

FCC ruling sides with tech companies on “net neutrality”

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The 3-2 vote of the Federal Communications Commission (FCC) February 26, in favor of new telecommunications rules has been hailed as a landmark ruling that will ensure “net neutrality,” defined as equal access to the Internet for all content providers. The reality is more complex and far less positive.

The FCC’s latest proposal does bar broadband service providers—giant companies like Comcast and the major telecoms that control so-called last-mile access to the Internet—from discriminating between different forms of content, either by offering price discounts or faster traffic speeds.

But the other major set of corporate giants, technology companies like Google, Yahoo and Netflix, will retain their monopoly control of over search and content provision. And the most dangerous enemy of a genuinely free Internet, the US government, with its vast panoply of spy agencies vacuuming up all web content, may gain additional authority over the Internet via the FCC itself.

By reclassifying broadband Internet services as a “telecommunications service” under Title II of the Communications Act, the ruling puts Internet Service Providers (ISPs) under the same regulatory framework as telecommunications. Given the monopolization and price gouging that prevails in that industry, the hosannas over the FCC ruling by some advocates of net neutrality are both premature and exaggerated.

The exact language of the rules has not yet been made public, but from the statements issued by the FCC, the two main changes from an early decision in 2010—subsequently thrown out in a court challenge—were the reclassification under Title II, and the decision to apply the ruling to mobile as well as fixed-line broadband services.

Net neutrality is a set of principles designed to prevent restrictions by Internet Service Providers (ISPs) and governments on content, sites, platforms or the kinds of equipment that may be used to access the Internet. Legitimate concern over the monopoly of broadband giants such as Comcast has generated broad support for net neutrality among online activists. The issue has prompted several online protests over recent years, including the so-called Internet slowdown of September 10 last year, when over 40,000 web sites solicited calls to senators and over 4.7 million comments to the FCC.

Following the February 25 vote, the site *battleforthenet.com*, which had played the major role in instigating the “slowdown,” proclaimed an “epic victory” stating, “Washington insiders said it couldn’t be done. But the public got loud in protest, the FCC gave in, and we won Title II net neutrality rules. Now Comcast is furious. They want to destroy our victory with their massive power in Congress. You won net neutrality. Now, are you ready to defend it?”

Such an analysis ignores the equally “massive power” of the tech industry both in Congress and in the Obama administration. A lengthy article published by the *Washington Post* March 1 describes Silicon Valley as “the new revolving door for Obama staffers.”

The article notes that the FCC decision “marked a major win for Silicon Valley, an industry that has built a close relationship with the president and his staff over the last six years.” The tech industry has “enriched Obama’s campaigns through donations” and “presented lucrative opportunities for staffers who leave for the private sector.”

The day of the FCC ruling, former White House press secretary Jay Carney joined Amazon as a senior vice president for global corporate affairs. Former Obama

campaign manager David Plouffe now runs policy and strategy for car service start-up Uber. Facebook hired Marne Levine, chief of staff to former National Economic Council director Lawrence H. Summers. Airbnb has three former White House press staff on its books.

The revolving door goes both directions, with a large number of Silicon Valley executives heading to Washington for stints in the Obama administration. Facebook co-founder Chris Hughes helped create Obama's online campaign and Google's former vice president of global policy, Andrew McLaughlin worked on its tech policy agenda, according to the *Post*. McLaughlin later joined the Obama administration as a deputy to the chief technology officer. Obama's former deputy chief technology officer Nicole Wong was an executive at both Twitter and Google. Megan Smith, the current chief technology officer was previously at Google and the director of patent and trademark office Michelle K. Lee was an intellectual property lawyer for Google.

It is this relationship with the technology giants rather than any genuine concern for democratic rights on the Internet that explains Obama's intervention in net neutrality dispute. In November last year Obama called on the FCC to take up the “strongest possible rules” to protect net neutrality.

Obama's real attitude to Internet freedom was exposed by the revelations of Edward Snowden, who documented the mandate of the National Security Agency to “collect it all”—in other words, capture the entire content of all the world's Internet activity in order to analyze and profile all potential opponents of the American government, above all, political opposition from the working class.

Both tech companies such as Google and Yahoo, as well as telecommunications giants like Comcast and AT&T are deeply implicated in the mass spying on the US and global population by the NSA. They routinely hand over data when asked and only expressed any concern once the extent of this was made known by Snowden.



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