To prohibit schools that receive certain support from the Federal Communications Commission from allowing access to social media platforms on subsidized services, devices, or networks, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. C Riv (for himself, Mr. B Dodd, and Mrs. C apto) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To prohibit schools that receive certain support from the Federal Communications Commission from allowing access to social media platforms on subsidized services, devices, or networks, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Eyes on the Board Act of 2023”.

SEC. 2. DEFINITIONS.

In this Act:
(1) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(2) COVERED SUPPORT.—The term “covered support” means support from—

(A) the E-Rate program; or

(B) the Emergency Connectivity Fund.


(4) E-RATE PROGRAM.—The term “E-rate program” means the universal service program for schools and libraries established under section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)), the rules of which are set forth under subpart F of part 54 of title 47, Code of Federal Regulations, or any successor regulations.

(5) SOCIAL MEDIA PLATFORM.—The term “social media platform”—

(A) means any website, online service, online application, or mobile application that—

(i) serves the public; and

(ii) primarily provides a forum for users to communicate user-generated con-
content, including messages, videos, images, games, and audio files, to other online users; and

(B) does not include—

(i) an internet service provider;

(ii) electronic mail; or

(iii) an online service, application, or website—

(I) that consists primarily of content that is not user-generated, but is preselected by the provider; and

(II) for which any chat, comment, or interactive functionality is incidental to, directly related to, or dependent on the provision of content described in subclause (I).

SEC. 3. PROHIBITION ON USE OF SCHOOL BROADBAND SUBSIDIES FOR ACCESS TO SOCIAL MEDIA PLATFORMS.

(a) Prohibition.—

(1) In general.—Except for purposes of complying with section 254(h)(5)(B)(iii) of the Communications Act of 1934 (47 U.S.C. 254(h)(5)(B)(iii)), a school that receives covered support may not allow
access to a social media platform to students on any
supported service, device, or network.

(2) Rule of Construction.—Nothing in
paragraph (1) may be construed to prohibit parent-
sanctioned learning management systems and school
information systems used for purposes of schools
conveying content related to the education of stu-
dents.

(b) Certification.—

(1) Certification for E-rate Applicants.—
Beginning in the first funding year that begins after
the date of enactment of this Act, each school applying for support under the E-Rate program (without
regard to whether the school submits an application
directly for that support or such an application is
submitted on behalf of the school by a consortium or
school district), as a condition for receiving that sup-
port, shall, during each annual application cycle, cer-
tify that the school will comply with the require-
ments of this section for the year covered by the ap-
plication.

(2) Certification for Emergency
Connectivity Fund Applicants.—The Commis-
sion may not provide support from amounts made
available from the Emergency Connectivity Fund to
any school that has not certified compliance with the requirements of this section as of the date that is 180 days after the date of enactment of this Act.

(c) ENFORCEMENT.—The Commission shall—

(1) not later than 120 days after the date of enactment of this Act, amend the rules of the Commission to carry out this section; and

(2) enforce this section, and any rules issued under this section, as if this section and those rules were part of the Communications Act of 1934 (47 U.S.C. 151 et seq.) or the American Rescue Plan Act of 2021 (Public Law 117–2; 135 Stat. 4), as applicable, or the rules issued under either such Act.

SEC. 4. EMPOWERING TRANSPARENCY AND PARENTAL LIMITS ON SCREEN TIME IN SCHOOLS.

(a) IN GENERAL.—Section 254(h)(5)(B) of the Communications Act of 1934 (47 U.S.C. 254(h)(5)(B)) is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(iv) has adopted a screen time policy that includes guidelines, disaggregated by grade, for the number of hours and uses of
screen time that may be assigned to students, whether during school hours or as homework, on a regular basis.”.

(b) Certification and Reporting.—Beginning in the first funding year that begins after the date of enactment of this Act, each school seeking covered support (without regard to whether the school submits an application directly for that covered support or such an application is submitted on behalf of the school by a consortium or school district) shall, as a condition of receiving that covered support—

(1) certify that the school will comply with the requirements of this section and the amendments made by this section for the year covered by the application; and

(2) provide to the Commission a copy of the screen time policy of the school to which the certification relates.

(c) Commission Requirements.—The Commission shall, not later than 120 days after the date of enactment of this Act, amend the rules of the Commission to carry out this section and the amendments made by this section.

SEC. 5. INTERNET SAFETY POLICIES.

Section 254 of the Communications Act of 1934 (47 U.S.C. 254) is amended—
(1) in subsection (h)(5)—

(A) in subparagraph (A)(i)—

(i) in subclause (I), by inserting “and copies of the Internet safety policy and screen time policy to which each such certification pertains” before the semicolon at the end; and

(ii) in subclause (II)—

(I) by striking “Commission” and all that follows through the end of the subclause and inserting the following: “Commission—

“(aa) a certification that an Internet safety policy and screen time policy described in subclause (I) have been adopted and implemented for the school; and”; and

(II) by adding at the end the following:

“(bb) copies of the Internet safety policy and screen time policy described in item (aa); and”;

and

(B) by adding at the end the following:
“(G) DATABASE OF INTERNET SAFETY
AND SCREEN TIME POLICIES.—The Commission
shall establish an easily accessible, public data-
base that contains each Internet safety policy
and screen time policy submitted to the Com-
misson under subclauses (I) and (II) of sub-
paragraph (A)(i).”; and

(2) in subsection (1), by striking paragraph (3)
and inserting the following:

“(3) AVAILABILITY FOR REVIEW.—A copy of
each Internet safety policy adopted by a library
under this subsection shall be made available to the
Commission, upon request of the Commission, by the
library for purposes of the review of the Internet
safety policy by the Commission.”.