

How FCC Regulation Would Change the Internet

FCC's Claims Proposed Regulations Would Just "Preserve" Internet Status Quo Are Not True

The FCC's proposed net neutrality regs are a big change in FCC Internet policy; they would:

- *Replace* FCC's *voluntary* net neutrality guidelines with *mandated* net neutrality regulations;
- *Selectively apply* net neutrality to *only* broadband and not applications/content like before;
- *Add* two completely *new* net neutrality principles not found in law or congressional policy;
 - Mandate the *strictest* non-discrimination requirement in the last 75 years;
 - Mandate disclosure of proprietary network management techniques for the *first time*;
- *Expand* application of net neutrality to wireless and satellite for the *first time*;
- *Expand* the access to content entitlement by *adding* entitlement to send/distribute content;
- *Redefine* entitlement to competition to *favor resale over* facilities-based competition;
- *Subject* broadband to *new* approval process for managed services/new business models; and
- *Subordinate* private standard-setting bodies to *new* FCC omni-technical oversight/approval.

The FCC's proposed Internet policy changes, unauthorized by Congress, would effectively:

- *Ignore* a decade of overwhelming bipartisan consensus to not tax or regulate the Internet;
- *Declare* ISPs a bigger free speech threat than Government, despite the First Amendment;
- *Abandon* existing Congressional Internet policy, which is "to preserve the... competitive free-market... Internet... unfettered by Federal or State regulation;"
- *Undermine* the purpose of the 1996 Telecommunications Act: "to promote competition and reduce regulation" by promoting regulation that would reduce facilities competition;
- *Redefine* notion of an "open" market to mean government-driven not competition-driven;
- *Replace* technology-neutral policy with industrial policy favoring Google, eBay, Amazon;
- *Implement* the introduced, but never-passed, Markey-Eshoo bill (HR 3458); and
- *Subordinate* consensus universal broadband policy to controversial net neutrality policy.

The FCC's proposed Internet regulations would likely change the Internet by:

- *Transforming* it from user-driven/centric/governed to more FCC-driven/centric/governed;
- *Morphing* the current privately-run Internet into a government-run Internet;
- *Revolutionize* the current *voluntary* bottom-up Internet into a *coerced* top-down Internet;
- *Introducing* new business, investment, operational Internet uncertainty where little existed;
- *Supplanting* the Internet's inherent efficiency with the Government's inherent inefficiency;
- *Setting* a new international example of government Net interference rather than restraint;
- *Barring* broadband companies from entering and competing in cloud computing business;
- *Forcing* one-way convergence, apps converge into conduit, no conduit converge into apps;
- *Discouraging* investment by everyone to favor investment by Google, eBay, Amazon.