

Data Measurement Integrity Act

Section by Section

Section 1: Short Title

Section 2: Truth-In-Labeling Requirements

What It Does: Provides a Sense of the Congress that the Federal Communications Commission (FCC) should continue its work to ensure that consumers are provided information necessary for them to understand the key elements of their broadband Internet services.

Why It's Needed: In order for competition to drive innovation in broadband Internet services, consumers need to be able to fully understand the services available and compare competing services.

Section 3: Managing Broadband Congestion

What It Does: Establishes that if an Internet Service Provider is going to impose a data cap that it must:

- Accurately measure consumers' data usage
- Impose a cap that effectively manages network congestion without unnecessarily discouraging Internet use

Furthermore, this section ensures that an Internet Service Provider

- Cannot discriminate against the source or content of data for measuring data usage
- Ensure that consumers have adequate tools to monitor and control their data usage

Lastly, this section enables consumers to file a complaint with the FCC when there is evidence that an ISP is incorrectly measuring data usage that counts toward a data cap.

Why It's Needed: As ISPs increasingly impose data caps, it is unclear how these ISPs measure data usage and there is mounting evidence that ISPs are inaccurately measuring data. Some data caps are so blunt that they may work to discourage Internet use even when doing so has no bearing on network congestion.

ISPs are suggesting that they may enter into sweetheart deals with content providers so their data does not count toward users' data cap, which would provide large, deep-pocketed providers with a competitive advantage.

Consumers typically do not have adequate tools to enable them to manage data usage, particularly in a household network.