

Oppose H.J. Res. 37

From: The Committee on Energy and Commerce - Minority Staff
Bill: H.J.Res. 37

April 5, 2011

Dear Colleague,

We urge your opposition to H.J. Res 37, a resolution disapproving the Federal Communications Commission's December 21, 2010, Open Internet Order.

While many of us support the FCC's Open Internet Rules, others among us differ on the provisions. But we are united in opposing the straitjacket H. J. Res 37 imposes, which prevents the House from debating and amending the substantive issues involved.

Under the terms of the Congressional Review Act, resolutions of disapproval are not open to amendment. This means we are forced into an up-or-down vote on H. J. Res. 37. Even an amendment to restore the transparency provisions of the FCC rule, which gives consumers basic information about the speed and cost of their Internet connections, was ruled out of order in Committee.

During Committee markup, we invited the Republicans to work with us to write legislation governing these issues. Previously, our Republican colleagues – as well as several of us – have said that Congress, and not the FCC, should act in this area. To avoid the procedural infirmities of the Congressional Review Act, we urged Chairman Upton to bring before the Committee a regular H.R. bill that overrules the Commission's Order. Such a bill would accomplish the same policy as H.J. Res. 37, but it would not have precluded us from debating and voting on amendments, and having the House benefit from a deliberate legislative process in Committee.

The House should be permitted to debate and offer amendments to legislation that affects Internet policy. But the Republican leadership, in pushing H. J. Res. 37 to the floor, refuses to let this occur. Our economy, jobs, growth and productivity depend in large part on the Internet's vibrancy and freedom. Too much is at stake for a blunt up-or-down vote that affects the future of this critical technological asset.

For these reasons, we urge you to vote against H. J. Res. 37.

Sincerely,

Henry A. Waxman

Gene Green

Tammy Baldwin

John D. Dingell

Diana DeGette

Mike Ross

Edward Markey

Lois Capps

Anthony D. Weiner

Edolphus Towns

Donna M. Christensen

Jim Matheson

Frank Pallone

Michael F. Doyle

G.K. Butterfield

Bobby L. Rush

Jan Schakowsky

John Barrow

Anna G. Eshoo

Charles A. Gonzalez

Doris O. Matsui

Eliot L. Engel

Jay Inslee

