

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Commerce and Economic Development to which was
3 referred Joint House Resolution J.R.H.5. entitled “Joint resolution urging the
4 Federal Communications Commission to adopt the new net neutrality rules as
5 Commission Chair Thomas Wheeler has proposed” has considered the same
6 and recommends that the resolution be amended by striking out the resolution
7 in its entirety and inserting in lieu thereof the following:

8 Joint resolution commending the Federal Communications Commission on
9 its adoption of new net neutrality rules as Commission Chair Thomas Wheeler
10 proposed

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

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

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

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

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

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

13 Whereas, both the Department of Public Service and the Public Service
14 Board have previously filed comments supporting the FCC's adoption of new
15 net neutrality rules, and

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

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

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

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

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

10 Whereas, the FCC voted on the new net neutrality rules on February 26,
11 2015, now therefore be it

12 Resolved by the Senate and House of Representatives:

13 That the General Assembly commends the Federal Communications
14 Commission on its adoption of new net neutrality rules as Commission Chair
15 Thomas Wheeler proposed, and be it further

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

1 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE