

Opening Statement of the Honorable Greg Walden
Subcommittee on Communications and Technology
Full Committee Markup of H.R. 2666, The No Rate Regulation of Broadband Act

Thank you, Mr. Chairman.

H.R. 2666 simply prohibits the FCC from regulating rates for Broadband Internet Access Service. This draft draws heavily on the FCC's existing work. It doesn't redefine broadband, it adopts the FCC's definition. It doesn't attempt to impose this prohibition on other parts of the Internet ecosystem, like interconnection. The FCC didn't include interconnection in its definition of broadband Internet access, and neither do we.

However, we heard from our colleagues that there were some concerns with the lack of a definition of "rate regulation" and the impact this bill could have on the FCC's ability to address Universal Service. I appreciated my colleagues input. I listened to it and will offer an amendment tomorrow to address many of these concerns. However, despite the good faith efforts of staff on both sides of the aisle to reach agreement, we were unable to find common ground on every objection raised by our colleagues.

We remain divided over the meaning of rate regulation with some believing that is a synonym for tariffing. I, and my colleagues on the Republican side of the committee, believe that declaring a rate unreasonable after-the-fact is even more caustic than doing so before it is charged. Frankly, those who believe in an open marketplace and healthy competition and the benefits it brings to consumers as proven by the enormous growth and influence of the Internet in the world's economy, don't want to hand federal bureaucrats a rate-regulation weapon. We know such a weapon will suppress competition and innovation in the marketplace. Such authoritarian power will harm consumers, slow innovation and drive prices higher.

And despite the claims of some in this debate, this bill would not sideline the FCC in going after fraud or truth-in-billing. This doesn't take the FCC "off the beat," it defines the FCC's responsibility and we would all expect the FCC to follow and enforce the policy we authorize and use its existing authority to stop fraud and abuse.

I thank my colleagues and their staffs for the hard work on this bill. I regret that we were unable to bring all of our colleagues along in codifying the President's and Chairman Wheeler's words, but I look forward to the Committee favorably reporting this bill to the whole House.