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GOVERNOR ANDREW M. CUOMO

**GOVERNOR CUOMO UNVEILS 7TH PROPOSAL OF 2020 STATE OF THE STATE:
ADVANCING THE STRONGEST NET NEUTRALITY PROTECTIONS IN THE UNITED
STATES**

***Governor Will Introduce Legislation to Prevent the Blocking, Throttling and Paid
Prioritization of Online Content***

***Legislation Will Prohibit So-Called "Zero-Rating" Practices, Which Penalize
Consumers for Accessing Content or Applications That Are Not Preferred by
Their Internet Provider***

***Builds Upon Governor's 2018 Executive Order Mandating State Government May
Not Enter into Contracts with Internet Service Providers Unless They Follow Net
Neutrality Principles***

***Builds on Governor Cuomo's Nation-Leading \$500 Million Investment in
Broadband Access Through the New NY Broadband Program***

Governor Andrew M. Cuomo today announced the 7th proposal of his 2020 State of the State Agenda - advancing the strongest statewide net neutrality protections in the United States. As part of this proposal, the Governor will introduce legislation to prevent the blocking, throttling and paid prioritization of online content — practices that undermine a free and open internet. The legislation will also prohibit so-called "zero-rating" practices, which penalize consumers for accessing content or applications that are not preferred by their internet provider. The legislation will also codify into law Governor Cuomo's 2018 Executive Order mandating that state government entities may not enter into contracts with internet service providers unless they follow net neutrality principles. Taken together, these protections exceed the net neutrality standards established by the Federal Communications Commission in 2015, which the Trump administration subsequently repealed in 2017.

"A free and open internet is one of the great equalizers — allowing every person the same access to information and helping protect freedom of speech," **Governor Cuomo said.** "While the federal administration works to undermine this asset, in New York we are advancing the strongest net neutrality proposal in the nation so big corporations can't control what information we access or stymie smaller competitors. These protections will help ensure an open market for ideas and content across platforms and preserve the unimpeded access to online content the public wants and needs."

The proposed legislation will empower the State Department of Public Service to hold mobile and fixed internet providers accountable to these nation-leading consumer protections and ensure transparency in this industry. The bill will require internet service providers to disclose their network management practices to the public. Service providers will also be required to annually certify their compliance with New York's net neutrality rules. The Department of Public Service will be empowered to investigate and fine providers who violate these provisions.

End users of these services would be authorized to hold companies to account through the judicial system as well, as the legislation would allow for a private right of action against any company violating net neutrality provisions.

Since taking office in 2011, Governor Cuomo has continuously reaffirmed the public right to a free and open internet. In 2015, Governor Cuomo established the New NY Broadband Program, a nation-leading \$500 million program recognizing the internet's critical role in innovation and the exchange of ideas. As a result of the historic \$1 billion public/private investment catalyzed by the program, New York leads the nation in rural broadband deployment - addressing over 2.4 million locations in unserved and underserved areas across the state and ensuring that more than 99 percent of New Yorkers will have access to wired broadband.

In immediate response to the Trump Administration's action to repeal net neutrality, the Governor signed an executive order which since January 2018 has directed State agencies to only contract with internet service providers who strictly adhere to net neutrality practices.