

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(3) Any other rule of the Commission that was amended or repealed by the Declaratory Ruling, Report and Order, and Order described in subsection (a)(1).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

read about how content gets blocked, gets prioritized, or in some cases allegedly shadow banned.

We increasingly see these tech giants' inability to curb harmful and illicit behavior online while they monetize our personal information.

Now, these are incredibly important platforms as well, they are great American companies, but in most cases, they come about as close to a monopoly as I have ever seen.

Meanwhile, these edge providers get special protection under section 230 of the 1996 Telecommunications Act and they are not covered by the net neutrality rules that we are discussing today. They are not covered at all.

This bill does nothing to protect consumers from online abuses.

When Republicans were in the majority, I personally presided over hearings with the heads of some of the most important tech companies in America. Mark Zuckerberg of Facebook and Jack Dorsey of Twitter came before our committee, sat inside the Rayburn hearing room, and talked to us for hours.

Our majority enacted landmark protections against online human sex trafficking that received the support of both sides of the aisle. We moved forward with that legislation. It is now law.

Just as the internet has not stopped working from rescinding the 2015 order, the internet has not stopped working because we enacted protections like FOSTA and SESTA. The internet still works.

But more improvements can be made in how we bring responsibility to this sector of the internet. We should review all participants in the virtuous cycle of the internet ecosystem, and that is the aim of this amendment.

The amendment calls on the Government Accountability Office to recommend solutions in dealing with edge providers, so they do not abuse their special privileges that the 1996 act gave them.

This is our third revision of the amendment to make it acceptable to move forward with the majority. I certainly had hoped we wouldn't outsource this responsibility to the GAO over the FCC, not to mention the Energy and Commerce Committee and Congress, but I certainly believe we must make progress on this issue for the benefit of all American consumers and for the health of the overall internet ecosystem.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, we know the FCC does not have the authority to regulate the edge providers, and we know currently, since there are no net neutrality rules, the only recourse people have is to the FTC. Chairman Pai assured people that the FTC can fully police net neutrality.

Well, here is a nice article: "FTC gives ISPs green light to block applications as long as they disclose it."

So, there it is, ladies and gentlemen, these protections which you want to

send over to the FTC, they have just now told the world that as long as they put it in their terms and conditions, they can block applications if they choose to do so.

The gentleman from Texas and the gentleman from Oregon, both friends, bring up valid concerns about edge providers, but this isn't the bill where it belongs. But we do want to work with them, and I look forward to engaging both of them and my good friend, the ranking member of the Communication and Technology Subcommittee, as we go forward to look into that part of the ecosystem.

Madam Chair, I yield back the balance of my time.

Mr. BURGESS. Madam Chair, again, this bill targets broadband service providers by reclassifying them as utilities under title II of the Communications Act, but we cannot achieve net neutrality principles without including the influence of edge providers on the internet ecosystem.

For this reason, the amendment simply directs the GAO to study the full ecosystem so that we can understand the influence of all online entities and, again, provide a free and open internet for every consumer.

Madam Chair, I certainly want to thank the chairman of the subcommittee and thank the ranking member of the full committee for participating in this amendment discussion.

Madam Chair, I urge an "aye" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. LATTA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 116-37.

Mr. LATTA. Madam Chair, I have an amendment at the desk, No. 2.

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. REPORT.

Not later than 3 days after the date of the enactment of this Act, the Federal Communications 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 lists the 27 provisions of title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.) and the over 700 rules and regulations referred to in paragraphs 5 and 37 of the Report and Order on Remand, Declaratory Ruling, and Order described in section 2(b)(1).

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

The Chair recognizes the gentleman from Ohio.

Mr. LATTA. Madam Chair, I rise in support of my amendment that would require the Federal Communications

Commission to provide a list of the 700 rules and regulations it claims it forbore from in the 2015 Open Internet Order.

This list will be provided to the Energy and Commerce Committee and the Senate Commerce Committee within 3 days of enactment of H.R. 1644.

The need for this amendment arises out of the majority's claim that H.R. 1644 would lock in all provisions of law and regulations that the FCC forbore from applying to internet service providers in 2015.

At that time, the FCC claimed it forbore from applying over 700 regulations, but never made clear what 700 rules it was exempting ISPs from under title II.

For broadband providers to know what regulations actually apply to them, they need to know what provisions of law the FCC forbore from.

For the FCC to arrive at the number of over 700, it seems they must have analyzed the Code of Federal Regulations to determine which rules were applicable to broadband and which were not, but the FCC never made that list public.

We have asked the majority on multiple occasions for help tracking down that list. Instead of helping locate it, the majority has doubled down on the public statements made by the Obama FCC quantifying that number.

Now that H.R. 1644 might be passed by the House of Representatives, it is time to make it clear which rules of the road will not apply to broadband providers.

H.R. 1644 already imposes enough uncertainty on broadband providers, because it would give the FCC broad authority under title II to regulate the internet beyond even the bright-line rules.

If we cannot clear up that uncertainty before this bill gets passed, we should do all we can to let the public know what the bill does after it would become law.

Unless we require the FCC to produce that list, we will never know what is in the bill.

We must do better for the American public and provide more transparency to support broadband employment, investment, and growth.

Madam Chair, I reserve the balance of my time.

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. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, the overwhelmingly popular Save the Internet Act would restore the commonsense and much loved net neutrality protections adopted by the FCC's 2015 net neutrality order.

These protections were comprehensive in addressing bad behavior, but

targeted so as not to be overly burdensome. The agency made sure that dated and unnecessary provisions of the Communications Act and certain implementing regulations did not apply to broadband internet service. In fact, the 2015 order says that more than 700 regulations would not apply to broadband.

While the industry apparently didn't need the FCC to tell them what wasn't in the order, our Republican colleagues have raised a concern that more clarity is needed.

Madam Chair, I don't remember the last time, however, that legislation was brought to the floor and concerns were raised about what the legislation didn't do and where we asked for an enumerated list of provisions the legislation didn't apply to.

That being said, I support greater clarity. The gentleman's amendment would require the FCC to publish a list of all the provisions and regulations that were forborne by the 2015 order.

Importantly, this wasn't an issue at all when these net neutrality protections were in place for nearly 3 years, but our Republican colleagues have raised a concern, and in the spirit of bipartisanship, we will support this amendment.

Given that we are taking affirmative steps to address the concerns, we hope they will be persuaded to join us in supporting this immensely popular commonsense legislation.

Madam Chair, I reserve the balance of my time.

Mr. LATTA. Madam Chair, I yield as much time as he may consume to the gentleman from Oregon (Mr. WALDEN), the Republican leader of the Energy and Commerce Committee.

Mr. WALDEN. Madam Chair, I want to thank Mr. LATTA for bringing this very thoughtful amendment to the House floor, and I want to thank my colleagues on the other side of the aisle who, I believe, agreed to accept it, if I heard that correctly.

The bill would codify the forbearance of 700 regulations into law, as you probably heard, Madam Chair. However, we just don't know what those 700 provisions that are being forborne upon are.

We have repeatedly asked for that information in the subcommittee, in the full committee, and every step of the way.

□ 1645

In fact, I don't think the authors of this legislation could tell us today what those 700 provisions are, although they get referenced from time to time. We are told that is really the underpinning and crux of this legislation, that, in all these areas of law, the FCC said, "We are not going to, basically, regulate in this area," and they said there are about 700 of these.

So I think it does matter, if you are in business or just whatever you do in your life, to not know what the government—a pretty big, powerful government here in Washington—is going to

enforce or not enforce or regulate or not regulate, and we don't know. But we are being asked today, in this bill, to enshrine in Federal law the whole 700 of these that the FCC—not this one, not a future one, we are told—would ever regulate in.

So we want the list. That is what this amendment asks for.

But wouldn't it be better when we legislate to actually know what we are legislating on before we vote? That is a pretty simple concept in good legislating, I think, and that is why we repeatedly asked for it; and, obviously, we have not been able to get it, so it is a bit of an irony.

Now, at the same time, they say don't worry because the FCC—you can trust us. The FCC is never going to regulate in this area. And, in fact, we are going to take these forbearances and lock them into statute and they can never come back and everything is locked down solid, boom. But that is like locking the front door of your house while you open the backdoor.

And the backdoor is another part under title II. This is the argument on the floor today. It is not about blocking, throttling, or paid prioritization. You have heard us go back and forth, and we both agree. We can stop those bad behaviors, and we should, and that could become law. This bill will not become law.

But they open the backdoor and say to the FCC: You have got the right, under sections 201 and 202, to basically do anything you want through a rulemaking. So all the agency has to do is do a rulemaking, and basically they can do everything they have done before and more.

It is that uncertainty of regulation on the internet that we have referred to as the heavy-handed government. And this could be about taxing the internet, fees on the internet, et cetera, et cetera.

So I am glad we are doing this amendment, and I am glad the majority is going to accept it. I only wish it were a list before us in the RECORD today, Madam Chair.

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

The Acting CHAIR. The gentleman from Pennsylvania has 3 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I am thrilled to get the gentleman this information. I know the FCC has it and will be happy to share it with him.

It is kind of amusing that he wants to know what regulations we aren't putting on business. I thought they were the guys who didn't like any regulations on business. Now they are dying to know where are these 700 regulations that aren't going to be put in the bill.

What is important about the bill is not what is not in the bill, but what is in the bill. That is what they need to focus on. This is kind of like Geraldo

Rivera trying to open Al Capone's safe. They are just dying to know what those 700 regulations are.

And guess what. We are going to pass this bill and vote with them on this, so that desire to know what isn't in the bill will finally be satisfied. I am sure that their Chairman, Chairman Pai, the current Chairman of the FCC, will be more than happy to hand them that list once we pass this bill. I will be happy to do that for our friends.

We on the Democratic side support the amendment and intend to vote "yes" on the amendment.

Mr. WALDEN. Will the gentleman yield?

Mr. MICHAEL F. DOYLE of Pennsylvania. I yield to the gentleman from Oregon.

Mr. WALDEN. Madam Chair, I appreciate that from my good friend.

If it were that easy to get that list, why didn't they get it for us from the Chairman of the FCC before we went through this whole process? We shouldn't have to vote on the bill to find out what is in it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, reclaiming my time, I was just amazed that he didn't have the list already. That is his good friend over there, and I am sure a quick phone call on his point would have satisfied this curiosity he has.

Madam Chair, I am happy to entertain this. I intend to vote "yes" on this, and I yield back the balance of my time.

Mr. LATTA. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. LATTA).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. WATERS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 116-37.

Ms. WATERS. 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 IMPORTANCE OF OPEN INTERNET RULES TO VULNERABLE COMMUNITIES.

(a) IN GENERAL.—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 importance of the open internet rules to vulnerable communities.

(b) DEFINITIONS.—In this section:

(1) OPEN INTERNET RULES.—The term "open internet rules" means the rules described in section 2(b).

(2) VULNERABLE COMMUNITIES.—The term "vulnerable communities" means—

(A) ethnic and racial minorities;

(B) socioeconomically disadvantaged groups;

(C) rural populations;

(D) individuals with disabilities; and

(E) the elderly.

The Acting CHAIR. Pursuant to House Resolution 294, the gentlewoman from California (Ms. WATERS) and a

Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Ms. WATERS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise in strong support of H.R. 1644, the Save the Internet Act. The Save the Internet Act is a simple and transparent piece of legislation that will restore the widely supported 2015 Open Internet Order rules and reinstate the consumer protections previously applied to industry by the Federal Communications Commission. I am proud to support the Save the Internet Act and thrilled to see Congress doing its job and protecting consumers once again.

Across the United States, more than 129 million people are limited to a single provider for broadband internet access. Of those 129 million Americans, about 52 million must obtain internet access from a company that has violated network neutrality protections in the past and continues to undermine the policy today. This leaves over 177 million Americans, in primarily underserved communities, left without any market protection following the repeal of the 2015 Open Internet Order.

The FCC's repeal of the 2015 Open Internet Order harmed all internet users, but it disproportionately hurt people of color in underserved communities. This is unacceptable, and Congress must fulfill its duty to represent and protect Americans' interests.

My amendment would call on the Comptroller General and the Government Accountability Office to conduct a study on the importance of net neutrality and what access to the internet means to those in vulnerable communities. Specifically, it will examine the importance of net neutrality on the socioeconomically disadvantaged, individuals with disabilities, the elderly, racial and ethnic minorities, and individuals from rural communities.

By mandating that the study be conducted by the GAO, we can ensure that the data collected is transparent and free of political motivation. With this report, Congress will be able to decide for itself what the best course for it will be for the vulnerable consumer.

Over 80 percent of Americans support net neutrality and agree that an open internet uplifts the voices of people of color, rural communities, socioeconomically disadvantaged, the elderly, and disabled. It is no coincidence that all these constituencies have joined together, alongside millions of individual internet users. An open internet levels the playing field and gives all Americans a better shot at prosperity and a better opportunity to achieve the American Dream.

Madam Chair, I urge all my colleagues to support gathering critical information to help us improve connectivity for our most vulnerable Americans and to vote in the affirmative for my amendment.

Madam Chair, I reserve the balance of my time.

Mr. LATTA. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATTA. Madam Chair, I appreciate my colleague, the gentlewoman's concern for disadvantaged and vulnerable groups and the possible impact of the 2015 Open Internet Order on their ability to get connected online and have access to all the economic and social opportunities the internet has made possible. These are all very important questions to consider, and so I will not oppose this amendment.

However, I hope my colleagues will consider just as much the possibility that throwing the internet into title II and all of the heavy-handed government regulation that it represents may not be the best way to address the concerns of these populations.

We completely agree with the transformative impact of the internet on minorities, rural populations, individuals with disabilities, the elderly, and the socioeconomically disadvantaged. In many ways, the internet is even more important to these populations than to anyone else.

So what would really help to bridge the digital divide and get more of these folks connected? I would argue what is most critical in this problem we are all trying to solve is, number one, to encourage investment.

But you have heard me say it before, and I will say it again: Title II is a devastating investment killer. We saw those numbers take a dip after the FCC diverged from the longstanding bipartisan path of light-touch regulation into the 1930s era monopoly regulation of title II.

So what impact would the title II reclassification have on the disadvantaged and vulnerable populations we are talking about with this amendment? How will it impact future deployment that could connect them? Maybe we should also have the GAO looking into that.

Madam Chair, I reserve the balance of my time.

Ms. WATERS. Madam Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I thank my friend for yielding.

Madam Chair, during our committee's hearing on net neutrality in the Save the Internet Act, we heard testimony about the importance of a free and open internet to vulnerable populations and groups underrepresented in the traditional media. The message was clear:

Net neutrality protections are critical to vulnerable populations.

Net neutrality is critical for minority communities to have their stories told. It is a lifeline to connecting with job training, employment searches, and family connections.

Net neutrality is important for ensuring that small businesses or aspiring writers can use the internet to find

customers and fan bases across the country or across the globe.

Madam Chair, this is an important issue, and I fully support the gentlewoman's amendment.

Ms. WATERS. Madam Chair, I yield back the balance of my time.

Mr. LATTA. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. DELGADO

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 116-37.

Mr. DELGADO. 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:

At the end of the bill insert the following:
SEC. 4. GAO REPORT ON BENEFITS OF STAND-ALONE BROADBAND.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act the Comptroller General of the United States shall transmit 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 assesses the benefits to consumers of broadband internet access service being offered on a standalone basis (and not as part of a bundle with other services) by providers of broadband internet access. Such report shall include recommendations for legislation to increase the availability of standalone broadband internet access service to consumers, particularly those living in rural areas.

(b) DEFINITION.—As used in subsection (a), the term “provider of broadband internet access” means a provider of broadband internet access, as such term is defined in section 8.2 of title 47, Code of Federal Regulations.

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

The Chair recognizes the gentleman from New York.

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

Madam Chair, I want to first thank my colleague, Chairman DOYLE, for his leadership on this bill.

The Save the Internet Act restores critical net neutrality protections that the FCC repealed last year. This legislation is necessary to hold on firm legal ground the net neutrality principles we should all support: no blocking, no throttling, and no paid prioritization.

While ensuring a free and open internet is of the utmost importance, so, too, is ensuring broadband internet access for all. In fact, according to the FCC's 2018 Communications Marketplace Report, nearly one in four Americans lack access to broadband internet service at home.

As a proud Representative of one of the most rural congressional districts in the country, I cannot overstate what

a huge problem this is. Individuals and small businesses in my district still lack access to stand-alone broadband internet because of high service costs, a lack of broadband infrastructure, and outdated and unreasonable bundling practices that require consumers to purchase a home telephone service or a cable package as a condition for purchasing broadband internet service.

□ 1700

In today's global economy, broadband shouldn't come with any strings attached. That is why my amendment would give GAO 1 year to report to Congress on the benefits to consumers of making broadband internet service available to everyone on a standalone basis.

Additionally, it would include recommendations to Congress on ways to increase the availability of stand-alone broadband internet service to consumers, particularly those living in rural areas.

Consumers increasingly don't want to buy big cable bundles. They just want access to the internet. That is why I urge support for this amendment and for the underlying bill.

Madam Chair, I reserve the balance of my time.

Mr. LATTA. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATTA. Madam Chair, I appreciate my colleague's interest, the gentleman's interest in stand-alone broadband. As he knows, this is a really important issue, especially in rural America, and one that the FCC has spent considerable time on, in fact, one that I have spent considerable time on as one of the co-chairs of the Rural Broadband Caucus.

So I do not oppose this amendment, but I want to observe here that this amendment will not do anything to relieve the smallest ISPs found in the most rural areas from some of the worst excesses of this bill.

So I must say, I am disappointed that our friends in the majority refuse to give us a vote on my amendment, which would have included the language on small businesses that was passed unanimously by the House in the last two Congresses.

This amendment was exactly the same as the one that the Democrats have agreed—twice—to tie to the original 2015 order. It would have extended the exemption for small ISPs from the Obama FCC's enhanced transparency rule for 5 years and expanded the exemption to include businesses with 250,000 subscribers or fewer.

I am supportive of protecting the consumers of small ISPs, but these enhanced disclosures placed an unnecessary regulatory burden on small businesses and distracted them from working to bring broadband internet access to customers across the country, especially those in rural America.

My colleagues in the majority seem supportive of the plight of the small,

rural ISPs but could not support this amendment at subcommittee—even though they had voted to support it twice before. Instead, they asked us to find yet another bipartisan agreement on an issue that we have already spent hours negotiating and have already found common ground.

We held up our end of the bargain, even as we walked away from the deal that they agreed to twice before and proceeded to dig in on terms of the FCC's 2015 order instead.

Although time has passed since the Small Business Broadband Deployment Act, H.R. 4596, passed the House unanimously in the 114th Congress with a vote of 411-0 and was reintroduced in the 115th Congress and passed on voice vote as H.R. 288, the need still exists to promote the continued deployment of broadband and prevent small ISPs from becoming burdened with additional requirements that make it more difficult to do what they are in business to do. In fact, based on our hearings in the past Congress and some of the statements on the floor today, I think it is safe to say there is bipartisan consensus on the need to support rural broadband for consumers.

As a reminder, my amendment would not have let small ISPs skirt transparency. Instead, they would follow the less onerous transparency rules adopted by the FCC in 2010. So consumers would still have access to the information needed to make informed decisions about their internet service, and ISPs could focus on providing service rather than cumbersome regulatory requirements.

I believe my friends across the aisle when they say they care about expanding broadband in rural America and closing the digital divide. Although, if they truly cared as much as they claim to, I would have expected my amendment to be made in order and to be adopted unanimously as it has been by the House in the past.

Madam Chair, I reserve the balance of my time.

Mr. DELGADO. Madam Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE), chairman of the Subcommittee on Communications and Technology.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I thank the gentleman from New York (Mr. DELGADO), my friend.

You know, the FCC does need to do more to support the funding of stand-alone broadband, particularly for rural areas, and this amendment will help push them to do that.

The Save the Internet Act would restore many of the key authorities the FCC can use to fund rural broadband deployment in the future. It is really hard to underestimate how important that is for rural America, and this amendment would help us do even more.

This amendment would simply require the GAO to study the benefits of stand-alone broadband plans and how we in Congress can increase the avail-

ability of these stand-alone plans in rural areas of the country where broadband is so hard to come by.

I support this amendment. It is a wonderful addition to a bill that would restore net neutrality to everyone across this country and help support rural broadband build-out as well.

Madam Chair, I look forward to working with the gentleman from New York.

Mr. LATTA. Madam Chair, we do not oppose the amendment, and I yield back the balance of my time.

Mr. DELGADO. Madam Chair, I yield myself the balance of my time.

Once again, I would like to thank Chairman DOYLE for introducing this critical legislation and urge Members on both sides of the aisle to support this amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. DELGADO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. PORTER

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 116-37.

Ms. PORTER. 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. REPORT BY FCC ON ENFORCEMENT ACTIONS.

Not later than 1 year after the date of the enactment of this Act, the Federal Communications 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 describes all enforcement actions taken by the Commission under the rules described in section 2(b) since such date of enactment, including the amount of each fine imposed or settlement agreed to, the actions taken by the Commission to collect such fines and settlements, and the amounts of such fines and settlements collected.

The Acting CHAIR. Pursuant to House Resolution 294, the gentlewoman from California (Ms. PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. PORTER. Madam Chair, the Save the Internet Act of 2019 empowers the Federal Communications Commission, the FCC, to enforce net neutrality, protect consumers, and assist them with complaints against their internet service providers.

The FCC can fine internet service providers when they break the rules. However, simply issuing fines to a bad actor isn't enough to change the behavior of those bad actors. Those fines need to be collected. Corporations that break the law must pay.

My amendment would require the FCC to report to Congress within 1 year on the number of enforcement actions it has taken against internet service providers that violate net neutrality. Importantly, that report must include both the fines imposed and the amounts collected.

The FCC must act as a cop on the beat when internet service providers misbehave, protecting consumers and keeping the internet free and open to all.

When the FCC finds a bad actor, that fine should be paid by the company. If the FCC is not following through on protecting consumers, Congress should know so it can take oversight action, if necessary.

The FCC failing to collect fines is a real concern. Recently, The Wall Street Journal has highlighted the extent of the problem.

While the FCC has imposed record fines on robocallers—\$208 million—it has collected less than \$7,000 since 2015. That is 0.003 percent of the fines imposed.

When everyday Americans get a parking ticket or a traffic violation, the government makes sure that they pay their fines. Corporations must be held accountable as well.

As we vote to restore a free and open internet, we should also vote to provide oversight of the agency tasked to protect consumers.

Madam Chair, I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. LATTA. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATTA. Madam Chair, I agree with the gentlewoman from California (Ms. PORTER), my colleague, that FCC enforcement is important in any area that the agency regulates, and that is why we will not oppose this amendment.

That is also why we in the majority have asked, at several hearings, when we were going to have our first FCC oversight hearing this Congress. We are 4 months into this Congress, and the majority has yet to bring the FCC before the committee to answer questions relating to its past enforcement efforts on ISPs, the impact of this legislation, and other topics pending at the FCC.

This is an issue that could have gained by having the FCC before the committee rather than the topic being delegated to a report that does not pertain to the base bill.

This is also an issue that could have gained from bipartisan negotiations. All three Republican net neutrality bills would have the FCC oversee ISP practices and enforce net neutrality to keep a free and open internet.

There is more agreement here than the majority would have you believe. There is also a role for the FCC to have in overseeing net neutrality and maintaining a free and open internet, and there should be clear net neutrality rules on the book.

Where we disagree is on giving the FCC unchecked powers to regulate the internet and determine on its own what is just and reasonable. That is not net neutrality.

Madam Chair, I yield back the balance of my time.

Ms. PORTER. Madam Chair, I just want to clarify that this amendment doesn't define the power that the FCC would have to regulate, but would merely make sure that, when it does take action, the companies are held accountable for the fines that are imposed.

I appreciate that my colleague from the other side of the aisle does not oppose the amendment.

Madam Chair, I yield 1 minute to my colleague from Pennsylvania (Mr. MICHAEL F. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I thank the gentlewoman for yielding.

The important protections we are discussing today will only be a toothless tiger if the FCC is not taking action to investigate potential violations and taking enforcement action where it is warranted.

The great thing about this amendment is that the FCC will have to come back to us 1 year after the Save the Internet Act is adopted and tell us what kinds of investigations and enforcement actions they have undertaken.

It also shines a light on whether the FCC follows through with its enforcement actions. As we just heard, recently, it was reported that even though the FCC fined robocallers \$208 million, it only collected \$7,000.

Remind me not to use them as my collection agent.

Rules aren't a deterrent unless there are real consequences. This amendment will help Congress determine if the FCC is truly doing its job and better facilitate the critical oversight role of this body.

I fully support this amendment, and I look forward to getting this report.

Ms. PORTER. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. PORTER).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. WEXTON

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 116-37.

Ms. WEXTON. 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. PLAN RELATING TO FORM 477 DATA COLLECTION.

Not later than 30 days after the date of the enactment of this Act, the Federal Communications Commission shall submit to Congress a report containing a plan for how the Commission will evaluate and address problems with the collection on Form 477 of data regarding the deployment of broadband Internet access service (as defined in section 8.2 of title 47, Code of Federal Regulations).

The Acting CHAIR. Pursuant to House Resolution 294, the gentlewoman from Virginia (Ms. WEXTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Virginia.

Ms. WEXTON. Madam Chair, I rise in support of this amendment, which would require the FCC to submit to Congress a plan for how the Commission will evaluate and address problems with the collection on form 477 of data regarding the deployment of broadband internet access service.

Form 477 is used by the FCC to determine which providers are—if any—providing services in various areas, and it is the government's main source of data used for identifying underserved areas of opportunity.

This amendment is needed because it has been more than 20 months—or almost 2 years—since the FCC originally sought comment on ways to improve the value of the data they collect through form 477.

Having better data and the creation of improved maps is essential to ensuring that service providers and government have the tools that we need to truly make universal broadband internet access a reality.

Too many residents of my district, and many other districts as well, lack affordable or any broadband internet access. This untenable situation is only made worse by maps and data charts that don't accurately reflect this experience of our constituents on the ground.

Consumers should not bear the responsibility or burden of reporting on an issue that the FCC and service providers should actively be working to address.

Madam Chair, I reserve the balance of my time.

□ 1715

Mr. LATTA. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATTA. Madam Chair, I am pleased to see the Democrats bring so many ideas today as it comes to rural broadband, and because of that, we will not oppose this amendment.

The gentleman from Ohio (Mr. JOHNSON) on our committee has been a strong advocate of improving the 477 data at the FCC and how to have the National Telecommunications and Information Administration, the NTIA, more engaged in mapping by aggregating resources across the Federal Government. He was part of an effort

last fall that shared a draft reauthorization of NTIA with the Democrats that would have helped get more granular information. Unfortunately, our friends on the other side of the aisle put down their pens on this effort.

In our markup last week, Mr. JOHNSON offered an amendment that was voted down by the majority that would have eased the title II albatross from small rural carriers. Sadly, this was rejected. Coincidentally, we saw a number of the Democratic amendments made in order to study the problems of rural broadband deployment.

Madam Chair, I yield back the balance of my time.

Ms. WEXTON. Madam Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I thank the gentlewoman for yielding to me.

The Save the Internet Act is going to ensure that net neutrality throughout this country is ensured, and, hopefully, it is going to bring the internet to all parts of this country. It will do that, in part, by restoring the legal authority of section 706 of the Telecommunications Act, which gives the FCC authority to take immediate action to accelerate deployment of such capability by removing barriers to infrastructure investment and by promoting competition in the telecommunications market.

The FCC's 477 data is critical for getting an accurate picture of broadband deployment in this country, but the methods of collecting that data are outdated, and the results are sometimes rife with errors.

This amendment calls upon the FCC to submit a report within 30 days of enactment, detailing how it plans to evaluate and address problems with the collection of that form 477 data.

We have already seen how inaccurate Commission data can lead to poor policy choices, whether it is holding up the Mobility Fund II proceedings, which will fund the deployment of wireless broadband in rural communities, or rendering inaccurate the Commission's recent draft broadband deployment report, which drastically overstated deployment in this country due to lax and faulty data collection methods.

I fully support this amendment, and I thank the gentlewoman for yielding.

Ms. WEXTON. Madam Chair, I yield myself such time as I may consume.

Madam Chair, the American people deserve an internet and FCC that works for them. By supporting this amendment and requesting an update regarding form 477 and the data collected thereby from the FCC, Congress can hold the FCC accountable in their mission to promote competition, innovation, and most importantly, investment in broadband services and facilities.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Virginia (Ms. WEXTON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Virginia will be postponed.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. WEXTON) having assumed the chair, Ms. KAPTUR, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1644) to restore the open internet order of the Federal Communications Commission, had come to no resolution thereon.

GENERAL LEAVE

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous material on H.R. 1644.

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

There was no objection.

PROVIDING FOR BUDGET ENFORCEMENT FOR FISCAL YEAR 2020

The SPEAKER pro tempore (Ms. KAPTUR). Pursuant to the adoption of House Resolution 294 earlier today, H. Res. 293 is considered as adopted.

The text of the resolution is as follows:

H. RES. 293

Resolved,

SECTION 1. BUDGET MATTERS.

(a) FISCAL YEAR 2020.—For the purpose of enforcing the Congressional Budget Act of 1974 for fiscal year 2020, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the House of Representatives in the same manner as for a concurrent resolution on the budget for fiscal year 2020 with appropriate budgetary levels for fiscal year 2020 and for fiscal years 2021 through 2029.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—In the House of Representatives, the chair of the Committee on the Budget shall submit a statement for publication in the Congressional Record as soon as practicable, containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2020 for new discretionary budget authority of \$1,295,018,000,000, and the outlays flowing therefrom, and committee allocations for fiscal year 2020 for current law mandatory budget authority and outlays, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees of the House other than the Committee on Appropriations, com-

mittee allocations for fiscal year 2020 and for the period of fiscal years 2020 through 2029 consistent with the most recent baseline of the Congressional Budget Office, as adjusted, to the extent practicable, for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal year 2020 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(4) aggregate revenue levels for fiscal year 2020 and for the period of fiscal years 2020 through 2029 consistent with the most recent baseline of the Congressional Budget Office, as adjusted, to the extent practicable, for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974.

(c) ADDITIONAL MATTER.—The statement referred to in subsection (b) may also include for fiscal year 2020, the matter contained in the provisions referred to in subsection (h).

(d) ADJUSTMENTS.—The chair of the Committee on the Budget of the House of Representatives may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b)—

(1) to reflect changes resulting from the Congressional Budget Office's updates to its baseline for fiscal years 2020 through 2029; or

(2) for any bill, joint resolution, amendment, or conference report by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2020 to fiscal year 2024 or fiscal year 2020 to fiscal year 2029.

(e) OVERSEAS CONTINGENCY OPERATIONS/ GLOBAL WAR ON TERRORISM ADJUSTMENT LIMIT.—The chair of the Committee on the Budget of the House of Representatives may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) in accordance with the Overseas Contingency Operations/ Global War on Terrorism adjustment in section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 for any bill, joint resolution, amendment, or conference report, except that such adjustment shall not exceed \$69,000,000,000 for the revised security category or \$8,000,000,000 for the revised nonsecurity category.

(f) ADJUSTMENT FOR INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—The chair of the Committee on the Budget of the House of Representatives may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) as follows:

(1) IN GENERAL.—If a bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2020 specifies an amount in the Enforcement account and the Operations Support account for tax enforcement activities, including tax compliance to address the Federal tax gap, of the Internal Revenue Service of the Department of the Treasury, then the adjustment shall be the additional new budget authority provided in such measure for such purpose, but shall not exceed \$400,000,000.

(2) DEFINITION.—As used in this subsection, the term “additional new budget authority” means the amount provided for fiscal year 2020, in excess of \$8,584,000,000, in a bill, joint resolution, amendment, or conference report and specified for tax enforcement activities,