

THREATS TO DEMOCRACY

2005
2007

In 2005, the Canadian telecom **Telus** was involved in a bitter labor dispute and blocked its internet subscribers from accessing a website run by the union that was on strike against Telus.

During an August 2007 performance by the rock group Pearl Jam in Chicago, **AT&T** censored words from lead singer Eddie Vedder's performance. The ISP was responsible for streaming the concert and shut off the sound as Vedder sang, "George Bush, leave this world alone" etc. An AT&T spokesperson claimed that the words were censored to prevent youth visiting the website from being exposed to "excessive profanity." AT&T then blamed the censorship on an external Website contractor hired to screen the performance, calling it a mistake and pledging to restore the unedited version of Vedder's appearance online.

2007

Comcast used deep packet inspection to block file transfers from customers using popular peer-to-peer networks such as BitTorrent, eDonkey, and Gnutella. Comcast's actions, which were confirmed in nationwide congestion tests conducted by the Associated Press, were unrelated to network congestion. Comcast blocked applications that are often used to trade pirated content but also much content.

2007

Verizon Wireless cut off access to a text-messaging program by the pro-abortion-rights group NARAL that the group used to send messages to its supporters. Verizon stated it would not service programs from any group "that seeks to promote an agenda or distribute content that, in its discretion, may be seen as controversial or unsavory to any of our users." Verizon Wireless reversed its censorship of NARAL only after widespread public outrage.

2011

In 2011, **MetroPCS** announced plans to block streaming video over its 4G network from all sources except YouTube. MetroPCS then threw its weight behind Verizon's court challenge against the FCC's 2010 open internet ruling, hoping that rejection of the agency's authority would allow the company to continue its anti-consumer practices.

2011

Several small ISPs (including **Cavalier, Cogent, Frontier, Fuse, DirecPC, RCN and Wide Open West**) were redirecting search queries via the vendor Paxfire. Paxfire would intercept a person's search request at Bing and Yahoo and redirect it to another page. By skipping over the search service's results, the participating ISPs would collect referral fees for delivering users to select websites.

2011

AT&T announced that it would disable the FaceTime video-calling app on its customers' iPhones unless they subscribed to a more expensive text-and-voice plan. AT&T had one goal in mind: separating customers from more of their money by blocking alternatives to AT&T's own products.

2010

AT&T, Sprint and Verizon blocked Google Wallet, a mobile payment system that competed with a similar service called Isis, which all three companies had a stake in developing.

S.B. 822 CALIFORNIA

The legislation in California is important because California is a huge market and can't be ignored by providers. If they have to comply with one state's regulations, they will likely standardize their systems. It has been criticized for being "gutted" and voted on without public comment; it fails to prohibit ISPs from charging unreasonable "access fees" or congesting networks.

H.B. 4155 OREGON

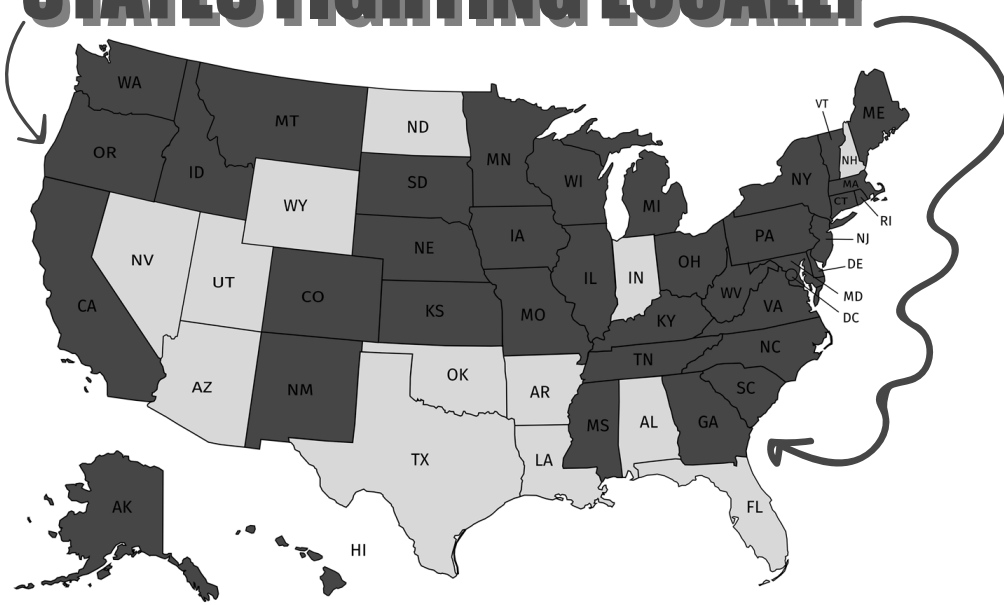
A public body may not contract with a broadband Internet access service provider that, at any time on or after the operative date specified in section 3 of this 2018 Act: (a) **engages in paid prioritization** (b) **Blocks lawful content, applications or services or nonharmful devices;** (c) **Impairs or degrades lawful Internet traffic** for the purpose of discriminating against or favoring certain Internet content, applications or services or the use of nonharmful devices

...Notwithstanding subsection (3) of this section, a public body may contract with a broadband Internet access service provider that: (a) Is the sole provider of fixed broadband Internet access service to the geographic location subject to the contract;

H. B. 2282 WASHINGTON

the first law where violations by all ISPs are enforceable, under Washington's Consumer Protection Act. **The FCC prohibited state laws from contradicting the decision** so it's very likely ISPs will sue Washington state over this new law to find out if the FCC does have the power to preempt the move.

STATES FIGHTING LOCALLY



"THE FCC MIGHT BE WAITING FOR SOMEONE ELSE TO TAKE AN ACTION, LIKE A BROADBAND PROVIDER WHO MIGHT WANT TO CHALLENGE WASHINGTON STATE,"

MARC MARTIN, A TELECOM LAWYER FOR PERKINS COIE

SOURCES

- <https://www.aclu.org/issues/free-speech/internet-speech/what-net-neutrality>
- <https://www.freepress.net/our-response/expert-analysis/explainers/net-neutrality-violations-brief-history>
- <https://www.theverge.com/2018/6/4/174143>
- <http://www.govtech.com/civic/Map-As-Net-Neutrality-Officially-Ends-States-Rush-to-Pass-Workarounds.htm>



**when the
most
important
decisions
are made
in secret, we lose
our
ability
to check
the powers
that control.**

laura poitras



art + tech activist co-op