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

IN THE SENATE OF THE UNITED STATES

Mr. MARKEY introduced the following bill; which was read twice and referred to the Committee on _________________

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 Representatives 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 2020”.

SEC. 2. UPDATE TO NATIONAL BROADBAND PLAN.

(a) DEFINITIONS.—In this section—

(1) the term “appropriate committees of Congress” 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 of title 47, Code of Federal Regulations, or any successor regulation;

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

(4) 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; and

(5) 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 July 1, 2021, and subject to paragraph (3), the Commission shall submit to the appropriate committees of Congress a final 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; and

(II) maximum utilization of broadband internet access service, and

(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 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 that access; and

(II) an identification of specific ways to close the gaps described in
subclause (I), including through the
E-Rate program;
(ii) work, including by developing de-
tailed 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 communica-
tions, including by analyzing the effects
that the COVID–19 pandemic and the in-
structure with respect to broadband
internet access service in the United States
have had on—
(I) free expression and non-com-
mercial speakers in the United States;
and
(II) the availability of credible news and information, including public health information, with respect to that pandemic;

(D) analyze the level of reliance that the people of the United States will have on services enabled by broadband internet access service—

(i) before comprehensive testing with respect to COVID–19 is implemented and a vaccine with respect to that disease is developed; and

(ii) after the COVID–19 pandemic has ended; 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 described in subparagraph (D).

(3) Final Report.—Until July 1, 2021, the appropriate committees of Congress shall accept from the Commission an updated version of a report previously submitted by the Commission under para-
graph (1), without regard to whether the Commission had—

(A) labeled the previously submitted version of the report as the final report; or

(B) otherwise indicated that the previously submitted version was the final version of the report.

(4) SUBSEQUENT ANNUAL REPORTS.—Not later than 1 year after the date on which the Commission submits the final report of the Commission required under this subsection, as determined in accordance with paragraph (3), and annually thereafter, the Commission shall submit to the appropriate committees of Congress a report on the progress of the Commission in achieving the goals of the national broadband plan, as updated under this subsection.