SENATE JOINT MEMORIAL 17

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Howie C. Morales and Bill McCamley

A JOINT MEMORIAL

REQUESTING THAT THE NEW MEXICO CONGRESSIONAL DELEGATION
ENCOURAGE CONGRESS TO REVIEW THE FEDERAL COMMUNICATIONS
COMMISSION'S DECISION TO REPEAL THE NET NEUTRALITY RULE AND THE
FEDERAL COMMUNICATIONS COMMISSION'S RULEMAKING PROCESS.

WHEREAS, on February 26, 2015, the federal communications
commission issued a Report and Order on Remand, Declaratory
Ruling, and Order (FCC 15-24) reclassifying broadband internet
access service as a "telecommunications service" under Title II
of the Communications Act of 1934, and prohibiting broadband
internet service providers from engaging in blocking,
throttling and paid prioritization in the provision of
broadband internet access service; and

WHEREAS, on December 14, 2017, the federal communications
commission issued Declaratory Ruling, Report and Order, and
Order (FCC 17-166) reversing its February 26, 2015 order, restoring the classification of broadband internet access service as an "information service" under Title I of the Communications Act of 1934; and

WHEREAS, restoring the classification of broadband internet access service as an "information service" under Title I of the Communications Act of 1934 terminated the federal communications commission's authority to prohibit broadband internet service providers from engaging in blocking, throttling and paid prioritization in the provision of broadband internet access service; and

WHEREAS, certain interests have warned that the termination of federal communications commission's authority to prohibit broadband internet service providers from engaging in blocking, throttling and paid prioritization in the provision of broadband internet access service will harm consumers and businesses; and

WHEREAS, certain interests have questioned the process by which the federal communications commission issued its December 14, 2017 order, including New Mexico and twenty-one other states that have filed a protective petition for review of the order in the United States court of appeals for the District of Columbia circuit;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the New Mexico congressional
delegation be requested to encourage the United States congress to review the conclusions reached by the federal communications commission in its December 14, 2017, Declaratory Ruling, Report and Order, and Order (FCC 17-166); and

BE IT FURTHER RESOLVED that the New Mexico congressional delegation be requested to encourage the United States congress to review the process by which the federal communications commission issues its orders; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico congressional delegation.

- 3 -