



Legislation Text

File #: Res 0712-2007, **Version:** A

Proposed Res. No. 712-A

Resolution calling upon the United States Congress to pass H.R. 3458 and the Federal Communications Commission to formalize strong network neutrality principles in order to ensure that the Internet will continue to foster innovation, increase competition, and spur economic growth as well as making the Internet faster and more affordable for all.

By Council Members Brewer, Fidler, Gerson, James, Liu, Sanders Jr. and de Blasio

Whereas, “Network neutrality” has been defined as the principle of an open and free Internet that fosters competition and innovation among service and content providers and offers consumers access to the content and services of their choice; and

Whereas, In the past, network providers have delivered data over the Internet on a “best efforts” basis, without creating different levels of quality of service based upon amounts paid by content providers; and

Whereas, With growth of the Internet and the increased demand for more broadband video, data, and telephone service, infrastructure network executives have indicated the likelihood that content providers will be charged more for faster data/content delivery, in part, to offset the cost of new high-speed lines; and

Whereas, Many are concerned that charging for services will lead to a type of Internet “toll road” where an individual’s access to locations on the Internet will be faster to the websites of those content providers who pay a higher price to the network owner; and

Whereas, Without network neutrality, smaller companies and individuals will be unable to afford premium network access which will thus, hurt competition and the innovation that has been the hallmark of the Internet to date; and

Whereas, In 2005, the Federal Communications Commission adopted a policy statement that outlined four principles to preserve and promote the open and interconnected nature of the Internet; and

Whereas, The FCC statement declared that consumers are entitled to access to the Internet content of their choice, to run applications and services of their choice, and to enjoy all possible benefits of competition among network providers, application and service providers, and content providers; and

Whereas, While these principles guide FCC policymaking, they do not impose any enforcement power and are not a clear endorsement for net neutrality; and

Whereas, In July 2009, Rep. Edward Markey (D-MA) introduced the Internet Freedom Preservation Act of 2009 (H.R. 3458), which amends the Communications Act of 1934 in order to set policy regarding various aspects of the Internet, including access, consumer choice, competition, ability to use or offer content, applications, and services, discriminatory favoritism, and capacity; and

Whereas, In addition, in September 2009, Julius Genachowski, the current FCC chairman, proposed expanding the principles and creating formalized rules that explicitly extend to wireless networks; and

Whereas, In opposition to these proposals, Senator John McCain introduced legislation called the “Internet Freedom Act” that would eliminate the FCC’s ability to “propose, promulgate, or issue any regulations regarding the Internet or IP-enabled services”; and

Whereas, The future of the Internet, thus, remains in jeopardy until the FCC promulgates meaningful, enforceable protections for network neutrality; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass H.R. 3458 and the Federal Communications Commission to formalize strong network neutrality principles in order to ensure that the Internet will continue to foster innovation, increase competition, and spur economic growth as well as making the Internet faster and more affordable for all.

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