

Calendar No. 698114TH CONGRESS
2^D SESSION**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.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2015

Mr. DAINES (for himself, Mr. RISCH, Mr. GARDNER, Mr. ROBERTS, Mr. SULLIVAN, and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

DECEMBER 6, 2016

Reported by Mr. THUNE, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

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

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Small Business
3 Broadband Deployment Act of 2015”.

4 **SEC. 2. EXCEPTION TO ENHANCEMENT TO TRANSPARENCY**
5 **REQUIREMENTS FOR SMALL BUSINESSES.**

6 (a) **DEFINITIONS.**—In this Act—

7 (1) the term “broadband Internet access serv-
8 ice”—

9 (A) means a mass-market retail service by
10 wire or radio that provides the capability to
11 transmit data to and receive data from all or
12 substantially all Internet endpoints, including
13 any capability that is incidental to and enables
14 the operation of the communications service;
15 and

16 (B) does not include dial-up Internet ac-
17 cess service; and

18 (2) the term “small business” means any pro-
19 vider of broadband Internet access service that has
20 not more than—

21 (A) 1,500 employees; or

22 (B) 500,000 subscribers.

23 (b) **EXCEPTION FOR SMALL BUSINESSES.**—The en-
24 hancements to the transparency rule of the Federal Com-
25 munications Commission under section 8.3 of title 47,
26 Code of Federal Regulations, as described in paragraphs

1 162 through 184 of the Report and Order on Remand,
2 Declaratory Ruling, and Order of the Federal Commu-
3 nications Commission with regard to protecting and pro-
4 moting the open Internet (adopted February 26, 2015)
5 (FCC 15–24), shall not apply to any small business.

6 **SECTION 1. SHORT TITLE.**

7 *This Act may be cited as the “Small Business*
8 *Broadband Deployment Act of 2016”.*

9 **SEC. 2. SMALL BUSINESS EXEMPTION.**

10 *(a) DEFINITIONS.—In this section—*

11 *(1) the term “appropriate congressional commit-*
12 *tees” means—*

13 *(A) the Committee on Commerce, Science,*
14 *and Transportation of the Senate; and*

15 *(B) the Committee on Energy and Com-*
16 *merce of the House of Representatives;*

17 *(2) the term “broadband Internet access service”*
18 *has the meaning given the term in section 8.2 of title*
19 *47, Code of Federal Regulations;*

20 *(3) the term “Commission” means the Federal*
21 *Communications Commission; and*

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

1 (b) *EXCEPTION FOR SMALL BUSINESSES.*—*The en-*
2 *hancements to the transparency rule of the Commission*
3 *under section 8.3 of title 47, Code of Federal Regulations,*
4 *as described in paragraphs 162 through 184 of the Report*
5 *and Order on Remand, Declaratory Ruling, and Order of*
6 *the Commission with regard to protecting and promoting*
7 *the open Internet (adopted by the Commission on February*
8 *26, 2015) (FCC 15–24), shall not apply to any small busi-*
9 *ness.*

10 (c) *REPORT BY FCC.*—*Not later than 180 days after*
11 *the date of enactment of this Act, the Commission shall sub-*
12 *mit to the appropriate congressional committees a report*
13 *that contains the recommendations of the Commission, and*
14 *data supporting those recommendations, regarding—*

15 (1) *whether the exception provided by subsection*
16 *(b) should be made permanent; and*

17 (2) *whether the definition of the term “small*
18 *business” for the purposes of that exception should be*
19 *modified from the definition in subsection (a)(4).*

20 (d) *RULEMAKING.*—*Not later than 180 days after the*
21 *date on which Commission submits the report under sub-*
22 *section (c), the Commission shall commence a rulemaking*
23 *proceeding to implement the recommendations in that re-*
24 *port.*

1 (e) *SUNSET.*—*Subsection (b) shall have no force or ef-*
2 *fect after the later of the date—*

3 (1) *that is 3 years after the date of enactment of*
4 *this Act; or*

5 (2) *on which the Commission adopts rules in the*
6 *proceeding required under subsection (d).*

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