

# Rep. Markey introduces Net Neutrality Act

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In response to his net neutrality amendment dumped from the House telecom reform bill last week, Rep. Edward Markey, D-Mass., introduced the Network Neutrality Act of 2006.

The act hopes to carve out net neutrality concerns in the spotlight as two House and Senate legislations move on for review probing how best to reform the telecommunications law.

According to Markey, the legislation has three parts: to define net neutrality and the statute of law for violations of it, reasonable exceptions to the general rules, and features an expedited complaint process to deal with grievances and violations within thirty days.

It also states that a broadband network provider "may not block, impair, degrade, or discriminate against the ability of any person to use a broadband connection to access the content, applications, and services available on broadband networks, including the Internet."

This would also mean that consumers can attach any device to the network such as Internet phones, WiFi routers, or a set-top box.

More importantly for net neutrality proponents, it would prevent telecom operators and broadband providers from creating of a two-lane system that would establish a pay-for-play tier system of premium services, and thus have market power to limit consumer choice in content.

In addition, it also requires that if a broadband provider chooses to

prioritize data of any type, it then must do so for all data of that kind and not charge a fee for prioritization.

Therefore, it would prohibit telecom companies and cable operators from favoring one provider's Web traffic or their own content over another's by ensuring faster downloads to companies that pay a tax.

"If we don't protect the openness of the Internet for entrepreneurial activity, we're ruining a wonderful model for low barrier entry, innovation, and job creation," Markey stated. "Broadband network owners should not be able to determine who can and who cannot offer services over broadband networks or over the Internet."

"The detrimental effect to the digital economy would be quite severe if such conduct were permitted and became widespread," he added. "The deterioration of significant policies of nondiscrimination by the imposition of artificial bottlenecks by broadband network owners imperil economic growth, innovation, job creation, and First Amendment freedom of expression on such networks."

Cosponsors of the bill include fellow Democratic Reps. Rick Boucher of Virginia, Anna Eshoo of California and Jay Inslee of Washington, who cosponsored the Markey Amendment which would have been added to the House Commerce Committee Chairman Joe Barton's Communications Opportunity, Promotion and Enhancement Act of 2006, if it had been approved.

The recent net neutrality debate has divided the tech community as it has caused a political stir with mixed views in Congress.

A bipartisan coalition of tech companies, advocacy groups, and consumer organizations who include Google, Intel, Microsoft, eBay, MoveOn.org, the Gun Owners of America, and the American Library

Association, to name a few, have voiced many of the concerns that the Markey Act addresses, such as the possibility of a tiered system.

But telecom companies such as AT&T, BellSouth, and Verizon have maintained that such net neutrality provisions are unnecessary, saying they would not compromise overall quality service. They argue that they should be able to charge companies who want it for faster delivery of content especially for VoIP, video over IP and TV over IP services, as companies continue to invest in adding bandwidth and new superfast fiber-optic technologies.

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