

Union Calendar No. 364

114TH CONGRESS
2D SESSION

H. R. 2666

[Report No. 114–478]

To prohibit the Federal Communications Commission from regulating the rates charged for broadband Internet access service.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2015

Mr. KINZINGER of Illinois (for himself, Mr. LATTA, Mr. BILIRAKIS, Mr. BARTON, Mr. LANCE, Mr. SHIMKUS, Mrs. BLACKBURN, Mr. OLSON, Mr. POMPEO, Mr. SCALISE, Mr. CRAMER, Mr. COLLINS of New York, Mr. LONG, Mr. GUTHRIE, Mr. JOHNSON of Ohio, Mrs. ELLMERS of North Carolina, Mr. WALDEN, and Mr. UPTON) introduced the following bill; which was referred to the Committee on Energy and Commerce

MARCH 30, 2016

Additional sponsors: Mr. ALLEN and Mr. SESSIONS

MARCH 30, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on June 4, 2015]

A BILL

To prohibit the Federal Communications Commission from regulating the rates charged for broadband Internet access service.

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 “No Rate Regulation of*
 5 *Broadband Internet Access Act”.*

6 **SEC. 2. REGULATION OF BROADBAND RATES PROHIBITED.**

7 *Notwithstanding any other provision of law, the Fed-*
 8 *eral Communications Commission may not regulate the*
 9 *rates charged for broadband Internet access service.*

10 **SEC. 3. EXCEPTIONS.**

11 *Nothing in this Act shall be construed to affect the au-*
 12 *thority of the Commission to—*

13 *(1) condition receipt of universal service support*
 14 *under section 254 of the Communications Act of 1934*
 15 *(47 U.S.C. 254) by a provider of broadband Internet*
 16 *access service on the regulation of the rates charged by*
 17 *such provider for the supported service;*

18 *(2) enforce subpart Y of part 64 of title 47, Code*
 19 *of Federal Regulations (relating to truth-in-billing re-*
 20 *quirements); or*

21 *(3) enforce section 8.9 of title 47, Code of Federal*
 22 *Regulations (relating to paid prioritization).*

1 **SEC. 4. ADDITIONAL RULE OF CONSTRUCTION.**

2 *For purposes of this Act, broadband Internet access*
3 *service shall not be construed to include data roaming or*
4 *interconnection.*

5 **SEC. 5. DEFINITIONS.**

6 *In this Act:*

7 (1) **BROADBAND INTERNET ACCESS SERVICE.**—

8 *The term “broadband Internet access service” has the*
9 *meaning given such term in the rules adopted in the*
10 *Report and Order on Remand, Declaratory Ruling,*
11 *and Order that was adopted by the Commission on*
12 *February 26, 2015 (FCC 15–24).*

13 (2) **COMMISSION.**—*The term “Commission”*
14 *means the Federal Communications Commission.*

15 (3) **RATE.**—*The term “rate” means the amount*
16 *charged by a provider of broadband Internet access*
17 *service for the delivery of broadband Internet traffic.*

18 (4) **REGULATION.**—*The term “regulation” or*
19 *“regulate” means, with respect to a rate, the use by*
20 *the Commission of rulemaking or enforcement author-*
21 *ity to establish, declare, or review the reasonableness*
22 *of such rate.*

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