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## BIDEN ADMINISTRATION ANNOUNCES \$1.7 BILLION TO FUND HIGH-SPEED INTERNET ACCESS FOR FARMERS, RURAL COMMUNITIES, AND ALL FLORIDIANS



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By: Regulated Products Section Chair Richard Blau

President Joe Biden announced the allocation of \$42 billion from the 2021 Infrastructure Investment and Jobs Act with the goal of connecting everyone in America to reliable, affordable high-speed internet by 2030. The federal funding includes \$1.17 billion targeted to bring high-speed internet access to farmers and rural communities in Florida. The funding is intended to expand internet access to these priority areas:

- Unserved locations (No access to 25/3 Mbps)
- Underserved locations (No access to 100/20 Mbps)

The U.S. Department of Commerce's **National Telecommunications and Information Administration** (NTIA) will administer the disbursement of the federal funding, which is a key component of President Biden's **"Investing in America"** agenda. The State of Florida, in turn, will oversee projects receiving funds from the **Broadband Equity, Access, and Deployment** (BEAD) Program and generally administer BEAD grants within the state's borders.

The federal funds are intended to connect farmers and rural Floridians to the digital economy, support the manufacturing of more fiber-optic cable in America, and create good-paying jobs building internet infrastructure in the state so Florida can increase its agricultural competitiveness and spur economic growth.

The BEAD funding also will be used to deploy or upgrade broadband networks to ensure all Floridians have access to reliable, affordable, high-speed internet service. Once deployment goals are met, any remaining funding can be used to pursue eligible access-, adoption-, and equity-related uses.

Florida will receive its formal notice of allocation on June 30, 2023. Under the Bipartisan Infrastructure Law, the state government will have 180 days from the date of that formal notice to submit an initial proposal describing how the state proposes to run its BEAD grant programs.

Municipalities and private companies seeking federal funding for qualified projects, "Eligible Entities," can begin submitting their initial proposals starting July 1, 2023. Once NTIA approves an initial proposal, which will occur on a rolling basis, eligible entities will be permitted to request access to at least 20 percent of their allocated funds.

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Key questions for municipalities and private companies to consider when preparing a BEAD grant application:

- Will these projects help extend high-speed internet access for everyone in Florida?
- How will this project serve communities of color and address historic lack of investment in underrepresented communities?
- Will this project result in affordable internet service for farmers and rural consumers?
- What technology will be used to deploy the network, and what speed will it provide to consumers? How easily will this technology scale over time?
- How long will it take to build the network?
- Does the applicant have a demonstrated record of compliance with federal labor and employment laws?
- How does this project account for climate change risks?
- Is this project sustainable, and can it provide a lasting solution for the community it serves?

The ultimate objective of the BEAD funding is for projects to offer a low-cost plan for high-speed internet access to all their subscribers. The details and rules around the low-cost plans should be part of Florida's proposal and will require NTIA approval.

For those interested in Florida's BEAD funding, the **BEAD Application Guidance Package** provides additional information, including:

- Step by Step Application Guidance
- Letter of Intent and Application Templates
- Application Checklist and Form Packet

For more information on BEAD grant opportunities, visit <u>NTIA's website</u> or contact the GrayRobinson national Food Law Team at **866.382.5132** or <u>foodlaw@gray-robinson.com</u>.

<u>Richard M. Blau</u> leads the GrayRobinson national Food Law Team, focusing on the laws that govern the production, importation, processing, marketing, distribution, and sale of foods and beverages throughout the United States. Richard works with all levels of the food industry. He has represented international importers and domestic manufacturers, statewide wholesaler trade groups and regional distributors, and retailers (including multistate restaurant and grocery store chains) across the nation. Richard has achieved numerous peer-related accolades for his legal work, including **Chambers and Partners** – Nationally ranked as "Band 1" for Alcohol Beverage Law & Food Law; **Best Lawyers® in America** – Nationally listed for Food and Beverage Law; and **Super Lawyers** – Elected member.

