

AMENDMENT TO RULES COMMITTEE PRINT 116-

54

OFFERED BY MR. PETERSON OF MINNESOTA

Page 1395, after line 13, insert the following:

1 **CHAPTER 4—UNIVERSAL SERVICE SUP-**
2 **PORT FOR BROADBAND INTERNET AC-**
3 **CESS SERVICES**

4 **SEC. 31361. UNIVERSAL SERVICE SUPPORT FOR**
5 **BROADBAND INTERNET ACCESS SERVICES.**

6 (a) CLARIFICATION OF ELIGIBILITY FOR SUPPORT.—

7 (1) IN GENERAL.—Section 254(c) of the Com-
8 munications Act of 1934 (47 U.S.C. 254(c)) is
9 amended by adding at the end the following:

10 “(4) BROADBAND INTERNET ACCESS SERV-
11 ICES.—In addition to the services included in the
12 definition of universal service under paragraph (1),
13 the Commission shall designate broadband internet
14 access services as services that are supported by
15 Federal universal service support mechanisms. In
16 designating services under this paragraph, the Com-
17 mission shall ensure that the services designated are
18 sufficient for the purposes for which consumers use

1 broadband internet access services, as such purposes
2 evolve over time.”.

3 (2) OBLIGATIONS OF ELIGIBLE TELECOMMUNI-
4 CATIONS CARRIERS.—Section 214(e)(1)(A) of the
5 Communications Act of 1934 (47 U.S.C.
6 214(e)(1)(A)) is amended by inserting “all of” after
7 “offer”.

8 (b) CONTRIBUTIONS TO UNIVERSAL SERVICE.—

9 (1) PROVIDERS OF BROADBAND INTERNET AC-
10 CESS SERVICES REQUIRED TO CONTRIBUTE.—Sec-
11 tion 254 of the Communications Act of 1934 (47
12 U.S.C. 254) is amended—

13 (A) in subsection (b)(4), by inserting “and
14 all providers of broadband internet access serv-
15 ices” after “telecommunications services”; and

16 (B) in subsection (d)—

17 (i) in the heading, by striking “TELE-
18 COMMUNICATIONS CARRIER”;

19 (ii) in the first sentence, by inserting
20 “and every provider of broadband internet
21 access services” after “telecommunications
22 services”; and

23 (iii) in the second sentence—

1 (I) by inserting “, or provider or
2 class of providers,” after “carriers”;
3 and

4 (II) by inserting “or provider’s”
5 after “carrier’s” each place it appears.

6 (2) ADDITIONAL MATTERS RELATING TO UNI-
7 VERSAL SERVICE CONTRIBUTIONS.—Section 254(d)
8 of the Communications Act of 1934 (47 U.S.C.
9 254(d)) is amended—

10 (A) by striking “Every telecommunications
11 carrier” and inserting the following:

12 “(1) IN GENERAL.—Every telecommunications
13 carrier”; and

14 (B) by adding at the end the following:

15 “(2) EXCLUSION FROM CONTRIBUTION BASE OF
16 SERVICES PROVIDED TO LIFELINE CONSUMERS.—In
17 determining the amount that a telecommunications
18 carrier or provider of a broadband internet access
19 service is required to contribute under this sub-
20 section, the Commission shall exclude from the de-
21 termination any services provided by such carrier or
22 provider to consumers who receive services through
23 the Lifeline program of the Commission.

24 “(3) CONSIDERATION OF ANTICIPATED FUND-
25 ING NEEDS.—

1 “(A) IN GENERAL.—In determining the
2 amount of contributions required under this
3 subsection, the Commission shall consider fore-
4 casts of anticipated demand for services that
5 are supported by each of the Federal universal
6 service support mechanisms over periods that
7 are sufficiently long to allow for adequate plan-
8 ning, thereby ensuring sufficient and predict-
9 able funding for each such mechanism.

10 “(B) PROHIBITION ON CONTRIBUTION
11 LIMIT.—The Commission may not establish any
12 limit on the total amount of contributions re-
13 quired under this subsection with respect to all
14 Federal universal service support mechanisms,
15 except for establishing the amount that pro-
16 viders are required to contribute with respect to
17 a particular time period based on the projected
18 demand for services that are supported by Fed-
19 eral universal service support mechanisms over
20 such time period.”.

21 (c) ACCESS IN TRIBAL AREAS.—Section 254(b)(3) of
22 the Communications Act of 1934 (47 U.S.C. 254(b)(3))
23 is amended—

1 (1) in the heading, by striking “ACCESS IN
2 RURAL AND HIGH COST AREAS” and inserting “AC-
3 CESS IN ALL REGIONS”; and

4 (2) by inserting “Tribal,” after “insular,”.

5 (d) PROHIBITION ON EXPENDITURE LIMIT.—Section
6 254 of the Communications Act of 1934 (47 U.S.C. 254)
7 is amended by adding at the end the following:

8 “(m) PROHIBITION ON EXPENDITURE LIMIT.—The
9 Commission may not establish any limit on the total
10 amount of funds that may be expended through all Fed-
11 eral universal service support mechanisms. Nothing in the
12 preceding sentence shall be construed to prohibit the Com-
13 mission from ensuring that funds expended through the
14 Federal universal service support mechanisms are ex-
15 pended for services eligible for support through such
16 mechanisms.”.

17 (e) CONSULTATION AMONG FCC, NTIA, AND
18 USDA.—The Commission, the Assistant Secretary, and
19 the Secretary of Agriculture shall, in administering Fed-
20 eral financial assistance for the deployment of broadband
21 services, consult with one another regarding the distribu-
22 tion of such assistance for the deployment of broadband
23 services in rural areas.

1 (f) REPORTING REQUIREMENTS.—Section 254 of the
2 Communications Act of 1934, as amended by subsection
3 (d), is further amended by adding at the end the following:

4 “(n) REPORTING REQUIREMENTS.—Not later than
5 180 days after the end of each calendar year, the Commis-
6 sion shall submit to Congress a report that contains the
7 following:

8 “(1) A statement of the total amount expended
9 in such year to support broadband internet access
10 services through the Federal universal service sup-
11 port mechanisms for high-cost areas.

12 “(2) A statement of the amount, of the total
13 amount stated under paragraph (1), expended in
14 each of the following:

15 “(A) Rural areas.

16 “(B) Insular areas.

17 “(C) Tribal areas.

18 “(D) Areas that, as of the beginning of
19 such year, were unserved areas, as determined
20 by the Commission.

21 “(3) A description of progress during such year
22 in advancing the universal service principles de-
23 scribed in subsection (b) and the requirements for
24 meeting future growth in the demand for the serv-
25 ices that are supported by Federal universal service

1 support mechanisms, including challenges that may
2 prevent the advancement of such principles.”.

3 (g) BROADBAND INTERNET ACCESS SERVICE DE-
4 FINED.—Section 254 of the Communications Act of 1934,
5 as amended by subsections (d) and (f), is further amended
6 by adding at the end the following:

7 “(o) BROADBAND INTERNET ACCESS SERVICE DE-
8 FINED.—In this section, the term ‘broadband internet ac-
9 cess service’—

10 “(1) means a mass-market retail service by wire
11 or radio that provides the capability to transmit data
12 to and receive data from all or substantially all
13 internet endpoints, including any capabilities that
14 are incidental to and enable the operation of the
15 communications service, but excluding dial-up inter-
16 net access service; and

17 “(2) includes any service that the Commission
18 finds to be providing a functional equivalent of the
19 service described in paragraph (1).”.

