

117TH CONGRESS
1ST SESSION

H. R. 2398

To improve the Federal Communication Commission’s collection of broadband speed data in order to support the effective deployment of broadband services to all areas in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2021

Mr. DELGADO introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To improve the Federal Communication Commission’s collection of broadband speed data in order to support the effective deployment of broadband services to all areas in the United States, 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 “Broadband Speed
5 Act”.

1 **SEC. 2. BROADBAND SPEED TEST.**

2 (a) REGULATIONS REQUIRED.—Not later than 180
3 days after the date of the enactment of this Act, the Com-
4 mission shall issue a rule that does the following:

5 (1) Establishes an annual reporting require-
6 ment under which each provider of broadband inter-
7 net access service submits to the Commission a re-
8 port on broadband speed data based on a reasonable
9 sample that is captured to demonstrate that the pro-
10 vider is capable of performing at the speed reported
11 to the Commission on Form 477 or any successor
12 report.

13 (2) Establishes a fine for any provider that is
14 found under paragraph (1) to have willfully or know-
15 ingly provided false data about the speeds offered.

16 (3) Incorporates any other requirements issued
17 by the Commission related to reporting on
18 broadband speed data to minimize duplication.

19 (b) BROADBAND SPEED REQUIREMENT FOR INFRA-
20 STRUCTURE FUNDING.—Any broadband infrastructure
21 that is built with funding awarded on or after the date
22 of the enactment of this Act from the Federal universal
23 service support programs established pursuant to section
24 254 of the Communications Act of 1934 (47 U.S.C. 254)
25 shall provide broadband internet access service with a
26 download speed of at least 100 megabits per second.

1 (c) DEFINITIONS.—In this section:

2 (1) BROADBAND INTERNET ACCESS SERVICE.—

3 The term “broadband internet access service” means
4 a mass-market retail service by wire or radio that
5 provides the capability to transmit data to and re-
6 ceive data from all or substantially all internet
7 endpoints, including any capabilities that are inci-
8 dental to and enable the operation of the commu-
9 nications service, but excluding dial-up internet ac-
10 cess service. Such term includes any service that the
11 Commission finds to be providing a functional equiv-
12 alent of the service described in the previous sen-
13 tence.

14 (2) COMMISSION.—The term “Commission”
15 means the Federal Communications Commission.

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