



SPONSOR: Sen. Delcollo & Sen. Richardson & Sen. Townsend &  
Rep. Briggs King & Rep. Bennett  
Sens. Hansen, Sokola; Reps. Baumbach, Brady, Gray,  
J. Johnson, Lynn, B. Short, Viola, K. Williams, Wilson

DELAWARE STATE SENATE  
149th GENERAL ASSEMBLY

SENATE CONCURRENT RESOLUTION NO. 44

OPPOSING THE FEDERAL COMMUNICATIONS COMMISSION'S REPEAL OF NET NEUTRALITY RULES  
INTENDED TO PROTECT CONSUMERS AND ENSURE FAIR AND REASONABLE ACCESS TO THE INTERNET.

1 WHEREAS, a large majority of Delawareans actively use the internet; and

2 WHEREAS, all levels of government provide public information, resources, and access to government services on  
3 the internet; and

4 WHEREAS, the internet is an essential tool for individuals and businesses to conduct commerce, communicate,  
5 educate, entertain, and engage in the world around them; and

6 WHEREAS, equitable information access cannot be achieved without regulated net neutrality to provide internet  
7 openness;

8 WHEREAS, specific practices such as blocking, throttling, and paid prioritization are known to be harmful to  
9 internet openness; and

10 WHEREAS, paid prioritization means that persons who publish content to the internet ("publishers") can pay  
11 internet service providers for priority availability to internet consumers over the websites of publishers who cannot afford  
12 to pay; and

13 WHEREAS, without net neutrality, publishers can pay internet service providers for preferential services such as  
14 blocking, throttling, and prioritization; and

15 WHEREAS, without net neutrality, publishers who can pay for blocking, throttling, and prioritization can  
16 outcompete individuals and small businesses to the point where publishers who cannot pay are effectively silenced; and

17 WHEREAS, without net neutrality, internet consumers will only have access to information on the internet that is  
18 filtered by the publisher's ability to pay; and

19 WHEREAS, open access to share and receive information is an important tool for maintaining a functional,  
20 democratic society and open access is impossible when information is available according to the publisher's ability to pay  
21 for preferential services offered by internet service providers; and

22 WHEREAS, without net neutrality, internet service providers can deceive consumers, degrade content, or disfavor  
23 the content that the provider does not like; and

24 WHEREAS, without net neutrality, internet consumers are denied fair and reasonable access to the internet, which  
25 significantly impairs their ability to participate fully in our democratic society and develop new businesses; and

26 WHEREAS, on December 14, 2017, the Federal Communications Commission adopted an order repealing net  
27 neutrality rules it adopted in 2015.

28 NOW, THEREFORE:

29 BE IT RESOLVED by the Senate of the 149th General Assembly of the State of Delaware, the House of  
30 Representatives concurring therein, that the 149th General Assembly opposes the Federal Communications Commission's  
31 repeal of net neutrality rules.

32 BE IT FURTHER RESOLVED that 149<sup>th</sup> General Assembly urges the United States Congress to do one of the  
33 following:

34 (1) Review the Federal Communications Commission's repeal of net neutrality rules, as permitted under the  
35 Congressional Review Act, 5 U.S.C. § 801, within 60 days of receipt of the Commission's order, in compliance with  
36 the Congressional Review Act's 60-day initiation period requirement under 5 U.S.C. § 802.

37 (2) Enact legislation to require that net neutrality be reinstated and preserved.

38 BE IT FURTHER RESOLVED that the 149<sup>th</sup> General Assembly directs the Secretary of the Senate to send  
39 suitable copies of this Resolution to the Speaker of the U.S. House of Representatives, U.S. House of Representatives  
40 Minority Leader, U.S. Senate Majority Leader, U.S. Senate Minority Leader, and the Members of Delaware's  
41 Congressional Delegation.

#### SYNOPSIS

This Concurrent Resolution does all of the following:

(1) Expresses the General Assembly's opposition to the Federal Communications Commission's repeal of net neutrality rules ("the repeal").

(2) Urges the United States Congress to either review the repeal as permitted under the Congressional Review Act, within 60 days of receipt of the Federal Communications Commission's order as required by the Act, or enact legislation reinstating and requiring the preservation of net neutrality.

(3) Requests that the Secretary of the Senate to send copies of this Resolution to the Speaker of the U.S. House of Representatives, U.S. House of Representatives Minority Leader, U.S. Senate Majority Leader, U.S. Senate Minority Leader, and the Members of Delaware's Congressional Delegation.

Author: Senator Delcollo