

Saving the Internet

Open medium threatened

By Rep. Rick Boucher (D-Va.)

The communications landscape has undergone a dramatic transformation since Congress enacted the 1996 Telecommunications Act.

The ways people work and play today are fundamentally different, in significant part due to the growth and development of the Internet and ways to access it. As we welcome these changes, a new regulatory framework is now needed to assure that the Internet makes a continued contribution to our economy and quality of life.

A critical aspect of that framework is the need for a strong network-neutrality provision. The Internet developed as an open medium where consumers could access any lawful content, applications and services, using their choice of devices connected to the network. However, new business plans of last-mile broadband providers threaten the seamless functionality that has characterized the Internet to date.

Recently, executives at some telephone companies have indicated that their business models for providing broadband service include not only charging their end-user cus-

tomers for an Internet connection but also assessing a fee on websites for users to reach them more quickly. They claim that to offer advanced content such as multiple video-programming channels in competition with cable they need to prioritize their bits to deliver quality programs. They then propose that they will give the same priority access to other companies that pay them for it.

Essentially, what these executives are proposing is the creation of a two-lane Internet where larger, more established websites with financial resources could squeeze out smaller, emerging websites. One clear victim will be the innovation that has thrived on the open Internet. Startups simply could not afford to pay for fast-lane treatment nationwide. One must ask where the next Google or Yahoo! will come from if new innovative companies can receive only inferior, slow-lane Internet access.

Internet2, a nonprofit partnership of universities, companies and affiliate organizations, including federal agencies and laboratories, has been studying this matter and has demon-

strated that a multitrack Internet model is unnecessary to assure quality of service. Internet2 has for the past seven years deployed an advanced broadband network to more than 5 million users and has learned that in a network with enough bandwidth there is no congestion and no bits need preferential treatment because all of them arrive quickly enough to assure excellent quality, even if intermingled.

In countries such as Japan and Korea, network speeds over the last mile of 100 megabits per second (mbps) are common. In the United States, our typical speed is less than 1 mbps. If broadband providers would increase their network speeds to approximate those in other countries, all content would reach consumers with assured quality. No prioritization of bits would be needed.

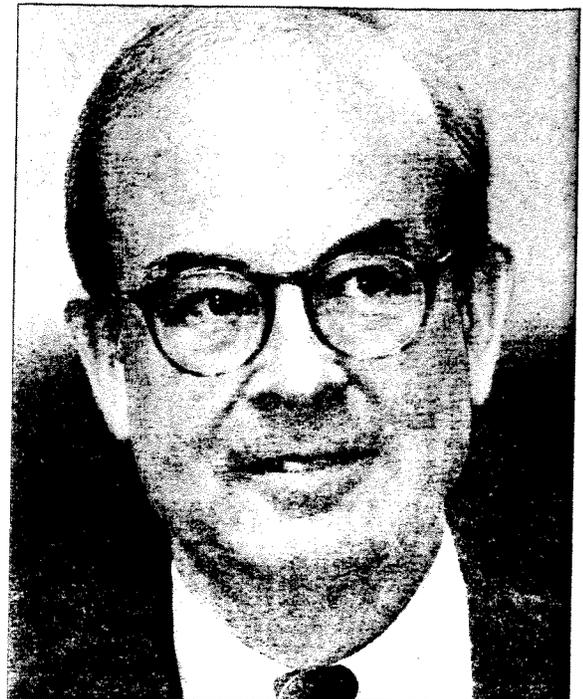
Sufficient network speeds can be attained by building out fiber to the home. Alternatively, Internet2 has explained that providers that rely on a twisted copper wire into the home can provide fiber to the neighborhood and re-provision neighborhood terminals with enough capacity for last-mile connections of 100 mbps. According to Internet2, this approach is more cost-effective than micromanaging the network to prioritize bits.

Not all broadband providers are building out fiber to the home or fiber to the neighborhood with re-provisioned terminals, and until such connections are available everywhere an interim solution is needed. A simple rule would assure that broadband providers do not disadvantage unaffiliated content while also giving them the program quality assurances they need to launch their services. This result is achieved through clear prohibitions on broadband providers: (1) blocking, interfering with or impairing the ability of their customers to access lawful content, applications and services on the Internet or attaching their choice of devices to the network and (2) favoring themselves or their affiliates in the allocation, use or quality of Internet-access service.

A broadband provider could prioritize a category of its own bits, such as video, if it also prioritized all video bits traveling over its pipe at no cost to other service providers so that consumers have a true choice between the broadband provider's video service and competing video services. Broadband providers could take reasonable and nondiscriminatory steps to manage the network for technical efficiency, protect network security and prevent illegal activity.

This simple, straightforward approach would preserve consumer choice and the openness that is the hallmark of the Internet by preventing broadband providers from erecting toll-booths on the network, while assuring that they can offer a robust, reliable and competitive video programming service. These guarantees would facilitate innovative new Internet-based products and services by both broadband providers and providers at the edge of the network without creating a multitrack Internet.

Achieving passage of a law that accomplishes these goals will prove challenging and require time and patience. I look forward to engaging in a dialogue with interested parties and with my colleagues to develop an approach that will ensure that the Internet remains the open and accessible platform that has been the hallmark of its success.



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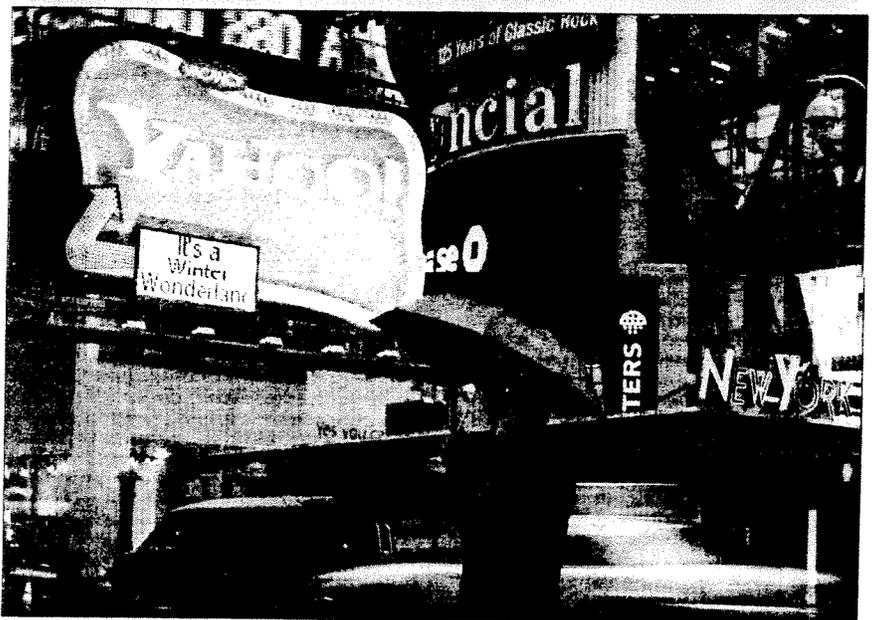
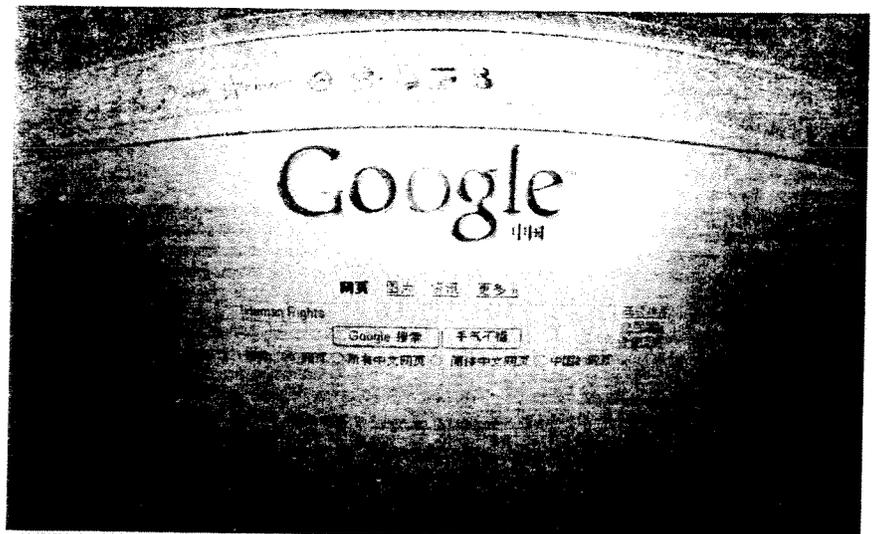
FILE PHOTO

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Innovators like Google and Yahoo! have thrived in an open, free Internet.

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