



ACTION ALERT

Who Will Control Content on the Internet? A “Democratic” World Wide Web

The Internet’s open, neutral architecture has proven to be an enormous engine for market innovation, economic growth, social discourse, and the free flow of ideas. –Vinton G. Cerf, One of the network engineers involved in the creation of the Internet.ⁱ

The United States government began funding research and development for the Internet in the 1960s. Since that time, the Internet has developed to become one of the most widely used mediums for communication across the globe. According to the Pew Internet and American Life Project, on a typical day in 2004, some 70 million American adults logged onto the Internet to use email, get news, access government information, check health and medical information, and conduct research among many other activities.ⁱⁱ In 1995, there were 40 million internet users worldwide. As of the end of 2004, there were some 875 million internet users around the world.ⁱⁱⁱ As the Internet becomes a more integral part of our lives the need for advanced technology to meet the demand grows. Today there is a large debate taking place among Internet service providers (companies that provide service that allows access to the Internet), Internet content providers (companies that supply the Internet with information) and Congress over how to go about expanding technology to meet the growing demand by still keeping the independent nature of the Internet.

“The Internet evolved as an experimental system during the 1970s and 1980s.”^{iv} The earliest efforts to create computer networking began in the late 1960s with research sponsored by the Information Processing Techniques Office of the Department of Defense Advanced Research Projects Agency, also known as DARPA. Another major effort by DARPA took place in the 1970s when research began at Stanford University to find a way to connect computers by forming a network where computers could communicate with one another. As the technology was being created, the National Science Foundation (NSF) began an effort to interconnect the nation’s computer science departments. This developed into a dial-up ‘Phone-mail’ capability for electronic mail exchange among computers and pioneered the use of certain protocols that enabled computers to be networked together. The NSF formed the Supercomputer Centers program to link more universities to one another. As the demand grew the need for more bandwidth [Bandwidth refers to how fast data flows through the path that it travels to your computer; it’s usually measured in kilobits, megabits or gigabits per second.] to be able to network the computers also grew. The government enacted legislation to promote technological advancements to provide the needed bandwidth. “By the mid-1980s there was sufficient interest in the use of Internet in the research, education, and defense communities that it was possible to establish business making equipment for Internet implementation.”^{vi} “The name ‘Internet’ refers to the global seamless interconnection of networks made possible by the protocols devised in the 1970s through DARPA-sponsored research—the Internet protocols, still in use today.”^{vii}

In 1996 Congress amended the Communications Act of 1934 and passed the Telecommunications Act of 1996 which “provide[d] for a pro-competitive, de-regulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services to all Americans by opening all telecommunications markets to competition, and for other purposes.”^{viii} This was the first overhaul of telecommunications in the U.S. in over 60 years. The Act lifted national ownership limits for radio and opened public airwaves for private ownership. The Act also “ensure[d] fundamental protections for the Internet as a non-discriminatory arena. At the time the Internet was emerging as a platform for commerce, information sharing and democratic discourse. Congress decided to give the Internet a very light regulatory touch—the law would simply guarantee equal treatment for everyone on the Internet.”^{ix} Ten years later Congress is revisiting the Telecommunications Act of 1996 and updating the Act to meet today’s communications needs. On June 28, 2006 the U.S. Senate Committee on Commerce, Science and Transportation passed a reform bill entitled the Advanced Telecommunications and Opportunity Reform Act (H.R. 5252) which addresses a variety of communications issues. The bill now will proceed to the full Senate for a vote.

The issue of net neutrality has become a major focus of the reform bill. As the demand for faster internet connections that can



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exchange larger amounts of information including uninterrupted streams of data, video and voice service increases, service providers, which include cable and telephone companies such as AT&T, Verizon and Comcast, are faced with the need to expand their technology to meet the demands. One way service providers are planning to get the funds needed to expand their technology is by charging content providers, such as Google, Amazon, eBay and Yahoo, fees to have their services delivered faster. This is where the debate has ensued. Groups opposed to this idea are fearful that the “democratic nature of the Internet” would be lost and service providers would discriminate by not treating all content equally.^x These groups advocate that the Internet must remain neutral and would like Congress to include language in the reform bill that would guarantee the neutrality of the Internet. There is no clear set definition of net neutrality but it is widely known as “the move to place restrictions on the owners of the networks [service providers] that compose and provide access to the Internet, to ensure equal access and non-discriminatory treatment.”^{xi}

In August 2005 the Federal Communications Commission (FCC), the U.S. government agency charged with regulating interstate and international regulations by radio, television, wire, satellite and cable, adopted a policy statement “to ensure that providers of telecommunications for Internet access services are operated in a neutral manner...[and] to ensure that broadband networks are widely deployed, open, affordable, and accessible to all consumers.”^{xii} The statement included four principles which are; 1) *consumers are entitled to access the lawful Internet content of their choice*; 2) *consumers are entitled to run applications and use services of their choice, subject to the needs of law enforcement*; 3) *consumers are entitled to connect their choice of legal devices that do not harm the network*; and 4) *consumers are entitled to competition among network providers, application and service providers, and content providers.*^{xiii} Proponents of net neutrality, such as the campaign Save the Internet, a coalition of non-profits, consumer groups, educators, small businesses and other internet related entities, would like to make these principles permanent by having Congress include regulations for net neutrality as part of the reform bill. Opponents such as the organization Hands Off the Internet, which is made up of members from the telecommunications industry and associations, believe that the FCC principles are a good foundation and federal “overregulation would...create uncertainty and confusion in the marketplace, stifling innovation.”

In his testimony before the Senate Committee on Commerce, Science and Transportation, Gary R. Bachula, Vice President of Internet2, a non-profit partnership of 208 universities, 70 companies and 51 affiliated organizations, stated “the original Internet grew so fast, and spurred so many new uses, in part because of the way it was designed. It was designed to have agnostic, neutral ‘core’ whose job was to pass packets [information] back and forth—and not to discriminate or examine the packets themselves.”^{xiv} Proponents of net neutrality legislation believe that service providers will discriminate against content providers by providing slower service for some content sites or blocking sites that offer competing services and information, creating a two-tiered system. Companies still have to pay fees to have their content on the Internet but they currently do not have to pay extra fees for faster delivery of their content. All content is sent through the Internet at the same speed. The only difference is that consumers have the choice of a service that provides higher speeds to get the content to their computers. All content is delivered at the speed the consumer chooses for their computer. Advocates of net neutrality also argue that political groups and nonprofits would be left out and lose support because they would not be able to afford the high fees to get their information to the public at higher speeds. “Such corporate control of the Web would reduce your choices and stifle the spread of innovative and independent ideas that we’ve come to expect online. It would throw the digital revolution in reverse.”^{xv}

Those opposing the need for regulation on net neutrality argue that keeping the Internet free of regulation has “helped to spur tremendous investment and competition in broadband networks and services.”^{xvi} They believe that the government’s role is not to regulate the Internet unless for illegal actions. They advocate that service providers would not discriminate content because that would hurt their business by causing them to lose consumers. “The cable and phone companies say that if they charge extra for delivering some of the Internet’s content, they can use that money to upgrade their lines and won’t have to pass on the cost to consumers.”^{xvii}



As the Internet takes on a larger role in our world, access and control of content will become more contentious issues. To learn more about both sides of the net neutrality debate visit the website for Save the Internet at www.savetheinternet.com and Hands Off the Internet at www.handsoff.com. To learn more about the Advanced Telecommunications and Opportunity Reform Act (H.R. 5252), contact your Senators or call the Senate Committee on Commerce, Science and Transportation at (202) 224-5115 or visit their website at <http://commerce.senate.gov/public/>.

Write to your Senators before they vote on the Advanced Telecommunications and Opportunity Reform Act (H.R. 5252) and tell them how you feel about net neutrality and the future of the Internet. To find contact information for your Senators visit the Senate website at www.senate.gov or call the switchboard at (202) 224-3121.

Read *The Book of Resolutions 2004* Social Principles ¶162. III. The Social Community, Section R—Information Communication Technology, pp. 54-55.

Resources

ⁱ Cerf, Vinton G. Prepared Statement of Vinton G. Cerf, Vice President and Chief Internet Evangelist, Google Inc. U.S. Senate Committee on Commerce, Science and Transportation Hearing on "Network Neutrality." February 7, 2006.

ⁱⁱ Rainie, Lee and John Horrigan. Reports: Internet Evolution. *A decade of adoption: How the internet has woven itself into American life.* Pew Internet & American Life. 1/25/2005.

ⁱⁱⁱ International Telecommunications Union. *The Internet of Things.* ITU Internet Reports 2005. November 2005.

^{iv} Kahn, Robert E. and Vinton G. Cerf. *What is the Internet (And What Makes It Work).* December 1999.

^v <http://largebande.ge.ca/pub/technologies/bbdictionary.html>

^{vi} Cerf, Vinton G. *Computer Networking: Global Infrastructure for the 21st Century.* <http://www.cs.washington.edu/homes/lazowska/cra/networks.html>

^{vii} Ibid.

^{viii} Library of Congress website. <http://thomas.loc.gov/cgi-bin/bdquery/z?d104:SN00652:@@D&summ2=3&>

^{ix} PBS NOW. *Tangled Web: A Closer Look at Net Neutrality.* 6/2/06. <http://www.pbs.org/now/shows/222/net-neutrality.html>

^x Ibid.

^{xi} Gilroy, Angela A. *Net Neutrality: Background and Issues.* Congressional Research Service Report for Congress. The Library of Congress. May 16, 2006.

^{xii} Federal Communications Commission Policy Statement. Adopted August 5, 2005. Released September 23, 2005. http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-05-151A1.pdf

^{xiii} Ibid.

^{xiv} Bachula, Gary R. Testimony of Gary R. Bachula, Vice President, Internet2, Before the United States Senate Committee on Commerce, Science and Transportation Hearing on Net Neutrality. February 7, 2006.

^{xv} Save the Internet website. <http://www.savetheinternet.com/=threat>

^{xvi} McSarrow, Kyle. Testimony of Kyle McSarrow, President & CEO, National Cable & Telecommunications Association, Senate Committee on Commerce, Science & Transportation Hearing on Net Neutrality. February 7, 2006.

^{xvii} Abate, Tom. Network Neutrality: Speed Bumps on the Information Highway. *San Francisco Chronicle.* June 18, 2006