Congress Needs to Update the Nation's Antiquated and Anti-Competitive Telecom Rules

WASHINGTON, /PRNewswire/ -- With a highly innovative and competitive Internet eco-system now a critical resource for consumers and increasingly important to America's economic growth, Congress must act to address telecommunications policies that are broken.

"The grinding you hear are the gears churning as policymakers try to fit fast-changing technologies and competitive markets into regulatory boxes built for analog technologies and monopoly markets," said Tom Tauke, Verizon's executive vice president of public affairs, policy and communications, in discussing the Federal Communications Commission's outdated policies.

Tauke pointed out that on the issue of net neutrality, the FCC's focus was limited to how Internet service providers might degrade or block Internet traffic, and not on other sectors of the Internet marketplace where similar consumer harm could take place.

"A key reason why the FCC doesn't consider the activities of those who control operating systems or applications is that the FCC looks at the world from the standpoint of its jurisdiction rather than from the perspective of the consumer," Tauke said. "Given the outdated statute, that's somewhat understandable. But from a reasonable person's perspective, that approach makes no sense. That is why we need Congress to update the law."

Tauke spoke on Saturday (Nov. 20) at a panel called "Rewriting the Telecom Act: Has the Time Come?" at the Federalist Society's National Conference in Washington. Tauke laid out four components to a new policy to guide the Internet eco-system: The policy should be a federal framework. Because of the innovative nature of the marketplace, the framework should not involve anticipatory rulemaking, but rather principles that allow for case-by-case adjudication. The test for government intervention in the marketplace should be to prevent either harm to consumers or anti-competitive activity. And a single federal agency should be given clear jurisdiction.

As part of any regulatory overhaul, Tauke said, safeguards surrounding cyber security and privacy need to be addressed. He also called for a revamping of the subsidy programs for universal access to communications.

Tauke concluded: "This amazing Internet eco-system is not only an economic engine for our nation, it also holds great promise for improving the delivery of health care, revolutionizing our approach to education, and improving our transportation systems and electric grids.

"That is why we cannot allow regulators to impose limits or outmoded regulatory structures on this dynamic eco-system. That is why we do need Congress to replace the current statute with one that is in sync with today's communications technology and marketplace."

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