AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 1644
OFFERED BY MR. WALDEN OF OREGON

Add at the end the following:

SEC. 3. EXCEPTION TO ENHANCEMENT TO TRANSPARENCY REQUIREMENTS FOR SMALL BUSINESSES.

(a) In General.—The enhancements to the transparency rule of the Federal Communications Commission under section 8.3 of title 47, Code of Federal Regulations, as described in paragraphs 162 through 184 of the Report and Order on Remand, Declaratory Ruling, and Order of the Federal Communications Commission with regard to protecting and promoting the open Internet (adopted February 26, 2015) (FCC 15–24), shall not apply to any small business.

(b) Sunset.—Subsection (a) shall not have any force or effect after the date that is 5 years after the date of the enactment of this Act.

(c) Report by FCC.—Not later than 180 days after the date of the enactment of this Act, the Federal Communications Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transpor-
tation of the Senate a report that contains the rec-
ommendations of the Commission (and data supporting
such recommendations) regarding—

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

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

(d) DEFINITIONS.—In this section:

(1) BROADBAND INTERNET ACCESS SERVICE.—
The term “broadband Internet access service” has
the meaning given such term in section 8.2 of title

(2) SMALL BUSINESS.—The term “small busi-
ness” means any provider of broadband Internet ac-
cess service that has not more than 250,000 sub-
scribers.