

Team Internet Is Far From Done: What's Next For Net Neutrality and How You Can Help



“Here’s the good news,” write the authors: “the fight is far from over, and Team Internet has plenty of paths forward.” (Image: EFF)

By Corynne McSherry, Elliot Harmon | [Common Dreams](#)
Defying the facts, the law, and the [will of millions of Americans](#), the Federal Communications Commission has [voted to repeal net neutrality protections](#). It’s difficult to understate how radical the FCC’s decision was.

The Internet has operated under formal and informal net neutrality principles for years. For the first time, the FCC has not only abdicated its role in enforcing those principles, it has rejected them altogether.

Here's the good news: the fight is far from over, and Team Internet has plenty of paths forward.

Defending Net Neutrality in Congress

It's not too late to stop the FCC's rule change from going into effect. Poll after poll show that Americans overwhelmingly support net neutrality, and Congress has already been inundated with calls for them to take action. We need to keep up the pressure, and we will.

Under the Congressional Review Act (CRA), Congress can reverse a change in a federal regulation by a simple majority vote within 60 working days after that regulation is published in the official record. In other words, Congress can vote to overturn Pai's rule change and bring back the Open Internet Order.

There are already members of Congress promoting compromised net neutrality bills that won't give us all of the protections we need. Congress has a cleaner, faster path to real net neutrality: simply restore the 2015 Open Internet Order.

Technically, Congress can't invoke the CRA until the final rule change is published in the Federal Register, which will take several weeks. Between now and then, we will be watching Congress closely to see which members make public commitments to use the CRA to restore the Order.

Defending Net Neutrality in Court

While the CRA process moves forward, the FCC will be facing multiple legal challenges. [Public interest groups](#), [state attorneys general](#), and [members of Congress](#) are already getting ready to go to court. The FCC is required to listen to the public in its rulemaking processes and show clear evidence for its decisions. The Commission did neither in its decision to roll back the Open Internet Order. Among other things, [it](#)

[ignored the technical evidence EFF and others submitted](#) showing [why the 2015 Order made sense given 21st century Internet realities](#), in favor of self-serving claims from the ISPs and organizations they support. It relied equally heavily on the absurd notion that a few large tech companies, combined with the theoretical possibility that incumbent ISPs might some day face competition, eliminated the need for regulation. And that's just the beginning. The new Order is full of holes, and judges will be able to see them.

Defending Net Neutrality in the States

Lawmakers and executive branch leaders in multiple states are working to fill the gap the FCC is creating and [protect their constituents from unfair ISP practices](#). Before the FCC's vote, Washington Governor Jay Inslee announced a [multi-tiered plan to preserve net neutrality for Washingtonians](#), including cutting down on state benefits to ISPs that don't adhere to net neutrality principles and taking measures to bring more competition to the broadband marketplace. Just after the vote, State Senator Scott Weiner announced his plans [to introduce a bill preserving net neutrality protections for Californians](#). And this is just the beginning.

Defending Net Neutrality at Home

Net neutrality begins at home. One of the most important ways that we can soften the blow of losing the FCC's net neutrality protections is to [push for local policies that offer users real choices](#) and ISPs that adhere to net neutrality principles.

The majority of Americans have [only one option for a broadband Internet provider](#). If that provider decides to block or throttle its users' traffic, users have no options. To make matters worse, [those providers often have de facto monopolies](#) thanks to local government policies. See usave.co.uk for

related info.

EFF is working with policymakers and [activists across the country](#) to [push for community broadband](#). We're working in particular with allies in San Francisco to develop a neutral infrastructure and policies for competition among providers that can serve as [a model for cities across the country](#) (.pdf). If cities invest in good Internet infrastructure—and allow multiple providers to access that infrastructure—then [users can have recourse when a single provider acts unfairly](#).

It's Not Over. Call Congress Now.

FCC may be abdicating its role in protecting the open Internet, but we will not. In the courts, in the halls of Congress, in our local communities, online and in the streets, Team Internet will fight for net neutrality – and we'll be counting on you to join us.

You can start today: [call your members of Congress](#) and urge them to use the Congressional Review Act to save the Open Internet Order.

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