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119TH CONGRESS
1ST SESSION

H. R. 1870

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

MARCH 5, 2025

Mr. HUDSON (for himself, Mr. ALLEN, Mr. LATTA, Mr. BILIRAKIS, Mr. CARTER of Georgia, Mr. DUNN of Florida, Mr. JOYCE of Pennsylvania, Mr. FULCHER, Mr. PFLUGER, Mrs. CAMMACK, Mr. OBERNOLTE, Mrs. HOUCHIN, Mr. FRY, Mr. GOLDMAN of Texas, and Mr. CRENSHAW) introduced the following bill; which was referred to the Committee on Energy and Commerce

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A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ‘‘Streamlining Program Efficiency and Expanding Deployment for BEAD Act’’ or the ‘‘SPEED for BEAD Act’’.

SEC. 2. GRANTS FOR BROADBAND DEPLOYMENT.

(a) ELIGIBLE COMMUNITY ANCHOR INSTITUTION.—Section 60102(a)(1)(E) of the Infrastructure Investment and Jobs Act (47 U.S.C. 1702(a)(1)(E)) is amended—

(1) by striking ''The term'' and inserting the following:

''(i) IN GENERAL.—The term''; and

(2) by adding at the end the following:

''(ii) GIGABIT-LEVEL BROADBAND SERVICE.—In this subparagraph, the term 'gigabit-level broadband service' means reliable broadband service offered with download speeds of not less than 1,000 megabits per second.''.

(b) PROGRAM NAME.—Section 60102 of the Infrastructure Investment and Jobs Act (47 U.S.C. 1702) is amended—

(1) in subsection (a)(2)(J), by striking ''Equity'' and inserting ''Expansion''; and

(2) in subsection (b)—

(A) in the subsection heading, by striking ''EQUITY'' and inserting ''EXPANSION''; and

(B) in paragraph (1), by striking ''Equity'' and inserting ''Expansion''.

(c) FUNDS USAGE.—

(1) FAILURE TO USE FULL ALLOCATION.—Section 60102(c)(5)(C)(ii) of the Infrastructure Investment and Jobs Act (47 U.S.C. 1702(c)(5)(C)(ii)) is amended by striking "deadline, the Assistant Secretary" and all that follows through the end and inserting "deadline, the Assistant Secretary shall transfer the unused amounts to the general fund of the Treasury.".

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

(A) in paragraph (4)(B), by striking the semicolon and inserting "; and"; and

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

"(5) telecommunications workforce development programs.".

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

(1) in subparagraph (B), by striking "and" at the end;

(2) in subparagraph (C), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(D) if the eligible entity awards a subgrant on the basis of a project area defined by the eligible entity, incorporate a mechanism—

"(i) for a prospective subgrantee to remove from such project area a location that the prospective subgrantee determines would unreasonably increase costs or is otherwise necessary to remove; and

"(ii) to award a subgrant for any location removed pursuant to clause (i).".

(e) PROHIBITION ON CERTAIN CONDITIONS.—Section 60102(g) of the Infrastructure Investment and Jobs Act (47 U.S.C. 1702(g)) is amended by adding at the end the following:

"(4) PROHIBITION ON CERTAIN CONDITIONS.—Neither the Assistant Secretary nor an eligible entity may establish or enforce, with respect to a process of bidding, a grant, or a subgrant under this section, a condition or other requirement, including a reporting requirement or bid scoring component or preference, of such process of bidding, grant, or subgrant (without regard to whether such condition or other requirement was approved as part of the initial proposal, or any other portion of the application process, of such eligible entity) that relates to—

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

"(B) project labor agreements;

"(C) union workforces;

"(D) collective bargaining;

"(E) local hiring;

"(F) commitment to union neutrality;

"(G) labor peace agreements;

"(H) workforce composition or reporting of workforce composition;

"(I) climate change;

"(J) regulation of network management practices, including data caps;

"(K) open access;

"(L) a letter of credit from a subgrantee that—

"(i) has commercially deployed or operated a broadband network using technologies that are the same or similar to the technologies relevant to such process of bidding, grant, or subgrant; and

"(ii) is seeking—

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

"(II) to provide service to a number of locations that is less than 25 percent of the total number of locations served by the subgrantee, including any entity that controls, is controlled by, or that is under common control with such subgrantee; or

"(M) diversity, equity, and inclusion.".

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

"(5) ALL TECHNOLOGIES ELIGIBLE.—An eligible entity, in awarding subgrants for the deployment of a broadband network using grant funds received under this section, shall treat as satisfying the definition of the term 'reliable broadband service' any broadband service that meets the performance criteria established under subsection (a)(2)(L) without regard to the type of technology by which such service is provided.''.

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

''(D) NO REGULATION OF RATES PERMITTED.—

''(i) RULE OF CONSTRUCTION.—Nothing in this title may be construed to authorize the Assistant Secretary, the National Telecommunications and Information Administration, or an eligible entity to regulate, set, or otherwise mandate the rates charged for broadband service or the methodologies used to calculate such rates, for consumers generally or for any subset of consumers, including through the capping or freezing of such rates, the encouragement of another entity to regulate such rates, or the use of rates as part of an application scoring process.

''(ii) PROHIBITION.—An eligible entity may not regulate, set, or otherwise mandate pursuant to this section the rates charged for broadband service or the methodologies used to calculate such rates, including through the capping or freezing of such rates, the encouragement of another entity to regulate such rates, or the use of rates as part of an application scoring process, without regard to whether the regulation, setting, or mandating—

"(I) was approved, prior to the date of the enactment of this clause, as part of the initial proposal, or any other portion of the application process, of such entity; or

"(II) is carried out in conjunction with the requirement to offer a low-cost broadband service option under paragraph (4)(B).".

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