

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 1644
OFFERED BY MR. KINZINGER OF ILLINOIS**

Add at the end the following:

1 **SEC. 3. RULE OF CONSTRUCTION REGARDING RATE REGU-**
2 **LATION.**

3 (a) IN GENERAL.—Nothing in this Act shall be con-
4 strued to allow the Commission to regulate the rates
5 charged for broadband Internet access service.

6 (b) EXCEPTIONS.—Nothing in this section shall be
7 construed to affect the authority of the Commission to—

8 (1) condition receipt of universal service sup-
9 port under section 254 of the Communications Act
10 of 1934 (47 U.S.C. 254) by a provider of broadband
11 Internet access service on the regulation of the rates
12 charged by such provider for the supported service;
13 or

14 (2) enforce subpart Y of part 64 of title 47,
15 Code of Federal Regulations (relating to truth-in-
16 billing requirements).

17 (c) DEFINITIONS.—In this section:

18 (1) BROADBAND INTERNET ACCESS SERVICE.—
19 The term “broadband Internet access service” has

1 the meaning given such term in section 8.2 of title
2 47, Code of Federal Regulations.

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

5 (3) RATE.—The term “rate” means the amount
6 charged by a provider of broadband Internet access
7 service for the delivery of broadband Internet traffic.

8 (4) REGULATION.—The term “regulation” or
9 “regulate” means, with respect to a rate, the use by
10 the Commission of rulemaking or enforcement au-
11 thority to establish, declare, or review the reason-
12 ableness of such rate.

