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AJR-7 Internet: net neutrality: access. (2017-2018)

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Assembly Joint Resolution No. 7

CHAPTER 151

Relative to the Internet.

[Filed with Secretary of State September 12, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 7, Mullin. Internet: net neutrality: access.

This measure would declare that the Legislature strongly supports, and would respectfully urge the President of the United States and Members of the United States Congress to continue to protect, net neutrality, open Internet access, the federal Lifeline program's discounted telephone service for qualifying low-income consumers, and the E-rate program's discounted telecommunication and Internet access services for schools and libraries. The measure would declare that the Legislature views these as high priorities for California and the country, and opposes any federal efforts to rescind or block them.

Fiscal Committee: no

WHEREAS, High-speed Internet access service, referred to generically as "broadband advanced communication services," including both wired and wireless technologies, is essential in the 21st century for economic competitiveness and quality of life; and

WHEREAS, Broadband infrastructure is vital to the operation and management of other critical infrastructures, including energy generation systems, the power grid, water supply systems, smart cities, the Internet of Things, public safety and emergency response systems, medical facilities, educational institutions, and libraries; and

WHEREAS, Studies confirm that the use of broadband advanced communication services increases economic productivity, public and private organizational operation efficiency, and enhanced business profitability; and

WHEREAS, The provision and maintenance of equitable access to technology, broadband Internet access services, digital content, and classroom management tools are necessary for all students, teachers, and school administrators in California, including those in rural and other unserved and underserved areas, in order to provide equal educational resources to all students at all education levels; and

WHEREAS, The Federal Communications Commission (FCC) adopted open Internet rules on February 26, 2015, to protect free expression and innovation on the Internet and to promote investment in the nation's broadband networks; and

WHEREAS, Those open Internet rules ensure that consumers and businesses have access to a fast, fair, and open Internet by imposing three bright-line rules: (1) Broadband providers shall not block access to lawful content, applications, services, or nonharmful devices; (2) Broadband providers shall not impair or degrade lawful Internet traffic on the basis of content, application,

or service, or use of a nonharmful device; and (3) Broadband providers shall not favor some lawful Internet traffic over other lawful Internet traffic in exchange for consideration of any kind; and

WHEREAS, Because the Internet must be a place in which companies, large and small, as well as individual developers, can compete on a level playing field, the State of California supports net neutrality as a principle that underpins a fast, fair, and open Internet for consumers and businesses to ensure equal access to lawful content by prohibiting paid prioritization, throttling, and blocking; and

WHEREAS, The federal Lifeline program provides a discount on telephone service to qualifying low-income consumers in every state, territory, commonwealth, and Tribal land, and ensures that all Americans have the opportunities and security that telephone service provides, including connecting to jobs, family, and emergency services; and

WHEREAS, On March 31, 2016, the FCC adopted a comprehensive reform and modernization of the federal Lifeline program by including broadband Internet access service as a support service in the federal Lifeline program and established a federal Lifeline National Eligibility Verifier to make independent subscriber eligibility determinations; and

WHEREAS, Federal Lifeline program moneys should be dedicated solely to the purposes established by Congress and the FCC, and diverting those moneys to pay for other programs through the imposition of state taxes, fees, or surcharges on federal Lifeline program benefits or connections should be prohibited; and

WHEREAS, Established as a part of the federal Telecommunications Act of 1996, the FCC's E-rate program provides discounts on telecommunication and Internet access services to schools and libraries, based on poverty level; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature strongly supports each of the above positions, initiatives, and programs, views them as high priorities for California and the country, and opposes any federal efforts to rescind or block them; and be it further

Resolved, That the Legislature respectfully urges the President of the United States and Members of the United States Congress to continue to protect net neutrality, open Internet access, the federal Lifeline program's discounted telephone service for qualifying low-income consumers, and the E-rate program's discounted telecommunication and Internet access services for schools and libraries; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.