

Net Neutrality

Why we should be concerned...



The Federal Communications Commission

- The FCC is directed by five commissioners appointed by the U.S. President and confirmed by the U.S. Senate for five-year terms, except when filling an unexpired term. The president designates one of the commissioners to serve as chairperson. Only three commissioners may be members of the same political party. None of them may have a financial interest in any FCC-related business.

Julius Genachowski, Chairman

- **He thinks FCC is granting rights!**
- First, consumers and innovators have a right to know the basic performance characteristics of their Internet access and how their network is being managed.
- Second, consumers and innovators have a right to send and receive lawful traffic
- Third, consumers and innovators have a right to a level playing field.



Michael J. Copps

- **He says it's not enough!**
- I had hoped that we would move full-throttle to restore the kind of policies that had
- worked in the past. I wanted to put those eight years of public policy aberration—some, me
- included, dare call them years of abdication—totally behind us.



Mignon Clyburn

- **She brings race into the issue:**
- I would have extended all of the fixed rules to mobile, so that those consumers who heavily or exclusively rely upon mobile broadband would be fully protected. There is evidence in our record that some communities, namely African American and Hispanic, use and rely upon mobile Internet access much more than other socio-economic groups.
- An open Internet should be available to *all* end users—residential, enterprise, for-profit, or not. This Order goes a long way toward protecting an open Internet for residents, small businesses, schools, libraries, patrons of coffee shops, bookstores, and the like, but I worry that those who may not fit into these categories will have to negotiate for access to the open Internet, and they may be denied such access.



Robert M. McDowell

- **He dissented...**
- 1) Nothing is broken in the Internet access market that needs fixing;
- 2) The FCC does not have the legal authority to issue these rules;
- 3) The proposed rules are likely to cause irreparable harm; and
- 4) Existing law and Internet governance structures provide ample consumer protection in the event a systemic market failure occurs.



Meredith Attwell Baker

- She also disagrees:
- Yet the majority acts, and acts decisively, to adopt Net Neutrality rules, imposing the heavy hand of government into how broadband networks will be managed and operated. The data most certainly does not drive us to this result. In the final analysis, the Commission intervenes to regulate the Internet because it wants to, not because it needs to.
- I cannot support this decision. It is not a consumer-driven or engineering-focused decision. It is not motivated by a tangible competitive harm or market failure. The majority bypasses a market power analysis altogether, and acts on speculative harms alone. The majority is unable to identify a single ongoing practice of a single broadband provider that it finds problematic upon which to base this action.

