

Big Brother is blocking

by the St. Louis Post-Dispatch

Should your cell phone company decide who can send you a text message? Should your Internet service provider block your Internet movie because it doesn't like the file-sharing service you're using?

We suspect that most consumers would say no. When people sign up for a communications service, Big Brother shouldn't come with the deal.

Two recent incidents, however, show that some corporations are willing to stick their noses in their customers' business. The Federal Communications Commission should tell them to butt out. If the FCC won't, Congress should.

The first involved Verizon. Last September, the phone company blocked a text-message subscription service offered by the pro-abortion-rights group NARAL. The key phrase there is "subscription service."

Phone companies do a service for subscribers by blocking a lot of text-message "spam" - unwanted commercial come-ons that drive e-mail users crazy. But the NARAL service wasn't that. Cell phone users had to sign up to get the messages.

Politicians and interest groups of all stripes are using text messaging to rally their supporters. A study by Princeton University and the University of Michigan found that text-mail reminders raise voter turnout by 4.2 percent among young people.

In rejecting NARAL, Verizon cited its policy against services that "promote an agenda or distribute content that, in its discretion, may be seen as controversial or unsavory to any of our users." This is the phone company acting as your mother.

NARAL speaks on one of the most divisive issues of our time. Abortion sways elections, and NARAL's advocacy is the essence of free speech. If phone companies can control such speech, they can shrivel the First Amendment and distort democracy.

After The New York Times reported the story, Verizon rescinded its decision on NARAL. But it's time for the FCC to make it clear that political speech is not to be trifled with.

The other case is less political but has more potential to disrupt free communications on the Internet. The Associated Press reported in October that Comcast, the giant cable company, secretly was slowing or blocking access to peer-to-peer file-sharing services such as BitTorrent, eDonkey and Gnutella. Such Internet services usually transmit music and videos, although they share other content, too.

Internet service companies consider them bandwidth hogs and suggest that as file-sharers grow in popularity, they'll slow service for everyone. It's the same issue that three years ago caused AT&T to float the idea of imposing extra fees on big Internet users, including the likes of Google and Amazon.com.

Much of the Internet actually is private property, as are phone company switches, wires and routers. Right now, all items traveling over the Internet are treated the same and move at the same speed. But AT&T would have created fast and slow lanes, with companies paying extra to move to the fast lane.

The idea was opposed stridently by so-called "net neutrality" advocates. A year ago, as a concession to win FCC approval of its bid to buy BellSouth, AT&T agreed to give up its two-tier proposal for two years. Expect it to pop up again.

The Internet has been a transformative development for information and commerce. It developed that way precisely because it is egalitarian. Anyone with a good idea could put it on the Web and watch it catch fire. Companies such as YouTube and eBay sprang from nothing. That's less likely to happen if big Internet companies can favor some participants over others, based on the size of their checkbooks or the character of their content.

The FCC soon will consider a complaint against Comcast for blocking access to file-sharing services. The commission should make it clear that the information superhighway is not a toll way.

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