

## Services

[Technology](#)

[Tribal Finance](#)

[Government Services](#)

## \$65 Billion in New Broadband Funding Included in Infrastructure Bill Passed by Congress

On November 5, 2021, the U.S. House of Representatives passed the Infrastructure Investment and Jobs Act (H.R. 3684), a major infrastructure bill that contains \$65 billion in new funding for broadband programs. The bill is expected to be signed by President Joe Biden soon.

Of the total amount, the bill includes \$42.45 billion for broadband grants to local governments, non-profit organizations, private sector entities, public-private partnerships (P3s), and utilities. The bill calls for each state to receive the funds and to create a competitive program to allocate the funds within the state.

The bill provides that priority should be given to those projects that will provide broadband service to unserved or underserved communities, such as rural areas that lack coverage, or urban areas where affordable access may be a challenge. The bill also prioritizes funding for “community anchor institutions” such as a health center, hospital, library, public housing organization, public safety entity, school, or university.

Some states have laws that prevent municipalities from offering broadband directly in competition with existing commercial providers. In those instances, a P3 structure may be needed for a city to offer broadband to residents. Our attorneys are experienced setting up those types of P3 structures.

If you are a city or other local governmental entity, a non-profit, or a similarly eligible entity such as a “community anchor institution” or private sector entity, and you would like help creating a proposal for submission to your state’s funding officials, or if you need assistance working with private parties to create a P3 proposal, please let us know.

### Additional Information

If you have questions about your organization’s eligibility for funding, please contact your Kutak Rock attorney or a member of our Broadband Infrastructure and Government Services Group. You may also visit us at [www.KutakRock.com](http://www.KutakRock.com).

## Contact

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