

116TH CONGRESS  
2D SESSION

# S. 4022

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

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IN THE SENATE OF THE UNITED STATES

JUNE 22, 2020

Mr. MARKEY introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## 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 “E-Rate program” means the pro-  
12 gram set forth under subpart F of part 54 of title  
13 47, Code of Federal Regulations, or any successor  
14 regulations; and

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

20 (b) UPDATE.—

21 (1) IN GENERAL.—Not later than July 1, 2021,  
22 and subject to paragraph (3), the Commission shall  
23 submit to the appropriate committees of Congress a  
24 final report containing an update to the national  
25 broadband plan.

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

4           (A) assess the progress of the United  
5 States in achieving the goals of the original na-  
6 tional broadband plan during the 10-year period  
7 preceding the date of enactment of this Act;

8           (B) reassess the areas of focus contained  
9 within the original national broadband plan, in-  
10 cluding through—

11           (i) an analysis of the most effective  
12 and efficient mechanisms for ensuring ac-  
13 cess to broadband internet access service  
14 by all people of the United States;

15           (ii) a detailed strategy for achieving—

16           (I) affordability of broadband  
17 internet access service; and

18           (II) maximum utilization of  
19 broadband internet access service, and  
20 the infrastructure with respect to that  
21 service, by the public;

22           (iii) an evaluation of the status of de-  
23 ployment of broadband internet access  
24 service, including the progress of projects  
25 supported by the grants made pursuant to

1 section 6001 of the American Recovery  
2 and Reinvestment Act of 2009 (47 U.S.C.  
3 1305); and

4 (iv) a plan for use of broadband inter-  
5 net access service, and the infrastructure  
6 with respect to that service, in advancing  
7 consumer welfare, civic participation, pub-  
8 lic safety and homeland security, commu-  
9 nity development, health care delivery, en-  
10 ergy independence and efficiency, edu-  
11 cation, worker training, private sector in-  
12 vestment, entrepreneurial activity, job cre-  
13 ation and economic growth, and other na-  
14 tional purposes;

15 (C) examine the effects of the COVID–19  
16 pandemic on how the people of the United  
17 States—

18 (i) learn, including—

19 (I) an analysis of the nature and  
20 extent of gaps between students who  
21 have access to broadband internet ac-  
22 cess service at home and students who  
23 do not have that access; and

24 (II) an identification of specific  
25 ways to close the gaps described in

1 subclause (I), including through the  
2 E-Rate program;

3 (ii) work, including by developing de-  
4 tailed proposals that could make working  
5 from home more practical for workers and  
6 more productive for employers;

7 (iii) receive medical information and  
8 treatment, including by—

9 (I) reviewing the adequacy and  
10 effectiveness of telemedicine programs  
11 implemented at the Federal and State  
12 levels; and

13 (II) developing proposals for how  
14 the programs described in subclause  
15 (I) could be improved or expanded;  
16 and

17 (iv) participate in civic communica-  
18 tions, including by analyzing the effects  
19 that the COVID–19 pandemic and the in-  
20 frastructure with respect to broadband  
21 internet access service in the United States  
22 have had on—

23 (I) free expression and non-com-  
24 mercial speakers in the United States;  
25 and

1 (II) the availability of credible  
2 news and information, including pub-  
3 lic health information, with respect to  
4 that pandemic;

5 (D) analyze the level of reliance that the  
6 people of the United States will have on services  
7 enabled by broadband internet access service—

8 (i) before comprehensive testing with  
9 respect to COVID–19 is implemented and  
10 a vaccine with respect to that disease is de-  
11 veloped; and

12 (ii) after the COVID–19 pandemic  
13 has ended; and

14 (E) develop—

15 (i) short-term proposals to address the  
16 reliance described in subparagraph (D);  
17 and

18 (ii) a long-term plan to address any  
19 systemic privacy and security challenges  
20 associated with the use of services de-  
21 scribed in subparagraph (D).

22 (3) FINAL REPORT.—Until July 1, 2021, the  
23 appropriate committees of Congress shall accept  
24 from the Commission an updated version of a report  
25 previously submitted by the Commission under para-

1 graph (1), without regard to whether the Commis-  
2 sion had—

3 (A) labeled the previously submitted  
4 version of the report as the final report; or

5 (B) otherwise indicated that the previously  
6 submitted version was the final version of the  
7 report.

8 (4) SUBSEQUENT ANNUAL REPORTS.—Not later  
9 than 1 year after the date on which the Commission  
10 submits the final report of the Commission required  
11 under this subsection, as determined in accordance  
12 with paragraph (3), and annually thereafter, the  
13 Commission shall submit to the appropriate commit-  
14 tees of Congress a report on the progress of the  
15 Commission in achieving the goals of the national  
16 broadband plan, as updated under this subsection.

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