



## H.R. 2666 — No Rate Regulation of Broadband Internet Access Act (Rep. Kinzinger, R-IL)

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### FLOOR SCHEDULE:

Scheduled for consideration on April 15, 2016, under a structured [rule](#)

### TOPLINE SUMMARY:

[H.R. 2666](#) would prohibit the Federal Communications Commission (FCC) from regulating the rates charged for broadband Internet access service.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that that implementing the bill would have no significant effect on the agency's workload and spending relative to current policies. Moreover, under current law, the FCC is authorized to collect fees sufficient to offset the cost of its regulatory activities each year. Therefore, CBO estimates that the net cost to implement H.R. 2666 would be negligible, assuming annual appropriation actions consistent with the agency's authorities. Because enacting H.R. 2666 would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

### CONSERVATIVE CONCERNS:

There are no substantive concerns.

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

### DETAILED SUMMARY AND ANALYSIS:

H.R. 2666 would prohibit the FCC from regulating the rates charged for broadband Internet access service. The bill would clarify that it would not affect the FCC's authority: (1) to condition the receipt of universal service support by a provider of broadband Internet on the regulation of rates; or (2) enforce regulations relating to truth-in-billing requirements and paid prioritization. Under the bill, broadband Internet access service would not be construed to include data roaming or interconnection

The House report (H. Rept. 114-478) accompanying H.R. 2666 can be found [here](#). A fact sheet from the House Committee on Energy and Commerce can be found [here](#).

### AMENDMENTS MADE IN ORDER:

- [#2 Doyle \(D- PA\)](#): would specify that nothing in the bill would affect the FCC's authority to accelerate the deployment of broadband Internet access service to low-income consumers.

- [#4 Lujan \(D-NM\)](#): would specify that nothing in the bill would affect the FCC's authority to promulgate regulations that require a television broadcast station, AM or FM radio broadcast station, cable operator, direct broadcast satellite service provider, or satellite digital audio radio service provider to upload and make available material in its public inspection file on the Internet, that is machine-readable and in a format that supports automated searching for particular text.
- [#1 McNerney \(D- CA\)](#): would specify that nothing in the bill would affect the FCC's authority to act in the public interest, convenience, and necessity.

#### **ORGANIZATIONS IN SUPPORT:**

- [Small Business & Entrepreneurship Council](#)
- Americans for Tax Reform

#### **COMMITTEE ACTION:**

H.R. 2666 was introduced on June 4, 2015 and was referred to the House Committee on Energy and Commerce, where it was reported (amended) on March 30, 2016.

#### **ADMINISTRATION POSITION:**

The Statement of Administration Policy can be found [here](#). According to the statement, if the President were presented with H.R. 2666, his senior advisors would recommend that he veto the bill.

#### **CONSTITUTIONAL AUTHORITY:**

According to the sponsor: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3 of the U.S. Constitution"

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