

117TH CONGRESS
1ST SESSION

S. _____

To amend the Public Works and Economic Development Act of 1965 to provide for a high-speed broadband deployment initiative.

IN THE SENATE OF THE UNITED STATES

Mrs. CAPITO (for herself, Mr. MANCHIN, Mr. CARDIN, and Mr. GRAHAM) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Public Works and Economic Development Act of 1965 to provide for a high-speed broadband deployment initiative.

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 “Eliminating Barriers
5 to Rural Internet Development Grant Eligibility Act” or
6 the “E-BRIDGE Act”.

1 **SEC. 2. HIGH-SPEED BROADBAND DEPLOYMENT INITIA-**
2 **TIVE.**

3 (a) IN GENERAL.—Title II of the Public Works and
4 Economic Development Act of 1965 (42 U.S.C. 3141 et
5 seq.) is amended by adding at the end the following:

6 **“SEC. 219. HIGH-SPEED BROADBAND DEPLOYMENT INITIA-**
7 **TIVE.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) BROADBAND PROJECT.—The term
10 ‘broadband project’ means, for the purpose of pro-
11 viding, extending, expanding, or improving high-
12 speed broadband service to further the goals of this
13 Act—

14 “(A) planning, technical assistance, or
15 training;

16 “(B) the acquisition or development of
17 land; or

18 “(C) the acquisition, design and engineer-
19 ing, construction, rehabilitation, alteration, ex-
20 pansion, or improvement of facilities, including
21 related machinery, equipment, contractual
22 rights, and intangible property.

23 “(2) ELIGIBLE RECIPIENT.—

24 “(A) IN GENERAL.—The term ‘eligible re-
25 cipient’ means an eligible recipient.

1 “(B) INCLUSIONS.—The term ‘eligible re-
2 cipient’ includes—

3 “(i) a public-private partnership; and

4 “(ii) a consortium formed for the pur-
5 pose of providing, extending, expanding, or
6 improving high-speed broadband service
7 between 1 or more eligible recipients and 1
8 or more for-profit organizations.

9 “(3) HIGH-SPEED BROADBAND.—The term
10 ‘high-speed broadband’ means the provision of 2-way
11 data transmission with sufficient downstream and
12 upstream speeds to end users to permit effective
13 participation in the economy and to support eco-
14 nomic growth, as determined by the Secretary.

15 “(b) BROADBAND PROJECTS.—

16 “(1) IN GENERAL.—On the application of an el-
17 igible recipient, the Secretary may make grants
18 under this title for broadband projects, which shall
19 be subject to the provisions of this section.

20 “(2) DATA REQUESTED.—In reviewing an ap-
21 plication submitted under paragraph (1), the Sec-
22 retary shall request from the Federal Communica-
23 tions Commission, the Administrator of the National
24 Telecommunications and Information Administra-

1 tion, the Secretary of Agriculture, and the Appa-
2 lachian Regional Commission data on—

3 “(A) the level and extent of broadband
4 service that exists in the area proposed to be
5 served; and

6 “(B) the level and extent of broadband
7 service that will be deployed in the area pro-
8 posed to be served pursuant to another Federal
9 program.

10 “(3) INTEREST IN REAL OR PERSONAL PROP-
11 ERTY.—For any broadband project carried out by an
12 eligible recipient that is a public-private partnership
13 or consortium, the Secretary shall require that title
14 to any real or personal property acquired or im-
15 proved with grant funds, or if the recipient will not
16 acquire title, another possessory interest acceptable
17 to the Secretary, be vested in a public partner or eli-
18 gible nonprofit organization or association for the
19 useful life of the project, after which title may be
20 transferred to any member of the public-private
21 partnership or consortium in accordance with regu-
22 lations promulgated by the Secretary.

23 “(4) PROCUREMENT.—Notwithstanding any
24 other provision of law, no person or entity shall be
25 disqualified from competing to provide goods or serv-

1 ices related to a broadband project on the basis that
2 the person or entity participated in the development
3 of the broadband project or in the drafting of speci-
4 fications, requirements, statements of work, or simi-
5 lar documents related to the goods or services to be
6 provided.

7 “(5) BROADBAND PROJECT PROPERTY.—

8 “(A) IN GENERAL.—The Secretary may
9 permit a recipient of a grant for a broadband
10 project to grant an option to acquire real or
11 personal property (including contractual rights
12 and intangible property) related to that project
13 to a third party on such terms as the Secretary
14 determines to be appropriate, subject to the
15 condition that the option may only be exercised
16 after the Secretary releases the Federal interest
17 in the property.

18 “(B) TREATMENT.—The grant or exercise
19 of an option described in subparagraph (A)
20 shall not constitute a redistribution of grant
21 funds under section 217.

22 “(c) SOURCES OF ASSISTANCE.—A grant provided
23 under this section may be provided from amounts made
24 available to carry out this title in combination with
25 amounts made available under any other Federal program.

1 “(d) NON-FEDERAL SHARE.—In determining the
2 amount of the non-Federal share of the cost of a
3 broadband project, the Secretary may provide credit to-
4 ward the non-Federal share for the present value of allow-
5 able contributions over the useful life of the broadband
6 project, subject to the condition that the Secretary may
7 require such assurances of the value of the rights and of
8 the commitment of the rights as the Secretary determines
9 to be appropriate.”.

10 (b) CLERICAL AMENDMENT.—The table of contents
11 in section 1(b) of the Public Works and Economic Devel-
12 opment Act of 1965 (42 U.S.C. 3121 note; Public Law
13 89–136) is amended by inserting after the item relating
14 to section 218 the following:

“Sec. 219. High-speed broadband deployment initiative.”.