

117TH CONGRESS
1ST SESSION

H. R. 3703

To facilitate the installation of broadband infrastructure, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2021

Ms. ESHOO (for herself, Mr. MCKINLEY, and Mr. DELGADO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To facilitate the installation of broadband infrastructure, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nationwide Dig Once
5 Act of 2021”.

6 **SEC. 2. DIG ONCE FOR BROADBAND INFRASTRUCTURE DE-**
7 **PLOYMENT.**

8 (a) DEFINITIONS.—In this section:

9 (1) APPROPRIATE STATE AGENCY.—The term
10 “appropriate State agency” means a State govern-

1 mental agency that is recognized by the executive
2 branch of the State as having the experience nec-
3 essary to evaluate and facilitate the installation and
4 operation of broadband infrastructure within the
5 State.

6 (2) BROADBAND.—The term “broadband” has
7 the meaning given the term “advanced telecommuni-
8 cations capability” in section 706 of the Tele-
9 communications Act of 1996 (47 U.S.C. 1302).

10 (3) BROADBAND CONDUIT.—The term
11 “broadband conduit” means a conduit or innerduct
12 for fiber optic cables (or successor technology of
13 greater quality and speed) that supports the provi-
14 sion of broadband.

15 (4) BROADBAND INFRASTRUCTURE.—The term
16 “broadband infrastructure” means any buried or un-
17 derground facility and any wireless or wireline con-
18 nection that enables the provision of broadband.

19 (5) BROADBAND PROVIDER.—The term
20 “broadband provider” means an entity that provides
21 broadband to any person, including, with respect to
22 such entity—

23 (A) a corporation, company, association,
24 firm, partnership, nonprofit organization, or
25 any other private entity;

1 (B) a State or local broadband provider;

2 (C) an Indian Tribe; and

3 (D) a partnership between any of the enti-
4 ties described in subparagraphs (A), (B), and
5 (C).

6 (6) COVERED HIGHWAY CONSTRUCTION
7 PROJECT.—

8 (A) IN GENERAL.—The term “covered
9 highway construction project” means, without
10 regard to ownership of a highway, a project
11 funded under title 23, United States Code, and
12 administered by a State department of trans-
13 portation to construct a new highway or an ad-
14 ditional lane for an existing highway, to recon-
15 struct an existing highway, or new construction,
16 including construction of a paved shoulder.

17 (B) EXCLUSIONS.—The term “covered
18 highway construction project” excludes any
19 project—

20 (i) awarded before the date on which
21 regulations required under subsection (b)
22 take effect;

23 (ii) that does not include work beyond
24 the edge of pavement or current paved
25 shoulder;

1 (iii) that is less than a mile in length;

2 or

3 (iv) that is—

4 (I) a project primarily for resur-
5 facing, restoration, rehabilitation, or
6 maintenance;

7 (II) a bicycle, pedestrian, trans-
8 portation alternatives, sidewalk, rec-
9 reational trails, or safe routes to
10 school project;

11 (III) an operational improvement
12 (as such term is defined in section
13 101 of title 23, United States Code);

14 (IV) a project primarily to install
15 signage; or

16 (V) a culvert project.

17 (7) DIG ONCE REQUIREMENT.—The term “dig
18 once requirement” means a requirement designed to
19 reduce the cost and accelerate the deployment of
20 broadband by minimizing the number and scale of
21 repeated excavations for the installation and mainte-
22 nance of broadband conduit or broadband infrastruc-
23 ture in rights-of-way.

24 (8) INDIAN TRIBE.—The term “Indian Tribe”
25 has the meaning given such term in section 4(e) of

1 the Indian Self-Determination and Education Assist-
2 ance Act (25 U.S.C. 5304(e)).

3 (9) NTIA ADMINISTRATOR.—The term “NTIA
4 Administrator” means the Assistant Secretary of
5 Commerce for Communications and Information.

6 (10) PROJECT.—The term “project” has the
7 meaning given such term in section 101 of title 23,
8 United States Code.

9 (11) SECRETARY.—The term “Secretary”
10 means the Secretary of Transportation.

11 (12) STATE.—The term “State” has the mean-
12 ing given such term in section 401 of title 23,
13 United States Code.

14 (13) STATE OR LOCAL BROADBAND PRO-
15 VIDER.—The term “State or local broadband pro-
16 vider” means a State or political subdivision thereof,
17 or any agency, authority, or instrumentality of a
18 State or political subdivision thereof, that provides
19 broadband to any person or facilitates the provision
20 of broadband to any person in such State.

21 (b) DIG ONCE REQUIREMENT.—Not later than 12
22 months after the date of enactment of this Act, to facili-
23 tate the installation of broadband infrastructure, the Sec-
24 retary shall issue such regulations as may be necessary
25 to ensure that each State that receives funds under chap-

1 ter 1 of title 23, United States Code, complies with the
2 following provisions:

3 (1) BROADBAND PLANNING AND NOTICE.—The
4 State department of transportation, in consultation
5 with appropriate State agencies, shall—

6 (A) review existing State broadband plans,
7 including existing dig once requirements of the
8 State, municipal governments incorporated
9 under State law, and Indian tribes within the
10 State, to determine opportunities to coordinate
11 covered highway construction projects occurring
12 within or across highway rights-of-way with
13 planned broadband infrastructure projects;

14 (B) identify a broadband coordinator, who
15 may have additional responsibilities in the State
16 department of transportation or in another
17 State agency, that is responsible for facilitating
18 the broadband infrastructure right-of-way ef-
19 forts within the State; and

20 (C) establish a process—

21 (i) for the registration of broadband
22 providers that seek to be included in the
23 advance notification of, and opportunity to
24 participate in, broadband infrastructure

1 right-of-way facilitation efforts within the
2 State; and

3 (ii) to electronically notify all
4 broadband providers registered under
5 clause (i)—

6 (I) of the State transportation
7 improvement program on at least an
8 annual basis; and

9 (II) of covered highway construc-
10 tion projects within the highway right-
11 of-way for which Federal funding is
12 expected to be obligated in the subse-
13 quent fiscal year.

14 (2) COORDINATION AND COMPLIANCE.—

15 (A) MOBILE NOW ACT.—A State depart-
16 ment of transportation shall be considered to
17 meet the requirements of subparagraphs (B)
18 and (C) of paragraph (1) if such State depart-
19 ment of transportation has been determined to
20 be in compliance with the requirements estab-
21 lished under section 607 of division P of the
22 Consolidated Appropriations Act, 2018 (47
23 U.S.C. 1504).

24 (B) WEBSITE.—A State department of
25 transportation shall be considered to meet the

1 requirements of paragraph (1)(C) if the State
2 publishes on a public website—

3 (i) the State transportation improve-
4 ment program on at least an annual basis;
5 and

6 (ii) covered highway construction
7 projects within the highway right-of-way
8 for which Federal funding is expected to be
9 obligated in the subsequent fiscal year.

10 (C) COORDINATION.—The State depart-
11 ment of transportation, in consultation with ap-
12 propriate State agencies, shall by rule or regu-
13 lation establish a process for a broadband pro-
14 vider to commit to installing broadband conduit
15 or broadband infrastructure as part of any cov-
16 ered highway construction project.

17 (D) APPROPRIATE STATE AGENCY.—In
18 lieu of the State department of transportation,
19 at the discretion of the State, an appropriate
20 State agency, in consultation with the State de-
21 partment of transportation, may carry out the
22 requirements of paragraph (1).

23 (3) REQUIRED INSTALLATION OF BROADBAND
24 CONDUIT.—

1 (A) IN GENERAL.—The State department
2 of transportation shall install broadband con-
3 duit, in accordance with this paragraph (except
4 as described in subparagraph (F)), as part of
5 any covered highway construction project, un-
6 less a broadband provider has committed to in-
7 stall broadband conduit or broadband infra-
8 structure as part of such project in a process
9 described under paragraph (2)(C).

10 (B) INSTALLATION REQUIREMENTS.—In
11 installing broadband conduit or broadband in-
12 frastructure as part of a covered highway con-
13 struction project, the State department of
14 transportation shall ensure that—

15 (i) installation pursuant to this para-
16 graph of broadband conduit, broadband in-
17 frastructure, and means or points of access
18 to such conduit or infrastructure (such as
19 poles, hand holes, manholes, pull tape, or
20 ducts) shall provide for the current and fu-
21 ture safe operation of the traveled way, is
22 consistent with part 645 of title 23, Code
23 of Federal Regulations, and any accommo-
24 dation policies of the State under such
25 part to reasonably enable deployment of

1 such conduit, infrastructure, and means or
2 points of access, and any Damage Preven-
3 tion and Underground Facilities Protection
4 or related requirements of the State;

5 (ii) an appropriate number of
6 broadband conduits, as determined in con-
7 sultation with the appropriate State agen-
8 cies, are installed along the right-of-way of
9 a covered highway construction project to
10 accommodate multiple broadband pro-
11 viders, with consideration given to the
12 availability of existing broadband conduits;

13 (iii) the size of each broadband con-
14 duit is consistent with industry best prac-
15 tices, consistent with the requirements of
16 part 645 of title 23, Code of Federal Regu-
17 lations, and sufficient to accommodate an-
18 ticipated demand, as determined in con-
19 sultation with the appropriate State agen-
20 cies;

21 (iv) any hand holes and manholes nec-
22 essary for fiber access and pulling with re-
23 spect to such conduit are placed at inter-
24 vals consistent with standards determined
25 in consultation with the appropriate State

1 agencies (which may differ by type of road,
2 topologies, and rurality) the requirements
3 of part 645 of title 23, Code of Federal
4 Regulations, and other applicable safety re-
5 quirements;

6 (v) each broadband conduit installed
7 pursuant to this paragraph includes a pull
8 tape and is capable of supporting fiber
9 optic cable placement techniques consistent
10 with best practices and the requirements of
11 part 645 of title 23, Code of Federal Regu-
12 lations;

13 (vi) broadband conduit is placed at a
14 depth consistent with requirements of the
15 covered highway construction project and
16 best practices and that, in determining the
17 depth of placement, consideration is given
18 to the location of existing utilities and
19 cable separation requirements of State and
20 local electrical codes; and

21 (vii) installation of broadband conduit
22 shall not preclude the installation of other
23 specific socially, environmentally, or eco-
24 nomically beneficial uses of the right-of-

1 way, such as planned energy transmission
2 or renewable energy generation projects.

3 (C) PROGRAMMATIC REVIEW.—The State
4 department of transportation may make deter-
5 minations on the implementation of the require-
6 ments described in subparagraph (B) on a pro-
7 grammatic basis.

8 (D) ACCESS.—

9 (i) IN GENERAL.—The State depart-
10 ment of transportation shall ensure that
11 any requesting broadband provider has ac-
12 cess to each broadband conduit installed by
13 the State pursuant to this paragraph, on a
14 competitively neutral and nondiscrim-
15 inatory basis and in accordance with State
16 permitting, licensing, leasing, or other
17 similar laws and regulations.

18 (ii) SOCIALLY BENEFICIAL USE.—The
19 installation of broadband conduit as part
20 of a covered highway construction project
21 shall be considered a socially-beneficial use
22 of the right-of-way under section 156(b) of
23 title 23, United States Code.

24 (iii) IN-KIND COMPENSATION.—The
25 State department of transportation may

1 negotiate in-kind compensation with any
2 broadband provider requesting access to
3 broadband conduit installed under the pro-
4 visions of this paragraph.

5 (iv) SAFETY CONSIDERATIONS.—The
6 State department of transportation shall
7 provide for a process for a broadband pro-
8 vider to safely access to the highway right-
9 of-way during installation and on-going
10 maintenance of the broadband conduit and
11 broadband infrastructure, including a traf-
12 fic control safety plan.

13 (v) COMMUNICATION.—A broadband
14 provider with access to the conduit in-
15 stalled pursuant to this subsection shall
16 notify, and receive permission from, the
17 relevant agencies of State responsible for
18 the installation of such broadband conduit
19 prior to accessing any highway or highway
20 right-of-way, in accordance with applicable
21 Federal requirements.

22 (E) TREATMENT OF PROJECTS.—Notwith-
23 standing any other provision of law, broadband
24 conduit and broadband infrastructure installa-
25 tion projects installed by a State under this

1 paragraph shall comply with section 113(a) of
2 title 23, United States Code.

3 (F) WAIVER AUTHORITY.—

4 (i) IN GENERAL.—A State department
5 of transportation may waive the required
6 installation of broadband conduit for part
7 or all of any covered highway construction
8 project under this paragraph if, in the de-
9 termination of the State department of
10 transportation—

11 (I) broadband infrastructure, ter-
12 restrial broadband infrastructure, aer-
13 ial broadband fiber cables, or
14 broadband conduit is present near a
15 majority of the length of the covered
16 highway construction project;

17 (II) installation of terrestrial or
18 aerial broadband fiber cables associ-
19 ated with the covered highway con-
20 struction project is more appropriate
21 for the context or a more cost-effec-
22 tive means to facilitate broadband
23 service to an area not adequately
24 served by broadband and such instal-
25 lation is present or planned;

1 (III) the installation of
2 broadband conduit increases overall
3 costs of a covered highway construc-
4 tion project by 1.5 percent or greater;

5 (IV) the installation of
6 broadband conduit associated with the
7 covered highway construction project
8 is not reasonably expected to be uti-
9 lized or connected to future
10 broadband infrastructure in the 20
11 years following the date on which such
12 determination is made, as determined
13 by the State department of transpor-
14 tation, in consultation with appro-
15 priate State agencies and potentially
16 affected local governments and Indian
17 tribes;

18 (V) the requirements of this
19 paragraph would require installation
20 of conduit redundant with a dig once
21 requirement of a local government or
22 Indian tribe;

23 (VI) there exists a circumstance
24 involving force majeure; or

1 (VII) the installation of conduit
2 is not appropriate based on other rel-
3 evant factors established by the Sec-
4 retary in consultation with the NTIA
5 Administrator through regulation.

6 (ii) CONTENTS OF WAIVER.—A waiver
7 authorized under this subparagraph
8 shall—

9 (I) identify the covered highway
10 construction project; and

11 (II) include a brief description of
12 the determination of the State for
13 issuing such waiver.

14 (iii) AVAILABILITY OF WAIVER.—Noti-
15 fication of a waiver authorized under this
16 subparagraph shall be made publicly avail-
17 able, such as on a public website of the
18 State department of transportation de-
19 scribed in paragraph (2)(B).

20 (iv) WAIVER DETERMINATION.—

21 (I) IN GENERAL.—The State de-
22 partment of transportation shall be
23 responsible for the waiver determina-
24 tion described under this paragraph,
25 consistent with the regulation issued

1 pursuant to this subsection, and may
2 grant a programmatic waiver for cat-
3 egories of projects excluded under this
4 subparagraph.

5 (II) NO PRIVATE CAUSE OF AC-
6 TION.—The waiver determination de-
7 scribed under this paragraph shall be
8 final and conclusive. Nothing in this
9 section shall provide a private right or
10 cause of action to challenge such de-
11 termination in any court of law.

12 (4) PRIORITY.—If a State provides for the in-
13 stallation of broadband infrastructure or broadband
14 conduit in the right-of-way of a covered highway
15 construction project, the State department of trans-
16 portation, along with appropriate State agencies,
17 shall carry out appropriate measures to ensure that
18 an existing broadband provider is afforded access
19 that is non-discriminatory, competitively neutral,
20 and equal in opportunity, as compared to other
21 broadband providers, with respect to the program
22 under this subsection.

23 (c) GUIDANCE FOR THE INSTALLATION OF
24 BROADBAND CONDUIT.—The Secretary, in consultation
25 with the NTIA Administrator, shall issue guidance for

1 best practices related to the installation of broadband con-
2 duit as described in subsection (b)(2) and of conduit and
3 similar infrastructure for intelligent transportation sys-
4 tems (as such term is defined in section 501 of title 23,
5 United States Code) that may utilize broadband conduit
6 installed pursuant to subsection (b)(2).

7 (d) CONSULTATION.—

8 (1) IN GENERAL.—In issuing regulations re-
9 quired by this subsection or to implement any part
10 of this section, the Secretary shall consult—

11 (A) the NTIA Administrator;

12 (B) the Federal Communications Commis-
13 sion;

14 (C) State departments of transportation;

15 (D) appropriate State agencies;

16 (E) agencies of local governments respon-
17 sible for transportation and rights-of-way, utili-
18 ties, and telecommunications and broadband;

19 (F) Indian tribes;

20 (G) broadband providers; and

21 (H) manufacturers of optical fiber, con-
22 duit, pull tape, and related items.

23 (2) BROADBAND USERS.—The Secretary shall
24 ensure that the entities consulted under subpara-
25 graphs (C) through (F) of paragraph (1) include en-

1 tities that have expertise with rural areas and popu-
2 lations with limited access to broadband infrastruc-
3 ture.

4 (3) BROADBAND PROVIDERS.—The Secretary
5 shall ensure that the entities consulted under sub-
6 paragraph (G) of paragraph (1) include entities that
7 provide broadband to rural areas and populations
8 with limited access to broadband infrastructure.

9 (e) OVERSIGHT.—

10 (1) IN GENERAL.—The Secretary shall periodi-
11 cally review compliance with the regulations issued
12 pursuant to this section and ensure that State waiv-
13 er determinations are consistent with such regula-
14 tions.

15 (2) EFFICIENT REVIEW.—The review described
16 under paragraph (1) may be carried out through the
17 risk-based stewardship and oversight program de-
18 scribed under section 106(g) of title 23, United
19 States Code.

20 (3) EFFECT OF SUBSECTION.—Nothing in this
21 subsection shall affect or discharge any oversight re-
22 sponsibility of the Secretary specifically provided for
23 under title 23, United States Code, or any other
24 Federal law.

25 (f) ADDITIONAL PROVISIONS.—

1 (1) APPLICABILITY.—

2 (A) IN GENERAL.—The portion of the reg-
3 ulation issued pursuant to subsection (b) relat-
4 ing to the provisions under paragraph (3) of
5 such subsection shall not take effect until a
6 source of dedicated funding for the installation
7 and long term maintenance of broadband con-
8 duit described in subsection (g)(2) is estab-
9 lished.

10 (B) APPLICABILITY DATE.—Paragraphs
11 (2) through (4) of subsection (b) and subsection
12 (d) shall apply only to covered highway con-
13 struction projects for which Federal obligations
14 or expenditures are initially approved on or
15 after the date on which regulations required
16 under this subsection take effect.

17 (2) RULES OF CONSTRUCTION.—

18 (A) STATE LAW.—Nothing in this sub-
19 section shall be construed to require a State to
20 install or allow the installation of broadband
21 conduit or broadband infrastructure—

22 (i) that is otherwise inconsistent with
23 what is allowable under State law; or

24 (ii) where the State lacks the author-
25 ity for such installation, such as any prop-

erty right or easement necessary for such installation.

(B) NO REQUIREMENT FOR INSTALLATION OF MOBILE SERVICES EQUIPMENT.—Nothing in this section shall be construed to require a State, a municipal government incorporated under State law, or an Indian Tribe to install or allow for the installation of equipment essential for the provision of commercial mobile services (as defined in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d))) or commercial mobile data service (as defined in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401)), other than broadband conduit and associated equipment described in paragraph (3)(B).

(3) RELATION TO STATE DIG ONCE REQUIREMENTS.—Nothing in subsections (b), (c), (d), or (e) or any regulations issued pursuant to subsection (b) shall be construed to alter or supersede any provision of a State law or regulation that provides for a dig once requirement that includes similar or more stringent requirements to the provisions of sub-

1 sections (b), (c), (d), or (e) and any regulations pro-
2 mulgated under subsection (b).

3 (g) DIG ONCE FUNDING TASK FORCE.—

4 (1) ESTABLISHMENT.—The Secretary and the
5 NTIA Administrator shall jointly establish an inde-
6 pendent task force on funding the nationwide dig
7 once requirement described in this section to be
8 known as the “Dig Once Funding Task Force”
9 (hereinafter referred to as the “Task Force”).

10 (2) DUTIES.—The duties of the Task Force
11 shall be to—

12 (A) estimate the annual cost for imple-
13 menting, administering, and maintaining a na-
14 tionwide dig once requirement;

15 (B) propose and evaluate options for fund-
16 ing a nationwide dig once requirement described
17 in this section that includes—

18 (i) a discussion of the role and poten-
19 tial share of costs of—

20 (I) the Federal Government;

21 (II) State and local governments
22 and Indian tribes; and

23 (III) broadband providers install-
24 ing broadband conduit or broadband
25 infrastructure under this section;

1 (ii) consideration of the role of exist-
2 ing dig once requirements on States, local
3 governments, and Indian tribes and the
4 role of private broadband investment, with
5 a goal to not discourage or disincentivize
6 such dig once requirements or such invest-
7 ment; and

8 (iii) evaluating the appropriate entity
9 or entities responsible for maintaining the
10 broadband infrastructure and conduit in-
11 stalled pursuant to a dig once requirement;
12 and

13 (C) propose a cost-based model fee sched-
14 ule for a State to charge a broadband provider
15 to access and use conduit installed by such
16 State pursuant to this section that—

17 (i) shall consider costs (including ad-
18 ministrative costs) associated with installa-
19 tion and long-term maintenance of the
20 broadband conduit installed pursuant to
21 this section;

22 (ii) may vary by topography, location,
23 type of road, rurality, and other factors;
24 and

1 (iii) may consider financial and mar-
2 ket incentives for expanding broadband in-
3 frastructure.

4 (3) REPORTS.—

5 (A) INTERIM REPORT AND BRIEFING.—

6 Not later than 9 months after the appointment
7 of Members to the Task Force under paragraph
8 (4)(D), the Task Force shall—

9 (i) submit to Congress an interim re-
10 port on the findings of the Task Force;
11 and

12 (ii) provide briefings for Congress on
13 the findings of the Task Force.

14 (B) FINAL REPORT.—Not later than 3
15 months after the submission of the interim re-
16 port under subparagraph (A), the Task Force
17 shall submit to Congress a final report on the
18 findings of the Task Force.

19 (4) MEMBERS.—

20 (A) APPOINTMENTS.—The Task Force
21 shall consist of 14 members, comprising—

22 (i) 2 co-chairs described in subpara-
23 graph (B);

24 (ii) 6 members jointly appointed by
25 the Speaker and minority leader of the

House of Representatives, in consultation with the respective Chairs and Ranking Members of—

(I) the Committee on Transportation and Infrastructure of the House of Representatives;

(II) the Committee on Energy and Commerce of the House of Representatives; and

(III) the Committee on Appropriations of the House of Representatives; and

(iii) 6 members jointly appointed by the majority leader and minority leader of the Senate, in consultation with the respective Chairs and Ranking Members of—

(I) the Committee on Environment and Public Works of the Senate;

(II) the Committee on Commerce, Science, and Transportation of the Senate; and

(III) the Committee on Appropriations of the Senate.

(B) CO-CHAIRS.—The Task Force shall be co-chaired by the Secretary and the NTIA Ad-

1 administrator, or the designees of the Secretary
2 and NTIA Administrator.

3 (C) COMPOSITION.—The Task Force shall
4 include at least—

5 (i) 1 representative from a State de-
6 partment of transportation;

7 (ii) 1 representative from a local gov-
8 ernment;

9 (iii) 1 representative from an Indian
10 tribe;

11 (iv) 1 representative from a
12 broadband provider;

13 (v) 1 representative from a State or
14 local broadband provider;

15 (vi) 1 representative from a labor
16 union; and

17 (vii) 1 representative from a public in-
18 terest organization.

19 (D) APPOINTMENT DEADLINE.—Members
20 shall be appointed to the Task Force not later
21 than 60 days after the date of enactment of
22 this Act.

23 (E) TERMS.—Members shall be appointed
24 for the life of the Task Force. A vacancy in the
25 Task Force shall not affect the powers of the

1 Task Force and the vacancy shall be filled in
2 the same manner as the initial appointment was
3 made.

4 (5) CONSULTATIONS.—In carrying out the du-
5 ties required under this subsection, the Task Force
6 shall consult, at a minimum—

7 (A) the Federal Communications Commis-
8 sion;

9 (B) agencies of States including—

10 (i) State departments of transpor-
11 tation; and

12 (ii) appropriate State agencies;

13 (C) agencies of local governments respon-
14 sible for transportation and rights-of-way, utili-
15 ties, and telecommunications and broadband;

16 (D) Indian tribes;

17 (E) broadband providers and other tele-
18 communications providers;

19 (F) labor unions; and

20 (G) State or local broadband providers and
21 Indian tribes that act as broadband providers.

22 (6) ADDITIONAL PROVISIONS.—

23 (A) EXPENSES FOR NON-FEDERAL MEM-
24 BERS.—Non-Federal members of the Task
25 Force shall be allowed travel expenses, includ-

1 ing per diem in lieu of subsistence, at rates au-
2 thorized for employees under subchapter I of
3 chapter 57 of title 5, United States Code, while
4 away from the homes or regular places of busi-
5 ness of such members in the performance of
6 services for the Task Force.

7 (B) STAFF.—Staff of the Task Force shall
8 comprise detailees with relevant expertise from
9 the Department of Transportation and the Na-
10 tional Telecommunications and Information Ad-
11 ministration, or another Federal agency that
12 the co-chairpersons consider appropriate, with
13 the consent of the head of the Federal agency,
14 and such detailees shall retain the rights, sta-
15 tus, and privileges of the regular employment of
16 such detailees without interruption.

17 (C) ADMINISTRATIVE ASSISTANCE.—The
18 Secretary and NTIA Administrator shall pro-
19 vide to the Task Force on a reimbursable basis
20 administrative support and other services for
21 the performance of the functions of the Task
22 Force.

1 (7) TERMINATION.—The Task Force shall ter-
2 minate not later than 90 days after submission of
3 the final report required under paragraph (3)(B).

○