REMARKS OF COMMISSIONER MICHAEL J. COPPS
AT THE FCC WORKSHOP ON
SPEECH, DEMOCRACY AND THE OPEN INTERNET
WASHINGTON, DC
DECEMBER 15, 2009

Good Afternoon. Welcome to the FCC, and thank you for joining today's workshop on Speech, Democracy and the Open Internet. This dialogue is an important part of the open and robust effort we are making to get the best thinking and the best data as we move forward with the Commission's Open Internet proceeding—launched this past September. I supported Chairman Genachowski's decision then to move forward with a Notice of Proposed Rulemaking to build upon the Open Internet Principles adopted by the FCC in 2005. These two actions taken together—in 2005 and now in 2009—are a clear-eyed, sober recognition that the Internet must never be about powerful gatekeepers and walled gardens. It must always be about the smoothest possible flow of communications among people. Such speech should not be stifled.

We have confronted similar tensions before—between the concerns of network operators and the interests of citizens in communicating freely. For as long as the FCC has existed, entrenched, powerful network operators have argued that harm will inevitably result from pro-consumer decisions. In the 1950s and '60s, the government was told that the entire phone network could be compromised if innovations like *Hush-a-Phone* and *Carterfone* were attached to the end of the telephone line. In the early '80s, the Department of Justice was told that breaking up Ma Bell would leave the United States literally unable to respond to a nuclear threat. In recent years, we were told that forcing telecom carriers to accept enforceable network neutrality rules would jeopardize their financial future, as they were consolidating. And in 2007, we were told that wireless carriers couldn't make an open access model work—until these very same carriers changed their mind and came out in favor of just such a model. I recount this brief history to you to remind you that we need to proceed thoughtfully and with a healthy dose of skepticism.

As we work to deliver a worthy National Broadband Plan, I'm excited about the potential of broadband to the citizens of this country. Broadband intersects with just about every great challenge confronting our nation—jobs, business growth, education, energy, climate change and the environment, international competitiveness, health care, overcoming disabilities, opening doors of equal opportunity, to name only the most obvious. Every one of these great national challenges has a broadband component as a critical part of its solution. But broadband connectivity is about even more than that. Increasingly our national conversation, our source for news and information, our knowledge of one another, will depend upon the Internet. So this goes to the future of our civic engagement and our democratic dialogue. Universal broadband not only offers a unique opportunity to connect the lives of those chronically underserved today; it can also expand our opportunities for self-government. I, for one, believe that our National

Broadband Plan would be lacking if it does not address broadband as a tool for democratic engagement.

Every one of our citizens must have access to this enabling technology to participate fully in 21st Century life. As I've stated before, the genius of the Internet is its **openness**, its **dynamism**, its **availability** to one and all. That's why I believe the FCC needs to play a proactive role in preserving the Internet as a vibrant place for democratic values, innovation and economic growth. A solid democracy in the future is going to depend on broad pipes, private sector vision, and thoughtful public policy to make sure that everyone has access to the information they need to exercise their citizen rights and responsibilities.

Building the infrastructure for America's democracy is an age old challenge. Thomas Jefferson and the Founders worried about it long ago. Back then, the infrastructure for news and information was the newspaper. We all remember that famous quote from Thomas Jefferson who, when talking about newspapers—the broadband of its time—said that, if given the choice, he would prefer newspapers without government over a government without newspapers. But that wasn't all he said. Our friends at Free Press, with their usual diligence, dug up the rest of the quote. It turns out Jefferson went on to say, "But I should mean that every man should receive those papers, and be capable of reading them." Isn't that something? Jefferson is talking about **deployment**—getting those newspapers out ubiquitously. And he's talking about **adoption**—people knowing how to read, recognizing the value, and making use of the information infrastructure. Our technology is new—our democratic challenge is exactly the same—and an open Internet today goes to the heart of our civic engagement and our democratic dialogue.

History teaches us that when a company has the technical capacity and a financial incentive to interfere, there will be some bad apples who will. Given what's at stake, we need hard and fast rules—not just idyllic principles and an honesty system arrangement to keep them from doing so. There are founded and unfounded fears in this debate—and we need to have all the facts while considering the future ramifications for this powerful tool. I don't believe that the importance of our Open Internet proceeding can be overstated—it is about safeguarding America's broadband users, whoever they are and however they choose to access the Internet, so that they may use the Internet to go freely to any legal content, so long as no harm is caused to the network.

With that in mind, I look forward to hearing from today's panelists. Again, thank you for joining us for this important discussion.