AMENDMENT TO H.R. 1644

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At the end of the bill, add the following:

1	SEC. 3. REGULATION OF BROADBAND RATES PROHIBITED.
2	(a) In General.—Notwithstanding any other provi-
3	sion of law, the Commission may not regulate the rates
4	charged for broadband Internet access service.
5	(b) Exceptions.—Nothing in this section shall be
6	construed to affect the authority of the Commission to—
7	(1) condition receipt of universal service sup-
8	port under section 254 of the Communications Act
9	of 1934 (47 U.S.C. 254) by a provider of broadband
10	Internet access service on the regulation of the rates
11	charged by such provider for the supported service;
12	(2) enforce subpart Y of part 64 of title 47,
13	Code of Federal Regulations (relating to truth-in-
14	billing requirements); or
15	(3) prohibit or restrict paid prioritization.
16	(c) Additional Rule of Construction.—For
17	purposes of this section, broadband Internet access service
18	shall not be construed to include data roaming or inter-
19	connection.
20	(d) DEFINITIONS—In this section:

1	(1) Broadband internet access service.—
2	The term "broadband Internet access service" has
3	the meaning given such term in section 8.2 of title
4	47, Code of Federal Regulations.
5	(2) Commission.—The term "Commission"
6	means the Federal Communications Commission.
7	(3) Paid Prioritization.—The term "paid
8	prioritization" has the meaning given such term in
9	section 8.9(b) of title 47, Code of Federal Regula-
10	tions.
11	(4) Rate.—The term "rate" means the amount
12	charged by a provider of broadband Internet access
13	service for the delivery of broadband Internet traffic.
14	(5) Regulation.—The term "regulation" or
15	"regulate" means, with respect to a rate, the use by
16	the Commission of rulemaking or enforcement au-
17	thority to establish, declare, or review the reason-
18	ableness of such rate.

