

# Union Calendar No. 335

106TH CONGRESS  
2D SESSION

# H. R. 1291

[Report No. 106-615]

To prohibit the imposition of access charges on Internet service providers,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 1999

Mr. UPTON (for himself, Mr. TAUZIN, Mr. OXLEY, Mr. WHITFIELD, Mr. BILBRAY, Mr. ARMEY, Mr. EWING, Mr. POMBO, Mr. GUTIERREZ, Mr. RAHALL, Mr. GILMAN, Mr. DICKEY, Mr. WELLER, Mr. MICA, Mr. BLAGOJEVICH, Mr. SENSENBRENNER, Mr. REGULA, Mr. WOLF, Mr. GOODE, Mr. MCINNIS, Mr. SHOWS, Mr. GREEN of Wisconsin, Mr. CANDY of Florida, Mr. FOLEY, Mr. LOBIONDO, Mr. GILCREST, Mr. KUYKENDALL, Mr. SHERMAN, Mr. CLYBURN, Mrs. EMERSON, Mr. TANCREDO, Mr. DEAL of Georgia, Mr. SHIMKUS, Mr. BILIRAKIS, Mr. STEARNS, Mrs. CUBIN, Mr. BROWN of Ohio, Mr. STRICKLAND, Mr. BLUNT, Mr. NETHERCUTT, Mr. LAZIO, Mr. PETERSON of Pennsylvania, Mr. LAHOOD, Mr. KOLBE, Mr. SAM JOHNSON of Texas, Mr. BAKER, Mrs. ROUKEMA, Mr. PACKARD, Mr. LINDER, Mr. GIBBONS, Mr. DUNCAN, Mr. NORWOOD, Mr. CHAMBLISS, Mr. OSE, Mr. CAMP, Mr. GOODLATTE, Mrs. KELLY, Mr. MCHUGH, Mr. MASCARA, Mr. KLECZKA, Mr. LIPINSKI, Mr. GILLMOR, Mr. RAMSTAD, Mr. BARCIA, and Mr. SCARBOROUGH) introduced the following bill; which was referred to the Committee on Commerce

MAY 12, 2000

Additional sponsors: Mr. BRYANT, Mr. WISE, Mr. LARGENT, Mr. FILNER, Mr. FORBES, Mr. LUCAS of Kentucky, Mr. PICKERING, Mr. UNDERWOOD, Mr. HOLT, Mr. FRANKS of New Jersey, Mr. WU, Mr. LATOURETTE, Mr. CASTLE, Mr. TAYLOR of North Carolina, Mr. BURTON of Indiana, Ms. DUNN, Mr. GREEN of Texas, Mr. FLETCHER, Mr. SIMPSON, Mr. HOEKSTRA, Mrs. THURMAN, Mr. COLLINS, Mr. COMBEST, Mr. GARY MILLER of California, Mr. KNOLLENBERG, Mr. MCGOVERN, Mr. COBURN, Mr. GRAHAM, Mr. JACKSON of Illinois, Mr. EHLERS, Mr. ISAKSON, Ms. PRYCE of Ohio, Mr. CAMPBELL, Mr. HOBSON, Mr. SMITH of Washington,

Mr. HORN, Mr. HILL of Montana, Mr. BARTON of Texas, Mr. MILLER of Florida, Mr. BACHUS, Mr. DREIER, Mr. BORSKI, Mrs. FOWLER, Mr. BARTLETT of Maryland, Mr. TIAHRT, Mr. SHAYS, Mr. HALL of Texas, Mr. EDWARDS, Mr. STUMP, Ms. RIVERS, Ms. SCHAKOWSKY, Mr. LARSON, Mrs. CAPPAS, Mr. GREENWOOD, Mr. MCKEON, Mr. METCALF, Mr. GUTKNECHT, Mr. RUSH, Mr. SWEENEY, Mr. SKELTON, Mr. WEINER, Mr. ROGERS, Mr. HYDE, Mr. COOK, Mr. SANDLIN, Ms. ROSLEHTINEN, Mr. MALONEY of Connecticut, Ms. WOOLSEY, Mr. GALLEGLY, Mr. FOSSELLA, Mrs. WILSON, Mr. NUSSLE, Mr. PAUL, Ms. GRANGER, Mr. BARRETT of Wisconsin, Mr. EHRLICH, and Mr. MEEKS of New York

MAY 12, 2000

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

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## A BILL

To prohibit the imposition of access charges on Internet service providers, and for other purposes.

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

3       **SECTION 1. SHORT TITLE.**

4           This Act may be cited as the “~~Internet Access Charge~~  
 5       ~~Prohibition Act of 1999~~”.

6       **SEC. 2. PURPOSE.**

7           It is the purpose of this Act to ensure that Internet  
 8       ~~information services will continue to be deployed as rapidly~~  
 9       ~~and efficiently to as many Americans as possible by pre-~~  
 10       ~~venting the Federal Communications Commission from~~  
 11       ~~applying interstate access charges to providers of Internet~~  
 12       ~~services.~~

1 **SEC. 3. PROHIBITION OF ACCESS CHARGES ON INTERNET**  
 2 **SERVICE PROVIDERS.**

3 Section 254 of the Communications Act of 1934 (47  
 4 U.S.C. 254) is amended by adding at the end the following  
 5 new subsection:

6 “(1) PROHIBITION OF ACCESS CHARGES ON INTER-  
 7 NET SERVICE PROVIDERS.—Notwithstanding subsection  
 8 (b)(4) or (d) or any other provision of this section, the  
 9 Commission shall not impose on any interactive computer  
 10 service (as such term is defined in section 230(e)) or other  
 11 information service provider any access charge for the sup-  
 12 port of universal service that is based on a measure of  
 13 the time that telecommunications services are used in the  
 14 provision of such interactive computer service or informa-  
 15 tion service.”.

16 **SECTION 1. SHORT TITLE.**

17 *This Act may be cited as the “Internet Access Charge*  
 18 *Prohibition Act of 2000”.*

19 **SEC. 2. PROHIBITION OF CHARGES ON PROVIDERS OF**  
 20 **INTERNET ACCESS SERVICE.**

21 *Section 254 of the Communications Act of 1934 (47*  
 22 *U.S.C. 254) is amended by adding at the end the following*  
 23 *new subsection:*

24 “(1) PROHIBITION OF CHARGES ON INTERNET SERV-  
 25 ICE PROVIDERS.—

1           “(1) *IN GENERAL.*—Notwithstanding subsection  
2           (b)(4) or (d) or any other provision of this title, the  
3           Commission shall not impose on any provider of  
4           Internet access service (as such term is defined in sec-  
5           tion 231(e)) any contribution for the support of uni-  
6           versal service that is based on a measure of the time  
7           that telecommunications services are used in the pro-  
8           vision of such Internet access service.

9           “(2) *RULE OF CONSTRUCTION.*—Nothing in this  
10          subsection shall preclude the Commission from impos-  
11          ing access charges on the providers of Internet tele-  
12          phone services, irrespective of the type of customer  
13          premises equipment used in connection with such  
14          services.”.



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