

# WE CAN PASS A NET NEUTRALITY LAW

Today, House Democrats overcame 15 years of gridlock and took an important step towards enacting net neutrality protections into law. While it is clear that the House bill will not pass the Senate in its current form, it keeps this vital process alive and challenges Democrats and Republicans in the Senate to develop a bipartisan solution that can deliver real protection to everyone who uses or depends upon the internet.

Business Forward has organized hundreds of briefings across the country on technology and innovation, collecting recommendations from local business leaders on a range of issues, from how to protect IP to helping small businesses use the internet to find new markets. Few issues are as important – or urgent – as net neutrality.



## WHAT NET NEUTRALITY MEANS

Net neutrality ensures an open and vital internet by preventing network operators from favoring internet traffic from some sites over others, censoring viewpoints, or boosting their own offerings. Rules should be clear, enforceable, and permanent.

Without net neutrality, companies will invest less in new, data-intensive applications. We'll see less innovation in distance learning, telemedicine, and media streaming.

# WHY BROADBAND MATTERS

## INVESTMENT

Over the past 22 years, broadband providers have invested more than \$1.6 trillion to build our broadband infrastructure.



**\$1.6T**

Last year alone, they invested \$75 billion. Approximately 86% of the investment in the internet ecosystem comes from broadband providers; 14% comes from the large tech companies that deliver services or products on the “edge” of the network.

## ECONOMIC OPPORTUNITY

Broadband is a critical step in leveling the playing field between fast-growing coastal innovation hubs and struggling smaller cities and rural areas in between.



## ECONOMIC GROWTH

Broadband buildout and the digital revolution it fuels are among the foremost drivers of American prosperity and growth.



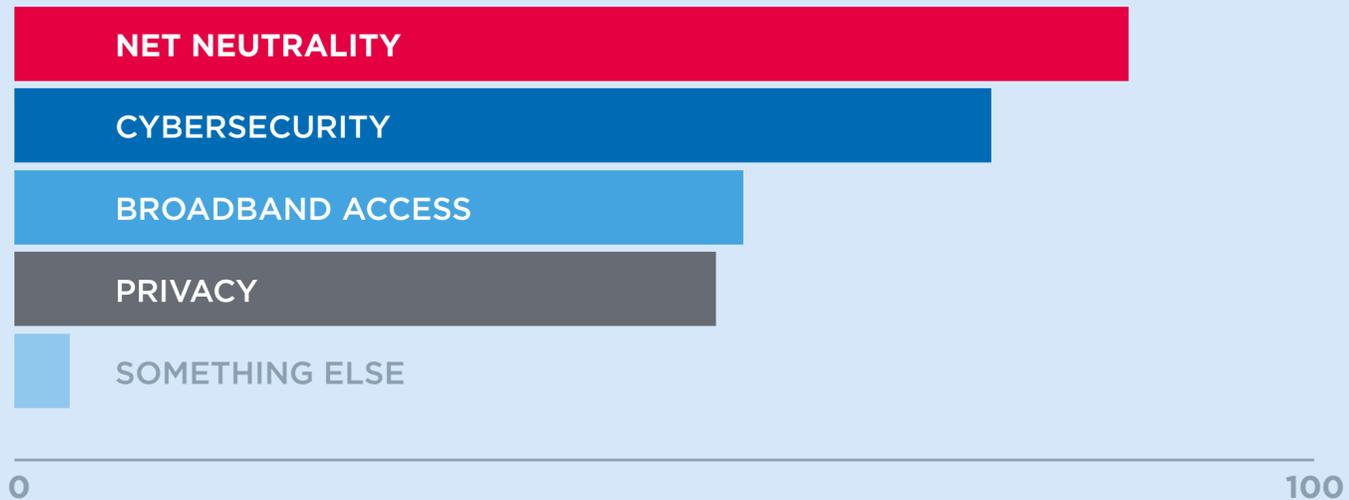
**1/3**

**of economic growth in 2016 was generated by the digital economy**

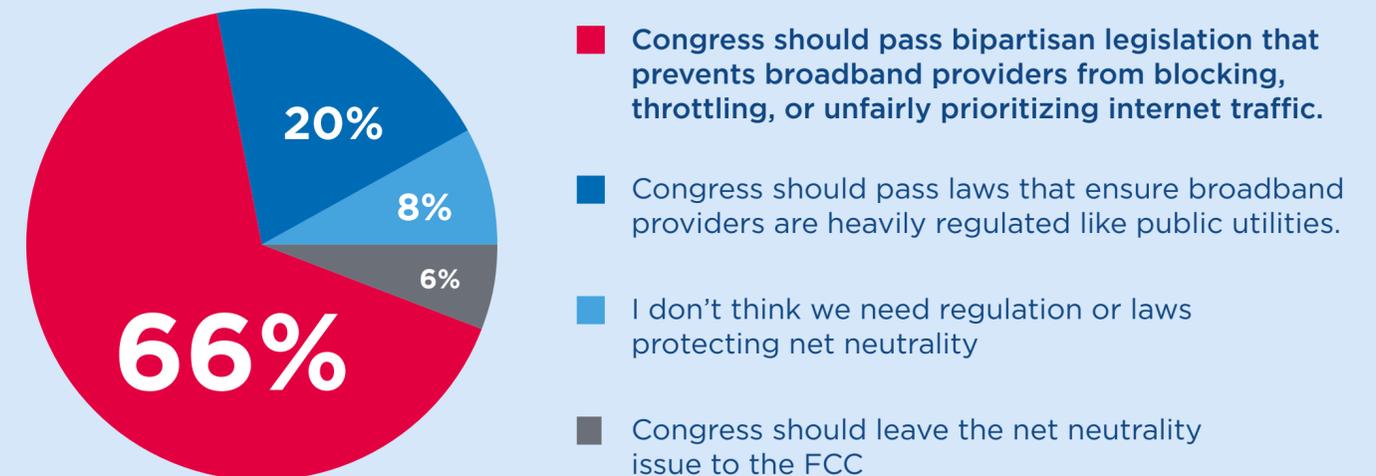
# WHY SMALL BUSINESS OWNERS CARE

Our network is more concerned about net neutrality than cyber security, data privacy, and broadband access, because they believe a neutral internet is critical to their ability to reach customers, open new markets, and compete with larger companies.

## BUSINESS LEADER TECH PRIORITIES FOR CONGRESS



## BY A 3 TO 1 MARGIN, LEADERS SUPPORT A BIPARTISAN APPROACH TO UTILITY-STYLE REGULATION



# WHY SMALL BUSINESS OWNERS CARE

“ Any swing of the pendulum that is too broad will hurt innovation. It is best for Congress to work with strong private sector services to foster a protected yet innovative Internet environment. ”

- ASTRID KOWLESSAR  
MIAMI, FL

“ Net neutrality was the fundamental principle that allowed the internet to grow into the economic engine it is today. Without the competitive pressures that net neutrality promotes, the free market system cannot operate as intended. ”

- TOM PIPAL  
PARKER, CO

“ I’m encouraged to see the House debating a bill on net neutrality, an idea whose time is long overdue. But without a bipartisan approach, I worry Congress will end up once again kicking the can down the road, leaving small business owners like me without the net neutrality protections we need. ”

- JOE REDDIX  
HANOVER, MD

“ Leaders of both parties need to compromise around middle-ground solutions to strike a balance between effective rules and encouraging innovation and investment. ”

- L.B. KING  
CLAIRTON, PA

**More than 1,000 of our leaders recently called on Congress to take a bipartisan approach to net neutrality and data privacy.**

To the U.S. Congress:

We write to encourage you to adopt a bipartisan approach to protecting net neutrality and data privacy. We understand these reforms are contentious in Congress, but they enjoy broad public support across the country.

Net neutrality is critical to keeping the internet open, free, and competitive, and it is particularly important to small businesses and start-ups. Business leaders in our network are more concerned about net neutrality than cyber security, data privacy, or broadband access – and two thirds of them support a bipartisan solution.

The FCC cannot effectively enforce net neutrality without statutory authority from Congress, but Congress has debated for 15 years without passing a bill. Today, a majority favors net neutrality, but they are split over which of two Obama-era proposals to support. His administration’s first proposal (“Plan A” in 2010) treated broadband as “information service.” His second proposal (“Plan B,” in 2015) was a workaround. It treated broadband as a utility, which Republicans oppose. If net neutrality supporters in Congress cannot get behind Obama’s “Plan A,” we face at least two more years without net neutrality protections in place.

Meaningful privacy reforms face similar gridlock, but progress is being made. The middle ground in Congress now favors consumer rights like access, correction, and deletion, which were deal breakers a few years ago. It’s about time. Nine in 10 business leaders in our network support a comprehensive, national privacy standard.

A patchwork of 50 state laws won’t work for the Internet. We support a national approach, provided the protections are strong and enforceable.

Businesses rely on the internet every day. We can’t afford to leave these issues unaddressed. We ask you to work across party lines to adopt these much-needed protections for net neutrality and consumer privacy

Sincerely,  
Small Business Owner

[IF YOU’D LIKE TO JOIN THEM, CLICK HERE](#)

# TODAY'S GRIDLOCK

Four successive FCC chairs, serving two Presidents, issued net neutrality principles, policies or rules. But federal courts or subsequent FCC orders struck down each of them, largely because the FCC cannot act without clear authority from Congress. Only Congress can create lasting net neutrality rights.

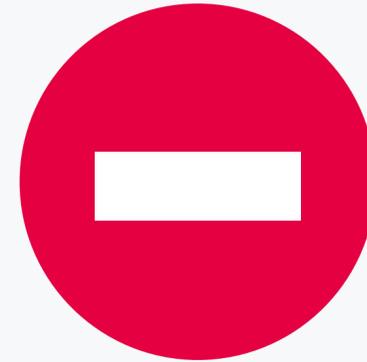
Net neutrality supporters tend to call for “going back to Obama’s rules.” But which Obama rules?



**OBAMA'S 2010 "PLAN A"**  
(ENJOYS BIPARTISAN SUPPORT)



**OBAMA'S 2015 "PLAN B"**  
(FAR-LEFT "UTILITY" RULES)



**NO NET NEUTRALITY RULES**  
(DEFAULT IF NOTHING PASSES)

Julius Genachowski, President Obama’s first FCC Chair, issued formal regulations against blocking, throttling, and other discrimination (“Plan A”), but they were overturned because he lacked authority from Congress.

Facing a Republican-controlled, anti-net neutrality Congress, Tom Wheeler, Obama’s second FCC chair, proposed a workaround (“Plan B”) that reclassified broadband as a Title II “telecommunications service” – a distinction that gave the FCC greater authority to regulate. But reclassifying broadband opened the door for the FCC to set broadband prices or demand broadband companies share their transmission lines with competitors. Republicans strongly oppose these utility rules, and Ajit Pai, Donald Trump’s FCC chair, overturned them – leaving consumers and small businesses with no net neutrality rules.

Today, Obama’s Plan A could attract enough Republican votes to pass the Senate. Plan B would trigger a filibuster from Republicans and a likely veto from Trump. In other words, if Democrats and pro-Net Neutrality Republicans work together, anti-net neutrality extremists lose. But if we insist on utility rules, we’ll end up with nothing.

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