

AMENDMENT TO RULES COMMITTEE PRINT 117-

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OFFERED BY MR. GUEST OF MISSISSIPPI

At the end of title LIII of division E of the bill, add the following:

1 **SEC. ____ . HIGH-SPEED BROADBAND DEPLOYMENT INI-**
2 **TIATIVE.**

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

1 “(C) the acquisition, design and engineer-
2 ing, construction, rehabilitation, alteration, ex-
3 pansion, or improvement of facilities, including
4 related machinery, equipment, contractual
5 rights, and intangible property.

6 “(2) ELIGIBLE RECIPIENT.—

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

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

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

12 “(ii) a consortium formed for the pur-
13 pose of providing, extending, expanding, or
14 improving high-speed broadband service
15 between 1 or more eligible recipients and 1
16 or more for-profit organizations.

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

23 “(b) BROADBAND PROJECTS.—

24 “(1) IN GENERAL.—On the application of an el-
25 igible recipient, the Secretary may make grants

1 under this title for broadband projects, which shall
2 be subject to the provisions of this section.

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

9 “(3) DATA REQUESTED.—In reviewing an ap-
10 plication submitted under paragraph (1), the Sec-
11 retary shall request from the Federal Communica-
12 tions Commission, the Administrator of the National
13 Telecommunications and Information Administra-
14 tion, the Secretary of Agriculture, and the Appa-
15 lachian Regional Commission data on—

16 “(A) the level and extent of broadband
17 service that exists in the area proposed to be
18 served; and

19 “(B) the level and extent of broadband
20 service that will be deployed in the area pro-
21 posed to be served pursuant to another Federal
22 program.

23 “(4) INTEREST IN REAL OR PERSONAL PROP-
24 erty.—For any broadband project carried out by an
25 eligible recipient that is a public-private partnership

1 or consortium, the Secretary shall require that title
2 to any real or personal property acquired or im-
3 proved with grant funds, or if the recipient will not
4 acquire title, another possessory interest acceptable
5 to the Secretary, be vested in a public partner or eli-
6 gible nonprofit organization or association for the
7 useful life of the project, after which title may be
8 transferred to any member of the public-private
9 partnership or consortium in accordance with regu-
10 lations promulgated by the Secretary.

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

20 “(6) BROADBAND PROJECT PROPERTY.—

21 “(A) IN GENERAL.—The Secretary may
22 permit a recipient of a grant for a broadband
23 project to grant an option to acquire real or
24 personal property (including contractual rights
25 and intangible property) related to that project

1 to a third party on such terms as the Secretary
2 determines to be appropriate, subject to the
3 condition that the option may only be exercised
4 after the Secretary releases the Federal interest
5 in the property.

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

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

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

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

