

117TH CONGRESS  
1ST SESSION

# H. R. 1904

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2021

Mr. BOWMAN (for himself and Mr. CLEAVER) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## 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 (1) the digital divide falls along racial and eco-  
2 nomic lines;

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

8 (3) 44 percent of low-income Americans who  
9 make less than \$30,000 did not have home  
10 broadband services in 2019; and

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

19 **SEC. 3. UTILITY ALLOWANCES FOR FEDERALLY ASSISTED**  
20 **HOUSING.**

21 (a) HUD-ASSISTED HOUSING.—

22 (1) PUBLIC HOUSING AND SECTION 8 ASSIST-  
23 ANCE.—Section 3 of the United States Housing Act  
24 of 1937 (42 U.S.C. 1437a) is amended by adding at  
25 the end the following new subsection:

1       “(e) UTILITY ALLOWANCE.—A monthly utility allow-  
2       ance under this Act with respect to any dwelling unit in  
3       public housing or assisted under section 8 shall include  
4       reasonable costs for broadband high-speed internet serv-  
5       ice.”.

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

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

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

14               (C) by adding at the end the following:

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

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

23               “(4) UTILITY ALLOWANCE.—A monthly utility  
24       allowance with respect to any dwelling unit assisted

1 under this section shall include reasonable costs for  
2 broadband high-speed internet service.”.

3 (4) SECTION 811 SUPPORTIVE HOUSING FOR  
4 PERSONS WITH DISABILITIES.—Subsection (d) of  
5 section 811 of the Cranston-Gonzalez National Af-  
6 fordable Housing Act (42 U.S.C. 8013(d)) is amend-  
7 ed by adding at the end the following:

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

12 (5) REGULATIONS.—Not later than the expira-  
13 tion of the 6-month period beginning on the date of  
14 the enactment of this Act, the Secretary of Housing  
15 and Urban Development shall revise the regulations  
16 of the Secretary, including sections 982.517 and  
17 5.603 and part 990 of title 24, Code of Federal Reg-  
18 ulations, to comply with and carry out the amend-  
19 ments made by subsections (a) and (b) of this sec-  
20 tion, and shall develop a schedule of regional rates  
21 for broadband costs for use by public housing agen-  
22 cies in setting reasonable costs of broadband high  
23 speed internet service.

24 (b) RURAL ASSISTED HOUSING.—

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

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

10           (2) REGULATIONS.—Not later than the expira-  
11           tion of the 6-month period beginning on the date of  
12           the enactment of this Act, the Secretary of Agri-  
13           culture shall revise the regulations of the Secretary,  
14           including section 3560.202 of title 7, Code of Fed-  
15           eral Regulations, to comply with and carry out the  
16           amendment made by subsection (a) of this section.

17           (c) LOW-INCOME HOUSING TAX CREDIT PROP-  
18           ERTIES.—

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

24           (2) REGULATIONS.—Not later than the expira-  
25           tion of the 6-month period beginning on the date of

1 the enactment of this Act, the Secretary of the  
2 Treasury shall revise the regulations of the Sec-  
3 retary, including section 1.42–10 of title 26, Code of  
4 Federal Regulations, to comply with and carry out  
5 the amendment made by subsection (a) of this sec-  
6 tion.

7 (d) **AUTHORIZATION OF APPROPRIATIONS.**—There is  
8 authorized to be appropriated for fiscal year 2022 and  
9 each fiscal year thereafter \$5,000,000,000 for costs of car-  
10 rying out the provisions added by the amendments made  
11 by this section.

12 **SEC. 4. CONNECTED COMMUNITIES GRANTS AND LOANS.**

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

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

24 (1) Grants, including to providers of federally  
25 assisted housing and public entities, to support

1 projects to provide all residents of affordable hous-  
2 ing projects, including public housing (as such term  
3 is defined in section 3(b) of the United States Hous-  
4 ing Act of 1937 (42 U.S.C. 1437a(b))) and other  
5 federally and State-assisted affordable housing  
6 projects, with access to such internet service; grant-  
7 ees are encouraged to partner with municipal and  
8 other public or non-profit entities to support internet  
9 access and may partner with a private broadband  
10 service provider if the wiring costs charged by the  
11 private partner to the grantee and the monthly  
12 broadband costs charged to tenants do not exceed  
13 the lower comparable cost for such access within the  
14 same region.

15 (2) Grants to public housing agencies and own-  
16 ers of housing assisted with rental assistance under  
17 section 8 of the United States Housing Act of 1937  
18 (42 U.S.C. 1437f) for installation of such internet  
19 service, including routers, modems, and other related  
20 devices, and to provide training and support regard-  
21 ing internet access and operating equipment.

22 (3) Direct loans to owners of housing assisted  
23 under title V of the Housing Act of 1949 (42 U.S.C.  
24 1471 et seq.) or under the low-income housing tax  
25 credit program under section 42 of the Internal Rev-

1        enue Code of 1986 for costs of installation of such  
2        internet access in such housing.

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

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

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