

117TH CONGRESS
1ST SESSION

S. 279

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 8, 2021

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

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 2021”.

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
7 8.1(b) of title 47, Code of Federal Regulations, or
8 any successor 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 (referred to in this paragraph as “COVID–
15 19”) relating to the public health emergency de-
16 clared by the Secretary of Health and Human Serv-
17 ices under section 319 of the Public Health Service
18 Act (42 U.S.C. 247d) on January 31, 2020, includ-
19 ing—

20 (A) any renewal of that declaration; and

21 (B) any subsequent declaration by the Sec-
22 retary of Health and Human Services relating
23 to COVID–19;

24 (5) the term “E-Rate program” means the pro-
25 gram set forth under subpart F of part 54 of title

1 47, Code of Federal Regulations, or any successor
2 regulations;

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

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

12 (b) UPDATE.—

13 (1) IN GENERAL.—Not later than 1 year after
14 the date of enactment of this Act, the Commission
15 shall submit to the appropriate committees of Con-
16 gress a report containing an update to the national
17 broadband plan.

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

21 (A) assess the progress of the United
22 States in achieving the goals of the original na-
23 tional broadband plan during the 10-year period
24 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 racial justice, socioeconomic equity, con-
2 sumer welfare, civic participation, public
3 safety and homeland security, community
4 development, health care delivery, energy
5 independence and efficiency, education,
6 worker training, private sector investment,
7 entrepreneurial activity, job creation and
8 economic growth, and other national pur-
9 poses;

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

13 (i) learn, including—

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

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

23 (ii) work, including by developing de-
24 tailed proposals that could make working

1 from home more practical for workers and
2 more productive for employers;

3 (iii) receive medical information and
4 treatment, including by—

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

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

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

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

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

1 (D) analyze the change in reliance that the
2 people of the United States will have on services
3 enabled by broadband internet access service as
4 a result of the COVID–19 pandemic; and

5 (E) develop—

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

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

13 (3) SUBSEQUENT ANNUAL REPORTS.—Not later
14 than 1 year after the date on which the Commission
15 submits the report of the Commission required
16 under paragraph (1), and annually thereafter, the
17 Commission shall submit to the appropriate commit-
18 tees of Congress a report on the progress of the
19 Commission in achieving the goals of the national
20 broadband plan, as updated under this subsection.

21 (4) PUBLIC AVAILABILITY.—The Commission
22 shall publish the report submitted under paragraph
23 (1), and each report submitted under paragraph (3),
24 on a publicly available website.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Commission such
3 sums as may be necessary to carry out this section.

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