

SENATE JOINT RESOLUTION NO. 12

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

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Introduced: 1/24/18

Referred: Labor and Commerce, State Affairs

A RESOLUTION

1 **Urging the United States Congress to overturn the Federal Communication**
2 **Commission's order ending net neutrality.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS**, on December 14, 2017, the Federal Communications Commission
5 (FCC) adopted, by a vote of three to two, an order to reverse the regulations that established
6 the federal government's broadband policy of net neutrality and to preempt states from
7 imposing net neutrality rules or regulations on Internet service providers; and

8 **WHEREAS** the Congressional Review Act (5 U.S.C. 8) grants to the United States
9 Congress the authority to overturn the FCC's order and reinstate net neutrality with a simple
10 majority vote of each house, by enacting a joint resolution of disapproval introduced not later
11 than 60 legislative days after the FCC submits the new rules to the United States Congress;
12 and

13 **WHEREAS** net neutrality protects an individual's ability to access and transmit
14 information on the Internet by requiring Internet service providers to treat all Internet websites
15 equally, regardless of content, source, or business relationship with the Internet service
16 provider or others; and

1 **WHEREAS**, without net neutrality, Internet service providers can lawfully charge
2 customers higher rates to access certain Internet websites, download music, and watch videos,
3 and, under the new FCC order, an Internet service provider may slow down or block access to
4 Internet websites altogether including the Internet websites of its competitors; and

5 **WHEREAS** the reversal of net neutrality regulations harms small businesses, start up
6 companies, and entrepreneurs who rely on a free and open Internet to conduct business,
7 flourish, and grow; and

8 **WHEREAS**, with its action to reverse net neutrality regulations, the FCC has
9 knowingly invited anti-consumer practices and set up an unfair pay-to-play system that may
10 financially reward Internet service providers that discriminate; and

11 **WHEREAS** first amendment rights of free speech, free press, and free association are
12 placed at grave risk without a net neutral environment that enables the open flow of citizens'
13 thoughts, ideas, and concerns, and ensures that information relied on to form opinions is
14 openly accessible; and

15 **WHEREAS**, a University of Maryland School of Public Policy poll conducted in
16 early December 2017 found that 83 percent of Americans, including 75 percent of
17 Republicans and 89 percent of Democrats, oppose FCC action to reverse net neutrality
18 regulations; and

19 **WHEREAS** the FCC's public process surrounding its reversal of net neutrality was
20 unacceptably flawed, in that, of the over 21,000,000 comments received, up to 2,000,000
21 were linked to stolen identities; nearly 500,000 were likely generated from Russian electronic
22 mail addresses; 94 percent were apparently submitted multiple times; 57 percent came from
23 duplicate or temporary addresses; in nine separate occurrences, 75,000 identical or similar
24 comments were posted in the same second; and the top seven comments made up 38 percent
25 of the submissions; and

26 **WHEREAS** Alaska's climate and isolation from the lower 48 states require residents
27 of the state to rely heavily on the Internet to connect with each other and to the rest of the
28 country and the world to keep in touch with family and for work and education purposes; and

29 **WHEREAS** Alaska's remote communities--many of which already struggle to obtain
30 stable, affordable Internet access--appreciate and rely on the principles of net neutrality to
31 maintain connectivity to Alaska's urban hubs and beyond; and

1 **WHEREAS**, in light of the nature of the challenges residents of the state face without
 2 a guarantee of net neutrality, Governor Bill Walker and Attorney General Jahna Lindemuth
 3 wrote to the FCC on December 13, 2017, requesting the agency to delay its vote on the
 4 proposal rolling back net neutrality regulations until the integrity of the public process had
 5 been adequately investigated; and

6 **WHEREAS** many technology companies, including Apple, Microsoft, Amazon,
 7 Netflix, and Facebook, oppose the FCC's net neutrality order because the companies
 8 recognize net neutrality is necessary to ensure a level Internet playing field for their
 9 customers; and

10 **WHEREAS** a diverse group of consumer, media, technology, library, arts, civil
 11 liberties, and civil rights organizations, including the American Library Association, the
 12 Association of College and Research Libraries, the Disability Rights Education and Defense
 13 Fund, the Electronic Frontier Foundation, the National Coalition Against Censorship, the
 14 National Consumer Law Center, on behalf of its low-income clients, and the National
 15 Organization for Women, oppose the FCC's reversal of net neutrality regulations;

16 **BE IT RESOLVED** that the Alaska State Legislature supports a free and open
 17 Internet that is equally accessible to all consumers; and be it

18 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
 19 Congress to exercise its authority under the Congressional Review Act to overturn the Federal
 20 Communication Commission's regulatory decision to end net neutrality protections.

21 **COPIES** of this resolution shall be sent to the Honorable Donald J. Trump, President
 22 of the United States; the Honorable Lisa Murkowski and the Honorable Dan Sullivan, U.S.
 23 Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
 24 delegation in Congress; all other members of the 115th United States Congress; and the
 25 presiding officers of the legislatures of each of the other 49 states.