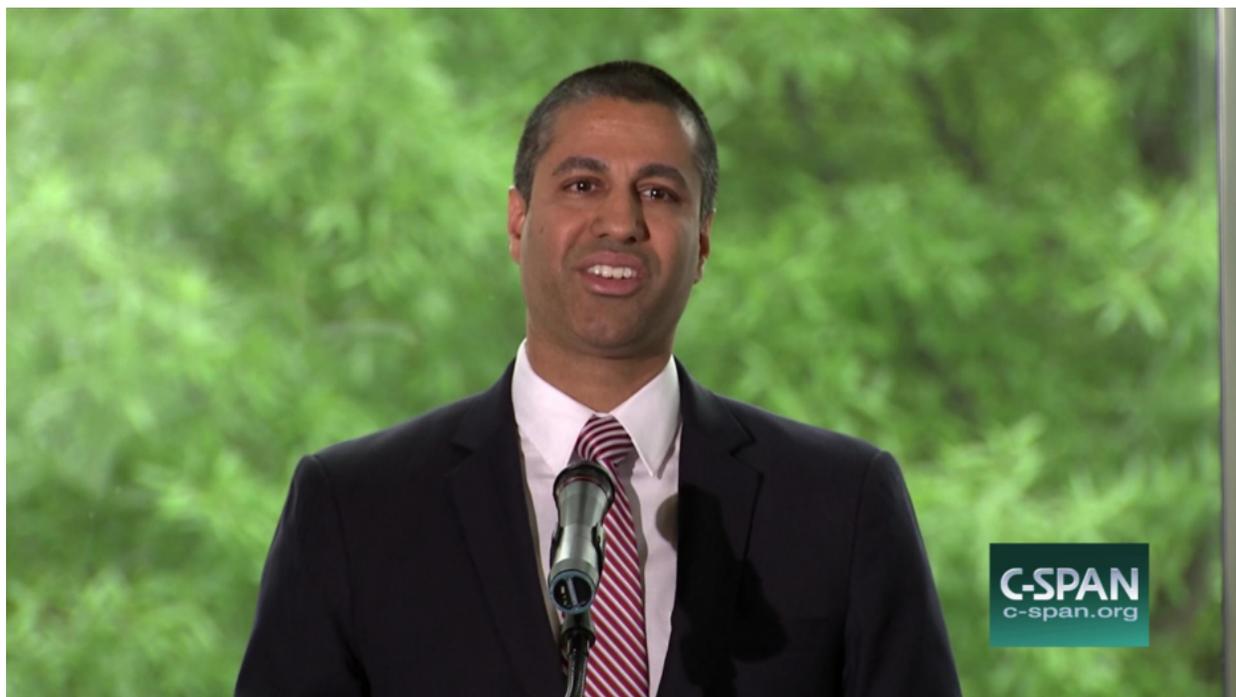


FCC Chair Announces Proposed Net Neutrality Regulation Rollback

Ryan McCauley | April 26, 2017



Federal Communications Commission (FCC) Chairman Ajit Pai announced that the agency would consider reversing several Obama-era regulations aimed at protecting net neutrality and a free and open Internet.

In a speech on April 26 at the Newseum in Washington, D.C., Pai announced the beginning of the formal rulemaking process that would undo the FCC's 2015 decision to regulate the high-speed Internet industry like a public utility, while providing more comprehensive government oversight.

The plan, outlined by the chairman, would specifically undo the FCC action that went into effect on June 12, 2015. The [provisions](#) began to treat Internet service providers (ISPs) under "Title II," or a more strict public authority and were dubbed, "Bright Line Rules."

These rules include:

No Blocking: Broadband providers may not block access to legal content, applications, services or non-harmful devices.

No Throttling: Broadband providers may not impair or degrade lawful Internet traffic on the basis of content, applications, services or non-harmful devices.

No Paid Prioritization: Broadband providers may not favor some lawful Internet traffic over other lawful traffic in exchange for consideration of any kind — in other words, no

"fast lanes." This rule also banned ISPs from prioritizing content and services of their affiliates.

The action was pushed by former FCC Chair Tom Wheeler and endorsed by President Obama.

At the event, hosted by the Small Business and Entrepreneurship Council and FreedomWorks, the libertarian advocacy group with ties to the Tea Party movement, Pai accused the FCC's 2015 actions of being politically motivated. "It was all about politics," he said. "[The rules were created] days after a disappointing 2014 midterm election, and in order to energize a dispirited base."

Pai argued that the regulations were passed because of the myth that ISPs were throttling Internet service. "The truth of the matter is that we decided to abandon successful policies solely because of hypothetical harms and hysterical prophecies of doom. ... We were not living in some digital dystopia before the partisan imposition of a massive plan, hatched in Washington, saved all of us."

However, several ISPs have been caught throttling service. In [2008, the FCC ruled that Comcast's throttling](#) of BitTorrent traffic was unlawful. And in [2014, the agency warned Verizon to abandon a program](#) that would slow data speeds of customers with unlimited data plans after they reached a certain usage level each month. Verizon subsequently discontinued the practice.

Pai also argued that the increased regulatory environment stymied innovation and investment by telecoms. "It's basic economics: The more heavily you regulate something, the less of it you're likely to get," he said. The chairman cited that between 2014 and 2016, domestic broadband capital expenditures from the 12 largest ISPs declined by 5.6 percent. However, according to a [flier \(PDF\)](#) handed out by the open Internet-advocacy group [Free Press](#), expenditures rose 5.3 percent from 2013/14 to 2015/16.

Throughout his speech, Pai argued that the Internet and its providers had flourished due to a light regulatory touch. "Under this framework, America's Internet economy produced the world's most successful online companies: Google, Facebook and Netflix, just to name a few."

Netflix, Facebook and Google have all been strong proponents of a free and open Internet. The Internet Association, whose members include the aforementioned companies, as well as other Internet giants like Twitter, Amazon, Microsoft and many others, [released a statement](#) condemning the proposed changes.

"The existing 2015 Open Internet Order protects consumers from ISPs looking to play gatekeeper or prioritize their own content at the expense of competition online," the letter reads. "Rolling back these rules or reducing the legal sustainability of the Order will result in a worse internet for consumers and less innovation online."

Members of Congress have also come out against the proposal. Democratic members of the House Energy and Commerce Committee livestreamed a press conference opposing the rule change.

Thanks for sticking with us! FCC Commissioner Mignon Clyburn is speaking out against new efforts to gut the net neutrality rules that protect the free and open internet.

Posted by [Energy & Commerce Committee Democrats](#) on Wednesday, April 26, 2017

In a follow-up statement, Congresswoman Doris Matsui said, “The effort announced by Chairman Pai today is nothing but another Republican attempt to create fast lanes and slow lanes on the internet, which will undermine people’s access to information and their ability to participate in the innovation economy.”

Other members of Congress chimed in on Twitter, denouncing the changes:

. [@FCC](#)’s planned rollback of this critical safeguard would threaten an open and free internet and should concern all internet users <https://t.co/V3eSoPKuS4>

— Tammy Duckworth (@SenDuckworth) [April 26, 2017](#)

. [@FCC](#) [@AjitPaiFCC](#) Let me be very clear: getting rid of [#NetNeutrality](#) would destroy the internet as we know it. I plan to fight [@FCC](#) [@AjitPaiFCC](#)'s proposal.

— Sen. Al Franken (@SenFranken) [April 26, 2017](#)

GOP attempt to undo [#NetNeutrality](#) is an assault on our democracy. [#OpenInternet](#) shouldn’t be up for debate! <https://t.co/E4hv1Ua48G>

— Rep. Barbara Lee (@RepBarbaraLee) [April 26, 2017](#)

This is Pai’s second controversial action after [repealing privacy protections](#) that barred ISPs from selling user browsing data. Although it garnered some backlash, it was ultimately passed through the agency and through Congress. Pai is hopeful these regulations will be adopted as well.

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<http://www.govtech.com/policy/FCC-Chair-Announces-Proposed-Net-Neutrality-Regulation-Rollback.html>