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## Democrats' Seek #OneMoreVote for Net Neutrality and Launch Congressional Review Act Against Trump FCC

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Impact/FCC/Media/Net Neutrality/White House — by Andrew  
Feinberg

**W**ASHINGTON, February 28, 2018 – Advocates of net neutrality are pushing for congressional action to overturn a December action by the Federal Communications Commission to repeal such rules. But they will have an uphill battle if they expect President Trump to sign off on gutting an action by his appointee to lead the FCC.

In his first year in office, Trump signed 15 congressional joint resolutions meant to repeal regulations passed in the waning days of the Obama administration. Now, House and Senate Democrats – plus one Senate Republican, Sen. Susan Collins of Maine – support what would be a 16<sup>th</sup> joint congressional resolution.

The regulations formerly known as net neutrality rules prohibited broadband providers like Comcast and Verizon from interfering with users' internet traffic or prioritizing some traffic over others. The FCC under Obama appointed Tom Wheeler did this by classifying broadband internet access services as common carriers under Title II of the Communications Act.

Having been overturned by the FCC in a party-line vote on December 14, the official publication of the repeal was published in the Federal Register on February 22 and will therefore the official repeal will take effect in 60 days, or on April 23, 2018.

Supporters of the Obama-era rules have responded to the FCC's decision to abandon them by filing a federal lawsuit against the FCC in hopes that a court will order Pai and his colleagues to return to enforcing common carrier regulations on broadband providers.

### ***Using the Congressional Review Act to reverse agency actions***

But other longtime network neutrality proponents like Sen. Ed Markey, D-Mass., are hoping they can show turnout to be much more than "fair play" by reinstating the Title II open internet rules with the same

and President Trump to dismantle Barack Obama's legacy using Congressional Review Act resolutions to overturn regulations on the environment, gun safety, financial consumer protection, broadband privacy, and workplace safety.

Markey and his 49 Senate co-sponsors hope that the 60-day window will be enough time to prevent a tiebreaking vote by Vice President Mike Pence. For that, Markey and Collins will need one more vote, presumably from a Republican.

Meanwhile, House Democrats will need to hustle to line up enough GOP members to secure a bare majority in the House. The passage of such a resolution – if signed by Trump – would "disapprove" Pai's rules and prevent the FCC from ever repealing the Title II reclassification unless Congress specifically gives it the authority in a separate bill.

### ***Statements from a Capitol Hill media event to promote the CRA resolution***

"The grassroots movement to reinstate net neutrality is growing by the day, and we will get that one more vote needed to pass my CRA resolution," Markey said while speaking at a Capitol Hill media event to promote his resolution and bring

network neutrality.

Markey also urged his Republican colleagues to join the “overwhelming majority of Americans” who support a free and open internet. “The internet is for all – the students, teachers, innovators, hard-working families, small businesses, and activists, not just Verizon, Charter, AT&T, and Comcast and corporate interests.”

Markey’s resolution presents an opportunity for Republicans “to right this administration’s wrong and reinstate the FCC’s Open Internet Order,” said Senate Minority Leader Chuck Schumer, D-New York.

“It’s time the Republicans show the American people whose side they’re on: big ISPs and major corporations or consumers, entrepreneurs, and small business owners.”

House Democratic Leader Nancy Pelosi, D-California, called on her Republican colleagues to “stop the FCC assault on consumer choice and consumer protections” by supporting the House version of Markey’s bill, even as it has failed to gain a single GOP co-sponsor since being introduced by Rep. Mike Doyle, D-Penn.

“The Trump Administration’s attacks on net neutrality deliver a disastrous blow to

entrepreneurship that is the envy of the world,” Pelosi said. “It gives me great pride to stand with Democrats and millions of Americans to defend the promise of a free, open Internet.”

### ***Social media action using the #OneMoreVote hashtag***

The “day of action” had a strong online presence, as activists used the #OneMoreVote hashtag to raise awareness on various social media platforms.

The offline protests, which were organized by Free Press, Fight for the Future and Demand Progress, the advocacy group founded by the late internet activist Aaron Swartz, went beyond the Capitol Hill rally at which Markey spoke.

These activists coordinated protests outside the district offices of eight Republican Senators, including Cory Gardner, Rob Portman, Jerry Moran, Orrin Hatch, Lisa Murkowski, and Marco Rubio, as well as Dean Heller of Nevada – whose seat is often considered a potential Democratic pickup – and John Kennedy of Louisiana.

Markey’s resolution also gained praise from Chris Lane, a vice president at Public Knowledge, a consumer advocacy group that has long advocated

group applauds Markey, Schumer, and their colleagues “for their leadership introducing this resolution to overturn the FCC’s net neutrality repeal.”

“Without the FCC protecting consumers, the prices of broadband continues to rise, privacy breaches online stack up, and communities are given sub-standard internet connections through redlining in urban areas and neglect in rural ones,” Lane said.

“The CRA provides the fastest way to restore strong net neutrality rules that are wildly popular, working to produce billions of dollars in investment and innovation, and were upheld in court twice. Only in Washington, where high-paid lobbyists hold sway, is this a controversial set of rules.”

**support a CRA action against FCC**

But even if Markey’s Senate bill finds a second Republican vote and Doyle’s House bill garners such overwhelming bipartisan support that House Speaker Paul Ryan, R-Wisconsin, allows it to the floor, White House Deputy Press Secretary Hogan Gidley poured cold water on Democrats’ hopes for using the CRA.

“The Trump Administration supports the FCC’s efforts to roll back burdensome, monopoly-era regulations,” Gidley said, when asked whether Trump would sign a resolution to effectively reinstate the Obama-era open internet rules his own FCC chairman voted to overturn.

(Image from Fight for the Future used with permission.)

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