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.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “National Broadband Plan for the Future Act of 2021”.

SEC. 2. UPDATE TO NATIONAL BROADBAND PLAN.
(a) DEFINITIONS.—In this section—
(1) the term “appropriate committees of Con-
gress” means—
(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives;

(2) the term “broadband internet access service” has the meaning given the term in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation;

(3) the term “Commission” means the Federal Communications Commission;

(4) the term “COVID–19 pandemic” means the outbreak and associated public health, economic, and other societal effects of the Coronavirus Disease 2019 (referred to in this paragraph as “COVID–19”) relating to the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, including—

(A) any renewal of that declaration; and

(B) any subsequent declaration by the Secretary of Health and Human Services relating to COVID–19;

(5) the term “E-Rate program” means the program set forth under subpart F of part 54 of title
47, Code of Federal Regulations, or any successor regulations;

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

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

(b) UPDATE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report containing an update to the national broadband plan.

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

(A) assess the progress of the United States in achieving the goals of the original national broadband plan during the 10-year period preceding the date of enactment of this Act;
(B) reassess the areas of focus contained within the original national broadband plan, including through—

(i) an analysis of the most effective and efficient mechanisms for ensuring access to broadband internet access service by all people of the United States;

(ii) a detailed strategy for achieving—

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

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

(iii) an evaluation of the status of deployment of broadband internet access service, including the progress of projects supported by the grants made pursuant to section 6001 of the American Recovery and Reinvestment Act of 2009 (47 U.S.C. 1305); and

(iv) a plan for use of broadband internet access service, and the infrastructure with respect to that service, in advancing
racial justice, socioeconomic equity, consumer welfare, civic participation, public safety and homeland security, community development, health care delivery, energy independence and efficiency, education, worker training, private sector investment, entrepreneurial activity, job creation and economic growth, and other national purposes;

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

(i) learn, including—

(I) an analysis of the nature and extent of gaps between students who have access to broadband internet access service at home and students who do not have access to that service; and

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

(ii) work, including by developing detailed proposals that could make working
from home more practical for workers and
more productive for employers;

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

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

(II) developing proposals for how
the programs described in subclause
(I) could be improved or expanded;

and

(iv) participate in civic communications, including by analyzing the effects
that the COVID–19 pandemic and the infrastructure with respect to broadband
internet access service in the United States
have had on—

(I) free expression and non-commercial speakers in the United States;

and

(II) the availability of credible
news and information, including pub-
lic health information, with respect to
that pandemic;
(D) analyze the change in reliance that the
people of the United States will have on services
enabled by broadband internet access service as
a result of the COVID–19 pandemic; and

(E) develop—

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

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

(3) Subsequent Annual Reports.—Not later
than 1 year after the date on which the Commission
submits the report of the Commission required
under paragraph (1), and annually thereafter, the
Commission shall submit to the appropriate commit-
tees of Congress a report on the progress of the
Commission in achieving the goals of the national
broadband plan, as updated under this subsection.

(4) Public Availability.—The Commission
shall publish the report submitted under paragraph
(1), and each report submitted under paragraph (3),
on a publicly available website.
(c) Authorization of Appropriations.—There are authorized to be appropriated to the Commission such sums as may be necessary to carry out this section.