

HR 1542

Internet Freedom and Broadband Deployment Act of 2001

Congress: 107 (2001–2003, Ended)

Chamber: House

Policy Area: Science, Technology, Communications

Introduced: Apr 24, 2001

Current Status: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transp

Latest Action: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation. (Feb 28, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/house-bill/1542>

Sponsor

Name: Rep. Tauzin, W. J. (Billy) [R-LA-3]

Party: Republican • **State:** LA • **Chamber:** House

Cosponsors (112 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Ackerman, Gary L. [D-NY-5]	D · NY		Apr 24, 2001
Rep. Baca, Joe [D-CA-42]	D · CA		Apr 24, 2001
Rep. Baker, Richard H. [R-LA-6]	R · LA		Apr 24, 2001
Rep. Baldacci, John Elias [D-ME-2]	D · ME		Apr 24, 2001
Rep. Barton, Joe [R-TX-6]	R · TX		Apr 24, 2001
Rep. Bass, Charles F. [R-NH-2]	R · NH		Apr 24, 2001
Rep. Bishop, Sanford D., Jr. [D-GA-2]	D · GA		Apr 24, 2001
Rep. Blagojevich, Rod R. [D-IL-5]	D · IL		Apr 24, 2001
Rep. Blunt, Roy [R-MO-7]	R · MO		Apr 24, 2001
Rep. Boehner, John A. [R-OH-8]	R · OH		Apr 24, 2001
Rep. Bonior, David E. [D-MI-10]	D · MI		Apr 24, 2001
Rep. Boucher, Rick [D-VA-9]	D · VA		Apr 24, 2001
Rep. Boyd, Allen [D-FL-2]	D · FL		Apr 24, 2001
Rep. Brady, Robert A. [D-PA-1]	D · PA		Apr 24, 2001
Rep. Bryant, Ed [R-TN-7]	R · TN		Apr 24, 2001
Rep. Burr, Richard [R-NC-5]	R · NC		Apr 24, 2001
Rep. Buyer, Steve [R-IN-5]	R · IN		Apr 24, 2001
Rep. Camp, Dave [R-MI-4]	R · MI		Apr 24, 2001
Rep. Clement, Bob [D-TN-5]	D · TN		Apr 24, 2001
Rep. Collins, Mac [R-GA-3]	R · GA		Apr 24, 2001
Rep. Condit, Gary A. [D-CA-18]	D · CA		Apr 24, 2001
Rep. Cooksey, John [R-LA-5]	R · LA		Apr 24, 2001
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Apr 24, 2001
Rep. Cunningham, Randy (Duke) [R-CA-51]	R · CA		Apr 24, 2001
Rep. Diaz-Balart, Lincoln [R-FL-21]	R · FL		Apr 24, 2001
Rep. Dicks, Norman D. [D-WA-6]	D · WA		Apr 24, 2001
Rep. Dingell, John D. [D-MI-16]	D · MI		Apr 24, 2001
Rep. Engel, Eliot L. [D-NY-17]	D · NY		Apr 24, 2001
Rep. English, Phil [R-PA-21]	R · PA		Apr 24, 2001
Rep. Everett, Terry [R-AL-2]	R · AL		Apr 24, 2001
Rep. Fossella, Vito [R-NY-13]	R · NY		Apr 24, 2001
Rep. Frost, Martin [D-TX-24]	D · TX		Apr 24, 2001
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		Apr 24, 2001
Rep. Gonzalez, Charles A. [D-TX-20]	D · TX		Apr 24, 2001
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Apr 24, 2001
Rep. Green, Gene [D-TX-29]	D · TX		Apr 24, 2001
Rep. Greenwood, James C. [R-PA-8]	R · PA		Apr 24, 2001
Rep. Hilliard, Earl F. [D-AL-7]	D · AL		Apr 24, 2001
Rep. Holden, Tim [D-PA-6]	D · PA		Apr 24, 2001
Rep. Kind, Ron [D-WI-3]	D · WI		Apr 24, 2001
Rep. Lampson, Nick [D-TX-9]	D · TX		Apr 24, 2001

Cosponsor	Party / State	Role	Date Joined
Rep. Larsen, Rick [D-WA-2]	D · WA		Apr 24, 2001
Rep. Lucas, Ken [D-KY-4]	D · KY		Apr 24, 2001
Rep. Maloney, James H. [D-CT-5]	D · CT		Apr 24, 2001
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Apr 24, 2001
Rep. McCrery, Jim [R-LA-4]	R · LA		Apr 24, 2001
Rep. McHugh, John M. [R-NY-24]	R · NY		Apr 24, 2001
Rep. Meeks, Gregory W. [D-NY-6]	D · NY		Apr 24, 2001
Rep. Murtha, John P. [D-PA-12]	D · PA		Apr 24, 2001
Rep. Northup, Anne M. [R-KY-3]	R · KY		Apr 24, 2001
Rep. Otter, C. L. (Butch) [R-ID-1]	R · ID		Apr 24, 2001
Rep. Oxley, Michael G. [R-OH-4]	R · OH		Apr 24, 2001
Rep. Petri, Thomas E. [R-WI-6]	R · WI		Apr 24, 2001
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Apr 24, 2001
Rep. Putnam, Adam H. [R-FL-12]	R · FL		Apr 24, 2001
Rep. Quinn, Jack [R-NY-30]	R · NY		Apr 24, 2001
Rep. Radanovich, George [R-CA-19]	R · CA		Apr 24, 2001
Rep. Rahall, Nick J., II [D-WV-3]	D · WV		Apr 24, 2001
Rep. Reynolds, Thomas M. [R-NY-27]	R · NY		Apr 24, 2001
Rep. Rodriguez, Ciro D. [D-TX-28]	D · TX		Apr 24, 2001
Rep. Ros-Lehtinen, Ileana [R-FL-18]	R · FL		Apr 24, 2001
Rep. Ryan, Paul [R-WI-1]	R · WI		Apr 24, 2001
Rep. Sandlin, Max [D-TX-1]	D · TX		Apr 24, 2001
Rep. Schrock, Edward L. [R-VA-2]	R · VA		Apr 24, 2001
Rep. Sessions, Pete [R-TX-5]	R · TX		Apr 24, 2001
Rep. Shadegg, John B. [R-AZ-4]	R · AZ		Apr 24, 2001
Rep. Simpson, Michael K. [R-ID-2]	R · ID		Apr 24, 2001
Rep. Smith, Adam [D-WA-9]	D · WA		Apr 24, 2001
Rep. Vitter, David [R-LA-1]	R · LA		Apr 24, 2001
Rep. Walsh, James T. [R-NY-25]	R · NY		Apr 24, 2001
Rep. Watkins, Wes [R-OK-3]	R · OK		Apr 24, 2001
Rep. Weldon, Curt [R-PA-7]	R · PA		Apr 24, 2001
Rep. Wexler, Robert [D-FL-19]	D · FL		Apr 24, 2001
Rep. Whitfield, Ed [R-KY-1]	R · KY		Apr 24, 2001
Rep. Wynn, Albert Russell [D-MD-4]	D · MD		Apr 24, 2001
Rep. Grucci, Felix J., Jr. [R-NY-1]	R · NY		Apr 25, 2001
Rep. Sweeney, John E. [R-NY-22]	R · NY		Apr 25, 2001
Rep. Turner, Jim [D-TX-2]	D · TX		Apr 25, 2001
Rep. Bachus, Spencer [R-AL-6]	R · AL		May 2, 2001
Rep. Crowley, Joseph [D-NY-7]	D · NY		May 2, 2001
Rep. Foley, Mark [R-FL-16]	R · FL		May 2, 2001
Rep. Gallegly, Elton [R-CA-23]	R · CA		May 2, 2001
Rep. Granger, Kay [R-TX-12]	R · TX		May 2, 2001

Cosponsor	Party / State	Role	Date Joined
Rep. Levin, Sander M. [D-MI-12]	D · MI		May 2, 2001
Rep. Rangel, Charles B. [D-NY-15]	D · NY		May 2, 2001
Rep. Visclosky, Peter J. [D-IN-1]	D · IN		May 2, 2001
Rep. Bentsen, Ken [D-TX-25]	D · TX		May 8, 2001
Rep. Bonilla, Henry [R-TX-23]	R · TX		May 8, 2001
Rep. Fletcher, Ernie [R-KY-6]	R · KY		May 8, 2001
Rep. Hilleary, Van [R-TN-4]	R · TN		May 8, 2001
Rep. Berry, Marion [D-AR-1]	D · AR		May 15, 2001
Rep. Brown, Corrine [D-FL-3]	D · FL		May 15, 2001
Rep. Reyes, Silvestre [D-TX-16]	D · TX		May 15, 2001
Rep. Riley, Bob [R-AL-3]	R · AL		May 15, 2001
Rep. Shows, Ronnie [D-MS-4]	D · MS		May 15, 2001
Rep. Baldwin, Tammy [D-WI-2]	D · WI		May 16, 2001
Rep. Tancredo, Thomas G. [R-CO-6]	R · CO		May 16, 2001
Rep. Weldon, Dave [R-FL-15]	R · FL		May 16, 2001
Rep. Hayes, Robin [R-NC-8]	R · NC		Jun 6, 2001
Rep. Meek, Carrie P. [D-FL-17]	D · FL		Jun 6, 2001
Rep. LaHood, Ray [R-IL-18]	R · IL		Jun 8, 2001
Rep. Ross, Mike [D-AR-4]	D · AR		Jun 8, 2001
Rep. Hastings, Alcee L. [D-FL-23]	D · FL		Jun 12, 2001
Rep. Mollohan, Alan B. [D-WV-1]	D · WV		Jun 12, 2001
Resident Commissioner Acevedo-Vila, Anibal [D-PR-At Large]	D · PR		Jun 12, 2001
Rep. Allen, Thomas H. [D-ME-1]	D · ME		Jun 14, 2001
Rep. Brown, Henry E., Jr. [R-SC-1]	R · SC		Jun 14, 2001
Rep. Kildee, Dale E. [D-MI-9]	D · MI		Jun 14, 2001
Rep. Ortiz, Solomon P. [D-TX-27]	D · TX		Jun 14, 2001
Rep. Serrano, Jose E. [D-NY-16]	D · NY		Jun 14, 2001
Rep. LaTourette, Steven C. [R-OH-19]	R · OH		Jun 18, 2001
Rep. Smith, Lamar [R-TX-21]	R · TX		Jun 18, 2001

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Feb 28, 2002
Energy and Commerce Committee	House	Reported by	Apr 26, 2001
Judiciary Committee	House	Reported By	Jun 18, 2001

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

Bill	Relationship	Last Action
107 HRES 350	Procedurally related	Feb 27, 2002: Motion to reconsider laid on the table Agreed to without objection.

Internet Freedom and Broadband Deployment Act of 2001 - Amends the Communications Act of 1934 to define "high speed data service" as a service capable of transmitting electronic information at a rate generally not less than 384 kilobits per second in at least one direction.

(Sec. 4) Prohibits the Federal Communications Commission (FCC) and each State from regulating the rates, charges, terms or conditions for, or entry into the provision of, any high speed data service, Internet backbone service, or Internet access service. Prohibits the FCC from imposing or requiring the collection of any fee, tax, charge, or tariff upon such service that is not currently imposed or required. States that the FCC is not required to repeal or modify current regulations that enable a requesting carrier to use the facilities of an incumbent (established) local exchange carrier to provide high speed data services. Requires the local carrier, if it provides high speed data services over a fiber loop or feeder subloop, to offer to requesting competing local exchange carriers, over such loop or subloop, for delivery at the incumbent local exchange carrier's central office, a high speed data service provided by such carrier using an industry-standard protocol. Requires such data service to enable a requesting carrier to transmit information between the incumbent's central office and: (1) a customer's premises served by that central office; (2) a remote terminal supplied by the requesting carrier; or (3) a high frequency portion of the copper subloop obtained by the requesting carrier.

States that an incumbent local exchange carrier shall not be required to: (1) provide unbundled access to any packet switching network element; (2) provide access on an unbundled basis to any local loop or subloop; or (3) provide for collocation in a remote terminal or to construct or make available space in a remote terminal. Prohibits any network element used in the provision of high speed service from being entitled to any subsidy that is not provided on a nondiscriminatory basis to all providers of high speed data service and Internet access service. Requires all local exchange carriers that provide high speed data service, for three years after the enactment of this Act, to offer for resale any such service at wholesale rates. Preserves existing interconnection agreements.

(Sec. 5) Requires each incumbent local exchange carrier to provide: (1) Internet users with the ability to subscribe to and have access to any Internet service provider that interconnects with such carrier's high speed data service; (2) any Internet service provider with the right to acquire necessary facilities and services to facilitate such interconnection; (3) any Internet service provider with the ability to collocate equipment in order to achieve such interconnection; and (4) any provider of high speed service, Internet backbone service, or Internet access service with special access for the provision of Internet access service within a period that is no longer than the period in which such local incumbent exchange carrier provides special access to itself or any affiliate for the provision of such service.

(Sec. 6) Prohibits a Bell operating company from providing interLATA (local access and transport area) voice telecommunication service by means of the high speed data service or Internet backbone service provided by such company until it is authorized to provide interLATA services originating in an in-region State. Requires a Bell operating company, 30 days before commencing to offer any interLATA high speed or Internet backbone service originating in an in-region State, to: (1) notify the Attorney General of such intention; (2) describe the services to be offered; and (3) identify the region in which the service will be offered if it will not be offered State-wide.

Amends the Telecommunications Act of 1996 to require full application of the antitrust laws to all rights, obligations, powers, and remedies under such Act or the Communications Act of 1934, regardless of the progress of competition in any market.

(Sec. 7) Requires Bell operating companies and their affiliates to deploy high speed data services in each State in which such a company or affiliate is an incumbent local exchange carrier, in accordance with a specified deployment schedule.

Provides forfeiture penalties for companies and affiliates failing to so comply. Requires the FCC to include in certain required annual reports an analysis of the deployment of high speed data service to underserved areas.

(Sec. 8) Authorizes the FCC to impose penalties for violations of amendments made by this Act.

(Sec. 10) Authorizes the FCC, after a hearing determination, to order a common carrier to cease or desist from any prohibited anti-competition action or inaction. Increases from \$100,000 to \$1 million the penalty authorized to be charged for each common carrier violation, or each day of a continuing violation, to a maximum of \$10 million (previously \$1 million). Authorizes the FCC to increase such penalty to up to \$2 million each, to a maximum of \$20 million, for subsequent violations of the same provision, rule, regulation, or order. Prohibits a forfeiture penalty from being imposed against a person who does not hold a broadcast license if the violation charged occurred more than two years (currently, one year) prior to the date of notification of liability. Requires the FCC to: (1) evaluate the impact of such increased remedies and penalties on improving compliance with the Communications Act of 1934 and with FCC rules, regulations, and orders; and (2) report evaluation results to specified congressional committees.

Actions Timeline

- **Feb 28, 2002:** Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.
- **Feb 27, 2002:** Rule H. Res. 350 passed House.
- **Feb 27, 2002:** Considered under the provisions of rule H. Res. 350. (consideration: CR H568-609)
- **Feb 27, 2002:** Rule provides for consideration of H.R. 1542 with 1 hour and 20 minutes of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Waives all points of order against consideration of the bill and provides that the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules accompanying the resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read. No further amendment shall be in order except those printed in part B of the report of the Committee on Rules. The amendments may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be deb...
- **Feb 27, 2002:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 350 and Rule XXIII.
- **Feb 27, 2002:** The Speaker designated the Honorable Henry Bonilla to act as Chairman of the Committee.
- **Feb 27, 2002:** DEBATE - The House proceeded with one hour and twenty minutes of debate on H.R. 1542.
- **Feb 27, 2002:** DEBATE - Pursuant to the provisions of H. Res. 350, the Committee of the Whole proceeded with 40 minutes of debate on the Upton amendment.
- **Feb 27, 2002:** Committee of the Whole House on the state of the Union rises leaving H.R. 1542 as unfinished business.
- **Feb 27, 2002:** ORDER OF PROCEDURE - Mr. Tauzin asked unanimous consent that, during further consideration of H.R. 1542 in the Committee of the Whole and pursuant to H. Res. 350, Mr. Buyer be permitted to offer amendment numbered 3 printed in part B of House Report 107-361, as a free standing amendment to the bill. Objection was heard.
- **Feb 27, 2002:** Considered as unfinished business.
- **Feb 27, 2002:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Feb 27, 2002:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 1542.
- **Feb 27, 2002:** The previous question was ordered pursuant to the rule.
- **Feb 27, 2002:** Mr. Markey moved to recommit with instructions to Energy and Commerce. (consideration: CR H602-606)
- **Feb 27, 2002:** DEBATE - The House proceeded with ten minutes of debate on the motion to recommit with instructions. The instructions contained in the motion require the bill to be reported back to the House forthwith with an amendment consisting of the provisions of amendment numbered 2 printed in part B of House Report 107-361. Amendment numbered 2 strikes section 4 of the bill and inserts a new section 4 providing protection for competitive investments by preserving the existing rules for telecommunications services that govern competitive local exchange carriers and preserves State authority and consumer safeguards from the broad preemption of such authority granted under H.R. 1542.
- **Feb 27, 2002:** The previous question on the motion to recommit with instructions. Failed by recorded vote: 173 - 256 (Roll no. 44).
- **Feb 27, 2002:** Mr. Buyer moved to amend the Markey motion to recommit with instructions. (consideration: CR H606-607; text: CR H606)
- **Feb 27, 2002:** AMENDMENT TO MARKEY MOTION - The Buyer amendment to the original Markey motion to recommit with instructions seeks to include the provisions of amendment numbered 3 printed in part B of House Report 107-361. Amendment numbered 3 guarantees that CLECs have access to customers served by Bell company high speed networks under FCC-regulated rates, terms, and conditions. The amendment preserves rules governing CLECs access to Bell facilities, including a rule that permits CLECs to "line share" on Bell copper facilities exclusively for the purpose of providing high speed internet service. Finally, it requires Bell companies to allow CLECs to connect their own high speed Internet facilities to Bell services and equipment.
- **Feb 27, 2002:** On motion to amend the Markey motion to recommit with instructions Agreed to by voice vote. (text: CR H602-603)
- **Feb 27, 2002:** On motion to recommit with instructions, as amended Agreed to by voice vote.
- **Feb 27, 2002:** Passed/agreed to in House: On passage Passed by recorded vote: 273 - 157 (Roll no. 45).
- **Feb 27, 2002:** On passage Passed by recorded vote: 273 - 157 (Roll no. 45).

Feb 27, 2002: Motion to reconsider laid on the table Agreed to without objection.

- **Feb 27, 2002:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 1542.
- **Feb 26, 2002:** Rules Committee Resolution H. Res. 350 Reported to House. Rule provides for consideration of H.R. 1542 with 1 hour and 20 minutes of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Waives all points of order against consideration of the bill and provides that the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules accompanying the resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read. No further amendment shall be in order except those printed in part B of the report of the Committee on Rules. The amendments may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be deb...
- **Jun 18, 2001:** Reported adversely (Amended) by the Committee on Judiciary. H. Rept. 107-83, Part II.
- **Jun 18, 2001:** Reported adversely (Amended) by the Committee on Judiciary. H. Rept. 107-83, Part II.
- **Jun 18, 2001:** Placed on the Union Calendar, Calendar No. 54.
- **Jun 14, 2001:** See also H.R. 1542.
- **Jun 13, 2001:** Committee Consideration and Mark-up Session Held.
- **Jun 13, 2001:** Ordered to be Reported Unfavorably (Amended) by Voice Vote.
- **Jun 5, 2001:** Committee Hearings Held.
- **May 24, 2001:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 107-83, Part I.
- **May 24, 2001:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 107-83, Part I.
- **May 24, 2001:** Referred sequentially to the House Committee on the Judiciary for a period ending not later than June 18, 2001 for consideration of such provisions of the bill and amendment recommended by the Committee on Energy and Commerce as propose to narrow the purview of the Attorney General under section 271 of the Communications Act of 1934.
- **May 9, 2001:** Committee Consideration and Mark-up Session Held.
- **May 9, 2001:** Ordered to be Reported (Amended) by the Yeas and Nays: 32 - 23.
- **Apr 26, 2001:** Referred to the Subcommittee on Telecommunications and the Internet.
- **Apr 26, 2001:** Subcommittee Consideration and Mark-up Session Held.
- **Apr 26, 2001:** Forwarded by Subcommittee to Full Committee (Amended).
- **Apr 25, 2001:** Committee Hearings Held.
- **Apr 24, 2001:** Introduced in House
- **Apr 24, 2001:** Introduced in House
- **Apr 24, 2001:** Referred to the House Committee on Energy and Commerce.