

116TH CONGRESS  
2D SESSION

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

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IN THE SENATE OF THE UNITED STATES

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

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**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 Representatives 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.—The term ‘eligible  
24               recipient’ includes—

“(A) a public-private partnership; and

1                 “(B) a consortium formed for the purpose  
2                 of providing, extending, expanding, or improv-  
3                 ing high-speed broadband service between 1 or  
4                 more eligible recipients and 1 or more for-profit  
5                 organizations.

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

12                 “(b) BROADBAND PROJECTS.—

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

17                 “(2) INTEREST IN REAL OR PERSONAL PROP-  
18                 ERTY.—For any broadband project carried out by an  
19                 eligible recipient that is a public-private partnership  
20                 or consortium, the Secretary shall require that title  
21                 to any real or personal property acquired or im-  
22                 proved with grant funds, or if the recipient will not  
23                 acquire title, another possessory interest acceptable  
24                 to the Secretary, be vested in a public partner or eli-  
25                 gible nonprofit organization or association for the

1       useful life of the project, after which title may be  
2       transferred to any member of the public-private  
3       partnership or consortium in accordance with regu-  
4       lations promulgated by the Secretary.

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

14           “(4) BROADBAND PROJECT PROPERTY.—

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

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

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

9                 “(d) NON-FEDERAL SHARE.—In determining the  
10 amount of the non-Federal share of the cost of a  
11 broadband project, the Secretary may provide credit to-  
12 ward the non-Federal share for the present value of allow-  
13 able contributions over the useful life of the broadband  
14 project, subject to the condition that the Secretary may  
15 require such assurances of the value of the rights and of  
16 the commitment of the rights as the Secretary determines  
17 to be appropriate.”.

18                 (b) CLERICAL AMENDMENT.—The table of contents  
19 in section 1(b) of the Public Works and Economic Develop-  
20 opment Act of 1965 (42 U.S.C. 3121 note; Public Law  
21 89–136) is amended by inserting after the item relating  
22 to section 218 the following:

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