

117TH CONGRESS
1ST SESSION

S. 1381

To require the Federal Communications Commission to make amendments to the E-rate program of the Commission, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 27, 2021

Mrs. CAPITO (for herself and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require the Federal Communications Commission to make amendments to the E-rate program of the Commission, 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 “Every Child Connected
5 Act”.

6 **SEC. 2. E-RATE PROGRAM.**

7 (a) DEFINITIONS.—In this section—

8 (1) the term “Commission” means the Federal
9 Communications Commission;

1 (2) the term “covered household” means a
 2 household with a child eligible to receive free or re-
 3 duced price lunch under the Richard B. Russell Na-
 4 tional School Lunch Act (42 U.S.C. 1751 et seq.) or
 5 free or reduced price school breakfasts under the
 6 Child Nutrition Act of 1966 (42 U.S.C. 1771 et
 7 seq.);

8 (3) the term “distance learning” has the mean-
 9 ing given the term in section 8101 of the Elemen-
 10 tary and Secondary Education Act of 1965 (20
 11 U.S.C. 7801); and

12 (4) the term “E-rate program” means the uni-
 13 versal service program set forth under subpart F of
 14 part 54 of title 47, Code of Federal Regulations (or
 15 any successor regulations).

16 (b) UPDATES TO E-RATE PROGRAM.—

17 (1) IN GENERAL.—Not later than 180 days
 18 after the date of enactment of this Act, the Commis-
 19 sion shall amend the E-rate program to provide
 20 that—

21 (A) activities that are integral, immediate,
 22 and proximate to the education of a student,
 23 even if those activities are performed in a cov-
 24 ered household, qualify as activities that are for

1 educational purposes for the purposes of the E-
 2 rate program;

3 (B) a covered household in which a student
 4 is engaged or participating in distance learning
 5 shall be deemed to be a classroom for the pur-
 6 poses of the E-rate program; and

7 (C) the eligibility of a school under the E-
 8 rate program, or any support received by a
 9 school through the E-rate program, shall not be
 10 diminished if the school extends services ob-
 11 tained through the E-rate program to a covered
 12 household.

13 (2) COORDINATION.—In making the amend-
 14 ments required under paragraph (1), the Commis-
 15 sion shall coordinate with the Secretary of Edu-
 16 cation and appropriate instrumentalities of State
 17 and local governments.

18 (3) TECHNICAL AND CONFORMING AMEND-
 19 MENTS.—Section 254 of the Communications Act of
 20 1934 (47 U.S.C. 254) is amended—

21 (A) in subsection (b)(6), by inserting “cov-
 22 ered households (as defined in section 2(a) of
 23 the Every Child Connected Act and solely for
 24 the purposes described in section 2(b)(1) of
 25 that Act),” after “schools and classrooms,”;

(B) in subsection (c)(3), by inserting “covered households (as defined in section 2(a) of the Every Child Connected Act and solely for the purposes described in section 2(b)(1) of that Act),” after “schools,”; and

(C) in subsection (h)—

(i) in paragraph (1)(B), in the first sentence of the matter preceding clause (i), by inserting “covered households (as defined in section 2(a) of the Every Child Connected Act and solely for the purposes described in section 2(b)(1) of that Act),” after “secondary schools,”; and

(ii) in paragraph (2)—

(I) in subparagraph (A), by inserting “covered households (as defined in section 2(a) of the Every Child Connected Act and solely for the purposes described in section 2(b)(1) of that Act),” after “classrooms,”; and

(II) in subparagraph (B), by inserting “or household” after “public institutional”.

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