“Net Neutrality” has been a constant theme in recent news cycles and in the spirit of free speech and market oversight, I believe that net neutrality regulations are required and that the Federal Communications Commission (FCC) has to enforce these rules, not roll them back.

Net neutrality, simply stated, is the concept that internet service providers treat everyone’s data equally [1]. It is the principle that keeps the internet open: providers should not block or throttle speeds for certain websites or applications [1]. In 2015, the FCC classified internet providers as “common carriers” under Title II of the Communications Act of 1934.

*Arguments Against Net Neutrality:*

The main arguments internet providers provide in opposition to net neutrality include claiming that it will stifle innovation, reduce infrastructure investment and also that before 2015, a free and open internet did exist and was flourishing [1].

Ajit Pai, the FCC Chairman, has said that Title II regulation would (a) reduce investment in broadband infrastructure (b) result in lesser people having access to high-speed internet (c) result in less jobs (d) reduce competition for consumers and (e) reduce online privacy protection as the classification as common carriers means, by law, the FCC cannot regulate their data security practices [2].

*Counter-Arguments in Favor of Net Neutrality*:

The FCC should note that the lack of common carriage rules can lead to situations where carriers who are also content owners or distributors may have a vested interest in reducing the attractiveness of free services via their own service offerings [3]. Examples of this exist, even from prior to 2015, as illustrated in the lawsuit filed against Verizon, AT&T and T-Mobile for blocking Google Wallet due to it competing against their mobile payment application. [4]

Additionally, we can see that since the 2015 Open Internet Order, broadband investment only went down roughly 2 % to 3 %, and some of these can be accounted for from reasons like new cost-saving technologies etc. [5]. Concentrating on pure investment numbers also ignores the broad effects of the regulations themselves. As Tom Wheeler, a former chairman of the FCC said, there has to be a trade-off between Title II and Investments “to balance the goals of openness with the needs of network operators to receive a return on their investment.” [6]

Reasons for which I personally support strong net neutrality and Title II oversight of internet service providers include:

1. *Maintain Competitiveness* *and Encourage New Competitors* –

In terms of content providers, smaller companies should be allowed to challenge the existing corporations which currently have a stranglehold on the market resulting in oligopoly situations across the country.

Similarly in terms of internet applications, new small firms should not be unfairly prevented from competing with established firms who may pay content providers to give them an advantage in terms of speed of access.

The one element of civil liberty present in common carrier law, present in section 202, is the rules against discrimination, in terms of providing access, by a monopolistic network [7]. This thus resonates with net neutrality [8].

Universal broadband also should not be used by network providers as a bargaining chip: *Give us more deregulation and we will increase our network coverage*.

1. *Regulate Discriminatory Practices* – Practices that increase profits but harm consumers, should be controlled by regulation [9]. Allowing carriers to self-regulate will lead to them putting financial goals over social responsibilities. A few dominant firms should not be in a position to control the flow of information unregulated.
2. *Protect Free Speech* – While it can be argued, due to the state action doctrine [10], that net neutrality may not be a First Amendment issue, allowing powerful network operators the option to control free speech should be avoided to preserve our democratic rights.
3. *Maintain Transparency over Network Management* – Providers should not unfairly throttle or block competitor’s traffic. As Pasquale states, I believe a provider or carrier should manage congested traffic on the basis of usage, not applications [3].

The internet is an absolutely essential portion of our lives and protecting it is of paramount importance. I firmly believe that net neutrality is currently the best path to achieve this goal.

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