



NCLIS

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News Release

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For Immediate Release

NCLIS Urges Congress to take all necessary action to ensure Net Neutrality

Washington, DC. USA November 7, 2006—The U.S. National Commission on Libraries and Information Science (NCLIS) today announced its position on Internet neutrality (“net neutrality”), currently being debated in the Congress.

“The current discussion centers on whether content transmission on the Internet should be subject to a system of prioritization known as ‘tiered service’,” said Commission Chairman Beth Fitzsimmons. “So far, the underlying transmission of information treats all packets of information equally but this could change unless Congress acts to prevent a move to a tiered service.”

A tiered system of transmission would permit a substantial shift in Internet operations, allowing Internet service providers to charge the content creators. Thus higher fees would make content more available, since that content would be more accessible, but those paying lower fees would have access to their content downgraded, as Dr. Fitzsimmons put it, “to the slow lane of the Internet highway.”

“Content created by organizations with deep pockets would rise to the top of a search, with the higher fees essentially enabling a content provider to ‘buy’ a higher position in a search,” Dr. Fitzsimmons continued. “Content created by organizations with limited funding for such costs; community groups, schools and other educational institutions, non-profits, and the scholarly publishing field, for example, would be greatly restricted in having their materials available in the early stages of a search.”

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With today's announcement, the Commission takes the position that – with respect to Internet neutrality – Congress should take action to assure the tiered access is prevented. In fact, according to a study done under contract for the Commission, the government has already taken a stand. In 1992, when Congress permitted commercial traffic on the Internet, the Committee report on the legislation noted that the change did not alter the “goals or characteristics” of the network. Congressman Rick Boucher, the Chairman of the House subcommittee that developed the legislation, explained during a hearing on the legislation: “It is essential as the network is structured that all commercial providers of network services receive equal treatment and that Government policy in managing the network not favor any provider or set of providers over others.”

It has also been suggested that the Federal Communications Commission (FCC) handle net neutrality in a regulatory manner, but a position has been taken by the FCC as well. In August, 2005, the FCC adopted and published four principles “to encourage broadband deployment and preserve and promote the open and interconnected nature of [the] public Internet.” While the principles have no legal force and have not been codified, the FCC Chairman stated at the time that these principles will be incorporated into the policymaking activities of the FCC. The four principles are:

1. Consumers are entitled to access the lawful Internet content of their choice.
2. Consumers are entitled to run applications and services of their choice (subject to the needs of law enforcement).
3. Consumers are entitled to connect their choice of legal devices that do not harm the network.
4. Consumers are entitled to competition among network providers, application and service providers, and content providers.

“The Commission is in full support of the FCC’s principles,” Dr. Fitzsimmons said, “and we as a Commission – with a statutory responsibility to advise the President and Congress in matters having to do with libraries and information science – respectfully encourage Congress to reiterate strongly the position it took when legislation permitting commercial traffic on the Internet was developed. Equal treatment of content is important to all information seekers.”

ABOUT NCLIS

The U.S. National Commission on Libraries and Information Science (NCLIS) is a permanent, independent agency of the Federal government charged by Public Law 91-345 to advise the President and Congress on national and international library and information policies, to appraise and assess the adequacies and deficiencies of library and information resources and services, and to develop overall plans for meeting national library and information needs.

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