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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Infrastructure Investment and Jobs Act to improve the
Broadband Equity, Access, and Deployment Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M____. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Infrastructure Investment and Jobs Act to
improve the Broadband Equity, Access, and Deployment
Program, and for other purposes.

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 “Streamlining Program
5 Efficiency and Expanding Deployment for BEAD Act” or
6 the “SPEED for BEAD Act”.

1 **SEC. 2. GRANTS FOR BROADBAND DEPLOYMENT.**

2 (a) ELIGIBLE COMMUNITY ANCHOR INSTITUTION.—

3 Section 60102(a)(1)(E) of the Infrastructure Investment
4 and Jobs Act (47 U.S.C. 1702(a)(1)(E)) is amended—

5 (1) by striking “The term” and inserting the
6 following:

7 “(i) IN GENERAL.—The term”; and

8 (2) by adding at the end the following:

9 “(ii) GIGABIT-LEVEL BROADBAND
10 SERVICE.—In this subparagraph, the term
11 ‘gigabit-level broadband service’ means re-
12 liable broadband service offered with
13 download speeds of not less than 1,000
14 megabits per second.”.

15 (b) PROGRAM NAME.—Section 60102 of the Infra-
16 structure Investment and Jobs Act (47 U.S.C. 1702) is
17 amended—

18 (1) in subsection (a)(2)(J), by striking “Eq-
19 uity” and inserting “Expansion”; and

20 (2) in subsection (b)—

21 (A) in the subsection heading, by striking
22 “EQUITY” and inserting “EXPANSION”; and

23 (B) in paragraph (1), by striking “Equity”
24 and inserting “Expansion”.

25 (c) FUNDS USAGE.—

1 (1) FAILURE TO USE FULL ALLOCATION.—Sec-
2 tion 60102(c)(5)(C)(ii) of the Infrastructure Invest-
3 ment and Jobs Act (47 U.S.C. 1702(c)(5)(C)(ii)) is
4 amended by striking “deadline, the Assistant Sec-
5 retary” and all that follows through the end and in-
6 serting “deadline, the Assistant Secretary shall
7 transfer the unused amounts to the general fund of
8 the Treasury.”.

9 (2) USE OF FUNDS.—Section 60102(f) of the
10 Infrastructure Investment and Jobs Act (47 U.S.C.
11 1702(f)) is amended—

12 (A) in paragraph (4)(B), by striking the
13 semicolon and inserting “; and”; and

14 (B) by striking paragraphs (5) and (6) and
15 inserting the following:

16 “(5) telecommunications workforce development
17 programs.”.

18 (d) PROJECT SIZE REFORM.—Section 60102(g)(2) of
19 the Infrastructure Investment and Jobs Act (47 U.S.C.
20 1702(g)(2)) is amended—

21 (1) in subparagraph (B), by striking “and” at
22 the end;

23 (2) in subparagraph (C), by striking the period
24 and inserting “; and”; and

25 (3) by adding at the end the following:

1 “(D) if the eligible entity awards a
2 subgrant on the basis of a project area defined
3 by the eligible entity, incorporate a mecha-
4 nism—

5 “(i) for a prospective subgrantee to
6 remove from such project area a location
7 that the prospective subgrantee determines
8 would unreasonably increase costs or is
9 otherwise necessary to remove; and

10 “(ii) to award a subgrant for any lo-
11 cation removed pursuant to clause (i).”.

12 (e) PROHIBITION ON CERTAIN CONDITIONS.—Sec-
13 tion 60102(g) of the Infrastructure Investment and Jobs
14 Act (47 U.S.C. 1702(g)) is amended by adding at the end
15 the following:

16 “(4) PROHIBITION ON CERTAIN CONDITIONS.—
17 Neither the Assistant Secretary nor an eligible entity
18 may establish or enforce, with respect to a process
19 of bidding, a grant, or a subgrant under this section,
20 a condition or other requirement, including a report-
21 ing requirement or bid scoring component or pref-
22 erence, of such process of bidding, grant, or
23 subgrant (without regard to whether such condition
24 or other requirement was approved as part of the

1 initial proposal, or any other portion of the applica-
2 tion process, of such eligible entity) that relates to—

3 “(A) prevailing wages or compliance with
4 subchapter IV of chapter 31 of title 40, United
5 States Code;

6 “(B) project labor agreements;

7 “(C) union workforces;

8 “(D) collective bargaining;

9 “(E) local hiring;

10 “(F) commitment to union neutrality;

11 “(G) labor peace agreements;

12 “(H) workforce composition or reporting of
13 workforce composition;

14 “(I) climate change;

15 “(J) regulation of network management
16 practices, including data caps;

17 “(K) open access;

18 “(L) a letter of credit from a subgrantee
19 that—

20 “(i) has commercially deployed or op-
21 erated a broadband network using tech-
22 nologies that are the same or similar to the
23 technologies relevant to such process of
24 bidding, grant, or subgrant; and

25 “(ii) is seeking—

1 “(I) funding in an amount that is
2 less than 25 percent of the annual
3 revenues of the subgrantee, including
4 any entity that controls, is controlled
5 by, or that is under common control
6 with such subgrantee; or

7 “(II) to provide service to a num-
8 ber of locations that is less than 25
9 percent of the total number of loca-
10 tions served by the subgrantee, includ-
11 ing any entity that controls, is con-
12 trolled by, or that is under common
13 control with such subgrantee; or

14 “(M) diversity, equity, and inclusion.”.

15 (f) ALL TECHNOLOGIES ELIGIBLE.—Section
16 60102(g) of the Infrastructure Investment and Jobs Act
17 (47 U.S.C. 1702(g)), as amended by the preceding sub-
18 sections of this section, is further amended by adding at
19 the end the following:

20 “(5) ALL TECHNOLOGIES ELIGIBLE.—An eligi-
21 ble entity, in awarding subgrants for the deployment
22 of a broadband network using grant funds received
23 under this section, shall treat as satisfying the defi-
24 nition of the term ‘reliable broadband service’ any
25 broadband service that meets the performance cri-

1 teria established under subsection (a)(2)(L) without
2 regard to the type of technology by which such serv-
3 ice is provided.”.

4 (g) NO REGULATION OF RATES PERMITTED.—Sec-
5 tion 60102(h)(5)(D) of the Infrastructure Investment and
6 Jobs Act (47 U.S.C. 1702(h)(5)(D)) is amended to read
7 as follows:

8 “(D) NO REGULATION OF RATES PER-
9 MITTED.—

10 “(i) RULE OF CONSTRUCTION.—Noth-
11 ing in this title may be construed to au-
12 thorize the Assistant Secretary, the Na-
13 tional Telecommunications and Informa-
14 tion Administration, or an eligible entity to
15 regulate, set, or otherwise mandate the
16 rates charged for broadband service or the
17 methodologies used to calculate such rates,
18 for consumers generally or for any subset
19 of consumers, including through the cap-
20 ping or freezing of such rates, the encour-
21 agement of another entity to regulate such
22 rates, or the use of rates as part of an ap-
23 plication scoring process.

24 “(ii) PROHIBITION.—An eligible entity
25 may not regulate, set, or otherwise man-

1 date pursuant to this section the rates
2 charged for broadband service or the meth-
3 odologies used to calculate such rates, in-
4 cluding through the capping or freezing of
5 such rates, the encouragement of another
6 entity to regulate such rates, or the use of
7 rates as part of an application scoring
8 process, without regard to whether the reg-
9 ulation, setting, or mandating—

10 “(I) was approved, prior to the
11 date of the enactment of this clause,
12 as part of the initial proposal, or any
13 other portion of the application proc-
14 ess, of such entity; or

15 “(II) is carried out in conjunc-
16 tion with the requirement to offer a
17 low-cost broadband service option
18 under paragraph (4)(B).”.