

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 1644
OFFERED BY M . _____**

At the end, add the following:

1 **SEC. 3. EXCEPTION TO ENHANCEMENT TO TRANSPARENCY**
2 **REQUIREMENTS RELATING TO PERFORM-**
3 **ANCE CHARACTERISTICS AND NETWORK**
4 **PRACTICES FOR SMALL BUSINESSES.**

5 (a) IN GENERAL.—The enhancements to the trans-
6 parency rule relating to performance characteristics and
7 network practices of the Commission under section 8.3 of
8 title 47, Code of Federal Regulations, as described in
9 paragraphs 165 through 184 of the Report and Order on
10 Remand, Declaratory Ruling, and Order in the matter of
11 protecting and promoting the open internet that was
12 adopted by the Commission February 26, 2015 (FCC 15–
13 24), shall not apply to any small business.

14 (b) SUNSET.—Subsection (a) shall not have any force
15 or effect after the date that is 1 year after the date of
16 the enactment of this Act.

17 (c) REPORT BY FCC.—Not later than 180 days after
18 the date of the enactment of this Act, the Commission
19 shall submit to the Committee on Energy and Commerce

1 of the House of Representatives and the Committee on
2 Commerce, Science, and Transportation of the Senate a
3 report that contains the recommendations of the Commis-
4 sion (and data supporting such recommendations) regard-
5 ing—

6 (1) whether the exception provided by sub-
7 section (a) should be made permanent; and

8 (2) whether the definition of the term “small
9 business” for purposes of such exception should be
10 modified from the definition in subsection (d)(3).

11 (d) DEFINITIONS.—In this section:

12 (1) BROADBAND INTERNET ACCESS SERVICE.—
13 The term “broadband Internet access service” has
14 the meaning given such term in section 8.2 of title
15 47, Code of Federal Regulations.

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

18 (3) SMALL BUSINESS.—The term “small busi-
19 ness” means any provider of broadband Internet ac-
20 cess service that has not more than 100,000 sub-
21 sscribers aggregated over all the provider’s affiliates.

