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 and Mr. MANCHIN) 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
to Rural Internet Development Grant Eligibility Act” or
5 the “E-BRIDGE Act”.

56M 0K XLC
SEC. 2. HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.

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

“SEC. 219. HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.

“(a) Definitions.—In this section:

“(1) Broadband Project.—The term ‘broadband project’ means, for the purpose of providing, extending, expanding, or improving high-speed broadband service to further the goals of this Act—

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

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

“(C) the acquisition, design and engineering, construction, rehabilitation, alteration, expansion, or improvement of facilities, including related machinery, equipment, contractual rights, and intangible property.

“(2) Eligible Recipient.—The term ‘eligible recipient’ includes—

“(A) a public-private partnership; and
“(B) a consortium formed for the purpose of providing, extending, expanding, or improving high-speed broadband service between 1 or more eligible recipients and 1 or more for-profit organizations.

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

“(b) BROADBAND PROJECTS.—

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

“(2) INTEREST IN REAL OR PERSONAL PROPERTY.—For any broadband project carried out by an eligible recipient that is a public-private partnership or consortium, the Secretary shall require that title to any real or personal property acquired or improved with grant funds, or if the recipient will not acquire title, another possessory interest acceptable to the Secretary, be vested in a public partner or eligible nonprofit organization or association for the
useful life of the project, after which title may be transferred to any member of the public-private partnership or consortium in accordance with regulations promulgated by the Secretary.

“(3) PROCUREMENT.—Notwithstanding any other provision of law, no person or entity shall be disqualified from competing to provide goods or services related to a broadband project on the basis that the person or entity participated in the development of the broadband project or in the drafting of specifications, requirements, statements of work, or similar documents related to the goods or services to be provided.

“(4) BROADBAND PROJECT PROPERTY.—

“(A) IN GENERAL.—The Secretary may permit a recipient of a grant for a broadband project to grant an option to acquire real or personal property (including contractual rights and intangible property) related to that project to a third party on such terms as the Secretary determines to be appropriate, subject to the condition that the option may only be exercised after the Secretary releases the Federal interest in the property.
“(B) TREATMENT.—The grant or exercise of an option described in subparagraph (A) shall not constitute a redistribution of grant funds under section 217.

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

“(d) NON-FEDERAL SHARE.—In determining the amount of the non-Federal share of the cost of a broadband project, the Secretary may provide credit toward the non-Federal share for the present value of allowable contributions over the useful life of the broadband project, subject to the condition that the Secretary may require such assurances of the value of the rights and of the commitment of the rights as the Secretary determines to be appropriate.”.

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

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