



BY RICK NELSON, EDITOR-IN-CHIEF

Keep your hands off my Internet content

The US Congress should promptly pass HR3458—the Internet Freedom Preservation Act of 2009. Despite the whining of the badly misnamed Hands off the Internet organization, passage of the act is necessary to ensure a level playing field for content providers and consumers, no matter how big or how small. Net neutrality is critical to ensuring that consumers, not deep-pocketed content providers in secret deals with service providers, determine what content they want to access.

Net-neutrality opponents—the marketers and financiers concocting schemes to charge a premium for faster content delivery—need to get out of the way and let their engineers deliver the bandwidth necessary to ensure that everyone’s content gets through without discrimination. It shouldn’t take a presidential address to a joint session of Congress to get Congress to tell net-neutrality opponents to “keep your hands off my Internet content.”

As a recent editorial (**Reference 1**) points out, “On the Internet today, a Web site run by a solo blogger can load as quickly as any corporate home page. Internet-service providers, including leading cable and phone companies, want to be able to change that [situation] so they can give priority to businesses that pay, or make deals with, them.” That scenario should not happen. As the editorial notes, without net neutrality, businesses could slow down or block Web content from competitors or content advocating for political or social causes. That issue is not a hypothetical one, the editorial notes.

The arguments of Hands off the Internet are disingenuous at best. The organization cites the development of high-speed Internet-access systems in-

cluding cable wire, DSL (digital-subscriber line), and wireless, saying the developments resulted from “competition in its purest form.” OK, but so what? They should apply that developmental expertise to building sufficient bandwidth that they need not ration it. And HR3458 makes absolutely no mention of transmission media, so what’s the point of the example?

What does the bill say, specifically? In a nutshell, providers may not discriminate against anyone’s ability to transmit or receive content, may not impose any charge beyond user end charges, may not prevent a user from attaching any device to the network as long as the device does not harm the network, must offer Internet access to any person, and may not prioritize one provider’s traffic over another’s.

One issue that net-neutrality opponents harp on is telemedicine. Here is what the bill says: “Reasonable Network Management—Nothing ... shall be construed to prohibit an Internet-access provider from engaging in reasonable network management consistent with the policies and duties of nondiscrimination and openness set forth in this Act ... a net-

work-management practice is a reasonable practice only if it furthers a critically important interest, is narrowly tailored to further that interest, and is the means of furthering that interest that is the least restrictive, least discriminatory, and least constricting of consumer choice available.” Does anyone reasonable think that telemedicine—at least for those who have the health insurance that might actually pay for it—isn’t a “critically important interest”?

What’s most appalling about net neutrality’s opponents is their “can’t-do” attitude. They can’t possibly provide all the bandwidth consumers want, so they’ll have to limit traffic—except that of their “friends.” In fact, In-Stat (www.instat.com) recently reported that in the US download speeds are improving and consumers are generally satisfied with the speed of their current broadband connections.

What’s happening here is that the marketers, financiers, and lawyers within the companies that oppose net neutrality want to do for the Internet what “financial engineers” did for the economy. It’s time for Congress to pass HR3458 and tell opponents to “keep your hands off consumers’ Internet-content preferences.” Then, let real engineers step up and deliver the necessary bandwidth.

Visit my blog at <http://bit.ly/sGJ6r> to comment and to find links to source material.**EDN**

REFERENCE

1 “Access and the Internet,” *The New York Times*, Aug 29, 2009, www.nytimes.com/2009/08/29/opinion/29sat3.html.

Contact me at melson@reedbusiness.com.

