

WASHINGTON -- It isn't easy to define net neutrality.

Ask any of the officials or lobbyists involved with the issue. They'll say the definition is part of the problem.

"That's the fundamental question - what is net neutrality?" said Angela Stroschein, the legislative counsel for Nebraska Sen. Ben Nelson.

"It's theoretical and highly technical, which makes policymaking really difficult."

Those who oppose net neutrality are mostly telephone and cable companies that want the government to relinquish its control of Internet business.

Net neutrality supporters worry such legislation would allow service providers to discriminate between networks, granting faster and higher quality service for a higher price.

Net neutrality is crucial for universities to continue their research and distance learning programs, said Matt Hammons, University of Nebraska federal relations coordinator.

On both sides, experts say net neutrality is a hot button issue with large implications for the whole country.

"It's a unique Washington animal," said Tim Lordan, the executive director of the Internet Education Foundation, "but it has massive implications for how the Internet grows and evolves."

## RISING CONFLICT

Net neutrality gained publicity in 2005 when the Federal Communications Commission considered re-classifying its governance of telephone companies that provide Internet service.

Supporters of net neutrality worry this would allow service providers to create a tiered toll system in which wealthier organizations could pay to have their material viewed faster than other Web sites.

These supporters understand that the Internet is not completely neutral, as emergency services often have a higher network priority. But they believe an open Internet is necessary to promote free speech and Internet entrepreneurship.

House and Senate members have both proposed legislation to address the rights of telephone and cable companies as well as net neutrality.

The affects of such legislation extend beyond Washington.

"It's one of the most complex issues I've ever seen," said Lordan of the Internet Education Foundation.

The foundation does not have an official stance on the topic, but it has hosted discussions featuring both sides of net neutrality.

Lordan has boiled the conflict down to this: Net neutrality supporters worry the removal of government oversight on service providers could lead to the cablization of the Internet.

Meanwhile, Lordan said, Internet providers want the ability to develop their services. To do that, he said, the service providers say they need a larger financial return on their investment and the business freedom to expand.

"I don't know what the right approach is or what the implications will be," Lordan said. "It's critical, and Congress needs to get it right."

## NN AND U

Mark Luker's job description is broad: Research how proposed legislation affects the collegiate community.

The vice president of Educause, a nonprofit association that promotes the intelligent use of information technology in higher education, said any legislation that could damage the quality of education raises a red flag.

Institutes for higher education depend on the Internet to expand research and education both on- and off-campus, Luker said. To maintain such usage, colleges depend on an open Internet.

"Our entire future depends on having that very cost-effective, free and open access to our students and faculty wherever they are," Luker said.

Research and distance learning could be in trouble if service providers have the option to discriminate based on content and applications.

"The Internet would become a complicated, messy place," Luker said.

Nelson's legislative counsel Stroschein said university leaders are concerned about those potentials.

They also worry that slow Internet connections could hinder distance learning because students might not be able to easily view lectures and documents.

And a tiered system would mean yet another cost for already cash-strapped

universities.

"If you have to cut a deal with every network provider, that's gong to become cost inhibitive for your universities," Stroschein said.

In 2006, Nelson sat on the committee that discussed a bill regarding net neutrality, which ultimately stalled, and supported net neutrality.

Educause has joined forces with other net neutrality supporters in a coalition called Save the Internet, Luker said. The group is also a way for universities to show their net neutrality support with arranged visits with representatives.

"We've been more middle-of-the-road with our arguments," Luker said, "stressing the impact it would have on research and the financial risk it would pose to higher education."

## NU RESPONDS

University of Nebraska officials are also worried about the future of the open Internet.

NU officials agree with Educause's position that net neutrality is necessary to continue research and education, Hammons said.

Universities have different constraints than businesses do, he said, as they must provide education and research along with their Internet content. To maintain that, he said, the Internet must remain free and open.

There was concern that a tiered system on the Internet would prevent universities from affording the high costs to provide the best possible network options to students and faculty members, he said.

"If you create a system that sets up access based on price, then the usability of the system begins to degrade over time," Hammons said.

NU President J.B. Milliken said he hasn't followed the issue well enough to know if legislation is necessary for universities to continue to have unfettered access to the Internet.

"I'm not sure how this is going to play out," Milliken said. "But I think we're only at the beginning of ... what I think will be tension in this for a long time."

## NN's FUTURE

In June, Rep. Lee Terry of Nebraska voted to give up some government Internet control to service providers.

As a member of the House Telecommunication and Internet subcommittee, an issue like net neutrality is of particular interest to Terry.

After voting with the majority on the Communications Opportunity, Promotion and Enhancement Act of 2006, Terry said in a Daily Nebraskan interview that the legislation preserved the freedom of the Internet because it allowed service providers freedom to expand with new technology.

But then in a March interview, Terry said the debate could morph into a different issue altogether.

Future legislation could prevent discrimination of where a user can visit on the Internet or what Web sites they could or could not see, Terry said.

The Federal Communications Commission just announced it will evaluate the practices of service providers to determine if a nondiscrimination class should be added to its Internet policy.

With net neutrality still on the congressional radar, Terry said he didn't know for sure how congress would address the issue.

"The definition of net neutrality last fall is not what people are talking about net neutrality meaning today," Terry said. "And it probably won't be the definition when we deal with it."

<http://dndepth.unl.edu/law/netneuter.php>

