

111TH CONGRESS  
1ST SESSION

# H. R. 3646

To amend the Communications Act of 1934 to establish a Lifeline Assistance Program for universal broadband adoption, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2009

Ms. MATSUI introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Communications Act of 1934 to establish a Lifeline Assistance Program for universal broadband adoption, and for other purposes.

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 “Broadband Afford-  
5 ability Act of 2009”.

6 **SEC. 2. BROADBAND LIFELINE ASSISTANCE PROGRAM.**

7 Section 254(j) of the Communications Act of 1934  
8 (47 U.S.C. 254(j)) is amended—

9 (1) by striking “(j) LIFELINE ASSISTANCE.—

10 Nothing in this” and inserting the following:

1 “(j) LIFELINE ASSISTANCE.—

2 “(1) IN GENERAL.—Nothing in this”; and

3 (2) by adding at the end the following:

4 “(2) BROADBAND LIFELINE ASSISTANCE PRO-  
5 GRAM.—

6 “(A) PURPOSE.—The purpose of this para-  
7 graph is to promote the adoption of broadband  
8 service by all people of the United States while  
9 recognizing that the price of broadband service  
10 is a barrier to adoption for low income house-  
11 holds.

12 “(B) IN GENERAL.—Not later than 270  
13 days after the date of enactment of the  
14 Broadband Affordability Act of 2009, the Com-  
15 mission shall take all actions necessary to es-  
16 tablish a broadband lifeline program that en-  
17 ables qualifying low-income customers residing  
18 in urban and rural areas to purchase broadband  
19 service at reduced charges by reimbursing pro-  
20 viders for each such customer served. Such  
21 broadband lifeline program shall be similar in  
22 structure to the Lifeline program for basic tele-  
23 phone service under subpart E of part 54 of  
24 title 47, Code of Federal Regulations.

1           “(C) STATE MATCHING FUNDS.—In rec-  
2           ognition of the interstate nature of broadband  
3           service, the Commission may determine, in con-  
4           sultation with the Federal-State Joint Board,  
5           whether State matching funds must be provided  
6           as a condition of eligibility for low-income  
7           households within such State.

8           “(D) AMOUNT OF SUPPORT.—The Com-  
9           mission, in calculating the amount of support to  
10          be provided to each low-income household, shall  
11          routinely study the prevailing market price for  
12          broadband service and the prevailing speed of  
13          broadband service adopted by households. To  
14          fulfill this requirement, the Commission shall  
15          rely on information that it routinely collects or  
16          that is publicly available.

17          “(E) TECHNOLOGY NEUTRAL.—The Com-  
18          mission shall ensure that the broadband lifeline  
19          program is neutral as to the types of technology  
20          used to provide broadband service to promote  
21          competition from broadband service providers to  
22          qualify under such program. A broadband serv-  
23          ice provider need not be an eligible tele-  
24          communications carrier to receive support  
25          under the broadband lifeline program, but such

1 provider shall obtain authorization from the  
2 Commission in order to participate in the pro-  
3 gram.”.

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