

.....
(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R.

To require the Federal Communications Commission to update the national broadband plan, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. ESHOO introduced the following bill; which was referred to the Committee on _____

A BILL

To require the Federal Communications Commission to update the national broadband plan, 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 “National Broadband
5 Plan for the Future Act of 2020”.

6 **SEC. 2. UPDATE TO NATIONAL BROADBAND PLAN.**

7 (a) DEFINITIONS.—In this section—

8 (1) the term “appropriate committees of Con-
9 gress” means—

1 (A) the Committee on Commerce, Science,
2 and Transportation of the Senate; and

3 (B) the Committee on Energy and Com-
4 merce of the House of Representatives;

5 (2) the term “broadband internet access serv-
6 ice” has the meaning given the term in section 8.1
7 of title 47, Code of Federal Regulations, or any suc-
8 cessor regulation;

9 (3) the term “Commission” means the Federal
10 Communications Commission;

11 (4) the term “COVID–19 pandemic” means the
12 outbreak and associated public health, economic, and
13 other societal effects of the Coronavirus Disease
14 2019 (COVID–19) related to the emergency de-
15 clared by the Secretary of Health and Human Serv-
16 ices on January 31, 2020, under section 319 of the
17 Public Health Service Act (42 U.S.C. 247d), and
18 any renewals thereof and any subsequent declara-
19 tions by the Secretary of Health and Human Serv-
20 ices related to the coronavirus;

21 (5) the term “E-Rate program” means the pro-
22 gram set forth under subpart F of part 54 of title
23 47, Code of Federal Regulations, or any successor
24 regulations;

1 (6) the term “Lifeline” means the program set
2 form under subpart E of part 54 of title 47, Code
3 of Federal Regulations, or any successor regulations;
4 and

5 (7) the term “national broadband plan” means
6 the plan required to be submitted by the Commis-
7 sion to the appropriate committees of Congress
8 under section 6001(k) of the American Recovery and
9 Reinvestment Act of 2009 (47 U.S.C. 1305(k)).

10 (b) UPDATE.—

11 (1) IN GENERAL.—Not later than July 1, 2021,
12 and subject to paragraph (3), the Commission shall,
13 after notice and an opportunity for public comment,
14 submit to the appropriate committees of Congress a
15 final report containing an update to the national
16 broadband plan.

17 (2) CONTENTS.—The update to the national
18 broadband plan required under paragraph (1)
19 shall—

20 (A) assess the progress of the United
21 States in achieving the goals of the original na-
22 tional broadband plan during the 10-year period
23 preceding the date of enactment of this Act;

1 (B) reassess the areas of focus contained
2 within the original national broadband plan, in-
3 cluding through—

4 (i) an analysis of the most effective
5 and efficient mechanisms for ensuring ac-
6 cess to broadband internet access service
7 by all people of the United States;

8 (ii) a detailed strategy for achieving—

9 (I) affordability of broadband
10 internet access service (including
11 through Lifeline); and

12 (II) maximum utilization of
13 broadband internet access service, and
14 the infrastructure with respect to that
15 service, by the public;

16 (iii) an evaluation of the status of de-
17 ployment of broadband internet access
18 service, including the progress of projects
19 supported by the grants made pursuant to
20 section 6001 of the American Recovery
21 and Reinvestment Act of 2009 (47 U.S.C.
22 1305); and

23 (iv) a plan for use of broadband inter-
24 net access service, and the infrastructure
25 with respect to that service, in advancing

1 consumer welfare, civic participation, pub-
2 lic safety and homeland security, commu-
3 nity development, health care delivery, en-
4 ergy independence and efficiency, edu-
5 cation, worker training, private sector in-
6 vestment, entrepreneurial activity, job cre-
7 ation and economic growth, and other na-
8 tional purposes;

9 (C) examine the effects of the COVID-19
10 pandemic on how the people of the United
11 States—

12 (i) learn, including—

13 (I) an analysis of the nature and
14 extent of gaps between students who
15 have access to broadband internet ac-
16 cess service at home and students who
17 do not have that access; and

18 (II) an identification of specific
19 ways to close the gaps described in
20 subclause (I), including through the
21 E-Rate program and Lifeline;

22 (ii) work, including by developing de-
23 tailed proposals that could make working
24 from home more practical for workers and
25 more productive for employers;

1 (iii) receive medical information and
2 treatment, including by—

3 (I) reviewing the adequacy and
4 effectiveness of telemedicine programs
5 implemented at the Federal and State
6 levels; and

7 (II) developing proposals for how
8 the programs described in subclause
9 (I) could be improved or expanded;
10 and

11 (iv) participate in civic communica-
12 tions, including by analyzing the effects
13 that the COVID–19 pandemic and the in-
14 frastructure with respect to broadband
15 internet access service in the United States
16 have had on—

17 (I) free expression and non-com-
18 mercial speakers in the United States;
19 and

20 (II) the availability of credible
21 news and information, including pub-
22 lic health information, with respect to
23 that pandemic;

24 (D) analyze the change in reliance that the
25 people of the United States will have on services

1 enabled by broadband internet access service as
2 a result of the COVID-19 pandemic; and

3 (E) develop—

4 (i) short-term proposals to address the
5 reliance described in subparagraph (D);
6 and

7 (ii) a long-term plan to address any
8 systemic privacy and security challenges
9 associated with the use of services de-
10 scribed in subparagraph (D).

11 (3) FINAL REPORT.—Until July 1, 2021, the
12 appropriate committees of Congress shall accept
13 from the Commission an updated version of a report
14 previously submitted by the Commission under para-
15 graph (1), without regard to whether the Commis-
16 sion had—

17 (A) labeled the previously submitted
18 version of the report as the final report; or

19 (B) otherwise indicated that the previously
20 submitted version was the final version of the
21 report.

22 (4) SUBSEQUENT ANNUAL REPORTS.—Not later
23 than 1 year after the date on which the Commission
24 submits the final report of the Commission required
25 under this subsection, as determined in accordance

1 with paragraph (3), and annually thereafter, the
2 Commission shall submit to the appropriate commit-
3 tees of Congress a report on the progress of the
4 Commission in achieving the goals of the national
5 broadband plan, as updated under this subsection.