

The Universal Broadband Act

Section-by-Section

1. Naming the bill, the Universal Broadband Act of 2019

2. Expanding the Universal Service Fund (USF) definition to formally include broadband services, codifying existing FCC practice

Formally adds broadband internet services to the existing list of supported services under the Communications Act of 1934. Broadband is a supported service by current FCC practice, due to regulatory changes. This section will codify that inclusion to ensure long term support for broadband services. Furthermore, it will ensure carriers eligible for USF support must provide all supported services – they must offer both broadband and voice, including 911 service. This requirement does not require consumers to purchase supported services. This is also current FCC practice.

3. Providers of Broadband Internet Access Services Required to Contribute

Requires broadband service providers to contribute to the USF. Without USF contribution reform, it is unlikely enough money will ever be generated through the USF to fully build out broadband in rural and high-cost areas.

4. Exclusion from Contribution Base of Services Provided to Lifeline Eligible Consumers

Protects low-income broadband consumers by excluding them from the requirement to contribute to the USF.

5. Consideration of Anticipated Funding Needs

Maintains the FCC's discretion as they set contribution rates, preserving their ability to reflect changes in demand. However, it encourages the FCC to maintain an adequate contribution rate to meet the anticipated need for complete broadband build out, and to ensure "sufficient and predictable funding."

6. Prohibition of Contribution Limit

Prevents the FCC from capping overall expenditures or contributions to the USF, until such time that the Universal Service mandate has been adequately met. Recently, due in part to the continually rising contribution limit, the FCC has debated mandating a cap on USF contributions, thereby capping the number of providers capable of receiving assistance.

7. Including Tribal Areas

Adds "tribal" to the universal service principles, ensuring the FCC must meet broadband buildout in tribal communities at service and rates reasonably comparable to urban areas. Just over half of Native Americans living on American Indian reservations or other tribal lands with a computer have access to high-speed internet service, according to

2018 estimates from the U.S. Census Bureau.

8. Prohibition on Expenditure Limit

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9. Agency Consultation

Requires consultation between the FCC, the Rural Utilities Service (USDA), and the National Telecommunications and Information Administration (NTIA) to remove barriers to rural broadband deployment, in order to avoid duplication and overbuilding.

10. Reporting Requirements

Requires the FCC to report within 180 days of each new year:

- The total amount spent to support broadband in high-cost areas;
- The total portions of that amount that targeted rural, insular, tribal, and previously unserved areas; and
- Describe the Commissions' progress towards completion of the Universal Service goals, and the requirements needed to meet future growth

Lack of communication between agencies has resulted in wasted federal investment and slows down build out. This legislation will help create accountability by requiring the FCC to project progress on fulfilling Universal Service goals as well as the requirements needed for future growth, including challenges that prevent the Commission from meeting Universal Service goals.

These will allow for oversight of USF expenditures, so that any increase in finding will be coupled with information on the areas affected as well as its success at implementing adequate service.

11. Defines Broadband

Defines the term 'broadband' using the same definition included in the Save the Internet Act recently passed by the House. This definition would **not** classify dial-up as broadband, ensuring that the USF does not subsidize outdated technology. Broadband is not currently defined within U.S. Code.