

HOUSE JOINT RESOLUTION NO. 31

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES KAWASAKI, Parish, Fansler

Introduced: 1/26/18

Referred:

A RESOLUTION

1 **Urging the United States Congress to overturn the Federal Communications**
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 adopted, by a vote of three to two, an order to reverse the regulations that established the
6 federal government's broadband policy of net neutrality and to preempt states from imposing
7 net neutrality rules or regulations on Internet service providers; and

8 **WHEREAS** 5 U.S.C. 801 - 808 (Congressional Review Act) grants to the United
9 States Congress the authority to overturn the Federal Communications Commission's order
10 and reinstate net neutrality with a simple majority vote of each house, by enacting a joint
11 resolution of disapproval introduced not later than 60 legislative days after the Federal
12 Communications Commission submits the new rules to the United States Congress; 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

1 equally, regardless of content, source, or business relationship with the Internet service
2 provider or others; and

3 **WHEREAS**, without net neutrality, Internet service providers can lawfully charge
4 customers higher rates to access certain Internet websites, download music, and watch videos,
5 and, under the Federal Communications Commission's new order, an Internet service provider
6 may slow down or block access to Internet websites altogether including the Internet websites
7 of its competitors; and

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

11 **WHEREAS**, with its action to reverse net neutrality regulations, the Federal
12 Communications Commission has knowingly invited anti-consumer practices and set up an
13 unfair pay-to-play system that may financially reward Internet service providers that
14 discriminate; and

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

19 **WHEREAS** a University of Maryland School of Public Policy poll conducted in early
20 December 2017 found that 83 percent of Americans, including 75 percent of Republicans and
21 89 percent of Democrats, oppose the Federal Communications Commission's action to reverse
22 net neutrality regulations; and

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

30 **WHEREAS** Alaska's climate and isolation from the contiguous 48 states require
31 residents of the state to rely heavily on the Internet to connect with each other and to the rest

1 of the country and the world to keep in touch with family and for work and education
2 purposes; and

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

6 **WHEREAS**, in light of the nature of the challenges residents of the state face without
7 a guarantee of net neutrality, Governor Bill Walker and Attorney General Jahna Lindemuth
8 wrote to the Federal Communications Commission on December 13, 2017, requesting the
9 agency to delay its vote on the proposal rolling back net neutrality regulations until the
10 integrity of the public process had been adequately investigated; and

11 **WHEREAS** many technology companies, including Apple, Microsoft, Amazon,
12 Netflix, and Facebook, oppose the Federal Communications Commission's net neutrality
13 order because the companies recognize net neutrality is necessary to ensure a level Internet
14 playing field for their customers; and

15 **WHEREAS** a diverse group of consumer, media, technology, library, arts, civil
16 liberties, and civil rights organizations, including the American Library Association, the
17 Association of College and Research Libraries, the Disability Rights Education and Defense
18 Fund, the Electronic Frontier Foundation, the National Coalition Against Censorship, the
19 National Consumer Law Center, on behalf of its low-income clients, and the National
20 Organization for Women, oppose the Federal Communications Commission's reversal of net
21 neutrality regulations;

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

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

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