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## **ACLU OF RI POSITION: SUPPORT**

### **TESTIMONY IN SUPPORT OF 22-H 7187, RELATING TO “NET NEUTRALITY” February 9, 2022**

The ACLU of Rhode Island wishes to express its strong support for this bill, which is designed to address the important free speech issue known as “net neutrality.” It is important to note that this bill merely codifies a practice that is already in place by executive order for state contracts. While we recognize that President Biden has indicated his support of net neutrality and has nominated a pro-net neutrality candidate for the FCC, uncertain federal political relations only emphasize the importance of accomplishing the safeguarding of this practice in state statute as well.

It is almost impossible for most of us to imagine getting through the day without using the internet. Open and equal access has been an essential cornerstone of this medium, but a Federal Communications Commission vote during the Trump Administration undermined the idea of an open internet and the principle of “network neutrality” that has sustained it.

Net neutrality ensures that internet service providers must provide everybody non-discriminatory access to the internet, and not pick and choose what information you can get access to, or how long it takes you to get that information. It means treating these providers the same way that phone companies are treated.

Imagine the phone company barring you from receiving certain phone calls based on the content of what the person on the other line wanted to tell you. Imagine the phone company requiring you to wait for the phone to ring 25 times before the person on the other end of the line could answer, based solely on who that person was or whether they had paid the company to let

you reach them after only 2 rings. Now imagine those scenarios as applied to the internet, because that is what the lack of net neutrality permits.

The phone company can't do these things because it is what is known as a "common carrier." With this status, it is generally barred from discriminating against the calls coming through its system by halting, slowing, or otherwise tampering with them. It means you don't get a slower connection to the local pizza place down the street because Pizza Hut is paying the phone company to rout your call faster to them. It is this status as applied to the internet that the FCC repealed.

New technologies now allow internet service providers to scrutinize every piece of information we send or receive online. They can program the computers that route that information to slow down or block traffic they don't like, and to speed up traffic they do like or that pays them extra for the privilege.

Under H-7187, internet service providers that want to contract to provide services to Rhode Island state agencies and to cities and towns must adhere to the net neutrality principles that they followed prior to the FCC's actions. It would make sure that taxpayer money does not subsidize discriminatory access to the Internet.

Four years ago, Governor Raimondo issued an executive order requiring telecommunication providers contracting with the state to abide by net neutrality principles. This legislation would codify that order. It is an important step in protecting Rhode Islanders from the threat of censorship that the absence of net neutrality requirements can bring. We are hopeful that this committee will act favorably on it and strike a blow for free speech in the internet age.

Submitted by: Steven Brown, Executive Director