



Written by [Raven Clabough](#) on March 2, 2011

House Committee Delays Action on Net Neutrality

In December, the Federal Communications Commission (FCC) approved a new set of regulations to establish its jurisdiction over the Internet in favor of “net neutrality” rules, despite the rejection of similar measures by Congress and the courts. According to members of the House of Representatives, however, those regulations may be short-lived, though action on them in the House has been delayed by Democratic leaders.



On Wednesday morning, the House Energy and Commerce’s Subcommittee on Communications and Technology planned a [vote](#) on whether to retract the regulations adopted by the 3-2 vote in December. According to the subcommittee, the vote would have been on a resolution of disapproval, which asserts that the FCC’s regulations “shall have no force or effect.” The vote was expected to pass without issue.

CNET News explained:

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A resolution of disapproval is a formal process, outlined in the Congressional Review Act, that permits Congress to overturn decisions of federal agencies. It requires both the House and the Senate to vote, and is subject to a presidential veto, but is not subject to a filibuster and only requires 51 votes to clear the Senate.

A parallel version of the House resolution is already in the Senate, with 40 sponsors.

However, Democratic leaders in the House interjected and requested that Republicans [put off](#) the vote until after a legislative hearing is held on the bill.

Agreeing to that request, the subcommittee sent out a mass email, indicating:

The Energy and Commerce Subcommittee on Communications and Technology will reschedule a vote on a resolution to reverse the Federal Communications Commission’s controversial Internet regulations.

The email added that the time and date of a future vote would be announced later.

Multichannel News reports:

A committee spokesperson confirmed the delay came in response to requests from the minority. The subcommittee held a hearing Feb. 16 with all five FCC Commissioners to give them an opportunity to make a case for why the resolution of disapproval should not be advanced.



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The spokesperson stated:

We did not feel that they gave us sufficient response for either their legal authority or why we shouldn't move forward. But the minority has requested another hearing on these issues, so we welcome the opportunity to shine additional light on the consequences of these regulations for job creators and American innovation.

Since Congress does have a limited window in which it can act on the measure, the spokesperson added that a rescheduled vote will have to be "sooner rather than later."

House Energy & Commerce Committee Chairman Fred Upton (R-Mich.) indicates that the markup would be today, and House Speaker John Boehner (R-Ohio) reports that action on the regulations could take place as early as the end of this month.

The decision to delay the vote does not reflect a change in GOP sentiment toward the FCC regulations. House Speaker Boehner told religious broadcasters on Monday:

The last thing we need, in my view, is the FCC serving as Internet traffic controller, and potentially running roughshod over local broadcasters who have been serving their communities with free content for decades.

He indicated that repealing the net neutrality regulations is a priority: "Our new majority in the House is committed to using every tool at our disposal to fight a government takeover of the Internet."

Boehner's assertions resemble those made by Representative Marsha Blackburn (R-Tenn.) in January, when she declared that repealing the regulations would be "the first opportunity for conservatives to make a stand."

Of the approved regulations, *The New American's* Alex Newman wrote:

The new regulations purport to establish FCC jurisdiction over the Internet by giving it authority to dictate how Internet Service Providers (ISPs) do business and to punish companies that do not comply with the executive branch's decrees. The 'Order,' as the FCC regulations are being dubbed, also claims to follow FCC bureaucrats to get involved in disputes about how Internet firms are managing their networks.

The regulations require "transparency" in ISP pricing and operations, prohibit companies from "blocking" or slowing down lawful content to speed up other content, and forbid "unreasonable discrimination" in network management.

The regulations are already being challenged in a lawsuit, with Verizon Communications and MetroPCS as plaintiffs.

Though the FCC voted on the new regulations on December 21, the rules would not go into effect until mid-summer at the earliest. Swift congressional action could prevent the rules from ever being enforced.

However, [some](#) believe that once the bill reaches the Senate, it will face strong opposition from the Democrats. Senator Al Franken (D-Minn.), for example, insists that control of the Internet belongs with the FCC rather than service providers who allegedly give preferential treatment.

And if somehow the legislation is passed by the Senate, President Obama will likely veto it.

According to Tony Romm of [Politico](#), the Republicans, aware that these efforts may fail, are pursuing



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the legislation in order to “push a narrative” that the Democrats are the party of big government.



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