

1 SENATE JOINT MEMORIAL 17

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

3 INTRODUCED BY

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10 A JOINT MEMORIAL

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

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

24 WHEREAS, on December 14, 2017, the federal communications
25 commission issued Declaratory Ruling, Report and Order, and

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1 Order (FCC 17-166) reversing its February 26, 2015 order,
2 restoring the classification of broadband internet access
3 service as an "information service" under Title I of the
4 Communications Act of 1934; and

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

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

18 WHEREAS, certain interests have questioned the process by
19 which the federal communications commission issued its December
20 14, 2017 order, including New Mexico and twenty-one other
21 states that have filed a protective petition for review of the
22 order in the United States court of appeals for the District of
23 Columbia circuit;

24 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
25 STATE OF NEW MEXICO that the New Mexico congressional

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1 delegation be requested to encourage the United States congress
2 to review the conclusions reached by the federal communications
3 commission in its December 14, 2017, Declaratory Ruling, Report
4 and Order, and Order (FCC 17-166); and

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

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