

Commissioner Terrell McSweeney's Statement in Response to FCC Vote to Repeal Net Neutrality

December 14, 2017

Commissioner Terrell McSweeney issued the following statement in response to Federal Communications Commission's vote Thursday to reverse the classification of broadband as communications service.

“The FCC’s vote today to eliminate its open internet rules was a vote to undermine the free, open, and democratic internet that Americans overwhelmingly support. Net neutrality ensures that Americans can access the lawful content of their choice free from discrimination by their broadband ISP. If implemented, today’s decision would take that protection away and usher in a new era in which powerful internet service providers will be the gatekeepers to all content on the internet. This change will also further concentrate the power of giant internet platform companies able to pay for fast lanes that smaller or mid-sized companies and entrepreneurs will not be able to access.

Competitive pressure will not sufficiently limit harmful discriminatory conduct in these markets or push ISPs to offer consumers better service because most broadband internet markets are highly concentrated. Indeed, tens of millions of Americans have little or no choice when it comes to wireline broadband service.

The Federal Trade Commission will not be able to fill the gap created by the FCC’s abdication of its authority and sector-specific mandate. After-the-fact antitrust and consumer protection enforcement by the FTC cannot substitute for clear upfront rules, especially given that vertically integrated broadband ISPs have both the incentive and ability to favor their own content or that of paid “partners” over the content of rivals.

For more than a decade, the status quo in the United States has been an open internet that promotes consumer welfare, upholds democratic values, and supports thriving innovation. Today’s vote by the FCC is a departure from longstanding bipartisan consensus about the importance of the open internet. It promises to benefit powerful internet platform companies and broadband ISPs at the expense of American consumers and innovation.”