

S. Con. Res. 7, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 7

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES.

(a) IN GENERAL.—The 26th edition of the pocket version of the Constitution of the United States shall be printed as a Senate document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 480,500 copies of the document, of which 255,500 copies shall be for the use of the House of Representatives, 200,000 copies shall be for the use of the Senate, and 25,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of \$226,250, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

(c) DISTRIBUTION.—The copies of the document printed for the use of the House of Representatives and the Senate under subsection (a) shall be distributed in accordance with—

(1) a distribution plan approved by the chair and ranking minority member of the Committee on House Administration of the House of Representatives, in the case of the copies printed for the use of the House of Representatives; and

(2) a distribution plan approved by the chair and ranking minority member of the Committee on Rules and Administration of the Senate, in the case of the copies printed for the use of the Senate.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

□ 1515

ELECTING MEMBERS TO THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY AND THE JOINT COMMITTEE ON PRINTING

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of H. Res. 226, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the resolution is as follows:

H. RES. 226

Resolved,

SECTION 1. ELECTION OF MEMBERS TO JOINT COMMITTEE OF CONGRESS ON THE LIBRARY AND JOINT COMMITTEE ON PRINTING.

(a) JOINT COMMITTEE OF CONGRESS ON THE LIBRARY.—The following Members are here-

by elected to the Joint Committee of Congress on the Library, to serve with the chair of the Committee on House Administration and the chair of the Subcommittee on the Legislative Branch of the Committee on Appropriations:

- (1) Mr. Butterfield.
- (2) Mr. Rodney Davis of Illinois.
- (3) Mr. Loudermilk.

(b) JOINT COMMITTEE ON PRINTING.—The following Members are hereby elected to the Joint Committee on Printing, to serve with the chair of the Committee on House Administration:

- (1) Mr. Raskin.
- (2) Mrs. Davis of California.
- (3) Mr. Rodney Davis of Illinois.
- (4) Mr. Loudermilk.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REQUEST TO CONSIDER H.R. 962, BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 962, the Born-Alive Survivors Protection Act, legislation which protects the sanctity of life for the unborn by ensuring that infants who are born alive receive proper medical care, and ask for its immediate consideration in the House.

The SPEAKER pro tempore. Under guidelines consistently issued by successive Speakers, as recorded in section 956 of the House Rules and Manual, the Chair is constrained not to entertain the request unless it has been cleared by the bipartisan floor and committee leaderships.

PARLIAMENTARY INQUIRY

Mr. CHABOT. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. CHABOT. Mr. Speaker, if this unanimous consent request cannot be entertained, I urge the Speaker and the majority leader to immediately schedule consideration of the Born-Alive bill so we can stand up and protect the sanctity of human life, and I would ask all of my colleagues in this body to join in my request.

The SPEAKER pro tempore. The gentleman has not stated a proper parliamentary inquiry.

SAVE THE INTERNET ACT OF 2019

GENERAL LEAVE

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore (Ms. KAPTUR). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 294 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1644.

The Chair appoints the gentleman from Indiana (Mr. CARSON) to preside over the Committee of the Whole.

□ 1517

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1644) to restore the open internet order of the Federal Communications Commission, with Mr. CARSON of Indiana in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member on the Committee on Energy and Commerce.

The gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE), my good friend from the East Coast, and the gentleman from Oregon (Mr. WALDEN), my other good friend, each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chair, I yield myself 3 minutes.

Mr. Chair, I rise today in support of H.R. 1644, the Save the Internet Act.

This bill comes to the floor after more than 18 hours of consideration by the Energy and Commerce Committee over the course of hearings and mark-ups since the start of this Congress.

During that time, we have heard from consumer advocates, minority and underrepresented communities, rural broadband providers, small businesses, innovators, entrepreneurs, and millions of constituents, all calling for the restoration of net neutrality rules.

In addition, polls show that more than 86 percent of all Americans, whether they be Republicans, Independents, or Democrats, opposed the Trump FCC's repeal of the protections that this bill reinstates.

People around the country care deeply about a free and open internet because it is critical for so many communities and sectors of our economy.

This legislation will do three things:

First, it restores bipartisan, commonsense net neutrality protections and puts a cop back on the beat to protect consumers, small businesses, and competitors from unjust, unreasonable, and discriminatory practices by internet service providers.

Second, this bill gives the FCC the authority to protect consumers, now and in the future, through forward-looking regulatory authority.

Third, the bill restores the FCC's legal authority to support broadband access and deployment programs through the Universal Service Fund.

These programs pay for the deployment of broadband in rural communities through the Connect America Fund and support access for low-income families, seniors, and veterans through the Lifeline program.

The Save the Internet Act codifies the FCC's 2015 Open Internet Order and permanently prohibits the FCC from applying provisions on rate setting, unbundling of ISP networks, or levying additional taxes or fees on broadband access.

This legislation that we are considering here today charts a new course for net neutrality and would put in place 21st century rules for a 21st century internet.

I look forward to advancing this legislation out of the House and, ultimately, through the Congress so that we can restore these essential protections for all Americans.

Mr. Chairman, I reserve the balance of my time.

Mr. WALDEN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, Republicans and Democrats can agree more than they disagree on the issue of net neutrality parameters to protect a free and open internet for consumers.

The net neutrality bright line rules Republicans support are simple, and they are actually pretty easy to understand, Mr. Chairman: no blocking, no throttling, no paid prioritization—period. And no government takeover of the internet by Washington bureaucrats.

Unfortunately, for the last few years, Democrats have caved in to the idea that only putting unelected bureaucrats in charge of every facet of the internet is the answer. And they know what all Americans know: The bill before us today is opposed by the President, and the leader of the Senate says it is dead on arrival there, so it will not become law. This is the end of its journey.

They also know the internet grew up under very light-touch regulation, which Republicans favor and which even President Clinton favored. That is what allowed the bright innovators in our Nation's Silicon Valley and across the world to experiment and to invent the great services we all enjoy today. You see, they did not have to come to Washington, D.C., to some agency and get a permit or permission first. They didn't have to get second-guessed later, either.

Unfortunately, the regime that my friends across the aisle seek to saddle the internet with was only in place for less than 2 years. Less than 2 years, that is it.

Some argue that during that period, investment broadband build-out actually declined. We had testimony at the Energy and Commerce Committee from an internet service provider in rural Oregon who spoke to that very fact.

This bill, called Save the Internet Act, is another plank in their socialist agenda that would regulate the inter-

net as if it were a monopoly utility under the title II section of the Communications Act of 1934. That is the law originally used to govern monopoly telephone companies in the 1930s.

This legislation imposes that heavy hand of Washington's regulatory bureaucracy over the single most vibrant and important driver of the economic growth in America and the world: job creation, better quality of life, information sharing. We call that the open internet that we enjoy today.

I would admit, no one fully understands the implications of this legislation, the scope of what it entails, and the impact it could have on consumers. There is much debate on this point in the committee.

Does this bill empower the FCC to dictate where and when new broadband networks can or must be deployed? We think it could.

Will this bill provide the authority for a government takeover and management of private networks? We think it could.

Would this bill allow government taxation of the internet? It could.

Could it lead to government regulation of speech on the internet? Yep.

And will this legislation limit the full potential of 5G and impede the development of the next wave of innovation in internet services? Most outside experts think it could.

So Republicans attempted to get to the bottom of these questions through our hearings and our markups. The answer to all of these questions was, regrettably, yes.

Now, we offered amendments, Mr. Chairman, at the full committee to close the doors to these and other powers that are granted to the Federal Communications Commission under this bill, powers that are completely unrelated to net neutrality. Every one of those amendments was rejected.

Supporters claim the bill locks into law more than 700 instances where the Federal Communications Commission forbore from taking action under title II, but supporters cannot provide Members of Congress with a list of those 700 forbearances—nope. We have asked; no list. The Democrats won't or can't even tell us precisely what they are putting into law if we can't see that list.

But we even offered an amendment to truly lock in this forbearance and prevent the FCC from imposing similar regulations in the future or through other provisions in statute, and that, too, was rejected.

We offered an amendment protecting the next generation of wireless networks, 5G, from the incompatible regulatory regime. That, too, was rejected on party-line votes.

So, disappointingly, the Democrats went back on an agreement I helped negotiate in each of the last two Congresses to relieve some of our rural internet providers from some of the most burdensome reporting requirements of the FCC's 2015 order.

Twice we passed that relief, and we did so unanimously in this House, and

it was bipartisan, obviously. They more than cut the relief in half, putting costly bureaucratic reporting requirements ahead of small internet service providers investing in connecting Americans to high-speed internet services.

It doesn't have to be this way. It should not be this way. Republicans have put forth serious proposals. We put forth a menu of options as a starting point for true bipartisan net neutrality legislation.

I have introduced a bill that codifies the FCC's bright-line rules prohibiting blocking and throttling and paid prioritization for internet traffic, and that would require that ISPs, internet service providers, be transparent in their network management practices and prices.

Two of my Republican colleagues on the House Energy and Commerce Committee have introduced legislation that should also gain Democratic support.

Representative BOB LATTI, who is our top Republican on the subcommittee, has legislation drawn from a proposal introduced in 2010 by the previous Democratic chairman of the full Energy and Commerce Committee, Henry Waxman of California.

If Democrats don't believe Mr. Waxman's plan is a good starting point, then Representative CATHY MCMORRIS RODGERS has introduced legislation that is drawn directly from a bill that passed in Washington State's Democratic-controlled legislature and was signed into law in 2018 by a Democratic Governor.

So what do all three of these proposals have in common? They are rooted in the shared principles of net neutrality that will protect consumers, but without putting unelected bureaucrats in control of the internet.

So I remain committed to a bipartisan solution, to preserving a free and open internet. I actually believe it is achievable, and I want to express to my friends on the other side of the aisle—and they are my friends—that our work and our efforts together are genuine and have been made in good faith.

The fact is we can permanently address blocking, throttling, and paid prioritization. We could do so in a bipartisan way, and we all believe in open and free internet. We believe in net neutrality.

But net neutrality is not title II, near limitless government management of the internet. Net neutrality does not need the harmful, heavy-handed approach of title II. Net neutrality does not require a government takeover of the internet.

Mr. Chairman, I reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chair, what my friend refers to as a takeover of the internet we call protecting consumers, and that is what we are asking the FCC to do.

I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), chairman of the full Energy and Commerce Committee.

□ 1530

Mr. PALLONE. Mr. Chairman, I thank the chairman of our Subcommittee on Communications and Technology for all the work that he has done on this net neutrality legislation.

We are here today to debate and vote on a bill that will keep the internet free and open. That sounds like a big deal, and it is a big deal.

The Save the Internet Act ensures that consumers, rather than internet service providers, have control over their internet experience. This is just common sense. Each of us should be able to decide what videos we watch, which sites we read, and which services we use. Nobody should be able to influence that choice—not the government and not the large companies that run the networks.

This legislation not only protects consumers from large corporations, but it also strengthens our economy by promoting innovation and small businesses. Net neutrality ensures that any business, no matter how small, gets the same internet at the same speeds as giant corporate interests. That is only fair. There should not be favorites.

H.R. 1644 will return strong net neutrality protections to the internet. For over a decade, both Republican and Democratic FCCs restricted ISPs' ability to control consumer access to the internet and undermine small businesses' ability to compete. The Trump FCC affirmatively gave up that authority in 2017, choosing the big companies over the people.

The bill before us would return the FCC to its traditional role of overseeing the Nation's channels of communications. This is a carefully crafted bill that balances the need to put a cap on the beat without weighing down the industry. We are preventing blocking, throttling, and paid prioritization, and we are giving the FCC the authority to stop harmful practices in the future that are unjust or unreasonable.

The American people, Mr. Chairman, both Democrats and Republicans, overwhelmingly support restoring net neutrality. That makes sense. We all want to control our own internet experience.

Again, I thank Chairman DOYLE for his leadership. Let me also take a moment to recognize the hard work of the committee staff, Alex Hoehn-Saric, Jerry Leverich, Jennifer Epperson, AJ Brown, Dan Miller, and Phil Murphy.

I strongly urge all my colleagues to vote "yes" on the Save the Internet Act.

Mr. WALDEN. Mr. Chairman, it is my honor to yield 5 minutes to the gentleman from Louisiana (Mr. SCALISE), the Republican whip of the House and a terrific member of our Energy and Commerce Committee.

Mr. SCALISE. Mr. Chairman, I thank the gentleman from Oregon for yielding.

Mr. Chairman, I rise in opposition to this bill that would create a government takeover of the internet.

If you look at the bill, first of all, it is always interesting to pay attention to the titles of bills—the Save the Internet Act. Whom do you want to save the internet from? Many would say they want to save it from the heavy hand of government.

I have asked my friends on the other side of the aisle to please show me what is so broken about the internet that the Federal Government needs to come in to save it.

First of all, if you look at the growth of this great industry, this is one of America's greatest exports. It is one of America's greatest economic drivers. Some of the best jobs in America are created from the technology industry that has boomed and thrived because of the growth of the internet.

How has this internet grown? It has grown because there is no heavy hand of the Federal Government slowing it down. If you go back to look, as the internet continued to grow, as applications continued to get developed on all kinds of devices, small handheld devices, the things that people are able to do, the improvements in their daily lives, because of the growth of the internet, the private money that has come in, billions of dollars of private money has come in to help develop this great superhighway. It has come in, in large part, because the Federal Government hasn't figured out how to regulate and slow it down.

Then along comes this bill. Let's be keenly aware of what this bill is trying to do. The bill actually imposes what is called title II regulations of the internet. What are title II regulations? These are laws that were created in the 1930s when there was a monopoly telephone company.

You would have to google it these days because most people might not remember, but they used to have these little plugs that they would push in and pull out. You would literally pick up a telephone that was plugged into a wall back then—it wasn't a remote device—and you would call an operator and the operator would patch you through.

That was the series of laws that they are now trying to apply to the internet. Can you imagine these archaic 1930s laws being forced upon the internet that is growing so robustly that we are the envy of the world? Our technology, American technology, is dominant in this industry because the government doesn't have these heavy-handed regulations.

Then along comes this bill, the Save the Internet Act, to save us from this growth, to save us from this job creation. I think people can clearly see what is going on here. This is a battle we are having on a lot of fronts. It is a battle of individual freedom versus government control.

Should you have the choice to decide which provider you want to get your internet service from? The great thing about the internet today is there are so many different people competing for

your business, and they are spending billions of dollars to do it.

Take a look at 5G. Maybe you are on a 3G network or a 4G network, and now all of these private companies are spending their own money, billions of dollars, to build out a 5G network.

Mr. Chairman, what we would like to see is more of this competition. Yet if you go back to look when the Federal Government did try this—because this isn't some newly created idea. Back in 2015, when there was a different administration in the White House, a different FCC, the FCC started to impose these kinds of regulations and limit the growth of the internet. What happened during that period in 2015? You saw a dramatic drop. Over \$3 billion of investment went away. Private money that used to come in to grow and expand these networks, 3G, 4G, hopefully 5G, when the government started to impose these kinds of regulations, people stopped investing because they said the Federal Government telling them how to spend their private money so that we can have a better, faster internet, they weren't going to do it.

If you look at what this bill doesn't do, that is the really interesting part. When they talk about the people who are limiting content and closing off lanes to the superhighway, it is not those service providers. It is the edge providers.

These big companies that are the application developers that actually do control your data, they are not part of this bill. They were exempt from this bill.

So the thing that we want to do and see is a freer, more open internet, which we have already. The government is not regulating the internet today, and it is growing and expanding to the point where we are the envy of the world. We have some of the best job creation in this industry. We don't need the Federal Government to come in and save us from this great growth and expansion.

Let's let the internet stay free and open like it is today without the heavy hand of the Federal Government.

I urge my colleagues to vote "no."

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

I find this pretty humorous that the Republicans want to talk about government takeover of the internet. The only person I know who has proposed publicly to take over the internet is the President of the United States when he said he wants to nationalize 5G.

Maybe you guys need to take a little trip over to the White House and prevent that little government takeover of the internet.

Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. ESHOO), a valuable member of this committee.

Ms. ESHOO. Mr. Chairman, I thank the distinguished chairman of the subcommittee for yielding.

First, I include in the RECORD a letter from the County of Santa Clara, California, relative to the issue of net neutrality and the underlying legislation.

COUNTY OF SANTA CLARA,
OFFICE OF THE COUNTY EXECUTIVE,
San Jose, CA, April 4, 2019.

Hon. ANNA ESHOO,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE ESHOO: The County of Santa Clara strongly supports H.R. 1644, the “Save the Internet Act of 2019.” This measure would re-establish federal rules and policies protecting net neutrality as articulated by the Federal Communications Commission (FCC) in its 2015 Report and Order, In the Matter of Protecting and Promoting the Open Internet (FCC 15-24) (the Order).

Like local governments across the country, the County of Santa Clara provides public safety, welfare, and governance services that depend on an open internet. For example, County public health alert systems and the County’s virtual emergency operations center could both be hobbled by broadband internet access service (BIAS) provider practices subject to regulation under the Order. The County is deeply concerned that there currently is no “cop on the beat” ensuring the protection of such systems, and thus strongly supports H.R. 1644, which would re-establish oversight of BIAS provider practices that threaten public safety.

The County’s concerns are particularly acute in light of its past experience with BIAS provider practices. The County’s experience has demonstrated that BIAS providers will act in their own economic interests, even when doing so threatens public safety. For example, shortly after the FCC revoked net neutrality protections, Verizon throttled Santa Clara County firefighters in the midst of their efforts to fight the then-largest fire in California history—despite repeated requests to remove the throttling and allow the firefighters to perform their duties. These events are outlined in the attached Declaration, submitted to the U.S. Court of Appeals for the D.C. Circuit.

Net neutrality is also vital to the continued economic success of our region. Santa Clara County is a world-leading hub of high-technology innovation and development and is home to almost 2 million residents. Net neutrality is necessary for the prosperity of the county’s economy, as it encourages competition among businesses, fosters innovation, creates jobs, and promotes economic vitality both within the county and across the nation.

Preserving net neutrality for County of Santa Clara residents has long been an action point for the County. In 2017, the County’s Board of Supervisors unanimously adopted resolution number BOS-2017-105, Resolution of the Board of Supervisors of the County of Santa Clara Supporting the Preservation of Federal Rules and Policies Protecting Net Neutrality, to publicly confirm its support of an open internet. In addition, the County of Santa Clara and the Santa Clara County Central Fire Protection District, along with the City and County of San Francisco, California Public Utilities Commission, 22 states (including California), the District of Columbia, and several private and nonprofit entities filed a lawsuit (Docket 181051, D.C. Cir.) challenging the FCC’s December 2017 decision to repeal net neutrality policies with its Report and Order, In the Matter of Restoring Internet Freedom (FCC 17-166).

By restoring the FCC’s 2015 order In the Matter of Protecting and Promoting the Open Internet, H.R. 1644 would ensure net

neutrality. In addition, the bill would nullify the FCC’s 2017 order In the Matter of Restoring Internet Freedom and would prohibit the enactment of any other rule substantially the same as this order, unless the new rule is specifically authorized by a law enacted after the date of the enactment of H.R. 1644. It is for these reasons we support H.R. 1644.

On behalf of the County and its residents, thank you for your co-sponsorship of this important measure that will protect net neutrality rules and policies now and in future.

Sincerely,

JEFFREY V. SMITH, M.D., J.D.,
County Executive.

Enclosure: Declaration of Fire Chief Anthony Bowden (Docket 18-1051, D.C. Cir.)

IN THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

CASE NO. 18-1051 (LEAD); CONSOLIDATED WITH NOS. 10-1052, 18-1053, 18-1054, 18-1055, 18-1056, 18-1061, 18-1062, 18-1064, 18-1065, 18-1066, 18-1067, 18-1068, 18-1088, 18-1089, 18-1105

MOZILLA CORPORATION, et al., Petitioners, v. FEDERAL COMMUNICATIONS COMMISSION and UNITED STATES OF AMERICA,—Respondents.

DECLARATION OF FIRE CHIEF ANTHONY BOWDEN

I, Anthony Bowden, declare:

1. I make this declaration in support of the Brief of the County of Santa Clara (“County”) in the matter referenced above. I know the facts herein of my own personal knowledge and if called upon to do so, I could competently testify to them under oath.

2. I was recently appointed the Fire Chief for the Santa Clara County Central Fire Protection District (“County Fire”). As Fire Chief, I also serve as Fire Marshal for Santa Clara County and as the California Office of Emergency Services (OES) Operational Area Fire and Rescue Coordinator. In these roles, I am responsible for the coordination of mutual aid resources in Santa Clara County. This includes the coordination of all fire resources to significant events, such as wildfires, throughout the State, when those resources are requested from Santa Clara County’s operational area. I have worked in fire protection for more than two decades, and in that time, I have held every rank at County Fire.

3. Established in 1947, County Fire provides fire services for Santa Clara County and the County’s communities of Campbell, Cupertino, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, and Saratoga. The department also provides protection for the unincorporated areas adjacent to those cities. Wrapping in an approximately 20-mile arc around the southern end of Silicon Valley, County Fire has grown to include 15 fire stations, an administrative headquarters, a maintenance facility, and several other support facilities, and covers 128.3 square miles. The department employs almost three hundred fire prevention, suppression, investigation, administration, and maintenance personnel; daily emergency response consists of more than sixty employees. County Fire also contributes resources to all-hazard response outside Santa Clara County and around the state. For example, County Fire has deployed equipment and personnel in response to the ongoing Mendocino Complex Fire, the largest fire in California’s history.

4. County Fire relies upon Internet-based systems to provide crucial and time-sensitive public safety services. The Internet has become an essential tool in providing fire and emergency response, particularly for events like large fires which require the rapid deployment and organization of thousands of personnel and hundreds of fire engines, aircraft, and bulldozers. During these

events, resources are marshaled from across the state and country—in some cases, even from other countries. In these situations, a key responsibility of emergency responders, and of County Fire in particular, is tracking those resources and ensuring they get to the right place as quickly and safely as possible. County Fire, like virtually all other emergency responders, relies heavily on the Internet to do both of these things.

5. As I explain below, County Fire has experienced throttling by its ISP, Verizon. This throttling has had a significant impact on our ability to provide emergency services. Verizon imposed these limitations despite being informed that throttling was actively impeding County Fire’s ability to provide crisis-response and essential emergency services.

6. Only a few weeks ago, County Fire deployed OES Incident Support Unit 5262 (“OES 5262”), to the Mendocino Complex Fire, now the largest fire in state history. OES 5262 is deployed to large incidents as a command and control resource. Its primary function is to track, organize, and prioritize routing of resources from around the state and country to the sites where they are most needed. OES 5262 relies heavily on the use of specialized software and Google Sheets to do near-real-time resource tracking through the use of cloud computing over the Internet.

7. Resources tracked across such a large event include personnel and equipment supplied from local governments across California; the State of California; federal agencies including the Department of Defense, the Bureau of Land Management, the U.S. Forest Service; and other countries. As of Monday, August 13, 2018, the response effort for the wildfires burning across California included 13,000 firefighters, multiple aircraft, dozens or hundreds of bulldozers, and hundreds of fire engines. The wildfires have resulted in over 726,000 acres burned and roughly 2,000 structures destroyed. With several months left in what is a “normal” fire season, we fully expect these numbers to rise.

8. OES 5262 also coordinates all local government resources deployed to the Mendocino Complex Fire. That is, the unit facilitates resource check-in and routing for local government resources. In doing so, the unit typically exchanges 5-10 gigabytes of data per day via the Internet using a mobile router and wireless connection. Near-real-time information exchange is vital to proper function. In large and complex fires, resource allocation requires immediate information. Dated or stale information regarding the availability or need for resources can slow response times and render them far less effective. Resources could be deployed to the wrong fire, the wrong part of a fire, or fail to be deployed at all. Even small delays in response translate into devastating effects, including loss of property, and, in some cases, loss of life.

9. In the midst of our response to the Mendocino Complex Fire, County Fire discovered the data connection for OES 5262 was being throttled by Verizon, and data rates had been reduced to 1/200, or less, than the previous speeds. These reduced speeds severely interfered with the OES 5262’s ability to function effectively. My Information Technology staff communicated directly with Verizon via email about the throttling, requesting it be immediately lifted for public safety purposes. That email exchange is attached here as Exhibit A. We explained the importance of OES 5262 and its role in providing for public and first-responder safety and requested immediate removal of the throttling. Verizon representatives confirmed the throttling, but, rather than restoring us to an essential data transfer speed, they indicated that County Fire would

have to switch to a new data plan at more than twice the cost, and they would only remove throttling after we contacted the Department that handles billing and switched to the new data plan.

10. In the interim, County Fire personnel were forced to use other agencies' Internet Service Providers and their own personal devices to provide the necessary connectivity and data transfer capability required by OES 5262. While Verizon ultimately did lift the throttling, it was only after County Fire subscribed to a new, more expensive plan.

11. In light of our experience, County Fire believes it is likely that Verizon will continue to use the exigent nature of public safety emergencies and catastrophic events to coerce public agencies into higher cost plans ultimately paying significantly more for mission critical service—even if that means risking harm to public safety during negotiations.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August at San José, California.

Anthony Bowden.

Ms. ESHOO. Mr. Chair, I rise in support of this bill. To those who may be viewing and listening in, it sounds as if, from my Republican friends, that the sky is actually coming down around our ears. I have good news for you. It isn't.

The ranking member of the full committee said that the Republicans simply are opposed to paid prioritization, throttling, and blocking. But there is something else that the American people need to know. What they are against here is what they call the heavy hand of government. We say it is the Federal Communications Commission that should be able to enforce the law against throttling, blocking, and paid prioritization.

It is as simple as that. They don't want a cop on the beat.

This is a very simple, three-page bill, but it is powerful because it puts in place the protections that the FCC came up with in 2015. Notably, the courts upheld that decision.

There is much talk on the other side of the aisle about Silicon Valley. You are not from Silicon Valley; I represent it. There are companies there that had filed suit against the ISPs because of what they have done.

If you don't think that the ISPs haven't misbehaved, talk to the firefighters of Santa Clara County. Talk to them. They were fighting the worst fire in California's history when they were being throttled. They called Verizon, and Verizon tried to sell them an upgraded plan as they were trying to save lives.

Across America, 86 percent of the American people—Democrats, Republicans, and Independents—support what we are doing. We want this for our constituents. We want the protection of consumers. We don't want any mitts on the internet. It is as simple as that. Groups from A to Z, from the United States Conference of Catholic Bishops to the American Library Association, support this.

I am proud to be a net neutrality warrior, and I ask everyone in the

House to become one, too, by voting for H.R. 1644. It is a simple, three-page, powerful bill that will serve the people of our country well.

Mr. WALDEN. Mr. Chairman, I am now privileged to yield 5 minutes to the gentleman from Ohio (Mr. LATTA), the ranking Republican on the Communications and Technology Subcommittee.

Mr. LATTA. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chair, I rise today in opposition to H.R. 1644, the government takeover of the internet act.

This is not about net neutrality. If this was about net neutrality, we would be operating under the long-standing bipartisan premise that net neutrality would be achieved without title II.

Like many of my colleagues on both sides of the aisle, I agree that Congress needed to codify basic internet protection principles, such as no blocking, no throttling, and no paid prioritization. The net neutrality bill I introduced is based directly upon the proposal from former Energy and Commerce Chairman Henry Waxman, which would prevent internet service providers from engaging in much of the discriminatory behavior the majority is concerned about. It would do so under title I.

Both former Republican and Democratic Federal Communications Commission Chairmen have also recognized that net neutrality can be resolved without vastly expanding the FCC's power under title II.

It is important to recognize the difference between title I and title II. The internet is currently regulated under title I, which means it is considered an information service. Besides the 2 years the FCC's 2015 order was in effect, the internet has always operated under title I, since its infancy.

Chairman Wheeler put the internet under title II rules that classify broadband as a telecommunication service. These rules were created in the 1930s for the monopoly telephone systems and, obviously, do not fit on an innovative engine that has thrived on minimal government involvement.

Although the exact framework of net neutrality has been a bipartisan issue these past 10 years, we are at a point where Republicans and Democrats are aligned on bright-line principles to preserve a free and open internet. Rather than push through purely partisan legislation drafted by a group of unelected bureaucrats, I encourage my colleagues to vote "no" on H.R. 1644, so we can engage in a truly bipartisan process on net neutrality and resolve this issue once and for all.

There is a menu of legislative options on the table. Each of these net neutrality bills would ensure that the FCC is a cop on the beat to keep the internet free and open from discriminatory conduct by ISPs.

As acknowledged by H.R. 1644's sponsor, the gentleman from Pennsylvania,

the bill does not preserve all aspects of a free and open internet because it does not address blocking and prioritization done by edge providers.

It also isn't clear if the bill addresses ambiguous definitions from the 2015 order for specialized services or recognizes the unintended consequences in innovations like advanced network slicing capabilities in 5G.

The bill also does not protect small businesses. With over 3,000 ISPs in our country, most of which are small or very small, we should make it a priority to shield these businesses from onerous regulations.

I offered an amendment at the Rules Committee that would do just that. It would have allowed small ISPs to focus better on expanding their networks and serving their customers. This amendment was based on a bipartisan compromise made in the 114th Congress and the 115th Congress that unanimously passed the House and afforded small and often rural ISPs predictability.

My Democratic colleagues supported the 5-year exemption and 250,000-subscriber limit last Congress but seem to have forgotten their statements about the need to allow small ISPs to provide broadband access rather than being bogged down with these regulations.

□ 1545

We have seen broadband investment and innovation decline during the time the internet was regulated under the framework that H.R. 1644 would establish. This has been verified through studies, but also in a recent Energy and Commerce Committee hearing when a witness who owns a small ISP in Oregon testified on the hampering effects the 2015 order had on his own business. While we can't quantify lost investment, we do not know the advancements in technology we have missed out on due to limited resources directed toward innovation.

On the point of not knowing, we still do not know the 700-plus regulations that H.R. 1644 would permanently forbear from either. Before we permanently lock in anything, I believe Congress should know exactly what we are locking in. We have pressed the majority for the list multiple times and have not received it. That is why I filed an amendment that would have required the Federal Communications Commission to produce this list if the bill does become law.

I support net neutrality, but I cannot and do not support H.R. 1644. We should be providing the American people with a real net neutrality solution rather than pushing forward an agenda that does not have the capability to become law and won't protect the internet.

I thank the gentleman for yielding, Mr. Chairman.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chairman, my friends keep talking about the government takeover of the internet. I am glad to see that they are finally taking a stand against

the foolish 5G nationalization proposal that the Trump administration can't seem to stop talking about.

Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Mr. Chairman, I thank Chairman DOYLE for yielding time this afternoon.

Mr. Chairman, I rise today in support of H.R. 1644. Phone calls and letters from my constituents make it abundantly clear that they want to see broadband internet expanded in their communities, they want greater consumer protections, and they want it now. The digital divide is holding them down.

Until someone has lived in a community, Mr. Chairman, that does not have reliable access to high-speed internet, one cannot comprehend its importance. Internet connectivity enables students regardless of their financial circumstances the opportunity to access world-class educational resources. It spurs economic growth by giving businesses an opportunity to connect with customers throughout the world. It can help bring access to quality healthcare for families in rural communities.

I say to my friends on the other side, this legislation is not a socialist initiative. It is America, my friends, in the 21st century.

This bill provides permanent net neutrality protections and secures a free and neutral internet for constituents. This legislation will ensure that all Americans—Democrat, Republican, Libertarian, Independent, and Green Party—will have their voices heard, their stories told, and equal access to the information that is important to them.

The Save the Internet Act addresses the way in which internet traffic is handled before it reaches the consumer—an important step toward closing the digital divide and making the digital economy more inclusive. The internet was developed to enable user choice about what content to access. That is why we need to pass this legislation, and we need to pass it now.

I appreciate the work of Chairman DOYLE and the Democratic Caucus for understanding the urgency of passing this legislation.

Mr. Chairman, I urge my colleagues to vote "yes" on this legislation. Let's send it to the Senate. Let's try to reason with our friends in the Senate, and let's get it passed and protect the internet.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chairman, I reserve the balance of my time.

Mr. WALDEN. Mr. Chairman, I would just like to say, when it comes to 5G, Republicans had an amendment to keep 5G from being regulated by 1930s law called title II.

My friends on the other side of the aisle do not want to get into a big discussion about the huge regulatory door they are opening in section 201 and section 202 that allows the FCC to basi-

cally run amok with rules. They will claim that they are locking down what the FCC did in 2015 but, in fact, while they may close one door—although we don't even know all those 700 rules they are forbearing against that are going to go into statute, they can't even provide that list and this bill isn't going anywhere—they are opening this other authority—unlimited authority, frankly—to the FCC to regulate all these forms of technology.

Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Chairman, I rise today to join my colleagues in opposition to the so-called Save the Internet Act. I say "so-called" because it really should be called another Big Government attempt to grab the internet act.

I am disappointed in my colleagues across the aisle who chose to place partisan politics above the interests of the American people and refused to work across party lines to codify actual workable solutions that prevent anti-competitive conduct rather than continuing the political game of information technology regulatory ping-pong under the guise of net neutrality.

Let me be clear, I support an open and free internet. However, this legislation doesn't do that.

What it would do is impose heavy-handed title II regulations on the internet, which is not only unnecessary, but would actually stall broadband deployment.

From 1996 to 2015, the internet was thriving. It grew at a rapid, unprecedented pace and enabled countless innovative technologies that Americans have come to rely on: connectivity for businesses, students to do their schoolwork, families and friends staying connected, telemedicine, and many other everyday conveniences.

However, it was under the Big Government grab of then-FCC Chairman Wheeler and the classification of broadband as a utility-style telecommunications service under title II that we saw a decline in broadband deployment and online innovation and investment.

This is a serious issue, particularly for geographically challenging, rural areas such as eastern and southeastern Ohio that already struggle with broadband deployment. The digital divide is very real, and we have a responsibility to provide solutions, not create additional barriers to employment, growth, and innovation.

Rural communities don't need or want higher costs and fewer options than they already have, and that is why I am opposed to this legislation. As I have stated before, the only saving the internet needs is from heavy-handed Washington regulations.

Mr. Chairman, I urge my colleagues to oppose this disingenuous legislation.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chairman, I would submit that we are listening to the public and

our constituents. Eighty-six percent of all Americans—Republicans, Democrats, and Independents—support what we are doing here today. It is the Republicans who are standing up for a very small number of ISPs in this country.

It gives me great pleasure to yield 1 minute to the distinguished gentleman from California (Ms. PELOSI), who is the Speaker of the House.

Ms. PELOSI. I thank the gentleman for yielding, Mr. Chairman, and I commend him for his extraordinary leadership on this very important subject. To young people in our country and to every person in our country from sea to shining sea and to the future of our country, I join my colleagues in defense of the free and open internet which is a pillar of our democracy. I am pleased to follow Mr. DOYLE and his leadership; Mr. PALLONE, the chairman of the committee; Ms. ESHOO, a godmother of net neutrality in an earlier time; Mr. BUTTERFIELD, for his wonderful statement; and I know we will be hearing from Congresswoman MATSUI and other Members, and I am honored to join all of them.

Again, I salute Chairman MIKE DOYLE for his leadership of the Save the Internet Act and for his persistent, dissatisfied leadership to protect net neutrality. I also commend our former colleague in the House, Senator MARKEY, for his leadership now in the Senate.

Let us salute the millions of Americans who have marched, mobilized, and made their voices heard in this fight, the 4 million Americans who wrote to the FCC—that would be the Federal Communications Commission—to support the 215 Obama-era net neutrality protections; the 10 million Americans who weighed in again this time to oppose the 2017 Trump decision to destroy those protections; the 600,000 Americans who tuned in to watch a livestream of the full committee markup on this legislation, and, Mr. Chairman, it is now 4.8 million and a growing number who have watched the committee proceedings on the House floor today.

That is so much enthusiasm in our country, that is the growing extent of the interest. That is unheard of for the work that we do here.

Net neutrality is a bipartisan priority for the American people. As Chairman DOYLE said, a full 86 percent of Americans oppose the Trump assault on net neutrality, including 82 percent of Republicans outside.

Young people, in particular, get it. This is about their jobs and their futures. With the Save the Internet Act, Democrats are honoring the will of the American people. We are restoring protections so that we can stop unjust discriminatory practices by ISPs—that would be internet service providers—that try to throttle consumers' browsing speed, block their internet access, and increase their costs—throttle their speed, block their access, and increase their cost.

It would give entrepreneurs and small businesses a level playing field on which to compete and ensure American innovation can continue to be the envy of the world.

This legislation also brings the power of the internet to every corner of the country from rural America to cities, as Mr. BUTTERFIELD pointed out, because it provides the legal basis for the Connect America Fund.

We must close the urban-rural digital divide, although we have challenges in urban areas as well as in rural areas, but in rural areas this is a must do. It will make all the difference in the world guaranteeing better and cheaper internet for everyone, so we can create jobs and unlock the economic potential of every person in every community.

This debate is not just about legislation. It is about the quality of people's lives. More than 30,000 San Franciscans in my own district have written my own office about the impact of net neutrality in their lives.

They know that American businesses are at risk.

One writes:

As a small business owner, I depend on free and unfettered communication with my customers and vendors. My business and personal lifestyle are in jeopardy.

They know that America's innovation is at risk.

As a young student writes:

Without net neutrality, we lose our last medium of allowing small and upcoming companies to thrive.

They know that our spirit of entrepreneurialism is at risk. As another constituent writes:

The internet is a place where anyone, rich or poor, can make a living, become successful, and make themselves known.

They know that our very democracy is at risk because as one constituent writes:

A world without net neutrality undermines a central priority for a democratic society—the necessity of all citizens to inform themselves and each other.

Those are some of the communications from my constituents.

I will just tell you about a family discussion I had. I was visiting my brother in Baltimore, Maryland, Thomas D'Alesandro, and we were sitting around the table with his children and grandchildren. We were talking about one thing and another that was going on in the country.

I said to his grandson: What do you think about all of this?

We were talking about national security, et cetera.

He said: My friends and I care about one thing, net neutrality.

That was so exciting to hear, and here we are delivering for young people.

Supporting this bill means supporting our democracy and showing that our voices—the voices of the public—are heard, that their will is respected, and that the internet remains free and open to all. We call on our Republican colleagues to join us to sup-

port our democracy by restoring net neutrality.

I hope we have a good, strong bipartisan vote as a tribute to Chairman DOYLE.

Mr. Chairman, I urge an "aye" vote.

Mr. WALDEN. Mr. Chairman, again, I would say Republicans are for stopping any kind of action that throttles or blocks even paid prioritization on the internet. We share that common view of net neutrality.

But I would remind my colleagues that the legislation before us does not in any way provide any regulatory oversight over where you go when you get off the ISPs, get off that freeway, if you will, into places like Google, Facebook, and Amazon. They are great American companies. But what I hear from my constituents is they are concerned about pay prioritization, the security, the trust, the data, and all of that that the edge providers are a huge part of this ecosystem.

Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. WALBERG).

□ 1600

Mr. WALBERG. Mr. Chair, I rise today in opposition to H.R. 1644. I believe, if we use words appropriately, that should be named the "Regain Big Government Control of the Internet Act."

Thankfully, after 2015, we only had a short time of what was so-called net neutrality, which are words that sound good but aren't true. It was Big Government takeover of net neutrality, and this bill opens the door to disastrous effects like that on getting broadband into rural America, where I live.

I still don't have broadband. In 2015, under the so-called net neutrality, we saw that broadband build-out stop. I am still looking forward to it someday. So this bill would take us backwards, not forwards.

It is clear that the bill also could have several unintended consequences which are completely at odds with the authors' intended outcomes.

Instead of doubling down on the light-touch framework which has resulted in the widespread success of the internet, Mr. Chair, my colleagues seem more interested in imposing more and bigger government regulation.

The bill only forbears from what the FCC claims it forbore from, not what it can forbear from through the backdoor of sections 201 and 202.

Instead of letting the markets work under a framework which still robustly protects consumers, this bill would inject even more uncertainty into the market. It seems that, instead of locking in protections for consumers, the only thing it is really locking in is more partisanship.

I urge my colleagues to work with Republicans on bipartisan legislation that protects consumers and promotes broadband deployment in rural America, the place I live and the place I lack

broadband now and, with the continued effort to have Big Government control, I probably will still lack.

It is time to change that, and I encourage my colleagues to oppose H.R. 1644, the "Regain Big Government Control of the Internet Act."

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chair, we keep hearing over and over again that same mantra, "government takeover of the internet."

What the Republicans call the heavy hand of government is what is actually protecting consumers. If they want to stop a government takeover of the internet, then they had better talk to the White House: "Trump apparently wants to control 5G in a 'state-run' socialist twist to American capitalism." That is where you need to take those concerns about the government takeover to.

Madam Chair, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI), vice chair of the Subcommittee on Communications and Technology.

Ms. MATSUI. Madam Chair, I am pleased to join my colleagues in co-sponsoring this legislation.

Our internet economy has been the envy of the world, with good reason. The first site to ever go live on the world wide web did so in August 1991, less than 28 years ago.

Since then, a balance of innovation and investment has transformed the internet into a driving force of the American economy, and that balance of innovation and investment also requires that the internet remain open.

Innovators, entrepreneurs, businesses, and consumers rely on the internet as an open platform for online commerce, to freely exchange ideas, and to make internet access more accessible to more Americans.

To that end, addressing and preventing paid prioritization arrangements that result in consumer harm has been a priority of mine for years; and, as I have said through this debate, the fundamental issue surrounding net neutrality is ensuring consumers don't have to pay more for the same products and services online.

I am mindful of the potential use cases that next-generation networks can facilitate, and I previously introduced legislation to ensure that all consumers are able to access online content equally as we balance the service requirements and consumer benefits of our open internet policies.

I also want to be clear that I don't support taxing the internet, but, going forward, I welcome a serious conversation with all my colleagues on universal service contribution reform in order to protect the long-term sustainability of rural broadband support.

Net neutrality protections must ensure the internet remains an open marketplace, ensure that the internet is free of content-based discrimination, and ensure broadband access is affordably and reliably deployed across the country.

Passage of this legislation is an important step toward these goals, and I am proud to support it.

Mr. LATTI. Madam Chair, may I inquire as to how much time I have remaining.

The Acting CHAIR (Ms. KAPTUR). The gentleman from Ohio has 7½ minutes remaining.

Mr. LATTI. Madam Chair, I yield 2 minutes to the gentleman from Washington State (Mrs. RODGERS).

Mrs. RODGERS of Washington. Madam Chair, I appreciate the gentleman yielding.

Madam Chair, I join my colleagues in rising in opposition to H.R. 1644. What is most disappointing to me is that it seems like this is another example of the Democratic majority, during this Congress, being more interested in scoring political points than actually solving a problem.

In order for this legislation to become law, it is going to require bipartisan support, yet the Democrats have chosen today to move forward in a partisan way.

The rhetoric around net neutrality has been driven to a fever pitch. Dire predictions on the end of the internet led to death threats against the chairman of the FCC and his family, as well as against some of our own colleagues.

Democrats say they want to save the internet; however, in the time since the title II regulations were repealed under the Trump administration, network speeds are up drastically. Investment and coverage in rural areas has increased.

This debate isn't about the merits of an open internet. I support an open, free internet, and I always have. This is truly about how we shape the future of our economy:

Do we want to regulate the internet as a 1930s-style utility where regulations stifle innovation and leave behind rural and poor Americans?

Do we want an internet economy that lifts people out of poverty and provides them with more economic opportunities?

As we work to close the digital divide, we need to decrease the barriers to deployment, not increase them. Imposing unnecessary regulations on small companies providing rural broadband will only further this divide. We must protect people in a way that does not leave underserved areas of our country behind.

Republicans, for years, have offered to work across the aisle. I have introduced legislation modeled after a bill that passed in Washington State, enjoying bipartisan support overwhelmingly. In fact, it was lauded by Senator CANTWELL.

She said: "In our State, Republicans and Democrats came together. . . . Why can't we see this same bipartisanship in the U.S. House?"

I ask my Democratic colleagues today that same question.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I would say to the

gentlewoman that we know that net neutrality rules don't affect internet speed or internet investment.

And who says that? The CEOs of all the internet companies when they are talking to their Wall Street investors.

Madam Chair, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Madam Chair, I rise today in support of H.R. 1644.

One of the greatest aspects of the internet is its potential to be an equalizer for small businesses that might not otherwise have resources to set up a brick-and-mortar shop. The internet provides them with the means to reach customers around the world. For students who want to learn how to code but whose schools can't afford such classes, the internet opens the door for them. And for veterans who would otherwise have to drive hours to receive healthcare services, the internet gives them the ability to consult with their doctors wherever they are.

All of this is only possible if internet access is unfiltered, and that is not the case today. Today, we don't even have a free and open internet because Trump's FCC has repealed net neutrality protections and set our country on a path backwards.

More than 8,000 of my constituents have written to me and called to express their opposition to elimination of these protections.

I also held a net neutrality townhall, where people came from all over my district. They were of different ages, occupations, and backgrounds, but they all had something in common: They overwhelmingly wanted strong net neutrality protections.

I have listened to my constituents, and that is why I am fighting hard to restore these crucial protections, and that is why I became an original cosponsor of the Save the Internet Act.

We have an opportunity today to pass legislation that would offer real protections for constituents. This legislation is simple. It takes an approach that accounts for the internet of today and tomorrow, and it provides certainty for Americans across the country.

This act will curb monopolistic behavior that would gradually strangle the internet. I am afraid of corporate takeover of the internet.

My friend, the minority whip, spoke about how the Telecom Act of 1934 was passed to curb the monopolies of the large telephone corporations. Today, the situation is similar. The ISPs are large, and they are consolidating with content providers, a ripe situation for monopoly.

Americans hate monopolies.

Madam Chair, I urge my colleagues to vote "yes" on H.R. 1644.

Mr. LATTI. Madam Chair, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Madam Chair, I rise today in opposition to H.R. 1644, the so-called Save the Internet Act.

This legislation seeks to restore the FCC's heavy-handed, stifling title II regulations of 2015 to govern the internet, the same antiquated regulations originally enacted to regulate wired phone companies of the 1930s.

The internet, which is the single most important invention in modern human history, has thrived precisely due to light-touch regulations. Reinstating heavy-handed, stifling title II regulations on the internet is just plain bad policy.

My colleagues on the other side of the aisle have supported these stifling title II regulations to ensure what they call net neutrality and prevent unreasonable discrimination practices of blocking, throttling, and paid prioritization.

While I agree with my colleagues that no business should engage in these types of unreasonable business practices, this bill is hardly neutral. It blatantly ignores "edge providers," such as Facebook and Google. Just read the headlines about their great behavior. They have made headlines for things like blocking, throttling, and requiring paid prioritization of consumer internet services.

Additionally, in the 2 years following the FCC's 2015 order to regulate the internet under the stifling title II, internet investments regulations, those investments have actually declined for the first time and only time in U.S. history outside of a recession.

As a Representative of some of the most unserved rural populations of Virginia, I have heard from providers, both large and small, that these stifling title II regulations have hindered their ability to expand service to rural populations. This is particularly concerning, as unserved areas already face extreme challenges to gaining access to broadband. Reinstating these stifling title II regulations would only further increase the digital divide between urban and rural America.

I am a cosponsor of three bills offered by Ranking Members WALDEN, LATTI, and RODGERS, all based on bipartisan approaches, which prohibit the practices of blocking, throttling, and paid prioritization. I believe all three of these bills provide a bipartisan, permanent solution to opening the internet.

I urge my Democratic colleagues to work with Republicans to solve this issue.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, may I inquire how much time I have remaining.

The Acting CHAIR. The gentleman from Pennsylvania has 14½ minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I yield myself such time as I may consume.

This debate can be broken down very simply. There is agreement on the three bright lines. So Democrats and Republicans agree: no blocking, no throttling, no paid prioritization. But that is where my friends on the Republican side stop.

Democrats understand that, already, we see behavior by ISPs that isn't covered by those three bright lines, in the areas of zero rating and interconnection. There has to be a cop on the beat to protect consumers.

This bill is very basic. It says we are going to outlaw the three bright lines. We all agree with that.

The only things we do in addition to this are two other things:

Number one, we restore the legal underpinnings for the Connect America program, which helps rural broadband, and the Lifeline program, which helps our seniors, veterans, and low-income families in the country. We make it easier for pole attachments to make rural deployment of broadband easier to do, to facilitate that. So we take care of rural America in the bill.

Then we also say there has to be someone to look out for consumers if, somewhere down the road, an ISP finds a new way to have some unjust or unreasonable or discriminatory behavior. Someone has to have the ability to say: You can't do that, and, if you continue to do that, we are going to levy a fine or we are going to take action against you.

□ 1615

That is called consumer protection. What my friends over here want to do is simply take the three bright lines and say, okay, we will enforce that because they have been caught red-handed doing that. Everybody knows they have pled guilty to the blocking, the throttling, and the paid prioritization. We will outlaw that. But if they find some new, novel way to game the system and disadvantage consumers, we don't want anyone to be able to stop that kind of behavior.

Madam Chair, it is sort of like locking your front door and leaving the back door wide open. That is what the Republicans would have us do, if we would agree to their so-called compromise that they are putting forward.

Let me tell you something. I didn't come to Congress to work for internet service providers. I came to Congress to protect consumers.

And you are not fooling Americans. Eighty-six percent of Americans, be they Democrats, Republicans, or Independents, did not want to see the Pai FCC, the Trump FCC, repeal these net neutrality rules. There was overwhelming testimony during the rule-making from more than 20 million people asking the FCC not to take this action. This is an issue not only amongst millennials but all throughout our population.

You have been hearing it on your telephones, too. That is why you all want to say you are for something. You stand there and say we are for a free and open internet, but what you are for is allowing these ISPs to figure out new ways to game the system and making sure there is no cop on the beat, the FCC, to be able to regulate that. That is why we are never going to

agree until we sit down and protect consumers in this kind of bill.

Madam Chair, I reserve the balance of my time.

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

Mr. LATTA. Madam Chair, I am prepared to close if the gentleman is. I have no more speakers.

Madam Chair, how much time do I have?

The Acting CHAIR. The gentleman from Ohio has 3½ minutes remaining.

Mr. LATTA. Madam Chair, I yield myself such time as I may consume.

In this debate today, we have heard both sides, but I really believe that, on our side, the American people don't want to have a takeover of the internet. As we have spoken on our side, we all believe in the same things. We don't want throttling; we don't blocking; and we don't want paid prioritization out there.

As has been stated already earlier today, we have had three bills that were introduced, one being my piece of legislation that had been introduced by the former chairman of the Energy and Commerce Committee that set forth those policies and also stating that it should not have title II in it because, again, you do not want to have the heavy hand of government coming in on this.

We had the Republican leader of the full committee with his legislation, taking what the FCC has done and putting in legislation to make sure, again, we don't have the blocking and the throttling.

The gentlewoman from Washington State, when you look at her legislation, again, it came from a Democratic legislature, signed by a Democratic Governor, which stated the same things: You don't want to have the throttling, blocking, or paid prioritization.

The American people want to make sure that the internet is out there, that it is working, and that you don't have that heavy hand.

I think it is also important, as has been noted during the debate—what are we looking at here? We have had past FCC Chairmen all saying the same thing, except for Chairman Wheeler when he changed and went with the 2015 order. But Republicans and Democrats have all said the same thing, that this is an information service, not a telecommunications service that would be coming under the draconian laws of the 1930s that were really to take care of the Ma Bells out there.

We also have seen that this bill does not cover the edge providers, and a lot of people would be surprised about that. The question is raised: Why aren't they included in this piece of legislation? Because if you want to make sure that everyone is included, you should have been looking at it in this piece of legislation, because when you are looking at the Facebook and the Twitters out there, what is happening with them?

I also want to point out that I know there is some concern when this was going on back in 2015 and what happened when the current FCC rescinded the order. You know, the internet did not end. I did not get calls the next day saying I was not able to go online. I wasn't unable to do our work or do anything like that. I never received a call. So I think it is important we note that.

At the same time, what we have also discussed here today, and also in committee, is that we would like to see the 700 rules and the regs out there that the FCC forbore on. We still don't have those. I have asked, through my amendment, that we get those because I think it is important we know what that is, because how do you know what they are doing if you don't see it?

I think that it is very important that these facts are considered. I think it is important that we have had this debate today. But I think it is also important that we don't want to have a takeover by the government of the internet because we want to make sure that it does what it has always done. It is something that was formed out there that had what they called a light touch to let it go forward, so I think it is important that we do that.

For those reasons, Madam Chair, I would recommend a "no" vote on H.R. 1644, and I yield back the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, how much time do I have left?

The Acting CHAIR. The gentleman has 10 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I yield myself the balance of my time.

I appreciate this debate. A couple of points I would like to make as we close. I think people need to understand that, 2 years ago, when the Trump FCC decided to repeal the net neutrality rules that were in place, what did they replace them with? How did they protect consumers when they decided to repeal the net neutrality rules put in place by Chairman Wheeler during the Obama administration? I will tell you what they did. They did nothing—nothing, no protections, the Wild, Wild West. The only thing a consumer could look forward to was, if one of these ISPs violated their terms and conditions, they might be able to go over to the FTC and ask for relief.

Ask the California firefighters how that worked for them when they were in the middle of trying to put out these devastating fires in California and came up on their data cap and had no recourse. Ask them if they think that was unjust or unreasonable behavior.

For Republicans to stand here and say that they care about net neutrality rules when they had 2 years when they controlled the House and the Senate and the White House to put one of these three bills they like to talk about on the floor—because they controlled the floor to pass the bills, to

pass it in their Republican-controlled Senate and give it to their Republican President to implement net neutrality rules to protect consumers. What did they do? They did nothing—nothing, crickets, silence.

Now Democrats control the House of Representatives. We said that it is important to all Americans, and all Americans regardless—Democrats, Republicans, and Independents—wanted to see those net neutrality rules that were repealed restored. So what we have done is we have taken that 2015 open internet order and we said let's put this into law. Let's put this into statute so that no future FCC Commissioner can come there and change this.

We have forborne on 700 regulations that were in title II. You keep hearing this: We are putting the heavy hand of title II, Ma Bell, 1934 rules on the internet. That is not true. All of those provisions of title II were forborne. They are not part of this bill.

What did we keep in title II? We kept the consumer protections in sections 201 and 202. We saved the legal underpinnings that make it possible to do the Connect America Fund and the Lifeline Program. We put a cop on the beat so that, for future bad behavior on the part of the ISPs, there is someone there to say you can't do that, and if you try to do that, we can take action against you.

Now, I ask you, what do the ISPs have to fear from that? If they are not acting in an unjust or an unreasonable or a discriminatory fashion, they have nothing to worry about.

I would ask my friends, what unjust and unreasonable and discriminatory behavior do you think they should be allowed to engage in?

Well, I have news for you. Just the three bright lines, that doesn't cut it anymore. We have already seen behavior that is discriminatory that isn't covered by those three bright lines. If there is no cop on the beat to enforce that on behalf of consumers, then it is the consumers who are the losers.

We are not going to let that happen. The American people don't want that to happen. People of all stripes have said, loud and clear, that they want to see commonsense, bipartisan net neutrality rules put into place.

When I say bipartisan, the only place it isn't bipartisan is here in the House of Representatives, not out in the country. The Senate passed a similar bill last year in their CRA with 52 Members. It was bipartisan.

We tried to put that CRA on the floor last year, and the Republican majority wouldn't put the bill on the floor so that we could have a vote on it. We tried a discharge petition to see if we could get the bill on the floor, and not a single Republican helped us pass the discharge petition so that we could have a vote on net neutrality.

Let's not kid ourselves here. Any chance that Republicans had to have no regulation on the internet, that is what they have been about when they have been in power in this body.

Madam Chair, it is a new day, and it is a new House of Representatives, one that listens to the will of the people, the citizens of America who have said loud and clear that they want to see these rules put back in place.

To all my colleagues on both sides of the aisle, this is your chance to be on the right side of history. This is your chance to be on the side of the angels. I ask all my colleagues to vote for this bill, vote "yes" on H.R. 1644 and restore net neutrality rules for all Americans.

I yield back the balance of my time.
Ms. JACKSON LEE. Madam Chair, as a senior member of the Judiciary Committee and an original co-sponsor, I rise in strong support of H.R. 1644, the "Save the Internet Act of 2019."

The Save the Internet Act puts a cop on the beat to protect consumers, small businesses, and competition from abusive practices of internet service providers and codifies popular, bipartisan, and targeted net neutrality protections.

An overwhelming 86 percent of Americans opposed the FCC's roll back of the same protections that would be enacted by the Save the Internet Act, including 82 percent of Republicans.

The Save the Internet Act mirrors the similar bipartisan Congressional Review Act legislation that passed the Senate last Congress and had 182 bipartisan signers in the House.

The Save the Internet Act restores necessary, common-sense provisions for defending the internet put in place by the FCC during the Obama Administration and stops the current Trump-dominated FCC from applying more than 700 regulations under the Communications Act that are unnecessary to protecting an open internet such as rate setting. The Save the Internet Act represents true net neutrality protections that are designed for today and tomorrow without loopholes.

The Save the Internet Act includes enhanced transparency protections, and enacts specific rules against blocking, throttling, and paid prioritization.

The legislation empowers the FCC to investigate consumer and business complaints, and, when necessary, fine internet service providers for violations of the Communications Act.

Additionally, the Save the Internet Act empowers the FCC to stop internet service providers from undermining net neutrality principles through new and harmful mechanisms.

Because of the Save the Internet Act, no longer will internet service providers be able to exploit choke points online, such as interconnection points, which creates bottlenecks and stifle internet connectivity.

Another reason why all Members should support the Save the Internet Act is because it provides important new authorities that can be used to support broadband access and adoption for rural communities and struggling Americans.

The Save the Internet Act also restores authorities the FCC used starting in 2016 to fund broadband for low-income Americans, including veterans, seniors, students, and disabled Americans, under the Lifeline program that has subsidized phone service since the Reagan Administration, but only began fully supporting internet access recently.

Madam Chair, nothing in the Save the Internet Act would diminish internet service providers' investments in broadband.

It should be noted that internet service providers did not cut back on investing, deploying and increasing speeds in 2015 and 2016, when the kind of protections the bill restores were put in place by the FCC.

In fact, after the Trump FCC repealed those protections, investments by many of the largest providers went down despite their claims that just opposite would happen.

Finally, Madam Chair, it should be noted the legislation before us affirms several important principles and values, including the following:

1. A free and open internet is the single greatest technology of our time, and control should not be at the mercy of corporations.

2. A free and open internet stimulates internet service provider competition.

3. A free and open internet helps prevent unfair pricing practices.

4. A free and open internet promotes innovation.

5. A free and open internet promotes the spread of ideas.

6. A free and open internet drives entrepreneurship.

In short, Madam Chair, a free, open, and vibrant internet protects and strengthens our democracy.

I urge all Members to join me in voting to save the internet for all of our people by voting to pass H.R. 1644, the "Save the Internet Act of 2019."

The Acting CHAIR. All time for general debate has expired.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-10. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1644

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Save the Internet Act of 2019".

SEC. 2. RESTORATION OF OPEN INTERNET ORDER.

(a) REPEAL OF RULE.—

(1) IN GENERAL.—The Declaratory Ruling, Report and Order, and Order in the matter of restoring internet freedom that was adopted by the Commission on December 14, 2017 (FCC 17-166), shall have no force or effect.

(2) PROHIBITION ON REISSUED RULE OR NEW RULE.—The Declaratory Ruling, Report and Order, and Order described in paragraph (1) may not be reissued in substantially the same form, and a new rule that is substantially the same as such Declaratory Ruling, Report and Order, and Order may not be issued, unless the reissued or new rule is specifically authorized by a law enacted after the date of the enactment of this Act.

(b) RESTORATION OF REPEALED AND AMENDED RULES.—The following are restored as in effect on January 19, 2017:

(1) The Report and Order on Remand, Declaratory Ruling, and Order in the matter of protecting and promoting the open internet

that was adopted by the Commission on February 26, 2015 (FCC 15-24).

(2) Part 8 of title 47, Code of Federal Regulations.

(3) Any other rule of the Commission that was amended or repealed by the Declaratory Ruling, Report and Order, and Order described in subsection (a)(1).

(c) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(2) RESTORED AS IN EFFECT ON JANUARY 19, 2017.—The term “restored as in effect on January 19, 2017” means, with respect to the Declaratory Ruling and Order described in subsection (b)(1), to permanently reinstate the rules and legal interpretations set forth in such Declaratory Ruling and Order (as in effect on January 19, 2017), including any decision (as in effect on such date) to apply or forbear from applying a provision of the Communications Act of 1934 (47 U.S.C. 151 et seq.) or a regulation of the Commission.

(3) RULE.—The term “rule” has the meaning given such term in section 804 of title 5, United States Code.

SEC. 3. EXCEPTION TO ENHANCEMENT TO TRANSPARENCY REQUIREMENTS RELATING TO PERFORMANCE CHARACTERISTICS AND NETWORK PRACTICES FOR SMALL BUSINESSES.

(a) IN GENERAL.—The enhancements to the transparency rule relating to performance characteristics and network practices of the Commission under section 8.3 of title 47, Code of Federal Regulations, as described in paragraphs 165 through 184 of the Report and Order on Remand, Declaratory Ruling, and Order in the matter of protecting and promoting the open internet that was adopted by the Commission February 26, 2015 (FCC 15-24), shall not apply to any small business.

(b) SUNSET.—Subsection (a) shall not have any force or effect after the date that is 1 year after the date of the enactment of this Act.

(c) REPORT BY FCC.—Not later than 180 days after the date of the enactment of this Act, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that contains the recommendations of the Commission (and data supporting such recommendations) regarding—

(1) whether the exception provided by subsection (a) should be made permanent; and

(2) whether the definition of the term “small business” for purposes of such exception should be modified from the definition in subsection (d)(3).

(d) DEFINITIONS.—In this section:

(1) BROADBAND INTERNET ACCESS SERVICE.—The term “broadband Internet access service” has the meaning given such term in section 8.2 of title 47, Code of Federal Regulations.

(2) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(3) SMALL BUSINESS.—The term “small business” means any provider of broadband Internet access service that has not more than 100,000 subscribers aggregated over all the provider’s affiliates.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute is in order except those printed in part A of House Report 116-37. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and con-

trolled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BURGESS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 116-37.

Mr. BURGESS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 4. GAO REPORT ON INTERNET ECOSYSTEM.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report examining the effect of the rules described in section 2(b) on the virtuous cycle of the internet ecosystem and whether such rules protect the access of consumers to a free and open internet.

The Acting CHAIR. Pursuant to House Resolution 294, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Madam Chair, I yield myself 2 minutes.

This amendment directs the Comptroller General of the United States to submit to Congress a report examining the influence of all entities on the virtuous cycle of the internet ecosystem and whether such rules protect the access of consumers to a free and open internet.

A portion of a consumer’s online experience is through social media platforms and through other edge providers. Examples of this would include Facebook, Google, Twitter, and YouTube, among others.

□ 1630

Nothing in the Save the Internet Act reviews all parts of the internet ecosystem. Yet, so-called edge providers are the services exercising the most discretion over content delivery.

As we saw last year with testimony in the Energy and Commerce Committee from Facebook and Twitter, the algorithms written by these companies are proprietary, and those proprietary algorithms may manipulate consumer access. We understand the role of these service providers and how each is weighted against the others. We have transparency rules for broadband providers, but not for edge providers.

The bill targets broadband service providers by reclassifying them as utilities under title II of the Communications Act, but we cannot achieve effective net neutrality principles without including the influence of edge providers on the internet ecosystem. For this reason, the amendment simply directs the Government Accountability Office to study the full internet ecosystem so that we can better understand the influence of all online entities in order to protect access to a free and open internet for every consumer.

Madam Chair, I reserve the balance of my time.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Ms. BASS) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2030. An act to direct the Secretary of the Interior to execute and carry out agreements concerning Colorado River Drought Contingency Management and Operations, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

SAVE THE INTERNET ACT OF 2019

The Committee resumed its sitting.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR (Ms. KAPTUR). Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I yield myself as much time as I may consume.

The Save the Internet Act is narrowly focused on ISPs as the gatekeepers to the internet. They control the networks, so they have the ability to shape and control traffic as it moves over their network.

Edge providers play a different role in the internet ecosystem and are not in the same class as internet service providers.

There are numerous cases of documented abuses by ISPs going back several years. I am sure that is a big part of why net neutrality has such overwhelming bipartisan support. Even 82 percent of Republicans oppose the FCC’s 2017 rollback of the rules.

Now, that is not to say that there are not problems on the edge—there are—but that is not what this bill is about.

So in the spirit of bipartisanship, we are going to accept this amendment. We hear the concerns of Mr. BURGESS and our friends on the other side of the aisle, and we want to work together with them to address this.

We appreciate Mr. BURGESS’ willingness to work with us to find a compromise on this issue.

Madam Chair, I reserve the balance of my time.

Mr. BURGESS. Madam Chair, I yield 2 minutes to the gentleman from Oregon (Mr. WALDEN), the valuable ranking member of the full committee.

Mr. WALDEN. Madam Chair, I want to thank the gentleman from Texas (Mr. BURGESS) for his work on this amendment, and the Democrats for accepting this very thoughtful approach.

Americans are more and more concerned about the role that tech companies play in this Information Age. You