

[DISCUSSION DRAFT]

112TH CONGRESS

2D SESSION H. R.

To

IN THE HOUSE OF REPRESENTATIVES

Mr. ISSA introduced the following bill; which was referred to the Committee

on

A BILL TO “Create a two-year moratorium on any new laws, rules or regulations governing the Internet.”

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Internet American Moratorium Act of 2012”.

SEC. 2. DEFINITIONS.

(a) INTERNET SITE.—The term “Internet site” means the collection of digital assets, including links, indexes, or pointers to digital assets, accessible through the Internet that are addressed relative to a common domain name.

(b) INTERNET.—The term “Internet” has the same meaning as 31 U.S.C. 5362, and means the international computer network of interoperable packet switched data networks.

(c) REGULATION.—Carries the same meaning as in the Code of Federal Regulations.

(d) EXISTENTIAL THREAT.— The term “existential threat” shall mean a risk that would destroy or irreversibly cripple a significant portion of a critical network.

SEC. 3. MORATORIUM ON NEW LAWS, REGULATIONS, OR RULES.

It is resolved in the House of Representatives and Senate that they shall not pass any new legislation for a period of 2 years from the date of enactment of this Act that would require individuals or corporations engaged in activities on the Internet to meet additional requirements or activities. After 90 days of passage of this Act no Department or Agency of the United States shall publish new rules or regulations, or finalize or otherwise enforce or

give lawful effect to draft rules or regulations affecting the Internet until a period of at least 2 years from the enactment of this legislation has elapsed.

SEC. 4. NATIONAL SECURITY EXEMPTION.

(a) **PRESIDENTIAL NOTIFICATION.**—Upon notification to the House and Senate Judiciary Committees, Intelligence Committees and Homeland Security Committees by the President of the United States, or his designee, of an existential threat to the Internet, the President may, for the purposes of addressing this threat, allow agencies to promulgate rules that have otherwise been suspended by this Act.

(b) **LIMITATION.**—This exemption in no way allows the President to compel an agency or department to promulgate any rules or regulations that have not already otherwise been implemented into law.

SEC. 5. STUDY LANGUAGE.

The Department of Homeland Security, Department of Commerce, Department of Defense, Department of Justice and Federal Communications Commission shall provide studies regarding the effectiveness of Internet rules and regulations within their jurisdiction. These studies shall be presented to the House of Representatives and the Senate 90 days prior to the expiration of the moratorium presented in this Act.