

117TH CONGRESS  
1ST SESSION

# H. R. 870

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2021

Ms. ESHOO (for herself, Ms. NORTON, Mr. CASE, Mr. THOMPSON of Mississippi, and Mr. THOMPSON of California) introduced the following bill; which was referred to the Committee on Energy and Commerce

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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 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 (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       forth 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 1 year after  
12       the date of enactment of this Act, the Commission  
13       shall submit to the appropriate committees of Con-  
14       gress a report containing an update to the national  
15       broadband plan.

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

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

23                (B) reassess the areas of focus contained  
24       within the original national broadband plan, in-  
25       cluding through—

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

5 (ii) a detailed strategy for achieving—

6 (I) affordability of broadband  
7 internet access service (including  
8 through Lifeline); and

9 (II) maximum utilization of  
10 broadband internet access service, and  
11 the infrastructure with respect to that  
12 service, by the public;

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

20 (iv) a plan for use of broadband inter-  
21 net access service, and the infrastructure  
22 with respect to that service, in advancing  
23 racial justice, socioeconomic equity, con-  
24 sumer welfare, civic participation, public  
25 safety and homeland security, community

1 development, health care delivery, energy  
2 independence and efficiency, education,  
3 worker training, private sector investment,  
4 entrepreneurial activity, job creation and  
5 economic growth, and other national pur-  
6 poses;

7 (C) examine the effects of the COVID–19  
8 pandemic on how the people of the United  
9 States—

10 (i) learn, including—

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

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

21 (ii) work, including by developing de-  
22 tailed proposals that could make working  
23 from home more practical for workers and  
24 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) SUBSEQUENT ANNUAL REPORTS.—Not later  
12 than 1 year after the date on which the Commission  
13 submits the report of the Commission required  
14 under paragraph (1), and annually thereafter, the  
15 Commission shall submit to the appropriate commit-  
16 tees of Congress a report on the progress of the  
17 Commission in achieving the goals of the national  
18 broadband plan, as updated under this subsection.

19 (4) PUBLIC AVAILABILITY.—The Commission  
20 shall publish the report submitted under paragraph  
21 (1), and each report submitted under paragraph (3),  
22 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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