The Internet is a worldwide network of computer users that use the
Internet to communicate with each other and their suppliers. There has
been much confusion on the Acceptable use of the Internet as published
by THE NSFNET BACKBONE SERVICES ACCEPTABLE USE POLICY (attached).

Our competitors use the Internet for a broad spectrum of reasons and
Digital needs to also use the Internet in a similar manner. In the
spirit of our company ethics, our Network Systems Laboratory (NSL)
Technical Director and our Internet and Administrative and Technical
Contact for the Internet Dr. Brian Reid in Palo Alto, has assisted me to
determine and obtain approval for Digital use on the Internet. Brian
contacted one Dr. Stephen Wolff from the National Science Foundation (NSF),
for his ruling on our needs/wants regarding use of the Internet.

The Internet at present has about 1.5 million nodes on its worldwide
network and is growing at an exponential rate. An increasing proportion
of the Internet traffic has become commercial, and much of the traffic
is now carried by commercial carriers. In addition new proposed rulings
regarding use of the Internet will permit the use of the Internet not
only for Research and Education, but for that which will benefit those
social environments with supplier enhancements to products, indirectly
benefiting the Research and Education communities.

Presently Digital has about 50,000 messages a day that traverse the
Internet through our corporate gateway to the Public Internet in Palo
Alto. Groups also provide patches, public domain code, and white papers
as anonymous files for those that would benefit in the Internet
community from the access of these materials. The Internet is also used
by Digital to communicate in standards forums, with customers, and our
ISV's developing added value software on Digital Platforms. The Internet
is already a major part of Digitals infrastructure to communicate with
the technical and business world outside of the company.

With 1.5 million users on the Internet and potential sales from its
users, a priori knowledge of suppliers technology, could result in over
$300 million in business per year. This is a very low estimate on my
part and I am targeting the influence aspect of those on the Internet
just for our networking protocol margins. We are trying to reach new
customers for new business and the Internet will help us achieve that
goal. The Internet users are one communications channel for our
Operating Systems, Workstations, and Networking businesses, which is a
$30 billion dollar market segment for revenues. So as you can see I
have extrapolated a low revenue projection. The Internet users can be
viewed as the "opinion leaders" in the Open Systems market place.

There is also the customer satisfaction issue. Many customers now
expect to be able to communicate with their supplier electronically and
have paid money to access carriers who can provide them a "pipe" to the
Internet. This includes companies doing research such as GM, Shell,
TRW, in addition to all our Scientific and Education customers using
Digital technology to solve problems.

*** Brian's orginal memo to Dr. Wolff

Return-Path: us1rmc::reid@pa.dec.com
Date: Tue, 24 Mar 92 17:19:07 -0500
From: us1rmc::reid@pa.dec.com (Brian Reid)
To: casdoc::oneil, bound::bound
Cc: reid@pa.dec.com
Subject: Re: Internet Use in John O'Neil's case seems Unacceptable Use

I have sent the following message to Steve Wolff:

    To: steve@cise.cise.nsf.gov
    Cc: reid
    Subject: Could I trouble you for an "official" clarification
    Date: Tue, 24 Mar 92 14:15:32 PST

From: Brian Reid <reid>

Dr. Wolff:

I am the Internet administrative and technical contact for Digital
Equipment Corporation, the US's second-largest computer compnay. We
have been a member of NSFnet since its inception, and ARPAnet before
that; we are also connected to AlterNet.

As more and more people in Digital become aware of the usefulness of
the Internet, there is more and more confusion about what we are and
are not permitted to do with it. I was hoping that I could get some
specific statements from you on the following activities.

We have a brief note from you, dated several years ago, specifically
authorizing certain limited kinds of customer-support activities, but
the world has changed a lot since then and the issues of commercial use
of the Internet have become more politically visible. It is important
to Digital that we do only what is permitted, even when it is evident
to us that some of our competitors might be stretching the rules. We
have a Corporate policy that we will obey all rules and regulations
that apply to us.

In each of these cases, there is a group inside Digital that would like
to do this thing, and a lawyer inside Digital who says that we are not
permitted to do it. Your advice would be greatly appreciated.

1. We would like to publish our Internet mail addresses in commercial
   material; for example, the product manager for a certain software
   package would like to list his Internet mailing address in the
   release notes.

2. We would like to publish our Internet mail addresses in commercial
   advertisements. For example, we would like to take out an
   advertisement in the local newspaper announcing a course for which
   we charge money, and offer Internet mail as one way of registering
   for the course.

3. We would like to exchange mail messages with specific individuals,
   who happen to be paying customers of our company, for the purpose
   of discussing issues pertaining to equipment and software that
   they have purchased from us. These conversations are not
   advertisements, but rather technical support, user help, maintenance
   advice, and so forth.

4. We would like to make a mailing list, such as the "SunFlash" mailing
   list used by Sun Microsystems, via which a Digital employee could
   send mail that would reach a large number of recipients. Every
   member of this list would be on it voluntarily, and the information
   that is sent over it would not be advertising or solicitations to
   sell, but would rather be information about current and near-future
   products. This is an "online user newsletter", which has been very
   successful for many of Digital's competitors.

5. If a customer buys documentation from us, we would like to give the
   customer the option of receiving delivery of it over the Internet
   in electronic form, in addition to receiving a paper copy.

6. If a customer buys documentation from us, we would like to give
   the customer the option of receiving delivery of it over the Internet
   instead of receiving a paper copy.

Brian Reid

*** Dr. Wolff's Response to Brian

Return-Path: reid@pa.dec.com

Received: by torrey.pa.dec.com; id AA13811; Sun, 29 Mar 92 16:26:11 -0800
Message-Id: <9203300026.AA13811@torrey.pa.dec.com>
To: bound@bound.lkg.dec.com
Cc: reid@pa.dec.com, mogul@pa.dec.com, agn@flume.enet.dec.com,
        avolio@gildor.dco.dec.com, mcclellan@delni.enet.dec.com,
        low@delni.enet.dec.com, wilde@abyss.enet.dec.com,
        lauck@tl.enet.dec.com, oran@sneezy.enet.dec.com,
        hawe@erlang.enet.dec.com, king@rdvax.enet.dec.com, treese@crl.dec.com,
        lampson@crl.enet.dec.com, swan@pa.dec.com, victor@crl.enet.dec.com,
        grant@gilroy.enet.dec.com, vixie@pa.dec.com, oneil@casdoc.enet.dec.com,
        nsl-interest@pa.dec.com
Subject: Official ruling from the NSF about Digital's use of the Internet
Date: Sun, 29 Mar 92 16:26:10 PST
From: Brian Reid <reid@pa.dec.com>

I sent a formal question to Stephen Wolff asking for official
clarification of the rules with respect to Digital's use of the
Internet. I formulated 6 questions representing current and projected
desires. Here is Dr. Wolff's reply.

 Replied: 29 Mar 92 16:17
 Return-Path: steve@cise.cise.nsf.gov
 Received: by torrey.pa.dec.com; id AA29752; Fri, 27 Mar 92 11:15:39 -0800
 Received: by inet-gw-1.pa.dec.com; id AA25774; Fri, 27 Mar 92 11:14:54 -0800
 Received: from ncri.cise.nsf.gov by cise.cise.nsf.gov id <AA23474@cise.cise.nsf.gov>; Fri, 27 Mar 92
14:13:58 -0500
 Received: by ncri (5.57/Spike-2.0)id AA29933; Fri, 27 Mar 92 14:13:53 -0500
 Message-Id: <9203271913.AA29933@ncri>
 To: Brian Reid <reid>
 Subject: Could I trouble you for an official clarification
 Cc: jcavines@nsf.gov, gstrawn@nsf.gov, raiken@nsf.gov, steveg@nsf.gov,
     steve@cise.cise.nsf.gov
 Date: Fri, 27 Mar 92 14:13:49 EST
 From: Stephen Wolff <steve@cise.cise.nsf.gov>

 Brian -

 Thanks for writing; I do appreciate Digital's desire to be punctilious in
 its observance of the NSFNET Backbone Services Acceptable Use Policy (it has
 recently changed slightly, so I've attached a copy at the end of this note).

 ->1. We would like to publish our Internet mail addresses in commercial
 ->   material; for example, the product manager for a certain software
 ->   package would like to list his Internet mailing address in the
 ->   release notes.
 ->
 ->2. We would like to publish our Internet mail addresses in commercial
 ->   advertisements. For example, we would like to take out an
 ->   advertisement in the local newspaper announcing a course for which
 ->   we charge money, and offer Internet mail as one way of registering
 ->   for the course.

 In these first two cases, the onus of acceptability is clearly on those who
 use your published address to communicate with Digital. Strictly speaking,
 you didn't even have to ask, but thanks for the chance to comment!

 ->3. We would like to exchange mail messages with specific individuals,
 ->   who happen to be paying customers of our company, for the purpose
 ->   of discussing issues pertaining to equipment and software that
 ->   they have purchased from us. These conversations are not
 ->   advertisements, but rather technical support, user help, maintenance
 ->   advice, and so forth.
 ->
 ->4. We would like to make a mailing list, such as the "SunFlash" mailing
 ->   list used by Sun Microsystems, via which a Digital employee could
 ->   send mail that would reach a large number of recipients. Every
 ->   member of this list would be on it voluntarily, and the information

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->   that is sent over it would not be advertising or solicitations to
->   sell, but would rather be information about current and near-future
->   products. This is an "online user newsletter", which has been very
->   successful for many of Digital's competitors.
->
->5. If a customer buys documentation from us, we would like to give the
->   customer the option of receiving delivery of it over the Internet
->   in electronic form, in addition to receiving a paper copy.
->
->6. If a customer buys documentation from us, we would like to give
->   the customer the option of receiving delivery of it over the Internet
->   *instead of* receiving a paper copy.
```

In the latter four cases, there is absolutely no problem if those with whom
you are communicating are in research/education; you're covered under
sections (6), (7), and (9) of the Policy. If the users are Government
contractors, section (8) would very likely apply - since any Gov't agency
NOT in the FNC can join simply by asking.

But there is a potential problem with non-research/education,
non-gov't-contractor customers of yours - the Farm Fresh Food Mart chain is
my prototypical example - who bought their Internet connection from one of
the commercial suppliers such as PSI or Alternet.

In my opinion, however, the volume of such non-conformant traffic is
unlikely to be extensive, and I therefore by this note authorize Digital's
uses 3, 4, 5, and 6 as described by you above, under section (11) of the
Policy and the power of interpretation reserved for the Division of
Networking and Communications Research and Infrastructure.

These four cases would be unquestionably OK upon passage of the amendment to
the NSF Organic Act recently proposed by Rep. Boucher (D, VA), which would
allow NSF to support computer networking for non-R&E purposes as long as
there is benefit to the R&E community as a side effect (in this instance,
the side effect is increased traffic volume => lower per-unit costs to
all). Digital's Washington DC staff might consider whether the Corporation
would like to support this legislative initiative (which is unopposed by the
Executive Branch, by the way).

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 THE NSFNET BACKBONE SERVICES ACCEPTABLE USE POLICY

 GENERAL PRINCIPLE:

(1) NSFNET Backbone services are provided to support open research and
education in and among US research and instructional institutions, plus
research arms of for-profit firms when engaged in open scholarly
communication and research. Use for other purposes is not acceptable.

 SPECIFICALLY ACCEPTABLE USES:

(2) Communication with foreign researchers and educators in connection with
research or instruction, as long as any network that the foreign user
employs for such communication provides reciprocal access to US researchers
and educators.

(3) Communication and exchange for professional development, to maintain
currency, or to debate issues in a field or subfield of knowledge.

(4) Use for disciplinary-society, university-association, government-
advisory, or standards activities related to the user's research and
instructional activities.

(5) Use in applying for or administering grants or contracts for research or instruction, but not for other fundraising or public relations activities.

(6) Any other administrative communications or activities in direct support of research and instruction.

(7) Announcements of new products or services for use in research or instruction, but not advertising of any kind.

(8) Any traffic originating from a network of another member agency of the Federal Networking Council if the traffic meets the acceptable use policy of that agency.

(9) Communication incidental to otherwise acceptable use, except for illegal or specifically unacceptable use.

 UNACCEPTABLE USES:

(10) Use for for-profit activities (consulting for pay, sales or administration of campus stores, sale of tickets to sports events, and so on), or use by for-profit institutions unless covered by the General Principle or as a specifically acceptable use.

(11) Extensive use for private or personal business.

This statement applies to use of the the NSFNET Backbone only. NSF expects that connecting networks will formulate their own use policies. The NSF Division of Networking and Communications Research and Infrastructure will resolve any questions about this Policy or its interpretation.

From Jim Bound (TCP/IP Program Office)
Digital Product Groups may use the Internet as follows:

1. Publish our Internet mail addresses in commercial material.

    You may publish your Internet mail address in commercial material;
    for example, the product manager for a certain software package
    would be able to list their Internet address in the release notes.

2. Publish our Internet mail addresses in commercial advertisement.

    You may publish your Internet mail address in advertisements so the
    market place could learn more about the technology provided by your
    group.

3. Exchange mail with our customers to resolve product questions.

    You may exchange mail with your customers to respond to questions,
    provide technical support, maintenance advice, and in general
    communicate with your customer where there is no exchange of
    money or a fee as a result of the communications.

4. Provide a voluntary product mailing list for our customers.

    You may set up a Digital news group, as exists today on the Internet,
    where customers may voluntarily subscribe to this news group, to
    receive on-line product news letters discussing Digital technology,
    which would be of benefit to the Research, Education, and users who
    are working with emerging technology in those communities. This
    should not contain advertisements or solicitation, but rather
    information regarding products that benefit or support technological
    research or evolution.

5. Customer option to receive Field Test documentation over the Internet.

    You may provide our Field Test customers with the option of
    receiving the documentation for our software over the Internet.

This would be for Field Test documentation as there is no commercial
transaction associated with our Field Test software. Use of this
vehicle should be restricted to that technology which will benefit
emerging research infrastructure such as Operating Systems,
Networking Protocols, Distributed Computing Technology, and
Applications Interfaces to that emerging technology (i.e. X-Windows,
ACA Services, Network Management, Routing Interfaces).

6. Provide product software patches for customers over the Internet.

You may provide software patches as anonymous files or through
electronic mail to customers within the Internet using your product,
and are within the scope of #5 discussed above.

Stephen Wolff (attached) in his response to Brian Reid has given his
permission that in fact the above is acceptable use as "incidental" use
of the Internet, where there is no commercial transaction. We will
clearly be able to expand this use in the company upon passage of the
amendment to the NSF Organic Act recently proposed by Rep. Boucher (D,
VA), which would allow further use of the Internet, when that use
provides indirect benefit to the R&D and Educational communities.