

# [***What Is Net Neutrality And Why Is It So Controversial?***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:680Y-RG81-JBCM-F2HY-00000-00&context=1516831)

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**Length:** 777 words

**Byline:** Emily Washburn, Forbes Staff

**Highlight:** The ***politics*** of the open internet largely split down partisan political lines, with equal access often decided by who is in power.

**Body**

**Topline**

Federal net neutrality legislation has split politicians largely along partisan political lines with President Obama imposing net neutrality restrictions, President Trump repealing them and President Biden struggling to reintroduce them leading some states to implement their own rules.

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Protestors gather in Boston after the FCC votes to repeal net neutrality rules in 2017. (Photo credit should read RYAN MCBRIDE/AFP via Getty Images)

AFP via Getty Images

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**Key Facts**

Net neutrality is a policy that suggests everyone should have the same access to the internet and its information.

Net neutrality legislation generally prevents internet service providers from charging more for faster service and from blocking or slowing down content.

Federal net neutrality laws require the internet to be classified as a public telecommunication utility, not a network of private services.

Federal telecommunication utilities are regulated by the Federal Communication Commission, but some net neutrality principles are already enforced for internet service providers by the Federal Trade Commission.

President Biden s nominated pro-net neutrality candidate Gigi Sohn to sit on the Federal Communications Commission in February her third nomination since 2021 but Sohn withdrew from consideration in Marchciting unrelenting, dishonest and cruel attacks on my character and my career

California, Colorado, Maine, New Jersey, Oregon, Vermont and Washington have passed state net neutrality legislation.

**History Of Net Neutrality Privacy Laws**

The Federal Communication Commission first enshrined theprinciplesof net neutrality in 2005, but wasdeniedthe legal authority to enforce them until theOpen Internet Orderpassed in 2015 under then-President Obama. The order gave the FCC authority over internet service providers byreclassifyingthem as telecommunications services, and implemented rules preventing providers from blocking or slowing down legal internet content or charging more for better service. The FCC repealed the 2015 net neutrality rules in December 2017 under then-President Trump, touching off a series of legal battles concerning the right of states to impose their own net-neutrality rules. California s 2018net-neutrality bill was challenged three times in court by internet service providers and the Department of Justice before the companiesstoppedtheir legal fight in May 2022. President Biden is working to bring federal net neutrality regulation back he signed an executive order in July 2021 asking the FCC tobring backsome Obama-era protections and nominated Gigi Sohn to join thedeadlockedFCC three months later but has been largely unsuccessful.

**Net Neutrality Cons**

Opponents of net neutrality generally argue preventing internet service providers from charging different prices for different services removes all incentive for providers to innovate or invest in expanding their bandwidth. Writer and internet analystLarry Downesfurther asserts Internet service providers generally uphold net neutrality without specific regulations because of market pressure and the oversight of the Federal Trade Commission. Others predict net neutrality rules could ultimately raise costs for consumers, because if providers can t charge different amounts for different services, they will start charging consumers based on the number of people using the network, forcing everyone to pay more.

**Net Neutrality Pros**

Proponents argue net neutrality ensures everyone gets the same access to the internet regardless of wealth or status and prevents internet service providers from controlling what information consumers can access. Some legislationpreventsrich companies from buying faster internet andstopsproviders from exempting their own content (like streaming services) from contributing to customers data caps, which some say helps small or cash-strapped companies compete with giants like Netflix or Google.

**Net Neutrality In Europe**

The European Union isconsideringtaxing Google, Netflix, Facebook and other large U.S. tech firms to maintain Europe s telecommunication network. Proponents of the plan argue drivers of internet traffic should pay for the upkeep and expansion of internet infrastructure.Opponentssay the plan could incentivize companies to violate net neutrality principles and use internet service providers outside the EU, which would negatively affect the security and quality of some internet services.

**Further Reading**

Net Neutrality Goes Into Effect: What Consumers Should Expect (Forbes)

Weakening Net Neutrality: What It Will Mean(Forbes)

The Tangled Web of Net Neutrality and Regulation(Harvard Business Review)

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