

118TH CONGRESS
1ST SESSION

H. R. 1752

[Report No. 118-]

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2023

Mr. GRAVES of Missouri (for himself, Mrs. GONZÁLEZ-COLÓN, Mr. GUEST, and Mr. MANN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Financial Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER --, 2023

Reported from the Committee on Transportation and Infrastructure with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on March 23, 2023]

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 **SEC. 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”.*

7 **SEC. 2. HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.**

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

11 **“SEC. 219. HIGH-SPEED BROADBAND DEPLOYMENT INITIA-**
12 **TIVE.**

13 *“(a) DEFINITIONS.—In this section:*

14 *“(1) BROADBAND PROJECT.—The term*
15 *‘broadband project’ means, for the purpose of pro-*
16 *viding, extending, expanding, or improving high-*
17 *speed broadband service to further the goals of this*
18 *Act—*

19 *“(A) planning, technical assistance, or*
20 *training;*

21 *“(B) the acquisition or development of land;*

22 *or*

23 *“(C) the acquisition, design and engineer-*
24 *ing, construction, rehabilitation, alteration, ex-*
25 *pansion, or improvement of facilities, including*

1 *related machinery, equipment, contractual*
2 *rights, and intangible property.*

3 “(2) *ELIGIBLE RECIPIENT.*—

4 “(A) *IN GENERAL.*—*The term ‘eligible re-*
5 *ipient’ means an eligible recipient.*

6 “(B) *INCLUSIONS.*—*The term ‘eligible re-*
7 *ipient’ includes—*

8 “(i) *a public-private partnership; and*

9 “(ii) *a consortium formed for the pur-*
10 *pose of providing, extending, expanding, or*
11 *improving high-speed broadband service be-*
12 *tween 1 or more eligible recipients and 1 or*
13 *more for-profit organizations.*

14 “(3) *HIGH-SPEED BROADBAND.*—*The term ‘high-*
15 *speed broadband’ means the provision of 2-way data*
16 *transmission with sufficient downstream and up-*
17 *stream speeds to end users to permit effective partici-*
18 *ipation in the economy and to support economic*
19 *growth, as determined by the Secretary.*

20 “(b) *BROADBAND PROJECTS.*—

21 “(1) *IN GENERAL.*—*On the application of an eli-*
22 *gible recipient, the Secretary may make grants under*
23 *this title for broadband projects, which shall be subject*
24 *to the provisions of this section.*

1 “(2) *CONSIDERATIONS.*—*In reviewing applica-*
2 *tions submitted under paragraph (1), the Secretary*
3 *shall take into consideration geographic diversity of*
4 *grants allocated, including consideration of under-*
5 *served markets, in addition to data requested in para-*
6 *graph (3).*

7 “(3) *DATA REQUESTED.*—*In reviewing an appli-*
8 *cation submitted under paragraph (1), the Secretary*
9 *shall request from the Federal Communications Com-*
10 *mission, the Administrator of the National Tele-*
11 *communications and Information Administration, the*
12 *Secretary of Agriculture, and the Appalachian Re-*
13 *gional Commission data on—*

14 “(A) *the level and extent of broadband serv-*
15 *ice that exists in the area proposed to be served;*
16 *and*

17 “(B) *the level and extent of broadband serv-*
18 *ice that will be deployed in the area proposed to*
19 *be served pursuant to another Federal program.*

20 “(4) *INTEREST IN REAL OR PERSONAL PROP-*
21 *ERTY.*—*For any broadband project carried out by an*
22 *eligible recipient that is a public-private partnership*
23 *or consortium, the Secretary shall require that title to*
24 *any real or personal property acquired or improved*
25 *with grant funds, or if the recipient will not acquire*

1 *title, another possessory interest acceptable to the Sec-*
2 *retary, be vested in a public partner or eligible non-*
3 *profit organization or association for the useful life of*
4 *the project, after which title may be transferred to*
5 *any member of the public-private partnership or con-*
6 *sortium in accordance with regulations promulgated*
7 *by the Secretary.*

8 *“(5) PROCUREMENT.—Notwithstanding any*
9 *other provision of law, no person or entity shall be*
10 *disqualified from competing to provide goods or serv-*
11 *ices related to a broadband project on the basis that*
12 *the person or entity participated in the development*
13 *of the broadband project or in the drafting of speci-*
14 *fications, requirements, statements of work, or similar*
15 *documents related to the goods or services to be pro-*
16 *vided.*

17 *“(6) BROADBAND PROJECT PROPERTY.—*

18 *“(A) IN GENERAL.—The Secretary may per-*
19 *mit a recipient of a grant for a broadband*
20 *project to grant an option to acquire real or per-*
21 *sonal property (including contractual rights and*
22 *intangible property) related to that project to a*
23 *third party on such terms as the Secretary deter-*
24 *mines to be appropriate, subject to the condition*
25 *that the option may only be exercised after the*

1 *Secretary releases the Federal interest in the*
2 *property.*

3 “(B) *TREATMENT.*—*The grant or exercise of*
4 *an option described in subparagraph (A) shall*
5 *not constitute a redistribution of grant funds*
6 *under section 217.*

7 “(c) *NON-FEDERAL SHARE.*—*In determining the*
8 *amount of the non-Federal share of the cost of a broadband*
9 *project, the Secretary may provide credit toward the non-*
10 *Federal share for the present value of allowable contribu-*
11 *tions over the useful life of the broadband project, subject*
12 *to the condition that the Secretary may require such assur-*
13 *ances of the value of the rights and of the commitment of*
14 *the rights as the Secretary determines to be appropriate.”.*

15 (b) *CLERICAL AMENDMENT.*—*The table of contents in*
16 *section 1(b) of the Public Works and Economic Development*
17 *Act of 1965 (42 U.S.C. 3121 note; Public Law 89–136) is*
18 *amended by inserting after the item relating to section 218*
19 *the following:*

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

20 **SEC. 3. APPLICABILITY.**

21 *The amendments made by this Act shall only apply*
22 *to amounts appropriated on or after the date of enactment*
23 *of this Act.*