

sion to the Commission under subparagraph (B)(i).

**(2) Consultation**

The Commission shall consult with the Administrator regarding the adoption of regulations under paragraph (1)(C).

**(3) Definitions**

In this subsection—

(A) the term “SECC” means a State Emergency Communications Committee;

(B) the term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States; and

(C) the term “State EAS Plan” means a State Emergency Alert System Plan.

**(c) False alert reporting**

Not later than 180 days after January 1, 2021, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to establish a system to receive from the Administrator or State, Tribal, or local governments reports of false alerts under the Emergency Alert System or the Wireless Emergency Alerts System for the purpose of recording such false alerts and examining the causes of such false alerts.

**(d) Repeating emergency alert system messages for national security**

**(1) In general**

Not later than 180 days after January 1, 2021, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(A) the President;

(B) the Administrator; or

(C) any other entity determined appropriate under the circumstances by the Commission, in consultation with the Administrator.

**(2) Scope of rulemaking**

Paragraph (1) shall—

(A) apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terror attack, or other act of war or threat to public safety; and

(B) not apply to more typical warnings, such as a weather alert, AMBER Alert, or disaster alert.

**(3) Rule of construction**

Nothing in this subsection shall be construed to impair, limit, or otherwise change—

(A) the authority of the President granted by law to alert and warn the public; or

(B) the role of the President as commander-in-chief with respect to the identification, dissemination, notification, or alerting of information of missile threats against the United States, or threats to public safety.

**(e) Internet and online streaming services emergency alert examination**

**(1) Study**

Not later than 180 days after January 1, 2021, and after providing public notice and opportunity for comment, the Commission shall complete an inquiry to examine the feasibility of updating the Emergency Alert System to enable or improve alerts to consumers provided through the internet, including through streaming services.

**(2) Report**

Not later than 90 days after completing the inquiry under paragraph (1), the Commission shall submit a report on the findings and conclusions of the inquiry to—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

**(f) Definitions**

In this section—

(1) the term “Administrator” means the Administrator of the Federal Emergency Management Agency;

(2) the term “Commission” means the Federal Communications Commission;

(3) the term “Emergency Alert System” means the national public warning system, the rules for which are set forth in part 11 of title 47, Code of Federal Regulations (or any successor regulation); and

(4) the term “Wireless Emergency Alerts System” means the wireless national public warning system established under the Warning, Alert, and Response Network Act (47 U.S.C. 1201 et seq.), the rules for which are set forth in part 10 of title 47, Code of Federal Regulations (or any successor regulation).

(Pub. L. 116-283, div. H, title XCII, §9201, Jan. 1, 2021, 134 Stat. 4785.)

**Editorial Notes**

REFERENCES IN TEXT

The amendment made by paragraph (1)(B), referred to in subsec. (a)(2), means the amendment made by Pub. L. 116-283, §9201(a)(1)(B) which amended section 1201 of this title.

The Warning, Alert, and Response Network Act, referred to in subsec. (f)(4), is title VI of Pub. L. 109-347, Oct. 13, 2006, 120 Stat. 1936, which is classified principally to chapter 11 (§1201 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set under section 1201 of this title and Tables.

CODIFICATION

Section was enacted as part of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 and not as part of the Warning, Alert, and Response Network Act which comprises this chapter.

Section is comprised of section 9201 of Pub. L. 116-283. Subsec. (a) of section 9201 of Pub. L. 116-283 amended section 1201 of this title.

**CHAPTER 12—BROADBAND**

Sec.  
1301. Findings.

Sec.	
1302.	Advanced telecommunications incentives.
1303.	Improving Federal data on broadband.
1304.	Encouraging State initiatives to improve broadband.
1305.	Broadband Technology Opportunities Program.
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1307.	Office of Internet Connectivity and Growth.
1308.	Interagency agreement.

### § 1301. Findings

The Congress finds the following:

(1) The deployment and adoption of broadband technology has resulted in enhanced economic development and public safety for communities across the Nation, improved health care and educational opportunities, and a better quality of life for all Americans.

(2) Continued progress in the deployment and adoption of broadband technology is vital to ensuring that our Nation remains competitive and continues to create business and job growth.

(3) Improving Federal data on the deployment and adoption of broadband service will assist in the development of broadband technology across all regions of the Nation.

(4) The Federal Government should also recognize and encourage complementary State efforts to improve the quality and usefulness of broadband data and should encourage and support the partnership of the public and private sectors in the continued growth of broadband services and information technology for the residents and businesses of the Nation.

(Pub. L. 110-385, title I, §102, Oct. 10, 2008, 122 Stat. 4096.)

### Statutory Notes and Related Subsidiaries

#### SHORT TITLE

Pub. L. 110-385, title I, §101, Oct. 10, 2008, 122 Stat. 4096, provided that: "This title [enacting this chapter and amending section 1302 of this title] may be cited as the 'Broadband Data Improvement Act'."

#### BENEFIT FOR BROADBAND SERVICE DURING EMERGENCY PERIOD RELATING TO COVID-19

Pub. L. 116-260, div. N, title IX, §904, Dec. 27, 2020, 134 Stat. 2129, provided that:

"(a) DEFINITIONS.—In this section:

"(1) BROADBAND INTERNET ACCESS SERVICE.—The term 'broadband internet access service' has the meaning given such term in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation.

"(2) BROADBAND PROVIDER.—The term 'broadband provider' means a provider of broadband internet access service.

"(3) COMMISSION.—The term 'Commission' means the Federal Communications Commission.

"(4) CONNECTED DEVICE.—The term 'connected device' means a laptop or desktop computer or a tablet.

"(5) DESIGNATED AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER.—The term 'designated as an eligible telecommunications carrier', with respect to a broadband provider, means the broadband provider is designated as an eligible telecommunications carrier under section 214(e) of the Communications Act of 1934 (47 U.S.C. 214(e)).

"(6) ELIGIBLE HOUSEHOLD.—The term 'eligible household' means, regardless of whether the household or any member of the household receives support

under subpart E of part 54 of title 47, Code of Federal Regulations (or any successor regulation), and regardless of whether any member of the household has any past or present arrearages with a broadband provider, a household in which—

"(A) at least one member of the household meets the qualifications in subsection (a) or (b) of section 54.409 of title 47, Code of Federal Regulations (or any successor regulation);

"(B) at least one member of the household has applied for and been approved to receive benefits under the free and reduced price lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773);

"(C) at least one member of the household has experienced a substantial loss of income since February 29, 2020, that is documented by layoff or furlough notice, application for unemployment insurance benefits, or similar documentation or that is otherwise verifiable through the National Verifier or National Lifeline Accountability Database;

"(D) at least one member of the household has received a Federal Pell Grant under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a) in the current award year, if such award is verifiable through the National Verifier or National Lifeline Accountability Database or the participating provider verifies eligibility under subsection (a)(2)(B); or

"(E) at least one member of the household meets the eligibility criteria for a participating provider's existing low-income or COVID-19 program, subject to the requirements of subsection (a)(2)(B) and any other eligibility requirements the Commission may consider necessary for the public interest.

"(7) EMERGENCY BROADBAND BENEFIT.—The term 'emergency broadband benefit' means a monthly discount for an eligible household applied to the actual amount charged to such household, which shall be no more than the standard rate for an internet service offering and associated equipment, in an amount equal to such amount charged, but not more than \$50, or, if an internet service offering is provided to an eligible household on Tribal land, not more than \$75.

"(8) EMERGENCY PERIOD.—The term 'emergency period' means the period that—

"(A) begins on the date of the enactment of this Act [Dec. 27, 2020]; and

"(B) ends on the date that is 6 months after the date on which the determination by the Secretary of Health and Human Services pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) that a public health emergency exists as a result of COVID-19, including any renewal thereof, terminates.

"(9) INTERNET SERVICE OFFERING.—The term 'internet service offering' means, with respect to a broadband provider, broadband internet access service provided by such provider to a household, offered in the same manner, and on the same terms, as described in any of such provider's offerings for broadband internet access service to such household, as on December 1, 2020.

"(10) NATIONAL LIFELINE ACCOUNTABILITY DATABASE.—The term 'National Lifeline Accountability Database' has the meaning given such term in section 54.400 of title 47, Code of Federal Regulations (or any successor regulation).

"(11) NATIONAL VERIFIER.—The term 'National Verifier' has the meaning given such term in section 54.400 of title 47, Code of Federal Regulations, or any successor regulation.

"(12) PARTICIPATING PROVIDER.—The term 'participating provider' means a broadband provider that—

"(A)(i) is designated as an eligible telecommunications carrier; or

"(ii) meets requirements established by the Commission for participation in the Emergency