

Calendar No. 262

106TH CONGRESS
1ST Session

S. 97

[Report No. 106-141]

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.

AUGUST 5, 1999

Reported with an amendment

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IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

Mr. MCCAIN (for himself, Mr. HOLLINGS, Mr. BURNS, Mr. ABRAHAM, Mr. STEVENS, Mrs. HUTCHISON, Mr. HELMS, and Mr. BOND) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

AUGUST 5, 1999

Reported by Mr. MCCAIN, with an amendment

[Strike all after the enacting clause and insert the part printed in italic]

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Childrens’ Internet
3 Protection Act”.

4 **SEC. 2. NO UNIVERSAL SERVICE FOR SCHOOLS OR LIBRAR-**
5 **IES THAT FAIL TO IMPLEMENT A FILTERING**
6 **OR BLOCKING TECHNOLOGY FOR COM-**
7 **PUTERS WITH INTERNET ACCESS.**

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

11 “(1) IMPLEMENTATION OF AN INTERNET FILTERING
12 OR BLOCKING TECHNOLOGY.—

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

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

1 “(A) selected a technology for computers
2 with Internet access to filter or block material
3 deemed to be harmful to minors; and

4 “(B) installed, or will install, and uses or
5 will use, as soon as it obtains computers with
6 Internet access, a technology to filter or block
7 such material.

8 “(3) CERTIFICATION FOR LIBRARIES.—

9 “(A) LIBRARIES WITH MORE THAN 1
10 INTERNET-ACCESSING COMPUTER.—To be eligi-
11 ble to receive universal service assistance under
12 subsection (h)(1)(B), a library that has more
13 than 1 computer with Internet access intended
14 for use by the public (including minors) shall
15 certify to the Commission that it has installed
16 and uses a technology to filter or block material
17 deemed to be harmful to minors on one or more
18 of its computers with Internet access.

19 “(B) LIBRARIES WITH ONLY 1 INTERNET-
20 ACCESSING COMPUTER.—A library that has
21 only 1 computer with Internet access intended
22 for use by the public (including minors) is eligi-
23 ble to receive universal service assistance under
24 subsection (h)(1)(B) even if it does not use a
25 technology to filter or block material deemed to

1 be harmful to minors on that computer if it cer-
 2 tifies to the Commission that it employs a rea-
 3 sonably effective alternative means to keep mi-
 4 nors from accessing material on the Internet
 5 that is deemed to be harmful to minors.

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

13 ~~“(5) NOTIFICATION OF CESSATION; ADDI-~~
 14 ~~TIONAL INTERNET-ACCESSING COMPUTER.—~~

15 ~~“(A) CESSATION.—~~A library that has filed
 16 the certification required by paragraph (3)(A)
 17 shall notify the Commission within 10 days
 18 after the date on which it ceases to use the fil-
 19 tering or blocking technology to which the cer-
 20 tification related.

21 ~~“(B) ADDITIONAL INTERNET-ACCESSING~~
 22 ~~COMPUTER.—~~A library that has filed the certifi-
 23 cation required by paragraph (3)(B) that adds
 24 another computer with Internet access intended
 25 for use by the public (including minors) shall

1 make the certification required by paragraph
2 (3)(A) within 10 days after that computer is
3 made available for use by the public.

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

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

17 “(A) establish criteria for making that de-
18 termination;

19 “(B) review the determination made by the
20 certifying school, school board, library, or other
21 authority; or

22 “(C) consider the criteria employed by the
23 certifying school, school board, library, or other
24 authority in the administration of subsection
25 (h)(1)(B).”.

1 (b) ~~CONFORMING CHANGE.~~—Section 254(h)(1)(B) of
 2 the Communications Act of 1934 (47 U.S.C.
 3 254(h)(1)(B)) is amended by striking “All telecommuni-
 4 cations” and inserting “Except as provided by subsection
 5 (l), all telecommunications”.

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

7 The Federal Communications Commission shall
 8 adopt rules implementing section 254(l) of the Commu-
 9 nications Act of 1934 within 120 days after the date of
 10 enactment of this Act.

11 **SECTION 1. SHORT TITLE.**

12 *This Act may be cited as the “Childrens’ Internet Pro-*
 13 *tection Act”.*

14 **SEC. 2. REQUIREMENT FOR SCHOOLS AND LIBRARIES TO**
 15 **IMPLEMENT FILTERING OR BLOCKING TECH-**
 16 **NOLOGY FOR COMPUTERS WITH INTERNET**
 17 **ACCESS AS CONDITION OF UNIVERSAL SERV-**
 18 **ICE DISCOUNTS.**

19 (a) *SCHOOLS.*—Section 254(h) of the Communications
 20 Act of 1934 (47 U.S.C. 254(h)) is amended—

21 (1) *by redesignating paragraph (5) as para-*
 22 *graph (7); and*

23 (2) *by inserting after paragraph (4) the fol-*
 24 *lowing new paragraph (5):*

1 “(5) *REQUIREMENTS FOR CERTAIN SCHOOLS*
 2 *WITH COMPUTERS HAVING INTERNET ACCESS.*—

3 “(A) *INTERNET FILTERING.*—

4 “(i) *IN GENERAL.*—*Except as provided*
 5 *in clause (ii), an elementary or secondary*
 6 *school having computers with Internet ac-*
 7 *cess may not receive services at discount*
 8 *rates under paragraph (1)(B) unless the*
 9 *school, school board, or other authority with*
 10 *responsibility for administration of the*
 11 *school—*

12 “(I) *submits to the Commission a*
 13 *certification described in subparagraph*
 14 *(B); and*

15 “(II) *ensures the use of such com-*
 16 *puters in accordance with the certifi-*
 17 *cation.*

18 “(ii) *APPLICABILITY.*—*The prohibition*
 19 *in paragraph (1) shall not apply with re-*
 20 *spect to a school that receives services at*
 21 *discount rates under paragraph (1)(B) only*
 22 *for purposes other than the provision of*
 23 *Internet access, Internet service, or internal*
 24 *connections.*

1 “(B) *CERTIFICATION.*—A *certification*
 2 *under this subparagraph is a certification that*
 3 *the school, school board, or other authority with*
 4 *responsibility for administration of the school—*

5 “(i) *has selected a technology for its*
 6 *computers with Internet access in order to*
 7 *filter or block Internet access through such*
 8 *computers to—*

9 “(I) *material that is obscene; and*

10 “(II) *child pornography; and*

11 “(ii) *is enforcing a policy to ensure the*
 12 *operation of the technology during any use*
 13 *of such computers by minors.*

14 “(C) *ADDITIONAL USE OF TECHNOLOGY.*—A
 15 *school, school board, or other authority may also*
 16 *use a technology covered by a certification under*
 17 *subparagraph (B) to filter or block Internet ac-*
 18 *cess through the computers concerned to any ma-*
 19 *terial in addition to the material specified in*
 20 *that subparagraph that the school, school board,*
 21 *or other authority determines to be inappro-*
 22 *priate for minors.*

23 “(D) *TIMING OF CERTIFICATIONS.*—

24 “(i) *SCHOOLS WITH COMPUTERS ON*
 25 *EFFECTIVE DATE.*—

1 “(I) *IN GENERAL.*—Subject to
 2 *subclause (II), in the case of any school*
 3 *covered by this paragraph as of the ef-*
 4 *fective date of this paragraph under*
 5 *section 2(h) of the Childrens’ Internet*
 6 *Protection Act, the certification under*
 7 *subparagraph (B) shall be made not*
 8 *later than 30 days after such effective*
 9 *date.*

10 “(II) *DELAY.*—A certification for
 11 *a school covered by subclause (I) may*
 12 *be made at a date that is later than is*
 13 *otherwise required by that subclause if*
 14 *State or local procurement rules or reg-*
 15 *ulations or competitive bidding re-*
 16 *quirements prevent the making of the*
 17 *certification on the date otherwise re-*
 18 *quired by that subclause. A school,*
 19 *school board, or other authority with*
 20 *responsibility for administration of the*
 21 *school shall notify the Commission of*
 22 *the applicability of this subclause to*
 23 *the school. Such notice shall specify the*
 24 *date on which the certification with re-*

1 *spect to the school shall be effective for*
 2 *purposes of this clause.*

3 “(ii) *SCHOOLS ACQUIRING COMPUTERS*
 4 *AFTER EFFECTIVE DATE.*—*In the case of*
 5 *any school that first becomes covered by this*
 6 *paragraph after such effective date, the cer-*
 7 *tification under subparagraph (B) shall be*
 8 *made not later than 10 days after the date*
 9 *on which the school first becomes so covered.*

10 “(iii) *NO REQUIREMENT FOR ADDI-*
 11 *TIONAL CERTIFICATIONS.*—*A school that has*
 12 *submitted a certification under subpara-*
 13 *graph (B) shall not be required for purposes*
 14 *of this paragraph to submit an additional*
 15 *certification under that subparagraph with*
 16 *respect to any computers having Internet*
 17 *access that are acquired by the school after*
 18 *the submittal of the certification.*

19 “(E) *NONCOMPLIANCE.*—

20 “(i) *FAILURE TO SUBMIT CERTIFI-*
 21 *CATION.*—*Any school that knowingly fails to*
 22 *submit a certification required by this*
 23 *paragraph shall reimburse each tele-*
 24 *communications carrier that provided such*
 25 *school services at discount rates under para-*

graph (1)(B) after the effective date of this paragraph under section 2(h) of the Children's Internet Protection Act in an amount equal to the amount of the discount provided such school by such carrier for such services during the period beginning on such effective date and ending on the date on which the provision of such services at discount rates under paragraph (1)(B) is determined to cease under subparagraph (F).

“(ii) *FAILURE TO COMPLY WITH CERTIFICATION.*—Any school that knowingly fails to ensure the use of its computers in accordance with a certification under subparagraph (B) shall reimburse each telecommunications carrier that provided such school services at discount rates under paragraph (1)(B) after the date of such certification in an amount equal to the amount of the discount provided such school by such carrier for such services during the period beginning on the date of such certification and ending on the date on which the provision of such services at discount rates under

1 paragraph (1)(B) is determined to cease
2 under subparagraph (F).

3 “(iii) *TREATMENT OF REIMBURSE-*
4 *MENT.*—The receipt by a telecommuni-
5 cations carrier of any reimbursement under
6 this subparagraph shall not affect the car-
7 rier’s treatment of the discount on which
8 such reimbursement was based in accord-
9 ance with the third sentence of paragraph
10 (1)(B).

11 “(F) *CESSATION DATE.*—

12 “(i) *DETERMINATION.*—The Commis-
13 sion shall determine the date on which the
14 provision of services at discount rates under
15 paragraph (1)(B) shall cease under this
16 paragraph by reason of the failure of a
17 school to comply with the requirements of
18 this paragraph.

19 “(ii) *NOTIFICATION.*—The Commission
20 shall notify telecommunications carriers of
21 each school determined to have failed to
22 comply with the requirements of this para-
23 graph and of the period for which such
24 school shall be liable to make reimbursement
25 under subparagraph (E).

1 “(G) *RECOMMENCEMENT OF DISCOUNTS.*—

2 “(i) *RECOMMENCEMENT.*—Upon sub-
3 mittal to the Commission of a certification
4 under subparagraph (B) with respect to a
5 school to which clause (i) or (ii) of subpara-
6 graph (E) applies, the school shall be enti-
7 tled to services at discount rates under
8 paragraph (1)(B).

9 “(ii) *NOTIFICATION.*—The Commission
10 shall notify the school and telecommuni-
11 cations carriers of the recommencement of
12 the school’s entitlement to services at dis-
13 count rates under this subparagraph and of
14 the date on which such recommencement be-
15 gins.

16 “(iii) *ADDITIONAL NONCOMPLIANCE.*—
17 The provisions of subparagraphs (E) and
18 (F) shall apply to any certification sub-
19 mitted under clause (i).

20 “(H) *LIMITATION ON FEDERAL ACTION.*—

21 “(i) *IN GENERAL.*—No agency or in-
22 strumentality of the United States Govern-
23 ment may—

1 “(I) establish any criteria for
2 making a determination under sub-
3 paragraph (C);

4 “(II) review a determination
5 made by a school, school board, or
6 other authority for purposes of a cer-
7 tification under subparagraph (B); or

8 “(III) consider the criteria em-
9 ployed by a school, school board, or
10 other authority for purposes of deter-
11 mining the eligibility of a school for
12 services at discount rates under para-
13 graph (1)(B).

14 “(ii) ACTION BY COMMISSION.—The
15 Commission may not take any action
16 against a school, school board, or other au-
17 thority for a violation of a provision of this
18 paragraph if the school, school board, or
19 other authority, as the case may be, has
20 made a good faith effort to comply with
21 such provision.”.

22 (b) LIBRARIES.—Such section 254(h) is further
23 amended by inserting after paragraph (5), as amended by
24 subsection (a) of this section, the following new paragraph:

1 “(6) *REQUIREMENTS FOR CERTAIN LIBRARIES*
 2 *WITH COMPUTERS HAVING INTERNET ACCESS.*—

3 “(A) *INTERNET FILTERING.*—

4 “(i) *IN GENERAL.*—A library having
 5 one or more computers with Internet access
 6 may not receive services at discount rates
 7 under paragraph (1)(B) unless the
 8 library—

9 “(I) submits to the Commission a
 10 certification described in subparagraph
 11 (B); and

12 “(II) ensures the use of such com-
 13 puters in accordance with the certifi-
 14 cation.

15 “(ii) *APPLICABILITY.*—The prohibition
 16 in paragraph (1) shall not apply with re-
 17 spect to a library that receives services at
 18 discount rates under paragraph (1)(B) only
 19 for purposes other than the provision of
 20 Internet access, Internet service, or internal
 21 connections.

22 “(B) *CERTIFICATIONS.*—

23 “(i) *LIBRARIES WITH ONE COMPUTER*
 24 *HAVING INTERNET ACCESS.*—A certification
 25 under this subparagraph with respect to a

1 *library that has only one computer with*
 2 *Internet access is a certification that the li-*
 3 *brary is enforcing a policy to ensure that*
 4 *minors do not use the computer for Internet*
 5 *access to—*

6 “(I) *material that is obscene; and*

7 “(II) *child pornography.*

8 “(ii) *LIBRARIES WITH MORE THAN*
 9 *ONE COMPUTER HAVING INTERNET AC-*
 10 *CESS.—A certification under this subpara-*
 11 *graph with respect to any library covered*
 12 *by this paragraph, and not covered by*
 13 *clause (i), is a certification that the*
 14 *library—*

15 “(I) *has selected a technology for*
 16 *its computers with Internet access in*
 17 *order to filter or block Internet access*
 18 *through such computers to—*

19 “(aa) *material that is ob-*
 20 *scene; and*

21 “(bb) *child pornography; and*

22 “(II) *is enforcing a policy to en-*
 23 *sure the operation of the technology*
 24 *during any use of such computers by*
 25 *minors.*

1 “(C) *ADDITIONAL USE OF TECHNOLOGY.*—A
 2 *library may also use a technology covered by a*
 3 *certification under subparagraph (B) to filter or*
 4 *block Internet access through the computers con-*
 5 *cerned to any material in addition to the mate-*
 6 *rial specified in that subparagraph that the li-*
 7 *brary determines to be inappropriate for minors.*

8 “(D) *TIMING OF CERTIFICATIONS.*—

9 “(i) *LIBRARIES WITH COMPUTERS ON*
 10 *EFFECTIVE DATE.*—

11 “(I) *IN GENERAL.*—*In the case of*
 12 *any library covered by this paragraph*
 13 *as of the effective date of this para-*
 14 *graph under section 2(h) of the Chil-*
 15 *drens’ Internet Protection Act, the ap-*
 16 *plicable certification under subpara-*
 17 *graph (B) shall be made not later than*
 18 *30 days after such effective date.*

19 “(II) *DELAY.*—*A certification for*
 20 *a library covered by subclause (I) may*
 21 *be made at a date than is later than*
 22 *is otherwise required by that subclause*
 23 *if State or local procurement rules or*
 24 *regulations or competitive bidding re-*
 25 *quirements prevent the making of the*

1 *certification on the date otherwise re-*
 2 *quired by that subclause. A library*
 3 *shall notify the Commission of the ap-*
 4 *plicability of this subclause to the li-*
 5 *brary. Such notice shall specify the*
 6 *date on which the certification with re-*
 7 *spect to the library shall be effective for*
 8 *purposes of this clause.*

9 “(ii) *LIBRARIES ACQUIRING COM-*
 10 *PUTERS AFTER EFFECTIVE DATE.—In the*
 11 *case of any library that first becomes subject*
 12 *to a certification under either clause (i) or*
 13 *(ii) of subparagraph (B) after such effective*
 14 *date, the applicable certification under that*
 15 *subparagraph shall be made not later than*
 16 *10 days after the date on which the library*
 17 *first becomes so subject.*

18 “(iii) *NO REQUIREMENT FOR ADDI-*
 19 *TIONAL CERTIFICATIONS.—A library that*
 20 *has submitted a certification under sub-*
 21 *paragraph (B)(ii) shall not be required for*
 22 *purposes of this paragraph to submit an ad-*
 23 *ditional certification under that subpara-*
 24 *graph with respect to any computers having*
 25 *Internet access that are acquired by the li-*

1 brary after the submittal of such certifi-
2 cation.

3 “(E) NONCOMPLIANCE.—

4 “(i) *FAILURE TO SUBMIT CERTIFI-*
5 *CATION.*—Any library that knowingly fails
6 to submit a certification required by this
7 paragraph shall reimburse each tele-
8 communications carrier that provided such
9 library services at discount rates under
10 paragraph (1)(B) after the effective date of
11 this paragraph under section 2(h) of the
12 Childrens’ Internet Protection Act in an
13 amount equal to the amount of the discount
14 provided such library by such carrier for
15 such services during the period beginning
16 on such effective date and ending on the
17 date on which the provision of such services
18 at discount rates under paragraph (1)(B) is
19 determined to cease under subparagraph
20 (F).

21 “(ii) *FAILURE TO COMPLY WITH CER-*
22 *TIFICATION.*—Any library that knowingly
23 fails to ensure the use of its computers in
24 accordance with a certification under sub-
25 paragraph (B) shall reimburse each tele-

1 *communications carrier that provided such*
 2 *library services at discount rates under*
 3 *paragraph (1)(B) after the date of such cer-*
 4 *tification in an amount equal to the*
 5 *amount of the discount provided such li-*
 6 *brary by such carrier for such services dur-*
 7 *ing the period beginning on the date of such*
 8 *certification and ending on the date on*
 9 *which the provision of such services at dis-*
 10 *count rates under paragraph (1)(B) is de-*
 11 *termined to cease under subparagraph (F).*

12 “(iii) *TREATMENT OF REIMBURSE-*
 13 *MENT.—The receipt by a telecommuni-*
 14 *cations carrier of any reimbursement under*
 15 *this subparagraph shall not affect the car-*
 16 *rier’s treatment of the discount on which*
 17 *such reimbursement was based in accord-*
 18 *ance with the third sentence of paragraph*
 19 *(1)(B).*

20 “(F) *CESSATION DATE.—*

21 “(i) *DETERMINATION.—The Commis-*
 22 *sion shall determine the date on which the*
 23 *provision of services at discount rates under*
 24 *paragraph (1)(B) shall cease under this*
 25 *paragraph by reason of the failure of a li-*

brary to comply with the requirements of
this paragraph.

“(ii) *NOTIFICATION.*—The Commission
shall notify telecommunications carriers of
each library determined to have failed to
comply with the requirements of this para-
graph and of the period for which such li-
brary shall be liable to make reimbursement
under subparagraph (E).

“(G) *RECOMMENCEMENT OF DISCOUNTS.*—

“(i) *RECOMMENCEMENT.*—Upon sub-
mittal to the Commission of a certification
under subparagraph (B) with respect to a
library to which clause (i) or (ii) of sub-
paragraph (E) applies, the library shall be
entitled to services at discount rates under
paragraph (1)(B).

“(ii) *NOTIFICATION.*—The Commission
shall notify the library and telecommuni-
cations carriers of the recommencement of
the library’s entitlement to services at dis-
count rates under this paragraph and of the
date on which such recommencement begins.

“(iii) *ADDITIONAL NONCOMPLIANCE.*—
The provisions of subparagraphs (E) and

1 (F) shall apply to any certification sub-
 2 mitted under clause (i).

3 “(H) *LIMITATION ON FEDERAL ACTION.*—

4 “(i) *IN GENERAL.*—No agency or in-
 5 strumentality of the United States Govern-
 6 ment may—

7 “(I) establish any criteria for
 8 making a determination under sub-
 9 paragraph (C);

10 “(II) review a determination
 11 made by a library for purposes of a
 12 certification under subparagraph (B);
 13 or

14 “(III) consider the criteria em-
 15 ployed by a library purposes of deter-
 16 mining the eligibility of the library for
 17 services at discount rates under para-
 18 graph (1)(B).

19 “(ii) *ACTION BY COMMISSION.*—The
 20 Commission may not take any action
 21 against a library for a violation of a provi-
 22 sion of this paragraph if the library has
 23 made a good faith effort to comply with
 24 such provision.”.

1 (c) *MINOR DEFINED.*—Paragraph (7) of such section,
 2 as redesignated by subsection (a)(1) of this section, is
 3 amended by adding at the end the following:

4 “(D) *MINOR.*—The term ‘minor’ means any
 5 individual who has not attained the age of 17
 6 years.”.

7 (d) *CONFORMING AMENDMENT.*—Paragraph (4) of
 8 such section is amended by striking “paragraph (5)(A)”
 9 and inserting “paragraph (7)(A)”.

10 (e) *SEPARABILITY.*—If any provision of paragraph (5)
 11 or (6) of section 254(h) of the Communications Act of 1934,
 12 as amended by this section, or the application thereof to
 13 any person or circumstance is held invalid, the remainder
 14 of such paragraph and the application of such paragraph
 15 to other persons or circumstances shall not be affected there-
 16 by.

17 (f) *REGULATIONS.*—

18 (1) *REQUIREMENT.*—The Federal Communica-
 19 tions Commission shall prescribe regulations for pur-
 20 poses of administering the provisions of paragraphs
 21 (5) and (6) of section 254(h) of the Communications
 22 Act of 1934, as amended by this section.

23 (2) *DEADLINE.*—Notwithstanding any other pro-
 24 vision of law, the requirements prescribed under

1 *paragraph (1) shall take effect 120 days after the date*
 2 *of the enactment of this Act.*

3 *(g) AVAILABILITY OF RATES.—Discounted rates under*
 4 *section 254(h)(1)(B) of the Communications Act of 1934 (47*
 5 *U.S.C. 254(h)(1)(B))—*

6 *(1) shall be available in amounts up to the an-*
 7 *nual cap on Federal universal service support for*
 8 *schools and libraries only for services covered by Fed-*
 9 *eral Communications Commission regulations on pri-*
 10 *orities for funding telecommunications services, Inter-*
 11 *net access, Internet services, and Internet connections*
 12 *that assign priority for available funds for the poorest*
 13 *schools; and*

14 *(2) to the extent made available under para-*
 15 *graph (1), may be used for the purchase or aquisition*
 16 *of filtering or blocking products necessary to meet the*
 17 *requirements of section 254(h)(5) and (6) of that Act,*
 18 *but not for the purchase of software or other tech-*
 19 *nology other than what is required to meet those re-*
 20 *quirements.*

21 *(h) EFFECTIVE DATE.—The amendments made by this*
 22 *section shall take effect 120 days after the date of the enact-*
 23 *ment of this Act.*