements the NTIA  
12 deems necessary.

13 (2) SELECTION.—

14 (A) NOTIFICATION.—The NTIA shall no-  
15 tify each eligible entity that has submitted a  
16 complete application whether the entity has  
17 been approved or denied for a grant under this  
18 section in timely fashion.

19 (B) GRANT DISTRIBUTION CONSIDER-  
20 ATIONS.—In awarding grants under this sec-  
21 tion, the NTIA shall, to the extent practical—

22 (i) award not less than one grant in  
23 each State;

24 (ii) give substantial weight to whether  
25 an application is from an eligible entity to

1           deploy infrastructure in an area that is an  
2           area—

3                   (I) identified by a State in a re-  
4                   port submitted under subsection (b);  
5                   or

6                   (II) in which the NTIA deter-  
7                   mines there will be a significant  
8                   amount of public safety or emergency  
9                   response use of the infrastructure;  
10                  and

11                  (iii) consider whether an application  
12                  from an eligible entity to deploy infrastruc-  
13                  ture in an area—

14                   (I) will, if approved, increase the  
15                   affordability of, or subscribership to,  
16                   service to the greatest population of  
17                   underserved users in the area;

18                   (II) will, if approved, enhance  
19                   service for health care delivery, edu-  
20                   cation, or children to the greatest pop-  
21                   ulation of underserved users in the  
22                   area;

23                   (III) contains concrete plans for  
24                   enhancing computer ownership or  
25                   computer literacy in the area;

1 (IV) is from a recipient of more  
2 than 20 percent matching grants from  
3 State, local, or private entities for  
4 service in the area and the extent of  
5 such commitment; and

6 (V) will, if approved, result in  
7 unjust enrichment because the eligible  
8 entity has applied for, or intends to  
9 apply for, support for the non-recur-  
10 ring costs through another Federal  
11 program for service in the area.

12 (g) CONSULTATION.—The NTIA shall consult with  
13 the Federal Communications Commission and other ap-  
14 propriate Federal agencies in implementing this section.

15 (h) DEFINITIONS.—For the purpose of this section—

16 (1) the term “advanced broadband service”  
17 means a service delivering data to the end user  
18 transmitted at a speed of at least 45 megabits per  
19 second downstream and at least 15 megabits per  
20 second upstream;

21 (2) the term “advanced wireless broadband  
22 service” means a wireless service delivering to the  
23 end user data transmitted at a speed of at least 3  
24 megabits per second downstream and at least 1

1 megabit per second upstream over an end-to-end  
2 internet protocol wireless network;

3 (3) the term “basic broadband service” means  
4 a service delivering data to the end user transmitted  
5 at a speed of at least 5 megabits per second down-  
6 stream and at least 1 megabit per second upstream;

7 (4) the term “eligible entity” means—

8 (A) a provider of wireless voice service, ad-  
9 vanced wireless broadband service, basic  
10 broadband service, or advanced broadband serv-  
11 ice;

12 (B) a State or unit of local government, or  
13 agency or instrumentality thereof, that is or in-  
14 tends to be a provider of any such service; and

15 (C) any other entity, including construc-  
16 tion companies, tower-building companies, or  
17 other service providers, that the NTIA author-  
18 izes by rule to participate in the programs  
19 under this section, if such other entity is re-  
20 quired to provide access to the supported infra-  
21 structure on a neutral, reasonable basis to  
22 maximize use;

23 (5) the term “State” includes the District of  
24 Columbia and the territories and possessions;

1           (6) the term “underserved area” shall be de-  
2 fined by the Federal Communications Commission  
3 not later than 45 days after the date of enactment  
4 of this section;

5           (7) the term “unserved area” shall be defined  
6 by the Federal Communications Commission not  
7 later than 45 days after the date of enactment of  
8 this section;

9           (8) the term “wireless voice service” means the  
10 provision of two-way, real-time, voice communica-  
11 tions using a mobile service;

12           (9) the term “open access” shall be defined by  
13 the Federal Communications Commission not later  
14 than 45 days after the date of enactment of this sec-  
15 tion; and

16           (10) the term “wireless open access” shall be  
17 defined by the Federal Communications Commission  
18 not later than 45 days after the date of enactment  
19 of this section.