

PROTECTING NETWORK NEUTRALITY

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Network Neutrality (net neutrality) is the fundamental principle that ensures that all internet traffic is treated equally. As an essential component of an open internet, net neutrality precludes Internet Service Providers (ISPs) from charging different prices based on user, content, site, platform, application, or mode of communication. In turn, net neutrality promotes innovation, competition, and intellectual freedom.

In February 2015, the Federal Communications Commission (FCC) adopted its Open Internet Order to implement and enforce net neutrality, using Title II of the Communications Act of 1934 to reclassify fixed and mobile broadband as a telecommunications service. Under the new Open Internet Order, ISPs are prohibited from blocking or slowing down (“throttling”) web traffic or speeding it up in exchange for money (“paid prioritization”).

On November 22, 2017, the FCC’s new chairman, Ajit Pai, announced a new proposal that would repeal the current rules that bar ISPs from blocking, slowing access to or charging more for certain content. A vote on these changes is scheduled for December 14, 2017.

Equal access to information is a fundamental principle of the Internet. Without net neutrality, law libraries may be unable to afford the imposed fees for preferred access, and thus could not provide equal access to the online legal information their users need. **AALL urges members of Congress to oppose legislative and regulatory actions that would threaten the FCC’s net neutrality rules because:**

- **Net neutrality ensures that everyone – whether a researcher, attorney, self-represented litigant, small business owner, or student – has a consistent and reliable way of accessing information online.** Without net neutrality, the Internet will no longer be a level playing field. Law libraries, whose crucial mission relies on the ability to provide users with equitable access to up-to-date online legal information, may not be able to pay the fees for preferred access.
- **Net neutrality promotes innovation and competition.** Tech companies such as Google, Microsoft, and Apple would have been unable to get off the ground if they were forced to pay a premium for Internet access. The ability for innovative startups to deliver their content and services on a level playing field with incumbents is crucial to business growth and development.
- **Net neutrality protects intellectual freedom, which is critical to democracy.** Law librarians strongly believe in the right of the public to be informed. Net neutrality provides all Internet users with access to lawful content on the web, regardless of ISPs’ opinion of the material. AALL supports nondiscriminatory access to information for all library users.