

*Paul Manchin* S.L.C.  
*Steve Daines*

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

**S. 2283**

To ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. DAINES (for himself and Mr. MANCHIN)

Viz:

1 Strike all after the enacting clause and insert the following:  
2

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business  
5 Broadband Deployment Act of 2016”.

6 **SEC. 2. SMALL BUSINESS EXEMPTION.**

7 (a) DEFINITIONS.—In this section—

8 (1) the term “appropriate congressional committees” means—  
9

1 (A) the Committee on Commerce, Science,  
2 and Transportation of the Senate; and

3 (B) the Committee on Energy and Com-  
4 merce of the House of Representatives;

5 (2) the term “broadband Internet access serv-  
6 ice” has the meaning given the term in section 8.2  
7 of title 47, Code of Federal Regulations;

8 (3) the term “Commission” means the Federal  
9 Communications Commission; and

10 (4) the term “small business” means any pro-  
11 vider of broadband Internet access service that has  
12 not more than 250,000 subscribers.

13 (b) EXCEPTION FOR SMALL BUSINESSES.—The en-  
14 hancements to the transparency rule of the Commission  
15 under section 8.3 of title 47, Code of Federal Regulations,  
16 as described in paragraphs 162 through 184 of the Report  
17 and Order on Remand, Declaratory Ruling, and Order of  
18 the Commission with regard to protecting and promoting  
19 the open Internet (adopted by the Commission on Feb-  
20 ruary 26, 2015) (FCC 15–24), shall not apply to any  
21 small business.

22 (c) SUNSET.—Subsection (b) shall not have any force  
23 or effect after the date that is 5 years after the date of  
24 enactment of this Act.

1           (d) REPORT BY FCC.—Not later than 180 days after  
2 the date of enactment of this Act, the Commission shall  
3 submit to the appropriate congressional committees a re-  
4 port that contains the recommendations of the Commis-  
5 sion, and data supporting those recommendations, regard-  
6 ing—

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

9           (2) whether the definition of the term “small  
10 business” for the purposes of that exception should  
11 be modified from the definition in subsection (a)(4).