

110TH CONGRESS  
1ST SESSION

# S. 1453

To extend the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 23, 2007

Mr. CARPER (for himself, Mr. ALEXANDER, Mrs. FEINSTEIN, Mr. VOINOVICH, and Mr. ENZI) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To extend the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “ITFA Extension Act  
5 of 2007”.

1 **SEC. 2. FOUR-YEAR EXTENSION OF INTERNET TAX MORA-**  
2 **TORIUM.**

3 (a) IN GENERAL.—Section 1101(a) of the Internet  
4 Tax Freedom Act (47 U.S.C. 151 note) is amended by  
5 striking “2007:” and inserting “2011:”.

6 (b) GRANDFATHERING OF STATES THAT TAX INTER-  
7 NET ACCESS.—Section 1104(a)(2)(A) of such Act is  
8 amended by striking “2007.” and inserting “2011.”.

9 **SEC. 3. DEFINITION OF INTERNET ACCESS.**

10 (a) IN GENERAL.—Section 1105(5) of the Internet  
11 Tax Freedom Act (47 U.S.C. 151 note) is amended to  
12 read as follows:

13 “(5) INTERNET ACCESS.—The term ‘Internet  
14 access’—

15 “(A) means a service that enables users to  
16 connect to the Internet to access content, infor-  
17 mation, or other services offered over the Inter-  
18 net;

19 “(B) may include incidental services di-  
20 rectly related to the provision of the service de-  
21 scribed in subparagraph (A), such as electronic  
22 mail or instant messaging; and

23 “(C) does not include—

24 “(i) telecommunications services (as  
25 defined in section 3(46) of the Commu-  
26 nications Act of 1934 (47 U.S.C.

1           153(46))), except to the extent such serv-  
2           ices are purchased, used, or sold by a pro-  
3           vider of Internet access to provide Internet  
4           access described in subparagraph (A) or  
5           (B); or

6                   “(ii) voice service or any other good or  
7           service utilizing Internet protocol or any  
8           successor protocol, except services de-  
9           scribed in subparagraph (A) or (B).”.

10       (b) CONFORMING AMENDMENT.—The Internet Tax  
11 Freedom Act (47 U.S.C. 151 note) is amended by striking  
12 section 1108 and redesignating section 1109 as section  
13 1108.

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