

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of  
Restoring Internet Freedom

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WC Docket No. 17-108

**COMMENTS OF THE NATIONAL NEWSPAPER PUBLISHERS ASSOCIATION**

As representatives of diverse publishers serving America’s African-American communities, we have a strong stake in a healthy and open internet in which all voices have a right to be heard. We also recognize that a strong and open internet only benefits those who have access to it, which argues against broadband policies that stand in the way of efforts to close the digital divide that has left too many minority and low-income families lacking access to broadband. For this reason, we support this rulemaking and Chairman Pai’s goal of replacing the flawed utility approach to net neutrality with more evenhanded and effective rules.

The current “Title II” utility regulation approach to net neutrality has a number of harmful effects. It drives down investment and construction of new networks, making it harder to close the digital divide and ensure that *all* Americans are connected to the internet.

Studies completed since the Title II regime was put in place already report that new investment is below what would have been expected without these complex and burdensome regulations – most of which have nothing to do with internet openness. One found even the threat of Title II resulted in [\\$150-\\$200 billion less investment](#) than would otherwise have occurred. Another compared Title II to similar rules in Europe and predicts broadband investment will fall [\\$44 billion a year](#) if something isn’t done.

The modern newspaper business depends on widespread and affordable access to high speed broadband, and that requires continued investment in networks and connectivity. And everyone knows that if these flawed rules produce a shortfall in investment, it is diverse and low income communities that will be hit the hardest. We cannot deliver on the promise of the internet if access is unfairly or unevenly distributed.

And that points to an even more fundamental problem with the rules – they grossly distort the internet ecosystem by heavily regulating broadband providers but ignoring the huge “edge company” monopolies that control internet search, social media, and other apps and services.

That is bad for everyone who uses or depends upon the internet. And it’s a particular threat to the newspaper community that has already been so devastated by the giant edge monopolies and their control over our ability to reach consumers.

While Americans celebrate the innovation that has come out of Silicon Valley, we have also learned to watch with a cautious eye as these companies have grown larger and larger and their

rein over cyberspace has grown more and more unchecked. These companies champion the cause of net neutrality, yet in practice they are the most flagrant violators of neutrality and fairness in cyberspace.

Facebook prioritizes news and information in our timelines and determines what internet users see – and what they don't. Google mines our data and profiles everyone who uses the internet, serving up recommendations and search results designed to maximize their profits, not based on any kind of objective standard or relevance. This manipulation of search results in order to disfavor competitors and boost Google's own profits has gotten so bad the EU just fined the tech giant [\\$2.7 billion](#). But that's a drop in the bucket for a company worth \$650 billion.

In the publishing space, the problems are even more severe. Two companies – Google and Facebook – are now claiming virtually [all of the new growth](#) in digital advertising, sucking up the lifeblood of modern journalism and making it almost impossible to launch financially viable new publications.

Even the facts themselves seem subject to prioritization and management by the Silicon Valley giants. Their algorithms shape the news environment and decide which stories get seen and which ones wither on the vine. The finale of Broadway's *Hamilton* asks "Who lives, who dies, who tells your story?" More and more, the real answer is Google and Facebook.

[Half of the jobs](#) in the newspaper business have disappeared in the last fifteen years, amid a frenzy of news "scraping" where big services like Google simply take the content from our papers and display it on their own page, stealing our clicks and the ad revenues they drive. Statehouse coverage and local community papers are drying up, moving to big city "hubs" just as local airports did a decade ago.

Title II props up this broken system by favoring the mighty and shackling potential new competitors. It's the opposite of the policy we need – rules that level the playing field and ensure all Americans have equal access and opportunity online.

Net neutrality is vital, and if the Commission faces obstacles implementing stable, evenhanded open internet rules, Congress should step in and pass a permanent law to keep the internet open, encourage new investment and deployment to close the digital divide, and ensure that no company or industry is given special treatment or propped up.