117TH CONGRESS
1ST SESSION

H. R. [ILLUSTRATION]

To include broadband as a utility that tenants residing in federally assisted housing can have subsidized by the Federal Government, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BOWMAN (for himself and Mr. CLEAVER) introduced the following bill; which was referred to the Committee on __________________________

A BILL

To include broadband as a utility that tenants residing in federally assisted housing can have subsidized by the Federal Government, 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 “Broadband Justice Act
5 of 2021”.
6 SEC. 2. CONGRESSIONAL FINDINGS.
7 The Congress finds that—
(1) the digital divide falls along racial and economic lines;

(2) during the COVID-19 pandemic, research determined that African American and Hispanic households were 1.3 to 1.4 times as likely as White households to experience limited accessibility to the Internet;

(3) 44 percent of low-income Americans who make less than $30,000 did not have home broadband services in 2019; and

(4) low-income families and individuals living in federally assisted housing often lack access to high-quality broadband, and monthly broadband costs can be prohibitively expensive, which limits their ability to undertake essential activities, including remote healthcare visits, school assignments, job searches, and obtaining information about supportive resources.

SEC. 3. UTILITY ALLOWANCES FOR FEDERALLY ASSISTED HOUSING.

(a) HUD-ASSISTED HOUSING.—

(1) PUBLIC HOUSING AND SECTION 8 ASSISTANCE.—Section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a) is amended by adding at the end the following new subsection:
“(e) UTILITY ALLOWANCE.—A monthly utility allowance under this Act with respect to any dwelling unit in public housing or assisted under section 8 shall include reasonable costs for broadband high-speed internet service.”.

(2) PUBLIC HOUSING OPERATING COSTS.—
Paragraph (1) of section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)(1)) is amended—

(A) in subparagraph (J), by striking “and” at the end;

(B) in subparagraph (K), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(L) the costs attributable to inclusion in the utility allowance for residents of public housing of an allowance for broadband high speed internet service.”.

(3) SECTION 202 SUPPORTIVE HOUSING FOR THE ELDERLY.—Subsection (e) of section 202 of the Housing Act of 1959 (12 U.S.C. 1701q(e)) is amended by adding at the end the following:

“(4) UTILITY ALLOWANCE.—A monthly utility allowance with respect to any dwelling unit assisted
under this section shall include reasonable costs for broadband high-speed internet service.”.

(4) Section 811 Supportive Housing for Persons with Disabilities.—Subsection (d) of section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)) is amended by adding at the end the following:

“(5) Utility Allowance.—A monthly utility allowance with respect to any dwelling unit assisted under this section shall include reasonable costs for broadband high-speed internet service.”.

(5) Regulations.—Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall revise the regulations of the Secretary, including sections 982.517 and 5.603 and part 990 of title 24, Code of Federal Regulations, to comply with and carry out the amendments made by subsections (a) and (b) of this section, and shall develop a schedule of regional rates for broadband costs for use by public housing agencies in setting reasonable costs of broadband high speed internet service.

(b) Rural Assisted Housing.—
(1) IN GENERAL.—Section 501 of the Housing Act of 1949 (42 U.S.C. 1471) is amended by adding at the end the following new subsection:

“(k) UTILITY ALLOWANCE.—In the case of a dwelling unit in any housing project assisted with a loan or grant under section 514, 515, or 516 or rental assistance under section 521, the monthly utility allowance under this title shall include reasonable costs for broadband high-speed internet service.”.

(2) REGULATIONS.—Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Secretary of Agriculture shall revise the regulations of the Secretary, including section 3560.202 of title 7, Code of Federal Regulations, to comply with and carry out the amendment made by subsection (a) of this section.

(c) LOW-INCOME HOUSING TAX CREDIT PROPERTIES.—

(1) IN GENERAL.—Section 42(g)(2)(B)(ii) of the Internal Revenue Code of 1986 is amended by inserting “(including any determination pursuant to section 3(e) of such Act)” before the comma at the end.

(2) REGULATIONS.—Not later than the expiration of the 6-month period beginning on the date of
the enactment of this Act, the Secretary of the Treasury shall revise the regulations of the Secretary, including section 1.42-10 of title 26, Code of Federal Regulations, to comply with and carry out the amendment made by subsection (a) of this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2022 and each fiscal year thereafter $5,000,000,000 for costs of carrying out the provisions added by the amendments made by this section.

SEC. 4. CONNECTED COMMUNITIES GRANTS AND LOANS.

(a) IN GENERAL.—The Secretary of Housing and Urban Development, the Secretary of Agriculture, and the Secretary of the Treasury shall jointly carry out a grant and loan program under this section to provide access to broadband high-speed internet service to residents of federally assisted housing.

(b) ELIGIBLE ACTIVITIES.—Amounts made available for the program under this section may be used only for grants and loans made to further the goal of providing universal access to broadband high-speed internet service to all residents of federally assisted housing, as follows:

(1) Grants, including to providers of federally-assisted housing and public entities, to support
projects to provide all residents of affordable housing projects, including public housing (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))) and other federally and State-assisted affordable housing projects, with access to such internet service; grantees are encouraged to partner with municipal and other public or non-profit entities to support internet access and may partner with a private broadband service provider if the wiring costs charged by the private partner to the grantee and the monthly broadband costs charged to tenants do not exceed the lower comparable cost for such access within the same region.

(2) Grants to public housing agencies and owners of housing assisted with rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) for installation of such internet service, including routers, modems, and other related devices, and to provide training and support regarding internet access and operating equipment.

(3) Direct loans to owners of housing assisted under title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.) or under the low-income housing tax credit program under section 42 of the Internal Rev-
enue Code of 1986 for costs of installation of such
internet access in such housing.

(4) Grants to assist in rehabilitation activities
necessary to provide wiring, other infrastructure,
and other broadband assistance needs identified by
housing providers and their tenants in housing de-
scribed in this subsection as necessary to provide
such internet service, including tenant support serv-
ices relating to internet access, including educating
tenants on how to use the internet and facilitating
contact with internet service providers, except that
any infrastructure or wiring upgrades performed by
for-profit service providers shall include open access
infrastructure.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated for each of fiscal years 2022
through 2025 such sums as may be necessary for grants
and costs (as such term is defined in section 502 of the
Congressional Budget Act of 1974 (2 U.S.C. 661a)) of
loans under this section.