

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4881
OFFERED BY M .**

Page 2, strike lines 21 through 24 and insert the following:

1 (1) the term “broadband Internet access serv-
2 ice” means a mass-market retail service by wire or
3 radio that provides the capability to transmit data to
4 and receive data from all or substantially all Inter-
5 net endpoints, including any capabilities that are in-
6 cidental to and enable the operation of the commu-
7 nications service, but excluding dial-up Internet ac-
8 cess service. This term also encompasses any service
9 that the Commission finds to be providing a func-
10 tional equivalent of the service described in the pre-
11 vious sentence, or that is used to evade the protec-
12 tions set forth in this part;

