

APRIL 3, 2019

**RULES COMMITTEE PRINT 116–10**  
**TEXT OF H.R. 1644, SAVE THE INTERNET**  
**ACT OF 2019**

[Showing the text of the bill as ordered reported by the  
Committee on Energy and Commerce]

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Save the Internet Act  
3 of 2019”.

4 **SEC. 2. RESTORATION OF OPEN INTERNET ORDER.**

5       (a) **REPEAL OF RULE.—**

6           (1) **IN GENERAL.—**The Declaratory Ruling, Re-  
7 port and Order, and Order in the matter of restor-  
8 ing internet freedom that was adopted by the Com-  
9 mission on December 14, 2017 (FCC 17–166), shall  
10 have no force or effect.

11           (2) **PROHIBITION ON REISSUED RULE OR NEW**  
12 **RULE.—**The Declaratory Ruling, Report and Order,  
13 and Order described in paragraph (1) may not be  
14 reissued in substantially the same form, and a new  
15 rule that is substantially the same as such Declara-  
16 tory Ruling, Report and Order, and Order may not  
17 be issued, unless the reissued or new rule is specifi-

1 cally authorized by a law enacted after the date of  
2 the enactment of this Act.

3 (b) RESTORATION OF REPEALED AND AMENDED  
4 RULES.—The following are restored as in effect on Janu-  
5 ary 19, 2017:

6 (1) The Report and Order on Remand, Declara-  
7 tory Ruling, and Order in the matter of protecting  
8 and promoting the open internet that was adopted  
9 by the Commission on February 26, 2015 (FCC 15–  
10 24).

11 (2) Part 8 of title 47, Code of Federal Regula-  
12 tions.

13 (3) Any other rule of the Commission that was  
14 amended or repealed by the Declaratory Ruling, Re-  
15 port and Order, and Order described in subsection  
16 (a)(1).

17 (c) DEFINITIONS.—In this section:

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

20 (2) RESTORED AS IN EFFECT ON JANUARY 19,  
21 2017.—The term “restored as in effect on January  
22 19, 2017” means, with respect to the Declaratory  
23 Ruling and Order described in subsection (b)(1), to  
24 permanently reinstate the rules and legal interpreta-  
25 tions set forth in such Declaratory Ruling and Order

1 (as in effect on January 19, 2017), including any  
2 decision (as in effect on such date) to apply or for-  
3 bear from applying a provision of the Communica-  
4 tions Act of 1934 (47 U.S.C. 151 et seq.) or a regu-  
5 lation of the Commission.

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

9 **SEC. 3. EXCEPTION TO ENHANCEMENT TO TRANSPARENCY**  
10 **REQUIREMENTS RELATING TO PERFORM-**  
11 **ANCE CHARACTERISTICS AND NETWORK**  
12 **PRACTICES FOR SMALL BUSINESSES.**

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

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

1 (c) REPORT BY FCC.—Not later than 180 days after  
2 the date of the enactment of this Act, the Commission  
3 shall submit to the Committee on Energy and Commerce  
4 of the House of Representatives and the Committee on  
5 Commerce, Science, and Transportation of the Senate a  
6 report that contains the recommendations of the Commis-  
7 sion (and data supporting such recommendations) regard-  
8 ing—

9 (1) whether the exception provided by sub-  
10 section (a) should be made permanent; and

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

14 (d) DEFINITIONS.—In this section:

15 (1) BROADBAND INTERNET ACCESS SERVICE.—  
16 The term “broadband Internet access service” has  
17 the meaning given such term in section 8.2 of title  
18 47, Code of Federal Regulations.

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

21 (3) SMALL BUSINESS.—The term “small busi-  
22 ness” means any provider of broadband Internet ac-  
23 cess service that has not more than 100,000 sub-  
24 sscribers aggregated over all the provider’s affiliates.

