

114TH CONGRESS
1ST SESSION

S. 1472

To amend the Communications Act of 1934 to reform and modernize the
Universal Service Fund Lifeline Assistance Program.

IN THE SENATE OF THE UNITED STATES

JUNE 1, 2015

Mr. MURPHY (for himself, Mr. BOOKER, Mr. WYDEN, Mr. MARKEY, Ms. WARREN, and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Communications Act of 1934 to reform and modernize the Universal Service Fund Lifeline Assistance Program.

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 Adoption
5 Act of 2015”.

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 to read as follows:

9 “(j) LIFELINE ASSISTANCE.—

“(1) IN GENERAL.—Nothing in this section, other than paragraph (2) of this subsection, shall affect the collection, distribution, or administration of the Lifeline program of the Commission set forth under sections 54.400 through 54.417 of title 47, Code of Federal Regulations, or any successor thereto.

“(2) BROADBAND LIFELINE ASSISTANCE PROGRAM.—

“(A) DEFINITIONS.—In this paragraph—

“(i) the term ‘broadband Internet access service’ has the meaning given that term under section 8.11(a) of title 47, Code of Federal Regulations, or any successor thereto;

“(ii) the terms ‘duplicative support’ and ‘qualifying low-income consumer’ have the meanings given those terms in section 54.400 of title 47, Code of Federal Regulations, or any successor thereto;

“(iii) the term ‘Lifeline program’ means the Lifeline program of the Commission set forth under sections 54.400 through 54.417 of title 47, Code of Fed-

1 eral Regulations, or any successor thereto;
 2 and

3 “(iv) the term ‘participating
 4 broadband Internet service provider’ means
 5 a provider of broadband Internet access
 6 service that elects to participate in the
 7 Lifeline program to provide broadband
 8 Internet access service to qualifying low-in-
 9 come consumers under the final rule
 10 adopted under subparagraph (C)(i).

11 “(B) PURPOSE.—The purpose of this para-
 12 graph is to promote the adoption of broadband
 13 Internet access service by all people of the
 14 United States while recognizing that the price
 15 of broadband Internet access service is one of
 16 the barriers to adoption for low-income house-
 17 holds.

18 “(C) ESTABLISHMENT.—

19 “(i) IN GENERAL.—Not later than
 20 270 days after the date of enactment of
 21 the Broadband Adoption Act of 2015, the
 22 Commission shall adopt a final rule estab-
 23 lishing Lifeline support under the Lifeline
 24 program for broadband Internet access
 25 service to enable qualifying low-income

1 consumers in urban and rural areas to
2 purchase broadband Internet access service
3 at reduced charges by reimbursing partici-
4 pating broadband Internet access service
5 providers for each such consumer served.

6 “(ii) MODEL.—The final rule adopted
7 under clause (i) shall provide that a quali-
8 fying low-income consumer may elect to
9 apply Lifeline support under the Lifeline
10 program to basic telephone service, voice
11 telephony service, or broadband Internet
12 access service, regardless of whether the
13 service is purchased as a stand-alone serv-
14 ice or as part of a bundle of services.

15 “(iii) DIGITAL LITERACY PROGRAM.—
16 The Commission shall consider providing a
17 preference to a participating broadband
18 Internet access service provider that in-
19 cludes components involving digital literacy
20 programs as part of the offerings of the
21 participating broadband Internet access
22 service provider.

23 “(D) STATE FUNDS.—The Commission
24 shall consult with the Federal-State Joint
25 Board instituted under subsection (a)(1) re-

1 garding ways to encourage States to develop
 2 programs that would work in conjunction with
 3 the Lifeline program.

4 “(E) AMOUNT OF SUPPORT.—

5 “(i) IN GENERAL.—In calculating the
 6 amount of Lifeline support to be provided
 7 to each qualifying low-income consumer
 8 under the final rule adopted under sub-
 9 paragraph (C)(i), the Commission shall
 10 routinely study—

11 “(I) the prevailing market price
 12 for broadband Internet access service;

13 “(II) the prevailing speed of
 14 broadband Internet access service
 15 adopted by households; and

16 “(III) the prevailing broadband
 17 usage patterns of non-Lifeline eligible
 18 residential consumers.

19 “(ii) INFORMATION.—In carrying out
 20 clause (i), the Commission shall rely on in-
 21 formation that—

22 “(I) the Commission routinely
 23 collects; or

24 “(II) is publicly available.

25 “(F) TECHNOLOGY NEUTRAL.—

1 “(i) IN GENERAL.—To promote com-
 2 petition from service providers to qualify
 3 under the Lifeline program, the Commis-
 4 sion shall ensure that the final rule adopt-
 5 ed under subparagraph (C)(i) is neutral as
 6 to the types of technology used to provide
 7 voice telephony or broadband Internet ac-
 8 cess service under the Lifeline program.

9 “(ii) AUTHORIZATION.—A partici-
 10 pating broadband Internet access service
 11 provider—

12 “(I) shall not be required to be
 13 an eligible telecommunications carrier
 14 (as designated under section 214(e))
 15 to receive support under the Lifeline
 16 program; and

17 “(II) shall obtain authorization
 18 from the Commission in order to par-
 19 ticipate in the Lifeline program.

20 “(G) ACCOUNTABILITY.—

21 “(i) NONDUPLICATION.—The final
 22 rule adopted under subparagraph (C)(i)
 23 shall incorporate regulations of the Com-
 24 mission in effect on the date of enactment
 25 of this Act that prevent the receipt of du-

1 plicative support under the Lifeline pro-
2 gram.

3 “(ii) PREVENTING WASTE, FRAUD, OR
4 ABUSE.—In promulgating regulations to
5 carry out this paragraph, the Commission
6 shall consider any appropriate measures to
7 prevent any waste, fraud, or abuse in the
8 administration of the Lifeline program.

9 “(iii) ELIGIBILITY.—The Commission,
10 in consultation with other relevant Federal
11 agencies, shall establish a national data-
12 base to determine qualifying low-income
13 consumer eligibility for Lifeline program
14 subsidies.

15 “(H) EVALUATION REPORTS.—Not later
16 than 1 year after the Commission adopts the
17 final rule under subparagraph (C)(i), and every
18 year thereafter, the Commission shall conduct
19 an evaluation and issue a report on the per-
20 formance of the Lifeline program during the
21 12-month period preceding the date on which
22 each report is issued.

23 “(I) GAO STUDY.—Not later than 1 year
24 after the Commission adopts the final rule
25 under subparagraph (C)(i), the Comptroller

1 General of the United States shall conduct a
2 study and issue a report on the performance of
3 the Lifeline support provided under the Lifeline
4 program for broadband Internet access service.

5 “(3) CLARIFICATION OF AUTHORITY.—Nothing
6 in this section shall be construed to limit the author-
7 ity of the Commission under any other provision of
8 law, including the authority to promulgate regula-
9 tions to promote the adoption of broadband service
10 by low-income households in the United States.”.

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