

# State of Vermont

## House of Representatives



**Montpelier, Vermont**

### **Joint House Resolution**

**J.R.H. 5**

Joint resolution urging the Federal Communications Commission to adopt the new net neutrality rules as Commission Chair Thomas Wheeler has proposed

Offered by: Representatives Pearson of Burlington, Komline of Dorset, and Zagar of Barnard

Whereas, in 2015, millions of Americans rely on the Internet for business, educational, economic, entertainment, and health care purposes, and all providers and users of Internet services must be afforded equal access to this primary communications highway, and

Whereas, start-ups and other promising elements of Vermont's high-technology-based creative economy require continuous and affordable access to high-speed Internet services for their economic survival, and

Whereas, net neutrality means that no Internet service or content provider may be relegated to a slower online transmission speed, or be eligible for an accelerated speed upon payment of a special fee, and

Whereas, in Verizon v. F.C.C., 740 F.3d 623 (2014), the U.S. Court of Appeals for the District of Columbia held that the Federal Communications Commission (FCC) is prohibited from imposing neutrality rules on the Internet because the FCC does not regulate the Internet under Title II of the Telecommunications Act of 1996, and

Whereas, in light of this judicial decision, the FCC began to consider proposing new net neutrality rules, and

Whereas, in July 2014, as the FCC was considering possible new rules on net neutrality, U.S. Senator Patrick Leahy chaired Senate Judiciary Committee hearings in Burlington on the need to keep the Internet equally open to all Americans, and he held further hearings on this important topic last September in Washington, D.C., and

Whereas, at least 3.7 million Americans submitted comments to the FCC about proposed new net neutrality rules, and many of the comments were from consumers who wrote in support of an open and publicly accessible Internet, and

Whereas, on Wednesday, February 4, 2015, Commission Chair Thomas Wheeler announced proposed new Internet regulatory rules providing that the

FCC would begin to regulate the Internet as a utility under Title II of the Telecommunications Act of 1996, and

Whereas, the proposed FCC rules would also require neutrality for Internet operations as Internet service providers would be mandated to offer all Internet content providers equal access and not add a surcharge for accelerated transmission speeds, and

Whereas, in addition, the proposed FCC rules would authorize regulation of the back end of the Internet, where content providers have complained that network middlemen have intentionally clogged key Internet transit points, and

Whereas, the FCC is scheduled to vote on the new net neutrality rules on February 26, 2015, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges the Federal Communications Commission to adopt the new net neutrality rules as Commission Chair Thomas Wheeler has proposed, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Federal Communications Commission and to the Vermont Congressional Delegation.