THE IMPORTANCE OF THE INTERNET AND PUBLIC SUPPORT FOR NETWORK NEUTRALITY:
NATIONAL SURVEY RESULTS

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January 2006
EXECUTIVE SUMMARY

With the Internet fast becoming the dominant means of communications and commerce in the 21st century, the 2006 Congressional session promises a serious debate over Internet policies with high stakes and long-term consequences. The stage was set by the recent Federal Communications Commission (FCC) decision to eliminate the network owners’ obligation to provide communications services with nondiscriminatory rates, terms, and conditions.

The result is that broadband network owners are no longer required to allow Internet service providers to use their high speed broadband networks in order to offer competitive broadband service. Not only does that effectively eliminate competition in broadband services that has resulted in lower consumer costs in the past, but it also gives network owners the power to discriminate against content or services that their subscribers access via the Internet, such as Internet telephone service, video streaming and other applications, and even content that may compete with the owner’s own offerings.

As a result, a controversy has flared up in Congress over legislation to ensure principles of “network neutrality,” i.e. the operation of the network in a manner that does not impede, block or slow the flow of content, services or applications or impair the functioning of devices connected to the network. The outcome of this legislative process will largely determine the future of the Internet for consumers—a major group of stakeholders who have thus far been underrepresented on the issue.

To inform the debate, consumer groups sought to assess public opinion on these issues in national random sample telephone surveys over the course of November 2005. We found that approximately two-thirds of the respondents use the Internet from home. The respondents who use the Internet were asked a series of questions about how important the Internet is to them; their views on some of the recent actions that would affect their access; and the private sector or public policy responses that would be appropriate.

Our results show that the Internet has taken on an important role in daily life.

- Two-thirds reported it is important for personal communications and researching products;
- over half said it is important for getting news; and
- about 40 percent cited online banking, e-commerce, and retrieving government information as significant uses.

Consumers expressed a great deal of concern about discriminatory practices of communications network operators.
For example, without statutory or regulatory requirements to the contrary, broadband network owners are allowed to require consumers to pay for the owner’s Internet service just to access the ISP they do prefer—effectively paying for Internet access twice. Nearly 90 percent of Internet users regarded being forced to pay for an ISP they do not use as a serious concern, with 79 percent finding it a very serious concern.

Similarly, network operators might prevent their broadband subscribers from accessing an alternative ISP altogether. Almost 80 percent said that being denied access to their preferred ISP was a serious concern (69 percent very serious).

In addition, without requirements to the contrary, network owners can also block or impair consumer access to Internet content providers while providing favorable speeds and access to their own or to affiliated Internet content and services. Over two-thirds of respondents identified network discrimination that blocked or slowed service as a serious concern (over half saw it as a very serious concern).

Consumers also expressed strong support for action to prevent these problems. A large majority agrees with the principle of network neutrality and supports the passage of a law to ensure that the communications networks are operated according to this principle.

Almost three quarters (72 percent) agree that cable and telephone companies should adhere to the principle of operating their networks in a neutral manner.

Less than half (47 percent) believe that these companies will voluntarily refrain from blocking or impairing services and applications.
INTRODUCTION: A KEY MOMENT IN DECIDING THE FUTURE OF THE INTERNET

Over the past several months the Internet in the United States has passed important milestones. First, although just over one-third of households still do not have any Internet service at home, the majority¹ of those that do have Internet at home have migrated from narrowband, dial-up service to broadband, “always-on” service.²

Second, not only has the rapid growth of the use of Internet continued unabated, but in the most recent Christmas/holiday season, two major catalogue sellers (L. L. Bean and Nieman Marcus) reported more catalogue sales online than by telephone.³

Third, decisions by the Federal Communications Commission (FCC) and a court ruling may dramatically change the way consumers access the Internet. In the past, companies that carried the data to and from households over narrowband connections were required by law and policy to do so on rates, terms, and conditions that were just, reasonable, and non-discriminatory. In 2002, the FCC eliminated those requirements for cable companies that provide broadband connections (cable modem service) to do so. When the courts upheld the FCC, deferring to the FCC’s discretion as a matter of administrative law,⁴ the FCC quickly eliminated the obligation for telephone company high-speed Internet service (Digital Subscriber Line or DSL).

The intersection of these events has created an intense public policy debate. As the Internet becomes the dominant means of communications and commerce, concern grows that the companies who provide the connection to the network would favor their own affiliated Internet service providers, or their own Internet services (like e-mail, access to web pages, or online shopping or auction sites) or applications (like streaming video or search engines). This would be accomplished by using network control to discriminate against competitors or restrict the access of consumers to information and services provided by others. Under the FCC’s rules, they could do so.⁵

These concerns are not idle speculation. The assumption that companies will not block, impair or otherwise discriminate against competing service providers is contradicted by a string of recent problems and violations.

- Some small telephone and broadband companies that provide the first (or last mile) connection to the Internet for households have refused to allow specific services to function, such as Voice over the Internet telephony (VOIP).⁶
- Other large companies have declared their intention to impose new conditions on applications and service providers, like Google or Yahoo, ostensibly to manage their networks, but with the effect that their own services will function better than that of their competitors.⁷
- Network operators have recently discussed plans to carve up the Internet into multiple, speed-based tiers—a practice that can be designed to discriminate
against some service and application providers while favoring their own affiliates or Internet content providers that have paid for access.\textsuperscript{8}

- In the past, cable operators, who were the first communications companies exempted from the obligation of non-discrimination, forced consumers to pay for the cable company’s affiliated Internet Service Provider and have imposed restrictions on customers that prevented applications and service from being offered to the public.\textsuperscript{9}

- Disputes between the companies that operate parts of the interstate Internet network (called the backbone) have cut consumers off from the Internet after marketplace negotiations failed to reach a resolution.\textsuperscript{10}

The principle of nondiscrimination in access to the communications network has been part of the telecommunications industry for a century. As more of our economic and social life goes online, access to communications takes on even greater importance. After the elimination of access rules by the FCC, there is no protection for consumers and no guarantee that nondiscriminatory access to the Internet will remain intact. In fact, quite the opposite is the case, as we see network operators moving to change the fundamental architecture of the net and turn “network management” into a discriminatory business model. Service providers, applications companies, and consumers see this as an ominous moment calling out for national policy. Thus, it should come as no surprise that this issue is the subject of intense debate in policy circles in Washington. Bills have been introduced in both houses of Congress with differing approaches to ensuring “network neutrality.”\textsuperscript{11}

Because the voice of the public is often drowned out by inside-the-Beltway lobbying, the Consumer Federation of America, Free Press and Consumers Union examined public opinion on this issue. In some senses, it is a technical issue. Yet the outcome of the debate will deeply impact the daily use of the Internet by every American household and business. Its importance to consumers can hardly be overstated. Consumer groups have been involved in policymaking concerning the Internet for almost two decades, including the conduct of previous surveys as well as economic and policy analyses.\textsuperscript{12}

We designed a questionnaire, which was executed by Opinion Research Corporation. We asked the public about how important the Internet is to them; their views on some of the recent actions that would affect their access and appropriate private sector and public policy responses. The questions were designed to be clear and unbiased. All of the questions in the survey are presented in Appendix A so that readers can judge for themselves. The public expresses strong concerns about this issue, as it has in the past.\textsuperscript{13}
The Importance of the Internet for Communications and Commerce

The survey confirms that a substantial minority (over one-third) of the respondents does not have access to the Internet at home. Although 68 percent say they have the Internet at home, because this was a telephone survey, it did not reach those without telephone service. Telephone surveys are likely to overestimate Internet adoption at home because they do not reach a part of the population that is disproportionately less likely to have Internet at home. Thus, adjusting for this problem, Internet is used at home by just under two-thirds of all households. The survey data confirms that the majority of respondents who have Internet at home have switched to broadband. In this survey, 58 percent of respondents with Internet access at home have cable modem or DSL service. Only those respondents who say they use the Internet were asked questions about its importance, or the problems and policies that affect it.

As the following figure shows, the Internet has become an important means of communications and commerce as demonstrated in the survey responses. On a scale of 1 to 5...
where 5 is very important and 1 is not at all important, just under half (47 percent) of all respondents say the Internet is very important (5), while another 42 percent say it is somewhat important (4).

Several specific uses of the Internet stand out in their importance. Using e-mail and instant messaging to keep in touch with friends, relatives, or groups with shared interests received the largest percentage of a “very important ranking,” with 49 percent of respondents. Another 17 percent ranked this use as a 4. The second highest ranked use was researching a product, with 42 percent giving it a 5 and 23 percent giving it a 4. The third ranked use was getting news online (29 percent = 5; 21 percent=4). These three uses are all rated as important by half or more of the respondents. Banking online, buying products and getting information from government agencies are all rated as important by nearly 40 percent of respondents.

**CONCERNS ABOUT DISCRIMINATION AND RESTRICTION ON ACCESS**

We asked several questions about the practices of network operators. We asked the respondents to rank their evaluation of these practices on a scale of 1 to 5, where 1 is not really a bother and 5 is a very serious problem. Respondents were asked to evaluate the following potential practices by network owners:

- preventing users from accessing their preferred Internet service providers (denied choice)
- requiring subscribers to pay for service by that owner’s own or affiliated ISP that the consumer did not demand (pay twice)
- slowing services, such as video streaming, from an Internet content provider (slowed service)
- blocking access to services, such as telephony, offered via the Internet (blocked service).

As the following figure shows, these questions about reaction to certain network operator practices were asked on three separate weeks. In week one, the respondents were asked whether they use the Internet and what type of connection they have. Then a series of usage questions was asked before the network operator practices questions were posed. In weeks two and three, respondents were asked whether they use the Internet, but no connection type or usage questions were asked prior to the network practices questions. This approach helps prevent the long list of usage questions from “priming” the respondents for the practices questions.

No priming effect was found, as the following Figure shows. The responses to the network operator practices questions were virtually identical. Respondents consistently expressed a great deal of concern about actions that would impede their access to Internet services.
On a scale of 1 to 5, where 1 is “not really a bother” and 5 is “very serious problem,” an average of over three quarters (79 percent) said that being forced to pay for an Internet service provider they did not want would be a very serious problem. There was little variation across the weeks, with a low of 76 percent and a high of 81 percent. Another 9 percent ranked this at 4. Respondents expressed a similarly high level of concern if they “were not allowed to use the Internet service provider (like AOL or Earthlink) of your choice,” with 69 percent ranking this a very serious problem (5) and another 9 percent ranking it at 4. There is very little variation across the weeks, with a spread of only two percentage points.

Levels of concern about blocking or slowing specific applications were somewhat lower, but still quite high. About half of the respondents (53 percent) ranked slowing services as a very serious concern, with another 17 percent ranking it a 4. The numbers are 51 percent (very serious) and 17 percent (serious) for blocking.

Respondent who place greater importance on use of the Internet had greater concern about these practices. An index of all of uses created by summing the rankings of each individual use has a statistically significant correlation with every measure of concern about
restrictive network practices. Generally, the perception of a very serious problem is 10 percent - 15 percent higher among those who say a use is very important (see Attachment 1). For example, 61 percent of the respondents who say e-mail is not very important to them, say Denial of Choice would be a very serious problem. That rises to 74 percent for respondents who said e-mail is very important.

**SUPPORT FOR POLICY RESPONSES**

We also varied the questions asked after the network practices questions. In two of the three weeks, the practices questions were followed by a set of public policy questions.

Two parallel sets of questions were asked about policy responses to the concerns about Internet practices with slightly different wording. In one wording, respondents were read a statement of principles about access to the Internet:

> “Consumers should be entitled to access Internet content of their choice, run online applications and services of their choice, connect their choice of devices that do not harm the network and have competition among network, application, service and content providers.”

They were then asked to rate three related statements referring to the statement of principles on a scale of 1 to 5, where 1 is disagree strongly and 5 is agree strongly.

A. These are important principles to guide the Internet

B. Communications companies should adhere to these principles

C. Congress should pass a law to uphold these principles

As the following figure shows, respondents strongly supported this principle of network neutrality. Approximately 72 percent agreed with the statement of principles; 54 percent strongly agreed. Approximately 72 percent agreed that companies should adhere to these principles; 57 percent strongly agreed. A majority (54 percent) agreed that Congress should pass a law, with 40 percent strongly agreeing.

While this first approach to this set of questions stressed the “positive” statement of principles about open network, an alternative wording stressed policies to mitigate adverse practices. Respondents were read the following text and then asked to evaluate the three follow-up statements:

> “Some people say that the telephone and cable companies would not engage in blocking or impairing access to Internet services from other companies, such as streaming video or Internet telephone calls. Other people say we need a national policy to ensure that these problems don’t arise. Finally, some think Congress should adopt a law to ensure that people can have access to all legal
Internet services. On a scale of 1 to 5, where 1 is strongly disagree and 5 is strongly agree, please tell me whether you agree or disagree with each of the following statements.”

A. The telephone and cable companies would not impair or block services
B. We need a national policy to prevent these problems
C. Congress should adopt a law to ensure access to all legal Internet services

Responses again supported action to prevent these problems (see Attachment 2). The national policy was supported by 55 percent (42 percent strongly). Congressional action was supported by 54 percent (40 percent strongly). Approximately 47 percent agreed with the
Comparing the two sets of questions, there is one striking result, as the following figure shows. There is a very large difference between what respondents say cable and telephone companies should do and what they think they will do. Overall, 72 percent said they should adhere to the positive principles. In contrast, only 47 percent agreed that they will not engage in the problematic behavior. The figure also shows these attitudes about company behavior broken down by level of concern about the practices. Generally, those who see the practices as a problem are more likely to think that the companies should adhere to the principles but are only slightly more likely to think that they will not impair service.

Note, however, that even among those who do not see the practice as a problem, the percentage who think the companies should adhere to the principle exceeds the percentage that believe the companies will not impair service. Note also that for blocking, slowing and denial of access, there is majority support for the principle of network neutrality even among those who do not express a high level of personal concern about the practice.
When we examine the principle v. policy statement, or the two questions on passage of a law, the differences are much smaller (see Attachment 3). Majorities in all cases support neutrality. In general, those who perceive a problem are more likely to support a principle or policy. The positive principle receives somewhat greater support.

Differences are even smaller between the two wordings on the passage of a law (see Attachment 4). Among those who do not see these practices as a problem, support for policy or law is in the range of 40 to 50 percent. Among the much larger group that sees these practices as a problem, support for policy or law runs above 60 percent. This is true for the responses to both slowing and blocking questions, which were the practices referred to in the policy question.

Interestingly, even when people think the companies would not engage in these actions their support for these policies does not diminish, instead it increases. Respondents were more likely to support public policies to ensure that these practices did not take place (see Attachment 5). A majority of respondents supports policy action, whether or not they think the companies will engage in them. Among those who believed that the telephone and cable companies would engage in the network practices identified as problematic, a majority supported laws and policies to prevent them. This rose to over two-thirds among those who felt network owners would not engage in problematic conduct.

Cross-tabulating responses to the question on positive network neutrality principles, we find an even higher level of respondents that favor taking some action. We find that 57 percent supports one of the actions to prevent discriminatory practices and does not oppose the other, while only 23 percent do not support either. Respondents are three times as likely to agree strongly with both policy statements as to disagree strongly with both (32 percent to 11 percent). The cross-tabulation for positive Internet neutrality principle and a law to uphold it shows even stronger support. Almost two-thirds (65 percent) support adherence to the principle or passing a law (without opposing the other), while only one-fifth (21 percent) does not support either statement. Whereas 46 percent agrees with both policies (4 or 5 for both), only 6 percent disagrees (1 or 2) with both.

**CONCLUSION**

Respondents to three different national random sample surveys expressed a great deal of concern about practices of communications network operators that could force them to pay for Internet service providers they do not use, deny them the choice of a preferred provider or slow or block Internet services or applications. They expressed strong support for the principle known as “network neutrality.” They believe cable and telephone companies should adhere to such a principle, and they are skeptical that these companies will voluntarily refrain from blocking or impairing services and applications. Majorities of respondents support passage of a law to ensure that the communications networks are operated according to principles of network neutrality.
(Endnotes)

1 Different sources reported passing the milestone at different times. It seems clear that it was passed some time in 2005.

2 We do not use the term “high-speed” because the current definition of high-speed used by the Federal Communications Commission (200 kbps) fails to establish a threshold that reflects the real capacity necessary to support genuine high-speed services.


4 National Cable & Telecommunications Association v. Brand X Internet Services, 125 S. Ct. 2688 (2005)

5 In an ironic twist, the FCC declared that as a matter of policy, network operators should not discriminate, but then emphatically stressed that the FCC would not enforce this policy.

6 In the Matter of Madison River Communications, LLC, File No. EB-05-IH-0110. In the Madison River case, the FCC acted to force the company to stop blocking the flow of data. However, the very authority that the Commission used to do so was repealed by its subsequent cable modem and wireline (DSL) orders.

7 Ed Whitacre, formerly Chairman of SBC Communications (now merged with AT&T), caused a furor with his bald statement to a Business Week reporter that service providers could not expect to use the Internet as they always have: “Why should they be allowed to use my pipes? The Internet can’t be free in that sense, because we and the cable companies have made an investment and for a Google or Yahoo or Vonage or anybody to expect to use these pipes free is nuts,” he said. [see: http://www.freepress.net/news/12110] The Boston Globe confirmed this intention in a December article, reporting: “AT&T Inc. and BellSouth Corp. are lobbying Capitol Hill for the right to create a two-tiered Internet, where the telecom carriers’ own Internet services would be transmitted faster and more efficiently than those of their competitors.” [see: http://www.freepress.net/news/12857]

8 This practice has been openly advocated by the Bell company operators. [see http://www.freepress.net/news/12857]

9 Timothy Wu, “Network Neutrality, Broadband Discrimination,” in Mark N. Cooper (Ed.), Open Architecture as Communications Policy (Stanford: Center for Internet and Society, 2004).

10 A dispute between Cogent Communications Group Inc. and Level 3 Communications Inc. resulted in the interruption and disruption of service to many customers. [see: http://www.freepress.net/news/11831]

11 None of the bills comes even close to restoring the principle of nondiscrimination that governed the delivery of the Internet over the telephone network.


ATTACHMENTS
**ATTACHMENT 1:**

**USAGE AND CONCERN**

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<th>Pay Twice % VerySerious</th>
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ATTACHMENT 2:
SUPPORT FOR AVOIDING PROBLEMS

1= STRONGLY DISAGREE ................. 5=STRONGLY AGREE

% of Respondents

1 2 3 4 5

NEED A POLICY  NEED A LAW
ATTACHMENT 3:
COMPANY BEHAVIOR: SHOULD ADHERE V. WILL NOT IMPAIR

PROBLEM STATUS (1,2 = NO; 4,5 = YES)

% RESPONDENTS AGREE (4 OR 5)

SHOULD ADHERE TO PRINCIPLES WILL NOT IMPAIR
ATTACHMENT 4:
POSITIVE PRINCIPLE V. AVOIDING PROBLEMS

PROBLEM STATUS (1,2 = NO; 4,5 = YES)

% RESPONDENTS SUPPORT (4 OR 5)
ATTACHMENT 5:
COMPANY BEHAVIOR AND NEED FOR POLICY/LAW

![Bar chart showing the percentage of respondents who disagree or agree with the need for laws and policies in companies.]

- **Need a Law**
  - Companies will: 
    - Disagree: 40%
    - Agree: 60%
  - Companies will not: 
    - Disagree: 80%
    - Agree: 20%

- **Need a Policy**
  - Companies will: 
    - Disagree: 40%
    - Agree: 60%
  - Companies will not: 
    - Disagree: 20%
    - Agree: 80%
QUESTIONS

I would like to ask where you, personally, USE the Internet. If YOU don’t USE the Internet at all, please tell me. Do you USE the Internet from. . . [READ LIST. WAIT FOR YES OR NO FOR EACH]

01 Home
02 Work
03 School
195 Some other location [SPECIFY]
196 DO NOT USE THE INTERNET
199 DON’T KNOW/NO RESPONSE

Now I want to ask you some questions about the Internet.

ASK INTERNET USERS, ONLY
ALL OTHERS SKIP TO NEXT SECTION

What kind of Internet connection do you have at home? Would you say . . . [READ LIST. RECORD AS MANY AS APPLY AS NECESSARY. WAIT FOR YES OR NO FOR EACH]

01 Cable modem, high speed
02 DSL, high speed
03 Other high speed, like satellite
04 Dial-up
99 DON’T KNOW

How important is the Internet to you? Is it . . . [READ LIST. RECORD ONE ANSWER]

01 Very important
02 Somewhat important
03 Not at all important
99 DON’T KNOW

Now I want to ask about some things people use the Internet for and find out how important they are for you personally.

On a scale of 1 to 5, where 1 is not at all important and 5 is very important, how important do you find the Internet for keeping in touch with friends or relatives or groups you share an interest in by doing each of the following? [READ AND ROTATE ITEMS]

01 Not at all important (01)
02 (02)
03 (03)
04 (04)
05 Very important (05)
99 DON’T KNOW
A. Using email or instant messaging
B. Sending photos to friends
C. Participating in chat groups
D. Reading a blog
E. Creating a blog

How about shopping? On a scale of 1 to 5, where 1 is not at all important and 5 is very important, how important is the Internet for . . . [READ AND ROTATE ITEMS]

01 Not at all important (01)
02 (02)
03 (03)
04 (04)
05 Very important (05)
99 DON’T KNOW

A. Researching a product
B. Buying a product online
C. Banking online
D. Participating in an online auction

How about entertainment? On a scale of 1 to 5, where 1 is not at all important and 5 is very important, how important is the Internet for . . . [READ AND ROTATE ITEMS]

01 Not at all important (01)
02 (02)
03 (03)
04 (04)
05 Very important (05)
99 DON’T KNOW

A. Playing video games
B. Downloading computer programs
C. Downloading music
D. Downloading videos

Finally, what about public affairs? On a scale of 1 to 5, where 1 is not at all important and 5 is very important, how important is the Internet for . . . [READ AND ROTATE ITEMS]

01 Not at all important (01)
02 (02)
03 (03)
04 (04)
05 Very important (05)
99 DON’T KNOW

A. Getting news online
Now I want to ask you some questions about how the Internet might develop in the years ahead. As a result of recent legal decisions, companies that connect most households to the high-speed Internet, mainly cable and telephone companies, may be allowed to change the way you access the Internet. I’m going to read a list of statements about how you think these changes could affect you.

On a scale of 1 to 5, where 1 is not really a bother and 5 is a very serious problem, how would you feel if . . . [READ AND ROTATE ITEMS]

A. You were not allowed to use the Internet service provider (like AOL or Earthlink) of your choice
B. The company that connects you to the Internet required you to pay for an Internet service provider you did not want
C. Services from your preferred Internet service provider, like streaming video, were slowed down by interference from the company that connects your house to the Internet
D. New services your preferred Internet service provider wanted to offer, such as telephone calls on the Internet, were blocked by the company that connects your house to the Internet

Now I want to read you a brief policy statement about access to Internet services: consumers should be entitled to access Internet content of their choice, run online applications and services of their choice, connect their choice of devices that do not harm the network and have competition among network, application, service and content providers.

Based on this statement, please rate each of the following on a scale of 1 to 5, where 1 is disagree strongly and 5 is agree strongly. [READ AND ROTATE ITEMS]

A. These are important principles to guide the Internet
B. Communications companies should adhere to these principles
C. Congress should pass a law to uphold these principles
Some people say that the telephone and cable companies would not engage in blocking or impairing access to Internet services from other companies, such as streaming video or Internet telephone calls. Other people say we need a national policy to ensure that these problems don’t arise. Finally, some think Congress should adopt a law to ensure that people can have access to all legal Internet services. On a scale of 1 to 5, where 1 is strongly disagree and 5 is strongly agree, please tell me whether you agree or disagree with each of the following statements. [READ STATEMENTS]

<table>
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<th>Strongly disagree (01)</th>
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<th>Strongly agree (05)</th>
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<td>DON’T KNOW</td>
</tr>
</tbody>
</table>

A. The telephone and cable companies would not impair or block services
B. We need a national policy to prevent these problems
C. Congress should adopt a law to ensure access to all legal Internet services