



"Legislating Net Neutrality -- Necessary?"

Net neutrality is fundamentally important to allow universities to fulfill their educational and research missions. Our goal is to deliver high-quality multimedia instructional material to as many students as possible, and to facilitate the innovative research necessary for economic growth. The widespread availability of open, affordable broadband communications is critical to this goal.

The members of EDUCAUSE and Internet2 have been intimately involved in the development of the Internet for over 30 years. We are increasingly concerned that the owners of the local broadband connections (usually either the cable or telephone company) are developing business plans that directly challenge basic principles that made the Internet so successful: the concept of network neutrality that guarantees open, non-discriminatory access. While the owners of the local network have a legitimate right to manage traffic on their network to prevent congestion, viruses, and so forth, they should not be able to block or degrade traffic based on the identity of the user or the type of application solely to favor their interests.

Universities depend upon broadband services to provide a flexible and affordable medium for bringing education to off-campus and rural areas. Furthermore, universities depend on high quality broadband for developing next-generation Internet technologies that will drive the U.S. economy. On campus, students, faculty and researchers have seen the future. They routinely use technologies such as DVD-quality videoconferencing and remote instrumentation, and are hard at work developing life-changing technologies in areas such as telemedicine and distance-learning. These technologies hold the promise of saving taxpayers millions of dollars in healthcare and education, while unleashing unique economic opportunities. But our members fear that many of these advancements will go unrealized if the Internet does not retain the basic principle of network neutrality.

The present business and legal environment does not sufficiently protect these principles. Network owners have the ability and the incentive to skew Internet use to favor their own services. Their executives are proposing a two-tiered network infrastructure that would allow only affiliated applications onto a "premium" Internet lane. This concept would relegate universities, entrepreneurs, consumers, small businesses and any other individuals without deep pockets to the slower "dirt road." Our members feel this is the antithesis of the current, and extremely successful, Internet model.

Therefore, EDUCAUSE and Internet2, along with the entire higher education community, urge Congress to adopt legislation that includes a strong and enforceable net neutrality provision that includes the principle of non-discrimination.

For more information on EDUCAUSE and Internet2, please go to www.educause.edu and www.internet2.edu or contact Wendy Wigen at wwigen@educause.edu, or at 202-331-5372.