

Res. No. 712

Resolution calling upon the United States Congress to codify strong network neutrality principles in order to insure 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 and Sanders Jr.

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 2006, multiple bills were introduced in Congress to revise the federal regulatory framework for voice, video and data communications services; and

Whereas, Both the House of Representatives and the Senate Commerce Committee passed legislation to create national video franchises that, according to their respective proponents, would facilitate competition between cable and telecommunications companies, yet, neither contained provisions to protect network neutrality; and

Whereas, Due to the end of the 109th Congress, neither bill became law. However, the future of the Internet remains in jeopardy until Congress passes 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 codify strong network neutrality principles in order to insure 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.

