



Net Neutrality Day of Advocacy – A Reality Check

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On Wednesday, September 27, activist organizations, including Free Press, Public Knowledge and Fight for the Future, plan to descend upon Capitol Hill offices to underscore their disapproval of Federal Communications Commission (FCC) Chairman Ajit Pai's proposed plan to repeal the Obama Administration's 2015 "Open Internet Order" classifying Internet Service Providers (ISPs) as public utilities under Title II of the 1934 Communications Act.

Below is a "Reality Check" of key messaging and themes to expect from these groups as they visit with lawmakers.

MYTH: Elimination of Title II Attacks the Principles of a Free and Open Internet

Reality

- Americans of all political persuasions overwhelmingly support the principle of a free and open internet, also known as "net neutrality."
- ISPs agree with maintaining an open, transparent Internet and have voluntarily agreed to not violate net neutrality's core components, including:
 - No blocking (any effort to restrict online access to certain information or resources)
 - No throttling (any effort to reduce available bandwidth or purposely slow Internet speed)
 - No paid prioritization (provide faster speeds to content providers willing to pay)
 - No threat to online privacy (any effort to sell user data)
- How this principle is enforced is what this current debate is about. Title II granted unprecedented government authority over the free marketplace and has diminished industry investments.(i)
- Chairman Pai's proposal to restore the "light-touch" Internet policy practiced under bipartisan leadership, including former Presidents Bill Clinton and George W. Bush, will spur great investments once again by industry, allow for increased marketplace competition and protect America's role as a global innovation leader.
- Title II classification of the Internet will cost taxpayers in added bureaucratic costs and open the floodgates for massive taxpayer subsidies.

MYTH: More than 22 Million Consumers Favor Protection of Title II Regulations

Reality

- Recent analysis confirms almost 6 million pro-net neutrality comments posted in the FCC docket between July 17 and August 4 were generated from fake email domains attributed to FakeMailGenerator.com. (ii)

- In addition, analysis of comments received between July 3 and the Net Neutrality “Day of Action” on July 12 confirms that 1.3 million submissions came from non-U.S. filers including Russia, Germany and France. (iii)
- The Center for Individual Freedom and Taxpayers Protection Alliance were happy to provide platforms for concerned individuals to submit their own comments to the FCC. As a result, more than 4 million real grassroots comments were submitted to the FCC in support of Chairman Pai’s position.

MYTH: We Need Title II to Protect Consumers from Companies

Reality

- The Federal Trade Commission (FTC), the nation’s expert consumer protection agency, has always – and continues – to protect consumers and the principles of net neutrality. Elimination of Title II doesn’t change that.
- The FTC protects from unfair methods of competition and deceptive acts and practices. It has a good track record too:
 - In 2009, the FTC sued Comcast for violation of “Do Not Call” rules
 - In 2011, the FTC sued Google for compromising privacy
 - In 2014, the FTC sued T-Mobile for “cramming” unauthorized charges onto consumers’ bills
 - In 2015, the FTC sued TracFone for throttling services

Conclusion

The “net neutrality” debate has become a merry-go-round of debate for almost a decade. Every time a new administration comes into power, the way net neutrality regulations are enforced will be amended to appease the political party in power, adding tremendous uncertainty to the market. Implementing true and bipartisan solutions regarding Internet policy, and net neutrality specifically, means passing legislation. The question is why are these so-called consumer activist groups publicly opposed to net neutrality legislation – even as their industry allies including Facebook, Reddit and the Internet Association have gone on the record saying legislation is most likely necessary?

The ultimate question to ask during this “Day of Advocacy” is why are these groups “descending on” Capitol Hill when they are opposed to a legislative fix?

i “Net Neutrality, Reclassification and Investment: A Further Analysis,” [The Phoenix Center](#), 5/16/17.

ii “Another 5.8 Million Fake Net Neutrality Comments Found; 1.5 Million Fakes Put Online for Public Scrutiny,” [National Legal and Policy Center](#), 8/8/17.

iii “Analysis: 1.3 Million More Pro-Net Neutrality FCC Public Comments Came From Russia, Other Foreign Countries,” [National Legal and Policy Center](#), 7/17/17.

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