

111TH CONGRESS
1ST SESSION

S. _____

To prohibit the Federal Communications Commission from further regulating
the Internet.

IN THE SENATE OF THE UNITED STATES

Mr. MCCAIN introduced the following bill; which was read twice and referred
to the Committee on _____

A BILL

To prohibit the Federal Communications Commission from
further regulating the Internet.

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 “Real Stimulus Act of
5 2009”.

6 **SEC. 2. LIMITATION ON AUTHORITY OF THE FCC.**

7 (a) IN GENERAL.—The Federal Communications
8 Commission shall not propose, promulgate, or issue any
9 regulations regarding the Internet or IP-enabled services.

1 (b) EXCEPTION.—The limitation set forth in this sec-
2 tion shall not apply to any regulations that the Commis-
3 sion determines necessary—

4 (1) to prevent damage to the national security
5 of the United States;

6 (2) to ensure the public safety;

7 (3) to assist or facilitate any actions taken by
8 a Federal or State law enforcement agency; or

9 (4) to ensure the solvency of the Universal
10 Service Fund established under section 254 of the
11 Communications Act of 1934.

12 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion shall be construed to supersede, repeal, or negate any
14 regulations regarding the Internet or IP-enabled services
15 that were in effect on the day before the date of enactment
16 of this Act, including any regulations established pursuant
17 to the Communications Assistance for Law Enforcement
18 Act (47 U.S.C. 1001 note).

19 (d) GENERAL PRINCIPLES.—Congress finds that—

20 (1) the Internet and all IP-enabled services are
21 services affecting interstate commerce; and

22 (2) such services are not be subject to the juris-
23 diction of any State or municipal locality.