

Texas, Rhode Island, Georgia, and elsewhere, which was successfully implemented to rehabilitate low-risk offenders and save taxpayer dollars while reducing the crime rate and helping people reestablish themselves as productive members of society.

This is not true across the board. I am not naive enough to think that people who go to prison—that we will be able to salvage and save every single one who comes out, but I do believe we can do much better if we give people the opportunity, those who have the will and the determination to take advantage of the opportunity to turn their lives around, to deal with their addiction, to deal with their lack of skills and education, and when given the opportunity to do so, decide they want to take advantage of that to turn their lives around.

Helping low-risk offenders prepare to lead productive lives in our communities is a goal we should all share, regardless of where we are on the political spectrum. I applaud our colleagues in the House Judiciary Committee for this important action.

Prison reform itself has never been controversial. Everyone in this Chamber can agree we need to better prepare folks who are about to be released from prison so they don't end up right back where they started and where we can help them lead a life that is law-abiding and productive and does help improve the safety and security of our communities. I look forward to continuing to work with our colleagues in the House and Senate as we move this important legislation forward.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Massachusetts.

NET NEUTRALITY

Mr. MARKEY. Mr. President, to you and all of my colleagues on the floor this afternoon, we are about to have a huge debate in this country. We are taking to the floor as a chorus of Americans across the Nation are going to go to the phones and their devices to support our principle of net neutrality in this country.

We are speaking out because the American people know the internet is the most powerful platform for commerce and communications in the history of the planet. They know the internet is for everyone and was invented with the guiding principle of nondiscrimination. The internet is designed to democratize access to information, to opportunity. They know the health of our economy, our civic life, our educational system, and so many other parts of today's American experience all depend on the internet being free and open to everyone, not just those who can afford Big Telecom's price of admission. They know strong, clear, and enforceable net neutrality rules are the only way to protect the internet as we know it. That is why an overwhelming 86 percent of Americans oppose the Federal Communications Commission's decision last December to repeal net neutrality rules.

Outside of Washington, this isn't a partisan issue at all. In fact, 82 percent of Republicans oppose the net neutrality repeal. In a time when we hear so much about what divides us and how we differ, net neutrality is something nearly all Americans agree on. It should be a bipartisan bright spot. Yet, in December, the Trump administration eliminated the very rules that prevent your internet service provider—Comcast, AT&T, Verizon, Charter, and others—from indiscriminately charging more for internet fast lanes, slowing down websites, blocking websites, and making it harder and maybe even impossible for inventors, entrepreneurs, and small businesses—the lifeblood of the American economy—to connect to the internet.

Why did they do this? The reason is simple. The Trump administration, time and again, sides with the rich and the powerful first and consumers last. From the GOP tax scam to the repeal of the Affordable Care Act, to rolling back fuel economy standards, and to net neutrality, this administration has repeatedly ignored the needs of everyday American families. A free and open internet means an internet free from corporate control and open to anyone who wants to connect, communicate, or innovate.

That is why, today, the 49 Members of the Senate Democratic caucus are officially filing this discharge petition to force a vote on my Congressional Review Act resolution, which will put net neutrality back on the books as the rule of law for the United States. This resolution would fully restore the rules that ensure Americans aren't subject to higher prices, slower internet trafficking, and even blocked websites because the big internet service providers want to pump up their profits.

How does all of this work? First, my CRA resolution will reinstate the rule against blocking. For example, without this protection, AT&T could stop you from visiting your favorite streaming platform, so your only option is their DIRECTV NOW service. Verizon could prohibit you from using Skype, so you have to use their phone service. That is bad for competition and innovation, and it is very bad for consumers.

Second, my CRA—Congressional Review Act—resolution will restore the rule against throttling. Without this protection, broadband companies could slow down any website they want. If activists take to Twitter to share stories about unfair labor practices at an internet service provider, for example, that company could slow down the social media platform to protect its public image and limit the spread of information. Imagine what that could do during a Trump administration that is stifling science, undermining law enforcement, and questioning intelligence. The prospects are Orwellian.

Third, my Congressional Review Act resolution will restore the rule prohibiting paid prioritization. Without this rule, internet providers could charge

large established websites for access to an internet fast lane—meaning those websites would load quicker, while websites that can't afford the internet “E-ZPass” will load at a bumper-to-bumper pace. Small businesses that rely on fast internet service would be dwarfed by corporate competitors who could afford the faster service. This would spell doom for mom-and-pop businesses that are the backbone of our communities.

Finally, my Congressional Review Act will restore the forward-looking general conduct rule. When the FCC eliminated this guideline, it removed protection against future harms, such as arbitrary data caps and other discriminatory behavior by internet service providers. So don't be fooled by the voices that say this is all doom and gloom and that the internet service providers would never let this happen. Mark my words, without net neutrality, these are not alarmist and hypothetical harms—they are very real. In a world without net neutrality, they very well may become the new normal.

This is a historic moment. We are approaching the most important vote for the internet in the history of the Senate. Should the Senate resolution pass, it will be the first time in more than a decade a minority party-sponsored Congressional Review Act resolution will have overturned a majority party administration's rule. We can and should put President Trump on notice. Countless Americans have called and emailed Congress to express support for net neutrality and for my CRA resolution.

All one has to do is look at the internet today—to this “red alert for net neutrality” that is on dozens and dozens and dozens of companies' websites all across our country. These are smaller companies, not the big companies that are all saying the same thing, which is that they need net neutrality, that they need to be protected, that they don't want to have the large companies being able to act in a discriminatory way. Those companies—Reddit, TripAdvisor, Etsy, Vimeo, Tumblr, match.com, and so many others—all speak with one voice. They are saying: Do not allow discriminatory practices to be made legal. Put the old net neutrality rules back on the books. They were working.

Activity in support of net neutrality at the State level has also been remarkable in that Governors in five States have issued executive orders; attorneys general in 23 States have filed lawsuits; 27 State legislatures are working on legislation to protect net neutrality.

We all know that in 2018, access to a free and open internet is not just a privilege, it is a right. I knew that back in 2006, when I introduced the very first net neutrality legislation in the House of Representatives. RON WYDEN knew the very same thing when he introduced the same legislation in the Senate. It is a debate that has been

taking place in our country now for an internet generation, going back 12, 13 years. It is what binds the millennials, teachers, librarians, entrepreneurs, medical professionals, social advocates, generations X, Y, and Z—all of these groups that are up in arms because the future of the internet is at stake.

To my colleagues across the aisle, I encourage them to seize this opportunity and stand with the American people, who overwhelmingly support net neutrality. Again, 86 percent of all Americans—82 percent of all Republicans across the country—support net neutrality.

By passing this resolution, we send a clear message to American families that we support them, not President Trump's special interest agenda. This is the issue of whether we are going to empower ordinary families and ordinary small businesses to be given the protections they need.

The American people are watching closely. They are paying attention to who is fighting for them and who is sitting on the sidelines, to who is listening and who is ignoring the public's demands. This vote is coming, and when it does, it will put a magnifying glass on Congress. It will be crystal clear who is protecting corporate buddies and who is fighting for everyday Americans.

The Senate has a job to do. I urge my colleagues to join this movement and stand on the right side of history. In the 20th century, the rural electrification process connected huge parts of our country to the benefits of electricity. It raised living standards. It expanded educational opportunities. It transformed society. That is what a free and open internet is doing for our country in the 21st century—job creation, small business development, social justice, distance education. Every day, the lives of Americans are transformed for the better because they can access this diverse, dynamic, democratic platform where history is made every single day.

Again, I urge my colleagues to vote yes on this Congressional Review Act resolution to restore net neutrality.

I will now file this discharge petition with the clerk of the Senate so we can begin the process of having this historic debate on the floor of the U.S. Senate.

I thank all of my colleagues who are going to participate in this discussion this afternoon. It begins at least 1 week of full discussion on the Senate floor and in our country on this critical issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I love history, and we have been here before. We were in exactly this place in 1886. Let me read you a quote from Senator Thomas W. Palmer of Michigan on this floor in 1886. I am going to try to channel my 19th century Senator voice:

Among the servants of our civilization none have approached in efficiency the rail-

way. It has annihilated distance; it has not only made the wilderness blossom as the rose, but also has enabled the rose to be readily exchanged for the products of cities. . . . These are the modern highways for commerce, and should differ only in extent and facilities from their predecessors back to the days of the Roman roads.

The point is, in the 1800s, the railroads were in a position, because of their unique nature as the highways of the time, to strangle competition and hold small businesses hostage. The situation today with the internet is almost identical, and the Senate is now going to grapple with a rapidly growing but mature industry that is central to economic opportunity in our country. Unfortunately, in both the cases of the railroads and today, the internet, often, there are players who have the means and incentives to engage in discriminatory pricing or prioritization due to the frequent existence of last-mile monopolies. It is the exact same situation.

My favorite quote from Mark Twain is that "history doesn't always repeat itself, but it usually rhymes." In this case, it is repeating itself.

Back in 1886, here is what the Select Committee on Interstate Commerce said about the causes of complaint against the railroad system.

No. 1, "that . . . rates are unreasonably high at noncompeting points."

That means small towns—rural America—at noncompeting points, which is the same as what is happening with the internet. We see today, particularly in rural areas, that there is only one provider of the truly high-speed broadband that is needed to run an online business and its expenses.

Here is point No. 2 from 1886: "The effect of the prevailing policy of railroad management"—you can put in internet management—"is, by an elaborate system of secret special rates, rebates, drawbacks, and concessions, to foster monopoly, to enrich favored shippers, and to prevent free competition in many lines of trade in which the item of transportation is an important factor."

This is exactly what we are worried about with the internet. It could come roaring back if we don't reimpose net neutrality rules. It is not hard to imagine that if paid prioritization is allowed, which would have a customer on the pipes of the internet be able to get a faster speed, it will cement the dominance of Facebook and Amazon, which are great companies, but it will stifle the development of smaller competitors who can't afford the access fees.

One of the great things about the internet is its low barriers to entry. If, indeed, the major internet providers are able to impose barriers to entry, it will, by definition, stifle small businesses across the country. That has been the glory of the internet; the enabling of the development of small businesses throughout the length and breadth of this country.

Here is another one from 1886: "Railroad corporations have improperly en-

gaged in lines of business entirely distinct from that of transportation, and that undue advantages have been afforded to business enterprises in which railroad officials were interested."

In other words, the railroads were getting into other lines of business which they could then favor on the railroads. That is exactly what we are worried about now. Large telecommunications companies are becoming vertically integrated with content companies. There is a clear potential for conflicts of interest. Net neutrality rules are so important for preventing any attempts of existing incumbent carriers to favor the delivery of their own content and degrade the delivery of competitors' content. This is exactly the kind of thing we are worried about.

Right now, anyone with a broadband connection has equal access. General Motors or Amazon or Exxon or Facebook has the same access to the internet as somebody who is starting a new company in his garage, and that is why the internet has been such a dynamic job creator across the country. Yet, in December of 2017, the Federal Communications Commission repealed the idea of net neutrality and basically said to the large providers: It is open season. You can do it. Do whatever you want. They have unenforceable rules, and small businesses and startups will undoubtedly, ultimately, be the losers. This is just the reality.

Quite often, we have issues around here that are in shades of gray, that we have to think about, and that can be argued on both sides. Reasonable people can differ. In this case, the people who repealed net neutrality are all wrong. There is no good argument for repealing rules that simply keep the pipes open for everyone just as the Interstate Commerce Commission in the 1880s was designed to keep the railroads open for everyone.

This is a little complicated because it is the repealing of a repeal. What we are talking about is a CRA that would repeal the repeal by the FCC of net neutrality rules. It is the ultimate small business bill. It will allow small businesses to compete without limitations, and small online companies and low-income consumers will not be left in the slow lane. Innovation will continue to blossom, and opportunity will have equal access to this incredibly important economic engine.

It is important to understand that what this bill does, in my view—or what net neutrality does—is not government regulation, which is what you hear: "This is government regulation." Somebody is going to have the control of the pipes. The question is, Should it be the people who own the pipes so they can do whatever they want and discriminate against small businesses or other carriers and favor their own content or should the government simply be the referee that says, "No. This is going to be equal"? I think net neutrality is deregulatory in the sense

that all it does is protect the neutrality and the openness of the internet to competitors across the country.

I had a roundtable in Maine, on Friday, to which I invited small businesses and ISPs, internet service providers. The opinion—the response—was unanimous in that this is absolutely crucial to the survival and the vitality of these businesses. We have a small company in Maine called Certify. It has 150 employees. It is a web-based solution for people who keep track of their receipts for business travel. It is a nationwide business. It has 10,000 clients across the country, but it is all about having equal access to the internet. It has 2 million users around the globe, and it is based in Portland, ME. That is the power of the internet. We don't want that business to be choked off by a large competitor who can pay preferential rates and make my companies in Maine pay higher rates and therefore unable to compete.

A little company called Big Room Studios and Yarn Corporation are two software development virtual reality companies based in Maine. They are dependent on continued access to an open internet. Their founder got in touch with me. He firmly believes that without net neutrality rules, there is a real risk that startup companies like his will face barriers to entry that will keep them from reaching their full potential.

Another great example is Dream Local Digital, a company in Rockland, ME, where the employees and customers are all over the place. It is based in a wonderful town in Maine, on the coast, Rockland. They have customers in 65 cities. It is a digital marketing company serving customers throughout the country, primarily small businesses, all connected through the internet. Led by a visionary named Shannon Kinney, their core existence and business model rely on the open internet enabling a significant number of employees to work from home in 9 different communities in Maine and 10 other States. They have to have open access to the internet.

This isn't a debate about ISPs and consumers. The smaller ISPs that were at my roundtable and that I have heard from around the country feel that an open internet is as important to them as it is to their customers. They support net neutrality.

OTELCO, a rural broadband company, provides voice over internet protocol, or VoIP, services, and they are worried that larger competitors can demand paid prioritization fees in order to maintain service quality, and that would be the end of their business.

This is an incredible moment in the Senate, and I don't think this is a political issue. I think this is a small business issue. This is a public issue. The crucial point is, who is going to control the future of the internet? Is it going to be the owners of the large pipes, or is it going to be the public? Can the internet maintain the quality

of service, the openness of service, the fairness of service that has been a part of it, that has allowed it to grow so fast and become so important in our economy?

Again, the idea of net neutrality is really simple. It is that everybody has a fair chance at a fair speed at a fair price and that the owners of the pipes can't discriminate between certain businesses and those that can pay more and those that are bigger or those that are affiliated with the owners of the pipes. It is all about the small businesses of this country.

This is a real opportunity for us to do something important for the small businesses of America, and I believe this resolution is one that will restore us to a place where small businesses will be able to compete and blossom and prosper in the future of this country.

I urge support of the CRA that I understand will come to a vote in about a week. I believe this is absolutely essential to the development of the internet-based economy, in rural areas particularly. To go back to 1886, this body stepped up at that time, controlled the dangerous monopolies of the railroads, established the principle of non-discrimination and common carry, and that is all we are talking about today.

Mark Twain was right: History doesn't always repeat itself, but it usually rhymes.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent at this point to speak for up to 5 minutes and to let my colleague from the Pacific Northwest, Senator CANTWELL, follow me immediately thereafter.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Thank you, Mr. President.

Colleagues, this is the only resolution that provides a golden ticket to maintaining a free and open internet.

By way of a free and open internet—and I know a lot of folks are following this debate. I see folks in the Gallery. What a free and open internet is all about is, after you pay your internet access fee, you get to go where you want, when you want, and how you want. Everybody gets treated the same. A local florist selling roses out of their shop in Condon, OR, a kid in Roseburg who wants to learn about artificial intelligence, a mom in Pendleton who wants to find out about childcare—all of them get treated the same, and they get treated just like the big guys, the people with the deep pockets.

Now the head of the Federal Communications Commission, a gentleman named Mr. Pai, wants something very different. In effect, he wants to turn that on its head and start cutting deals for the people with the deep pockets. He would kind of like to have something called paid prioritization, which basically means that if you are one of

the fortunate few, you can get faster speeds, more content, and you can get access to the kind of technological treasure trove that I have seen my colleague from the Pacific Northwest, Senator CANTWELL, talk about. He has all kinds of schemes to essentially suggest that he really is helping the consumer when he is really working for the folks at the top.

One of my favorites, colleagues—and my friend from Massachusetts and I have discussed this—is that the head of the FCC from time to time discusses the idea that we would have voluntary net neutrality. It is hard to keep a straight face with this one, the idea that the big cable companies, the big communications monopolies, are going to do this voluntarily. I think that is about as likely as getting my 10-year-old son, William Peter Wyden, to limit the number of desserts he eats. It just isn't going to happen. It is not going to happen. I see some parents on the floor who can identify with that. So what we have to do is pass the Markey resolution and ensure that there is a real position at the Federal Communications Commission that has some teeth.

The fact is, since he came to town, since he came to this position, Mr. Pai has basically tried to water down this whole effort on net neutrality again and again—we don't need title II protection; we don't need any of the basics that have been part of this effort that we have made for well over a decade to ensure that net neutrality has real teeth.

My friend and colleague mentioned that he introduced the first one in the House. I introduced the first one in the Senate. The point is, we have been working on this for well over a decade in both Chambers.

One of the reasons we sought to take this action now is that not only is Mr. Pai moving ahead to offer this ominous, dangerous definition of "net neutrality," but we believe there is going to be a grassroots juggernaut all across the country saying that now is the time to be in touch with your Members of Congress to let them know how strongly you feel about this.

I just attended nine townhall meetings in Oregon. Most of them were in rural areas. Net neutrality for rural communities, folks, is a prerequisite to making sure you are not a sacrifice zone. Without good communications, how do you maintain, for example, rural healthcare?

I am very pleased to be out here with my friends—Senator CANTWELL, who knows so much about this issue; a former Governor, Senator HASSAN, who is very knowledgeable on these issues. Those of us from small States, like Senator HASSAN and me, know that this is really a lifeline. This is how you get access to the big financial markets. This is how you get access to the communication centers. This is how a kid in a small town in New Hampshire or a small town in Oregon gets a fair shake and has fair opportunity to get ahead,

just like a kid who lives in Beverly Hills.

We are going to be back on this floor frequently between now and next week when we will seek to advance the Markey resolution. I will close the way I began, colleagues. There is no path to a free and open internet without the Markey resolution. This is the golden ticket, this is the only ticket, and I hope folks all across the country will see how important this is and weigh in with their Senators in the days ahead.

Mr. President, thanks to my colleague for her courtesy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I join my colleagues, Senators MARKEY, WYDEN, and HASSAN, on the floor to add my name to a resolution to overturn the FCC's decision, which is ill-advised and very wrong as it relates to growing an innovation economy.

The internet is one of our most important national economic drivers. In 2017, our internet economy produced more than \$1 trillion in output and created nearly 200,000 new jobs. In my State, Washington, it has provided a platform for new innovation across many platforms and applications. As a result, 13 percent of our economy is based on innovation and technology. This economic activity supports 250,000 jobs. To say that the FCC's stymieing of the internet is acceptable is fighting words for the State of Washington.

From increasing access to healthcare, such as telemedicine, to making sure we find more affordable healthcare, to reforestation after natural disasters—the internet is providing great tools and solutions for all of these things.

Last week, several companies from my State joined me in expressing opposition to the FCC and calling on Congress to pass this congressional resolution sponsored by my colleague Senator MARKEY and all of the Democrats. These companies know this resolution is important.

Redfin, an internet company based in Seattle, is trying to address new ways of doing real estate business. It is a full-service real estate online tool that has helped save \$400 million in how we process home sales.

Another company, Deja vu Security, spoke about how, if you really want to be great on attacking cyber intrusion, you need to know when it happens, not after the fact or after a 20-minute delay because you are not paying the highest rates.

Seattle-based DroneSeed uses drone technology to help reforest lands after natural disasters.

All of those companies joined me in saying that they wanted to see the FCC's actions overturned and that they wanted this resolution to pass. Why? Because they know this is a big part of our economy.

Tech innovators got to where they are by having an open internet and a

level playing field. This really is about cable versus the internet. It is about big cable companies that want to charge more to consumers and businesses versus startups and individuals who want access to these new applications.

Just three big cable companies control access to the internet for 70 percent of Americans, and over the past decade, the prices that Americans pay these kinds of companies have risen almost twice as fast as inflation. What the FCC is doing is giving cable companies the ability to raise your rates even more. That is what this debate is all about.

I hope our colleagues on the other side of the aisle will at least take a chance and look at this and understand that by giving all of that power to three big cable companies, they are going to charge more for internet access; that charging more or slowing down service for people who won't pay will have an undue impact on consumers and the economy. That is why we are out here fighting, because so much of the internet economy is based on an open internet, so much of a rural economy that is helping us grow jobs in rural parts of the United States or even just our ag economy that depends so much on current internet information as decisions are made. Are our farmers going to be charged more because they aren't willing to pay the cable rate that you wanted?

I join my colleagues in saying let's pass this congressional resolution that basically says there has to be a free and open internet. Let's get back to the innovation and the creation of more jobs, not artificially slowing down the internet and giving a big win to cable companies.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I rise today to join my colleagues in support of reinstating net neutrality.

Access to a free and open internet is critical to promoting innovation, supporting entrepreneurs and small businesses, and growing our economy. Americans are accustomed to and want an internet that is consumer-friendly and that ensures equal access to content, no matter their internet service provider. Net neutrality helps ensure that the internet remains free and open by requiring internet service providers to treat all content the same way, providing equal access to applications and content online.

My constituents in New Hampshire are keenly aware of how important net neutrality is to their lives. Thousands of Granite Staters have called my office throughout the last year to voice support and urge Congress to protect it.

Unfortunately, last December the Republican-controlled Federal Communications Commission, led by Chairman Ajit Pai, repealed net neutrality

protections—a harmful decision that has a variety of consequences. By repealing these protections, the FCC has taken away from consumers and small business owners the ability to control their own internet experience and turned that control over to their internet service providers. This directly impacts our small businesses and could threaten the ability of entrepreneurs to get their businesses off the ground.

Without net neutrality, internet service providers will be allowed to force businesses and consumers to pay to play online. While larger more established companies would be able to compete, new small businesses and entrepreneurs might not be able to afford such fees, harming their ability to boost their business and reach more potential customers. This could particularly impact those in rural communities. Last year, several members of the rural and agricultural business community in New England wrote to the FCC to say: "Repealing net neutrality will have a crippling effect on rural economies, further restricting access to the internet for rural businesses at a point in time where we need to expand and speed up this access instead."

This would also impact consumers by giving internet service providers the power to discriminate against certain web pages, apps, and streaming and video services, by slowing them down, blocking them, or favoring certain services while charging consumers more for other services.

Often consumers would have little option for recourse since we are at a time when many Americans only have, at most, one or two options for broadband providers, leaving them stuck with a provider that is using unfair practices.

This could also affect the ability of countless people to organize and civically engage online. An open internet serves as a platform to elevate and empower voices that have been underrepresented in traditional media. We have seen grassroots movements, like the national Women's March, organized largely through online activism on the free and open internet. Efforts like these are critical to our democracy, which is why we need to protect the open internet as a mechanism for civic engagement.

Given how critical net neutrality is to the lives of countless Granite Staters and Americans and to the strength of our economy, we cannot stop fighting to reinstate a free and open internet.

I am proud to join a bipartisan group of colleagues to show our support for net neutrality and to introduce a Congressional Review Act resolution to overturn the FCC's partisan decision. As we head toward considering this measure, we are just one vote away from passing it. So I urge my Republican colleagues to put consumers first, to help small businesses and entrepreneurs innovate and thrive, and to benefit our economy. With just one

more vote, we can move forward with restoring net neutrality and protecting an open internet.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I thank the Senator from New Hampshire for her incredible leadership on this issue. I know she had a huge forum with small businesses up in New Hampshire that reflected the need to ensure that we had an open and free internet.

As we talk about net neutrality, I think many people wonder: What does that mean? What does "net neutrality" mean exactly? Well, the way to think about it is, instead of saying the words "net neutrality," you say the word "nondiscrimination," because that is what we are talking about. We are talking about whether you are an individual or you are a small firm and you are using the internet in order to have your voice heard, in order to start up a business and that you are not discriminated against just because you are a small voice; that you are not discriminated against because you are not some huge corporation; that, in this internet era, you are important and you can't be discriminated against. That is what this debate is all about.

Now, how does that reflect the state of commerce online in America today? Well, for example, last year in the United States—this is an incredible number—half of all venture capital in America went to internet and software startups or internet and software companies in their beginning stages. Think about that. That is half of all venture capital. Who gets that money? Well, they are newer people, newer ideas, and newer job creators—the people who have transformed our country over the last 20 years online. Those are the people who get access to venture capital in a regime where net neutrality is the law of our country.

Now, at the same time, the big broadband companies have been able to invest tens of billions of dollars in the upgrade of their infrastructure. So it is not as though we are talking about the big companies getting it all or the little companies getting it all. They are both doing great under the existing formula, but the tens of thousands of smaller internet-based companies across this country are the ones who are actually creating the jobs. They are the ones that are hiring the new people. They are the ones who need the new real estate—the 1,000 square feet, the 5,000 square feet, up to 25,000 square feet, and up to 1 million square feet, ultimately.

That is where we are, for example, with Wayfair, up in Massachusetts, which is a company from which you purchase furniture online. It started very small, and now it needs hundreds of thousands of square feet of space.

The same thing is true for TripAdvisor, up in Massachusetts. It started very small, and now it needs

hundreds of thousands of square feet of space in order to hire all of their employees. That is what happens when you have an open internet. That is what happens when smaller companies and new companies online can raise the capital they need in order to finance their idea, in order to hire people who will advance this company's agenda across all 320 million people in the United States and, ultimately, for many of them, across the planet. You have to start somewhere, and the only way in which it really works is if net neutrality—if nondiscrimination—is the principle.

So that is what we are going to be debating over the next week here on the Senate floor. It is this fundamental issue of access to capital for the smallest companies and not to allow five companies—the biggest companies—to determine who gets access. The principle of net neutrality—the principle of openness—has worked. We now have a whole vocabulary in our country consisting of the names of companies that no one knew 20 years ago, 10 years ago, 5 years ago. Those are the companies that are rising up and saying they want net neutrality to be protected here today.

In addition to that, we have dozens of other groups, the free press, and others who are all saying that we need it to advance democracy as well. We want the smallest individual to know that their voice can never be stifled, that their voice can never be cut off. That is what this debate is all about. That is why the Members are out here on the floor. We are trying to reflect the 86 percent of Americans who support net neutrality. I know that is why Senator KLOBUCHAR from Minnesota is here.

At this point, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I am honored to be here today to join Senator MARKEY to talk about the importance of strong internet neutrality protections. He also came to Minnesota this past month and was able to meet with a number of our small businesses, including a woman who started a business making children's clothes and who saw growth because of the internet. He met people who never would have had that opportunity if we didn't have net neutrality.

Today we took a major step forward on this issue by forcing the Senate to hold a vote on legislation to save net neutrality. I believe, in the end, we will have the votes to get this done.

It will send an important message that the internet should remain free, open, and equal to all who use it. It will then be considered, we would hope, by the House because our goal is to actually get this done. Why? Because net neutrality is the bedrock of a fair, fast, open, and global internet. It holds internet service providers accountable for providing the internet access consumers expect while protecting innovation and competition.

It is also one reason the internet has become one of the great American success stories, transforming not only how we communicate with family and friends but also the way companies do business, how consumers buy goods, and how we educate our kids.

At its best, it is an equalizing force because it means kids on Tribal lands in Minnesota or kids that are in extreme rural areas are going to be able to access the same classes as people in urban areas.

It means that a small business in Ada, MN, is going to be able to sell their goods on the internet just like one of our big companies in the Twin Cities, like Target or Best Buy. It is an equalizing force.

Earlier this year, the FCC approved Chairman Pai's plan, unfortunately, to eliminate net neutrality protections. Despite the millions of comments from the American people asking the FCC to protect a fair and open internet—not to mention a half million comments from Russian emails—the FCC voted in December to move forward with Chairman Pai's plan to end net neutrality.

Under Chairman Pai's plan, the FCC gives major internet service providers the ability to significantly change consumers' experiences online. Big internet service providers may soon be able to block, slow, and prioritize web traffic for their own financial gain. They could begin sorting online traffic into fast or slow lanes and charging consumers extra for high-speed broadband. Internet service providers could even block content they don't want their subscribers to access because they would prefer other content that might benefit them financially.

The only protections maintained under the proposed order are requirements for service providers to disclose their internet traffic policies. But for consumers with only one choice for internet service, like so many in my rural areas in Minnesota, there is no real opportunity to comparison shop or find a new provider if they are unhappy. So that provision is of little help. This means that even though consumers may be aware that their internet service provider is blocking or slowing their connection, they have no choice because they have no alternative.

According to the FCC, more than 24 million Americans still lack high-speed broadband. We should be focusing our efforts on helping those households get connected, not eliminating net neutrality and worsening the digital divide.

But this isn't just about individual internet users. It will limit competition, and that is why it is also about small businesses. A truly open internet encourages economic growth and provides opportunities for businesses to reach new markets, drive innovation, and create jobs. Small businesses remain engines of job creation, and net neutrality levels the playing field. In one company I toured in Ada—this is a

great example—a woman started this business at her kitchen table. She had such bad internet access in Ada that she has to have her 2-person sales force located in Fargo—and that is a long way away. But if you look at her whole business model, it is about marketing on the internet. She has taken that business from the kitchen table to one that has 20 employees and is shipping her products—that would be chain jewelry—all over the country.

Well, without unrestricted access to the internet, entrepreneurs may be forced to pay for equal footing to compete online. So if it isn't bad enough that she doesn't have access right where her business is and has to have her employees located off campus—way over, actually in another State—now, if you get rid of net neutrality, she will not be able to have an even playing field at all. She will be in the slow lane.

This proposal will hurt the very people creating jobs and keeping our economy competitive. That is why I have joined my colleagues who push for a vote on Senator MARKEY's resolution to repeal Chairman Pai's plan and protect net neutrality rules.

Over the next few days, we need to keep the pressure on because the vote will have a major impact on the future of the internet. This repeal is part of a larger trend of helping large companies push out their competition. The fight to protect net neutrality is far from over, and we need to make our voices heard.

Mr. President, I rise to join many of my colleagues who have come to the floor to speak about our country's third branch of government—our courts—as well as to express my opposition to the nomination of Michael Brennan to the Seventh Circuit Court of Appeals.

As a member of the Judiciary Committee, I am very disappointed that the Senate has decided to abandon the blue-slip tradition for circuit court judges. The blue-slip policy held true throughout the entirety of the previous administration, including when Republicans ran the Senate and when Democrats ran the Senate. This is for good reason. The blue slip is a key check and balance. In my view, it has promoted cooperation, as well as resulted in better decision making for judges across party lines.

Senators have a solemn obligation to advise and consent on the President's nominees to the Federal courts, and I take that obligation very seriously. I know my colleague Senator BALDWIN also takes that responsibility very seriously. That is why she had a bipartisan process in place through which she worked with Senator JOHNSON in an effort to produce consensus nominees.

This nominee did not gain sufficient support from the Wisconsin judicial nominations commission. So it is unfortunate that we are considering his nomination on the Senate floor.

NUCLEAR AGREEMENT WITH IRAN

Mr. President, I also want to take a moment to discuss the Iran agreement and the President's decision. Yesterday, the President announced the United States will unilaterally withdraw from the JCPOA, commonly referred to as the Iran agreement.

In 2015, I supported the Iran agreement—although I may have negotiated differently—but we had the agreement that was before us. I supported it because I believed it was the best available option for putting the brakes on a nuclear weapon for Iran. I still believe that today. We cannot allow Iran to obtain a nuclear weapon. In this critical time, as we head into negotiations on North Korea's nuclear weapons, we cannot be backing away from international agreements and nuclear inspections.

Preventing Iran from obtaining a nuclear weapon is one of the most important objectives of our national security policy. I strongly advocated for, and supported, the economic sanctions that brought Iran to the negotiating table and the subsequent sanctions passed last year to address Iran's destabilizing activities and promotion of terrorism.

Unilateral withdrawal from the agreement has resulted in a splintered international partnership with our European allies that has been critical to preventing Iran from obtaining a nuclear weapon. We should, instead, be negotiating a more comprehensive agreement that includes Iran's nuclear ambitions today and in the future, ballistic missile tests, and destabilizing activities that pose a direct threat to Israel and other allies.

We can conduct those negotiations with our allies as part of a team without withdrawing from the existing agreement.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from New Hampshire.

NET NEUTRALITY

Mrs. SHAHEEN. Mr. President, I am pleased to join my colleagues on the floor to very strongly support the Congressional Review Act resolution to restore net neutrality and maintain a free and open internet. I applaud Senator ED MARKEY for his leadership in introducing this Congressional Review Act resolution.

Restoring net neutrality is especially critical to small businesses and startup companies in New Hampshire and across the United States. Small businesses are the backbone of our Granite State's economy. They represent 99 percent of our employers. The internet continues to provide opportunity for these small businesses because it levels the playing field. It makes it easier to find new customers and grow online, but that level playing field is now in jeopardy because of the Federal Communications Commission's decision to end net neutrality protections.

Last Thursday, I convened a field hearing of the Senate Committee on Small Business and Entrepreneurship

at the University of New Hampshire. I wanted to hear concerns of our small business owners about what the net neutrality rollback would mean to them. In particular, they are concerned that net neutrality will impede their ability to expand and create jobs.

In conversations with small business owners and leaders across my State, they tell me this rollback is a direct threat to their businesses. They say it would be like watching their large competitors take the highway while they are forced to take the slow roads. Without net neutrality, broadband providers could charge more for fast lanes—a cost that many small businesses simply can't afford. This would put them at an even greater competitive disadvantage vis-a-vis large corporations that have the resources to pay for those fast lanes. In the digital age, speed is critical.

Witnesses at our field hearing pointed to research showing that even small delays of a second or less—just think about that, a second or less—can lead to the loss of significant sales. Customers today expect a fast, easy online experience. It is clear, small businesses operating at slim margins would lose out to big firms that can afford the fast lane.

Josh Cyr, who testified at our hearing, is an executive with Alpha Loft. Alpha Loft is a startup incubator that is based in Manchester and Portsmouth, NH. At the field hearing, he had a stark warning. He said:

The repeal of net neutrality protections enables a small handful of very powerful internet providers tremendous control over what is delivered to consumers' homes and the speed with which it is delivered. Without net neutrality, the power and control these internet providers have will allow them to create artificial market barriers.

The repeal of net neutrality would pose even greater challenges for small businesses in rural areas. As Senator KLOBUCHAR said, she has a lot of rural areas in Minnesota. Well, so does New Hampshire. A 2015 survey by the University of New Hampshire showed that nearly 40 percent of New Hampshire residents who were polled said they were using their current provider because it is the only option available to them. Many rural small businesses will have nowhere else to turn if their broadband provider decides to charge more or slow down the connection. Our witnesses noted that net neutrality could heighten the rural urban divide, making it more challenging for small businesses and rural communities to reach customers, attract workers, and stay connected.

One of the other people testifying at the hearing was Nancy Pearson. She is the director of the New Hampshire Center for Women and Enterprise. She testified that net neutrality is a matter of equality. She said:

New Hampshire small businesses and microbusinesses rely on the equalizing force of the internet, and just to put that in perspective, women start businesses at five times the rate of any other entrepreneur—