

106TH CONGRESS
1ST SESSION

H. R. 896

To require the installation and use by schools and libraries of a technology for filtering or blocking material on the Internet on computers with Internet access to be eligible to receive or retain universal service assistance.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 1999

Mr. FRANKS of New Jersey introduced the following bill; which was referred to the Committee on Commerce

A BILL

To require the installation and use by schools and libraries of a technology for filtering or blocking material on the Internet on computers with Internet access to be eligible to receive or retain universal service assistance.

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 “Childrens’ Internet
5 Protection Act”.

1 **SEC. 2. NO UNIVERSAL SERVICE FOR SCHOOLS OR LIBRAR-**
2 **IES THAT FAIL TO IMPLEMENT A FILTERING**
3 **OR BLOCKING TECHNOLOGY FOR COMPUT-**
4 **ERS WITH INTERNET ACCESS.**

5 (a) IN GENERAL.—Section 254 of the Communica-
6 tions Act of 1934 (47 U.S.C. 254) is amended by adding
7 at the end thereof the following:

8 “(1) IMPLEMENTATION OF AN INTERNET FILTERING
9 OR BLOCKING TECHNOLOGY.—

10 “(1) IN GENERAL.—An elementary school, sec-
11 ondary school, or library that fails to provide the
12 certification required by paragraph (2) or (3), re-
13 spectively, is not eligible to receive or retain univer-
14 sal service assistance provided under subsection
15 (h)(1)(B).

16 “(2) CERTIFICATION FOR SCHOOLS.—To be eli-
17 gible to receive universal service assistance under
18 subsection (h)(1)(B), an elementary or secondary
19 school (or the school board or other authority with
20 responsibility for administration of that school) shall
21 certify to the Commission that it has—

22 “(A) selected a technology for computers
23 with Internet access to filter or block material
24 deemed to be harmful to minors; and

25 “(B) installed, or will install, and uses or
26 will use, as soon as it obtains computers with

1 Internet access, a technology to filter or block
2 such material.

3 “(3) CERTIFICATION FOR LIBRARIES.—To be
4 eligible to receive universal service assistance under
5 subsection (h)(1)(B), a library shall certify to the
6 Commission that it has installed a technology to fil-
7 ter or block material deemed to be harmful to mi-
8 nors on its computers with Internet access and uses
9 such technology while the computers are being used
10 by minors.

11 “(4) TIME FOR CERTIFICATION.—The certifi-
12 cation required by paragraph (2) or (3) shall be
13 made within 30 days of the date of enactment of the
14 Childrens’ Internet Protection Act, or, if later, with-
15 in 10 days of the date on which any computer with
16 access to the Internet is first made available in the
17 school or library for its intended use.

18 “(5) NOTIFICATION OF CESSATION; ADDI-
19 TIONAL INTERNET-ACCESSING COMPUTER.—

20 “(A) CESSATION.—A library that has filed
21 the certification required by paragraph (3)(A)
22 shall notify the Commission within 10 days
23 after the date on which it ceases to use the fil-
24 tering or blocking technology to which the cer-
25 tification related.

1 “(B) ADDITIONAL INTERNET-ACCESSING
2 COMPUTER.—A library that has filed the certifi-
3 cation required by paragraph (3)(B) that adds
4 another computer with Internet access intended
5 for use by the public (including minors) shall
6 make the certification required by paragraph
7 (3)(A) within 10 days after that computer is
8 made available for use by the public.

9 “(6) PENALTY FOR FAILURE TO COMPLY.—A
10 school or library that fails to meet the requirements
11 of this subsection is liable to repay immediately the
12 full amount of all universal service assistance it re-
13 ceived under subsection (h)(1)(B).

14 “(7) LOCAL DETERMINATION OF MATERIAL TO
15 BE FILTERED.—For purposes of paragraphs (2) and
16 (3), the determination of what material is to be
17 deemed harmful to minors shall be made by the
18 school, school board, library or other authority re-
19 sponsible for making the required certification. No
20 agency or instrumentality of the United States Gov-
21 ernment may—

22 “(A) establish criteria for making that de-
23 termination;

1 “(B) review the determination made by the
2 certifying school, school board, library, or other
3 authority; or

4 “(C) consider the criteria employed by the
5 certifying school, school board, library, or other
6 authority in the administration of subsection
7 (h)(1)(B).”.

8 (b) CONFORMING CHANGE.—Section 254(h)(1)(B) of
9 the Communications Act of 1934 (47 U.S.C.
10 254(h)(1)(B)) is amended by striking “All telecommuni-
11 cations” and inserting “Except as provided by subsection
12 (l), all telecommunications”.

13 **SEC. 3. FCC TO ADOPT RULES WITHIN 4 MONTHS.**

14 The Federal Communications Commission shall
15 adopt rules implementing section 254(l) of the Commu-
16 nications Act of 1934 within 120 days after the date of
17 enactment of this Act.

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