

Library groups on the front lines in net neutrality fight

Once again, library groups are on the front lines fighting to preserve an open internet, this time taking our advocacy to the courts to support the strong, enforceable open internet rules issued in February by the Federal Communications Commission (FCC). ACRL, partnering with the ALA, the Association of Research Libraries, and the Chief Officers of State Library Agencies, filed an amicus brief in September supporting the FCC's strong net neutrality rules, which are being challenged in the U.S. Court of Appeals for the District of Columbia Circuit by large broadband providers in the case of *United States Telecom Association (USTA) v. FCC and United States of America*.

ALA, ACRL, and our other library partners on the brief argue that the FCC's order is necessary to protect the mission and values of libraries and the rights of library patrons to fully access and use online content, particularly with respect to rules prohibiting paid prioritization. In addition, we make the case that the FCC's general conduct standard is an important tool in ensuring the open character of the Internet is preserved, allowing the Internet to continue to operate as a democratic platform for research, learning, and the sharing of information. This is a standard that library and higher education groups specifically brought forward to reflect the dynamic nature of the Internet and Internet innovation and to extend protections against questionable practices on a case-by-case basis.

We decided to pursue our own separate legal brief to maintain visibility for the specific concerns of the library community, best support and buttress the FCC's strong protections,

and complement the filings of other network neutrality advocates. This marks a continuation of advocacy begun after the U.S. Court of Appeals struck down the last Open Internet Order in January 2014. FCC responded to a record-breaking national response in support of network neutrality by issuing bright-line rules that ban blocking or throttling of legal content, applications, and services, as well as paid prioritization of some Internet traffic over other traffic.

ALA is also aggressively working to oppose congressional efforts to defund the FCC rules.

Taking our fight on behalf of strong net neutrality rules to the Hill, the ALA Washington Office is actively opposing ongoing Republican efforts to insert defunding language in appropriations bills that could effectively block the FCC from implementing its net neutrality order. That language would prohibit the FCC from spending funds to implement or enforce its net neutrality rules during FY2016 until legal cases and appeals are resolved (see above legal update). ALA has been meeting with congressional leaders to oppose these measures and will continue to lobby against any congressional efforts to delay or prevent the FCC from carrying out its net neutrality order. *ZZ*

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