

117TH CONGRESS  
1ST SESSION

# H. R. 4905

To direct the Federal Communications Commission to promulgate regulations to collect regulatory fees from large technology platforms.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 3, 2021

Mr. BERGMAN introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To direct the Federal Communications Commission to promulgate regulations to collect regulatory fees from large technology platforms.

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 “Big Tech Account-  
5 ability for Broadband Act”.

6 **SEC. 2. COLLECTION OF REGULATORY FEES FROM LARGE**  
7 **TECHNOLOGY PLATFORMS.**

8 (a) REGULATIONS.—

9 (1) IN GENERAL.—Not later than 180 days  
10 after the date of the enactment of this Act, the

1 Commission shall, notwithstanding subsection (d) of  
2 section 254 of the Communications Act of 1934 (47  
3 U.S.C. 254), promulgate regulations to require cov-  
4 ered businesses to contribute to the Federal uni-  
5 versal service support mechanism under such sec-  
6 tion.

7 (2) FEE STRUCTURE.—Such regulations shall  
8 include a fee structure to be assessed on covered  
9 businesses.

10 (b) CONSIDERATIONS.—In promulgating regulations  
11 under subsection (a), the Commission shall consider in-  
12 cluding in such regulations a mechanism to prohibit a tele-  
13 communications carrier from levying on a customer of  
14 such carrier charges relating to the required contributions  
15 of such carriers to Federal universal service support mech-  
16 anism under section 254(d) of the Communications Act  
17 of 1934 (47 U.S.C. 254), if such customer is considered  
18 by the Commission to be unserved or underserved with re-  
19 spect to broadband internet access service.

20 (c) DEFINITIONS.—In this Act:

21 (1) BROADBAND INTERNET ACCESS SERVICE.—  
22 The term “broadband internet access service” has  
23 the meaning of that term under section 8.1(b) of  
24 title 47, Code of Federal Regulations.

1           (2) COMMISSION.—The term “Commission”  
2 means the Federal Communications Commission.

3           (3) COVERED BUSINESS.—The term “covered  
4 business”—

5                 (A) means a business offering an online  
6 platform which—

7                         (i) in any month during the most re-  
8 cently completed 12-month period—

9                                 (I) more than 30,000,000 users  
10 in the United States accessed, without  
11 regard to the means by which the  
12 users accessed the service; or

13                                 (II) more than 300,000,000  
14 users worldwide accessed, without re-  
15 gard to the means by which the users  
16 accessed the service; and

17                         (ii) during the most recently com-  
18 pleted taxable year, had more than  
19 \$10,000,000,000 in global revenue; and

20                 (B) does not include an organization de-  
21 scribed in section 501(c) of the Internal Rev-  
22 enue Code of 1986 that is exempt from taxation  
23 under section 501(a) of such Code.

24           (4) ONLINE PLATFORM.—The term “online  
25 platform” means a website, online or mobile applica-

1       tion, mobile operating system, digital assistant, or  
2       online service that is designed primarily to—

3               (A) enable a user to generate content that  
4               can be viewed by other users on the platform or  
5               to interact with other content on the platform;

6               (B) facilitate the offering, sale, purchase,  
7               payment, or shipping of products or services,  
8               including software applications, between and  
9               among consumers or businesses not controlled  
10              by the platform operator; or

11              (C) enable user searches or queries that  
12              access or display a large volume of information.

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