

LD 80
2/18/21 WS
from: MRS

Consolidated Appropriations Act, 2021, Broadband Provisions *Response to PH questions*

Executive Summary:

Below is a list of major broadband items from H.R. 133, the "Consolidated Appropriations Act, 2021," which was signed into law on December 27, 2020. This is a high-level list. Further details from the full text of the legislation will be shared at a later date. This list is focused on possible areas of interest for state broadband offices.

Funding Summary:

NTIA:

- \$45.5M (NTIA) salaries and expenses
 - \$7.5M (NTIA) to continue NBAM
- \$1B (NTIA) Infrastructure and adoption activities in tribal areas
- \$300M (NTIA) Rural infrastructure projects not covered by other programs
- \$285M (NTIA) for digital inclusion efforts in minority communities

FCC:

- \$3.2B (FCC) \$50/mo HH subsidy for broadband service
- \$1.9B (FCC) reimbursements to replace network components covered by the Secure and Trusted Communications Networks Reimbursement Program
- \$250M (FCC) COVID-19 Telehealth Grant Program
- \$65M + \$33M (FCC) for broadband mapping

USDA:

- \$635M (USDA) ReConnect program
- \$60M (USDA) DLT grants
- \$35M (USDA) Community Connect grants

US DEPARTMENT OF EDUCATION:

- \$81.88B for continuation of CARES Act programs, allocated as follows:
 - \$4.1B for Governors Emergency Education Relief (GEER) fund
 - \$54.3B for Elementary and Secondary School Emergency (ESSER) fund
 - \$22.7B for Higher Education Emergency (HEER) fund

Policy Summary:

- Extension of CARES Act spending deadline to December 31, 2021
- Creation of the Office of Internet Connectivity and Growth within NTIA
- Codifies and enhances the broadband investment coordination responsibilities for NTIA under BroadbandUSA with Section 903: "ACCESS BROADBAND" Act. (details below)
- Creation of Office of Minority Broadband Initiatives within NTIA

- Expand secure communications “rip & replace” eligibility to larger providers
- Codified \$50 a month subsidy per household as the amount needed to bring a low-income families online

Division N, Title IX – Broadband Internet Access Service: NTIA Administered

Section 902: Connecting Minority Communities Office and Fund

- Creates Office of Minority Broadband Initiatives at NTIA within 180 days. Office will focus on access and adoption for HBCUs, tribal colleges and universities, minority-serving institutions, and anchor communities.
- Creates Connecting Minority Communities Pilot Program at \$285 million:
 - Allowable uses for grant funds: Devices, service, adoption/digital literacy (NOT INFRASTRUCTURE)
 - Rules complete in 45 days from enactment.
 - Eligible applicants include HBCUs, TCUs, other minority-serving institutions.
 - Focus on minority anchor communities and defines that as 15 mile radius of qualifying minority-serving institution and establishes a poverty requirement.
 - Requires coordination with Department of Education and the National Science Foundation (NSF)

Section 905: Broadband Infrastructure Deployment Grants: (\$300M)

- Grants for covered broadband projects that are defined as competitively and technologically neutral projects for the deployment of fixed broadband service in a census block with at least one household or business that does not have access to 25/3.
- Defines “Covered Partnerships” — Partnerships between a state, or one or more political subdivisions of a state and providers of fixed broadband service. ETC designation is not required.
- Prioritize service delivering 100/20mb or better
- Covered grant preparation costs not to exceed \$50k
- Must not conflict with other federal funding.
- Generally must construct within 12 months, extensions for good cause allowed.
- Only one application per applicant allowed

Section 905: Tribal Broadband Connectivity Grants (\$1B)

- Grants “To expand access to and adoption of— (A) broadband service on Tribal land; or (B) remote learning, telework, or telehealth resources during the COVID–19 pandemic”
- Allowable uses include: infrastructure (including submarine cable landing stations), affordability programs, digital literacy, telehealth, distance learning.
- Emphasis on equitable distribution.
- Up to 2% allowed for admin, including providing technical assistance to potential applicants.
- Eligible entities allowed to use up to 2% for administrative purposes
- Subgrantees allowed

Division FF, Title IX – Telecommunications and Consumer Protection: NTIA

Section 903: “ACCESS BROADBAND” Act

- Establishes “Office of Internet Connectivity and Growth.” This office shall:
 - Connect with Communities that need Broadband and Digital Inclusion
 - Hold Regional Workshops

- Develop targeted training through various demographics and media
- Develop and distribute publications, toolkits, primers, manuals, etc.
- Coordinate with states
- Tracking Federal Dollars, Streamline Application processes, Coordination of Broadband Support.
 - **Tracking Federal Dollars**
 - The Office shall track the construction and use of and access to any broadband infrastructure built using any federal support in a central database.
 - The Office shall develop a streamlined accounting mechanism by which any agency offering a federal support program and the FCC for any USF program shall provide the information in a standardized and efficient fashion.
 - **Annual Report**
 - The Office shall produce a report describing its work and include the number of residents that received broadband through all federal programs and USF; and estimate of economic impact.
 - **Streamlined Application Process**
 - The Office shall consult with Federal Agencies to streamline and standardize the application process for financial assistance or grants
 - Other federal agencies shall streamline and standardize application for their broadband support programs, as practicable.
 - The Office shall seek to create one application that can be used by all or substantially all Federal broadband programs to the extent possible.
 - **Coordination of Broadband Support**
 - Ensure funds are being distributed in an efficient, tech-neutral, and financially sustainable manner and do not duplicate other Federal broadband programs or USF by having Federal Agencies coordinate with the Office consistent with the goals above.
 - **Broadband Mapping**
 - Continue the work of National Broadband Availability Map (NBAM)
 - Office shall consult FCC maps when coordinating with other Federal Agencies.

Section 904: the Interagency Coordination Act of 2020

- Within 180 Days of enactment, the NTIA, FCC and USDA will enter into an agreement requiring coordination for the distribution of funds for broadband deployment under the FCC High-Cost Programs, USDA RUS Programs and broadband programs administered or coordinated through NTIA. Information will be shared on projects that have or will receive Federal funding.
- After 1 year, the FCC shall seek public comment on the inter-agency agreement as well as the availability of other data related to tribal, state and local broadband deployment and after 18 months shall file a report with Congress.

Jones, Julie

From: Allen, Michael J. (MRS) <Michael.J.Allen@maine.gov>
Sent: Wednesday, February 17, 2021 9:52 AM
To: Jones, Julie; Schaffer, Peggy
Cc: DAlessandro, Daniel; Sagaser, John W.; Trundy, Anya; Boyden, Jenny
Subject: FW: broadband
Attachments: 2020 Consolidated Apps Bill NTIA Broadband Summary.docx

This message originates from outside the Maine Legislature.

Hi Julie,

Here is the response from DAFS and information that Peggy provided on federal dollars for broadband that was in the December bill (CAA21). Let us know if there is additional information you need.

Mike

From: Boyden, Jenny <Jenny.Boyden@maine.gov>
Sent: Tuesday, February 9, 2021 2:03 PM
To: Trundy, Anya <Anya.Trundy@maine.gov>; Allen, Michael J. (MRS) <Michael.J.Allen@maine.gov>
Cc: Figueroa, Kirsten <Kirsten.Figueroa@maine.gov>; Ashcroft, Beth <Beth.Ashcroft@maine.gov>
Subject: RE: broadband

- 1) The president's stimulus bill has federal funding for broadband expansion. Do we have an idea of how much funding ME would receive from the president's proposal?

I cannot find information about broadband in President Biden's proposal. I asked DECD. They provided the attached information outlining what was included in the Consolidated Appropriations Act.

- 2) What funding is in the Governor's biennial budget submission for broadband expansion?

Part AA of the biennial budget (https://www.maine.gov/budget/sites/maine.gov.budget/files/inline-files/General%20Fund%20Bill%20Language_0.pdf) clarifies the 10 cent per line surcharge is applicable to:

- (1) Each residential and business telephone exchange line, including private branch exchange lines and Centrex lines;
- (2) Semipublic coin and public access lines;
- (3) Customers of interconnected voice over Internet protocol service; and
- (4) Customers of cellular or wireless telecommunications service that is not prepaid wireless telecommunications service;

The Surcharge may not be imposed on more than 25 lines per customer billing the account. Revenue must be deposited in the fund.

DECD indicates that this is not an expansion of the charge only a clarification.

Part A of the bill recognizes the allocation associated with the surcharge as a total of \$1.7 million in each year. This is reflected in the ConnectMaine Authority on page A-95.

https://www.maine.gov/budget/sites/maine.gov.budget/files/inline-files/GF%20Biennial%20Budget%20Part%20A_0.pdf

From: Allen, Michael J. (MRS) <Michael.J.Allen@maine.gov>
Sent: Tuesday, February 9, 2021 10:17 AM
To: Boyden, Jenny <Jenny.Boyden@maine.gov>
Cc: Figueroa, Kirsten <Kirsten.Figueroa@maine.gov>; Ashcroft, Beth <Beth.Ashcroft@maine.gov>; Trundy, Anya <Anya.Trundy@maine.gov>
Subject: broadband
Importance: High

LD 80 was heard today in TAX. The bill would dedicate 33% of marketplace facilitator sales tax receipts to ConnectME. We testified against the bill because of the method of funding broadband.

Questions from the TAX Committee:

- (1) The president's stimulus bill has federal funding for broadband expansion. Do we have an idea of how much funding ME would receive from the president's proposal?
- (2) What funding is in the Governor's biennial budget submission for broadband expansion?

Thanks.