Press Release

Net Neutrality Refresher

PAULINA ENCK | JANUARY 11, 2022

As Democrats seek to obtain a majority at the Federal Communications Commission (FCC), the debate over the best way to implement net neutrality is reemerging. In a new insight, Director of Technology and Innovation Policy Jeffrey Westling provides a refresher on the history of the debate, and explores the implications of the 2017 Restoring Internet Freedom Order, when the FCC most recently acted on the issue.

Key points:

- *"Net neutrality" is the idea that Internet users should be free to access the content and services of their choosing, and that internet service providers shouldn't unfairly discriminate among content and service providers.*
- *Despite general agreement among relevant stakeholders on the core principles of net neutrality, implementation of these principles has driven stark debate among interested parties, primarily regarding how broadband should be classified.*
- *FCC could return to a Title II (of the 1934 Communications Act) classification under a Democrat-led FCC, but with Title II comes a swath of regulations designed for utility telephony that would be ill-suited for broadband internet.*
- *Congress can step in to resolve the issue, codifying the core principles of network neutrality without the extraneous regulation and uncertainty that come with reclassification of broadband as a Title II service.*

Read the analysis