



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

December 12, 2017

Motion 15028

Proposed No. 2017-0509.2

Sponsors Kohl-Welles and McDermott

1 A MOTION expressing support for federal and state rules
2 and policies protecting net neutrality.

3 WHEREAS, net neutrality, sometimes referred to as "open Internet" or "Internet
4 freedom," is described by the Federal Communications Commission as Internet where
5 broadband service providers cannot block or deliberately slow speeds for Internet
6 services or applications, favor some Internet traffic in exchange for consideration or
7 engage in other practices that harm Internet openness, and

8 WHEREAS, practices such as throttling, blocking and paid prioritization have
9 been considered by experts to hinder net neutrality, and

10 WHEREAS, King County is a world-leading hub of high-tech invention and
11 development and the birthplace of many leading Internet and technology companies, and

12 WHEREAS, King County is also home to over two million residents, many of
13 whom rely on the county to provide essential services such as law enforcement,
14 healthcare, assistance for youth and the elderly and social services, and

15 WHEREAS, established county programs, services and information require
16 affordable, accessible and open Internet access to better enable county citizens to avail
17 themselves of these programs, services and information, and

18 WHEREAS, open Internet provides citizens the opportunity to search for gainful
19 employment, participate in free web-based job training programs and learn new skills

20 through online education courses, and

21 WHEREAS, public safety, emergency services, education and healthcare services
22 all rely on the availability of broadband Internet service free from throttling, blocking and
23 paid prioritization, and

24 WHEREAS, the preservation of net neutrality is necessary for the prosperity of
25 the King County local economy, including, but not limited to, startup technology
26 companies, rural businesses and entrepreneurs, and

27 WHEREAS, net neutrality encourages competition among businesses, fosters
28 innovation, creates jobs and promotes economic vitality, both within King County and
29 across the nation, and

30 WHEREAS, King County, as a Washington local government, adheres to and
31 champions the principle of transparency, including transparency in the provision of
32 broadband Internet service, and

33 WHEREAS, King County is best served and civic engagement is enhanced
34 through the availability of open Internet, and

35 WHEREAS, King County and its citizens depend on the accessibility of
36 affordable and nondiscriminatory broadband Internet service to ensure that all residents,
37 businesses, nonprofit organizations and public agencies have the opportunity to
38 participate in the governmental process through the use of digital and communications
39 technology, and

40 WHEREAS, the Federal Communications Commission adopted net neutrality
41 rules in its 2015 Report and Order on Remand, Declaratory Ruling, and Order, Protecting
42 and Promoting the Open Internet, GN Docket No. 14-28 ("the 2015 report and order"), to

43 protect consumers from tactics that threaten the open Internet by banning blocking,
44 throttling and paid prioritization, and

45 WHEREAS, the 2015 report and order adopted a policy on blocking, which states
46 that "A person engaged in the provision of broadband Internet access service, insofar as
47 such person is so engaged, shall not block lawful content, applications, services, or non-
48 harmful devices, subject to reasonable network management," and

49 WHEREAS, the 2015 report and order adopted a policy on throttling stating "A
50 person engaged in the provision of broadband Internet access service, insofar as such
51 person is so engaged, shall not impair or degrade lawful Internet traffic on the basis of
52 Internet content, application, or service, or use of a non-harmful device, subject to
53 reasonable network management," and

54 WHEREAS, the 2015 report and order adopted a policy on paid prioritization
55 stating "A person engaged in the provision of broadband Internet access service, insofar
56 as such person is so engaged, shall not engage in paid prioritization," which refers to the
57 management of a broadband provider's network to directly or indirectly favor some
58 traffic over other traffic either in exchange for consideration, which is monetary or
59 otherwise, from a third party or to benefit an affiliated entity, and

60 WHEREAS, in the 2015 report and order, the Federal Communications
61 Commission reaffirmed its 2010 transparency rule, which states that "A person engaged
62 in the provision of broadband Internet access service shall publicly disclose accurate
63 information regarding the network management practices, performance, and commercial
64 terms of its broadband Internet access services sufficient for consumers to make informed
65 choices regarding use of such services and for content, application, service, and device

66 providers to develop, market, and maintain Internet offerings," and

67 WHEREAS, in the 2015 report and order, the Federal Communications
68 Commission reclassified broadband Internet access service as a public utility under Title
69 II of the Telecommunications Act, which provided the legal basis for the commission to
70 enforce its net neutrality rules, and

71 WHEREAS, the Federal Communications Commission published a Notice of
72 Proposed Rulemaking in May 2017, Restoring Internet Freedom, WC Docket No. 17-
73 108, in which it announced its proposal to rescind the net neutrality rules in the 2015
74 report and order, and end public utility regulation of the Internet, and

75 WHEREAS, following the Notice of Proposed Rulemaking, the Federal
76 Communications Commission released a Declaratory Ruling, Report and Order, and
77 Order, Restoring Internet Freedom, WC Docket No. 17-108 ("the 2017 report and
78 order"), which provided additional details regarding the proposal to rescind the net
79 neutrality rules, and

80 WHEREAS, the 2017 report and order also included a provision preempting any
81 state or local measures that would effectively impose rules or requirements that the
82 commission has repealed or decided to refrain from imposing in the order or that would
83 impose more stringent requirements for any aspect of broadband service addressed in the
84 order, and

85 WHEREAS, state and local governments are closest to the people and the
86 preemption provision would threaten the authority of the state of Washington and King
87 County to govern, and

88 WHEREAS, the Federal Communications Commission's Chairman Ajit Pai

89 announced that the Commission will tentatively consider the proposal to rescind those net
90 neutrality rules and end public utility regulation of the Internet at its December 14, 2017,
91 Commission meeting;

92 NOW, THEREFORE, BE IT MOVED by the Council of King County:

93 A. The metropolitan King County council:

94 1. Expresses King County's strong support for the preservation and defense of
95 net neutrality rules and policies as articulated by the Federal Communications
96 Commission in its 2015 Report and Order on Remand, Declaratory Ruling, and Order,
97 Protecting and Promoting the Open Internet, GN Docket No. 14-28; and

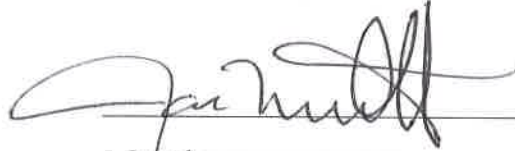
98 2. Expresses King County's strong support for action at the state level seeking to
99 protect net neutrality within the state of Washington.

100 B. The clerk of the council is directed to send a copy of this motion to each
101 member of Washington's congressional delegation and state legislature.
102

Motion 15028 was introduced on 12/11/2017 and passed as amended by the Metropolitan King County Council on 12/11/2017, by the following vote:

Yes: 6 - Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci
No: 0
Excused: 3 - Mr. von Reichbauer, Mr. Gossett and Ms. Lambert

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



J. Joseph McDermott, Chair

ATTEST:



Melani Pedroza, Clerk of the Council



Attachments: None