



American Council on Education  
Office of the President

May 24, 2006

The Honorable F. James Sensenbrenner, Jr.  
Chairman  
House Judiciary Committee  
2138 Rayburn House Office Building  
Washington, DC 20515

The Honorable John Conyers, Jr.  
Ranking Democratic Member  
House Judiciary Committee  
2142 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Sensenbrenner and Ranking Member Conyers:

On behalf of the American Council on Education and the associations listed below, I write to express support for your bill, "The Internet Freedom and Nondiscrimination Act of 2006" (H.R. 5417). This legislation contains the kind of strong and enforceable net neutrality provisions America's colleges and universities need to meet their educational and research goals. Our colleges and universities helped create the Internet, and, from the beginning, we designed the Internet so that it would operate on an open platform that would be available and accessible to all Americans. Your legislation would restore this basic principle and ensure that the Internet remains an engine for innovation, productivity and economic growth.

In the past few decades, the Internet has become central to our mission as educators. We depend on it for teaching, research, and outreach to our communities. In order to provide first-class distance education for our students, tele-health for our medical schools, and advanced applications for our researchers, we must have an Internet that is open to all persons, all applications and all lawful content on a nondiscriminatory basis.

We are concerned that recent policy changes have effectively eliminated this basic nondiscrimination safeguard. In an environment where 94 percent of Americans have little choice in their broadband provider, some companies may prefer their own content and place limits on universities' access to the Internet.

Your legislation correctly restores the fundamental principle of nondiscrimination that has served the Internet well since its inception. Specifically, The Internet Freedom and Nondiscrimination Act of 2006 would prohibit broadband providers from blocking traffic or discriminating against Internet applications and services that are not affiliated with the broadband provider. Additionally, H.R. 5417 would forbid broadband providers from assessing additional fees on web services or applications. Finally, your bill recognizes broadband providers' legitimate rights to protect the security of their networks as long as they act in a nondiscriminatory manner. We believe these provisions strike an appropriate balance in this area and will serve to protect the openness of the Internet for many years to come.

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We have considered this matter carefully and appreciate the complexity of the issue. We have concluded that Congress should restore the original, enforceable policy that protects the openness of the Internet so that colleges and universities can meet their educational goals in the future, and we look forward to working closely with you and your staff to obtain enactment of your legislation this year.

Sincerely,



David Ward  
President

DW/cms

On behalf of:

American Association of Community Colleges  
American Association of State Colleges and Universities  
American Council on Education  
American Indian Higher Education Consortium  
Association of Community College Trustees  
Association of Jesuit Colleges and Universities  
EDUCAUSE  
Hispanic Association of Colleges and Universities  
Internet2  
National Association for Equal Opportunity in Higher Education  
National Association of College and University Business Officers  
National Association of Independent Colleges and Universities  
National Association of State PIRGs (USPIRG)  
National Association of State Universities and Land-Grant Colleges