

117TH CONGRESS
1ST SESSION

H. R. 4905

To direct the Federal Communications Commission to promulgate regulations to collect regulatory fees from large technology platforms.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 3, 2021

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

A BILL

To direct the Federal Communications Commission to promulgate regulations to collect regulatory fees from large technology platforms.

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 “Big Tech Account-
5 ability for Broadband Act”.

6 **SEC. 2. COLLECTION OF REGULATORY FEES FROM LARGE**
7 **TECHNOLOGY PLATFORMS.**

8 (a) REGULATIONS.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of the enactment of this Act, the

1 Commission shall, notwithstanding subsection (d) of
2 section 254 of the Communications Act of 1934 (47
3 U.S.C. 254), promulgate regulations to require cov-
4 ered businesses to contribute to the Federal uni-
5 versal service support mechanism under such sec-
6 tion.

7 (2) FEE STRUCTURE.—Such regulations shall
8 include a fee structure to be assessed on covered
9 businesses.

10 (b) CONSIDERATIONS.—In promulgating regulations
11 under subsection (a), the Commission shall consider in-
12 cluding in such regulations a mechanism to prohibit a tele-
13 communications carrier from levying on a customer of
14 such carrier charges relating to the required contributions
15 of such carriers to Federal universal service support mech-
16 anism under section 254(d) of the Communications Act
17 of 1934 (47 U.S.C. 254), if such customer is considered
18 by the Commission to be unserved or underserved with re-
19 spect to broadband internet access service.

20 (c) DEFINITIONS.—In this Act:

21 (1) BROADBAND INTERNET ACCESS SERVICE.—
22 The term “broadband internet access service” has
23 the meaning of that term under section 8.1(b) of
24 title 47, Code of Federal Regulations.

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

3 (3) COVERED BUSINESS.—The term “covered
4 business”—

5 (A) means a business offering an online
6 platform which—

7 (i) in any month during the most re-
8 cently completed 12-month period—

9 (I) more than 30,000,000 users
10 in the United States accessed, without
11 regard to the means by which the
12 users accessed the service; or

13 (II) more than 300,000,000
14 users worldwide accessed, without re-
15 gard to the means by which the users
16 accessed the service; and

17 (ii) during the most recently com-
18 pleted taxable year, had more than
19 \$10,000,000,000 in global revenue; and

20 (B) does not include an organization de-
21 scribed in section 501(c) of the Internal Rev-
22 enue Code of 1986 that is exempt from taxation
23 under section 501(a) of such Code.

24 (4) ONLINE PLATFORM.—The term “online
25 platform” means a website, online or mobile applica-

1 tion, mobile operating system, digital assistant, or
2 online service that is designed primarily to—

3 (A) enable a user to generate content that
4 can be viewed by other users on the platform or
5 to interact with other content on the platform;

6 (B) facilitate the offering, sale, purchase,
7 payment, or shipping of products or services,
8 including software applications, between and
9 among consumers or businesses not controlled
10 by the platform operator; or

11 (C) enable user searches or queries that
12 access or display a large volume of information.

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