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For Immediate Release

## FCC VOTES TO START PROCEEDING ON REESTABLISHING OPEN INTERNET PROTECTIONS

Proposes to Reestablish FCC's Authority Over Broadband Providers Under Title II

WASHINGTON, October 19, 2023—The Federal Communications Commission today launched a new proceeding on restoring open internet protections for consumers and businesses. The Commission also will seek comment on proposals to ensure broadband services have effective oversight. If the proposals are adopted after the public comment period and review of that record, the FCC would once again be permitted to protect internet openness and competition, protect broadband networks from national security threats, and address public safety needs like internet outages.

The Notice of Proposed Rulemaking adopted today seeks comment on classifying fixed and mobile broadband internet service as an essential "telecommunications" service under Title II of the Communications Act. The proposal also seeks to restore clear, nationwide open internet rules that would prevent Internet Service Providers from blocking legal content, throttling speeds, and creating fast lanes that favor those who can pay for access.

While the FCC has worked on a bipartisan basis in conjunction with national security partners to secure our nation's communications networks, its current national security authority generally does not extend to broadband. Returning broadband to its proper designation as a telecommunications service would empower the FCC to use its Section 214 authority against national security threats to America's broadband networks.

Without Title II authority, no federal agency can effectively monitor or help with broadband outages that threaten jobs, education, health, and safety. While the FCC can address phone service outages following natural disasters and work to ensure the resiliency of those networks before disasters strike, the Commission lacks authority over broadband networks, which can leave communities across the country without recourse when the internet service they need for these critical purposes fails.

Enforcement of open internet protections for internet users was a commitment of the FCC from 2005 to 2018. The Commission also proposes to forbear from 26 provisions of Title II and more than 700 Commission rules, which would, among other things, prohibit the Commission from implementing policies like rate regulation and network unbundling.

Action by the Commission October 19, 2023 by Notice of Proposed Rulemaking (FCC 23-83). Chairwoman Rosenworcel, Commissioners Starks and Gomez approving. Commissioners Carr

and Simington dissenting. Chairwoman Rosenworcel, Commissioners Carr, Starks, Simington, and Gomez issuing separate statements.

WC Docket No. 23-320

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).