



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 17, 2010

The Honorable Henry A. Waxman
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Waxman:

I write to update you on the progress of our ongoing rulemaking to preserve the open Internet. Thank you for your letters expressing your thoughts about the Commission's launch of a participatory public process to develop commonsense rules of the road to preserve an open Internet. We share a common purpose in ensuring that the Internet remains an enduring engine for innovation, investment, economic growth, and the free flow of information. To this important end, you have my pledge to continue working with you and your staff in an ongoing, constructive dialogue with respect to this crucial infrastructure.

The Commission released its *Notice of Proposed Rulemaking (NPRM)* on preserving the open Internet on October 22, 2009. The *NPRM* launched a multi-month process, with the goals of safeguarding the free and open Internet, providing greater predictability for the marketplace, and fostering continued innovation and investment. The task of securing an open Internet deserves an open process. Accordingly, Commission staff are conducting a fact-based, transparent, and participatory process to develop rules based on a record that includes engineering and economic examinations.

The Commission has convened a group of technical advisory experts for ongoing input, and held a workshop in December on broadband network management. Over the last three months, the Commission also has held staff-level workshops on investment and innovation, on consumers and transparency, and on free speech and civic participation. Our process now is well underway, and we are encouraged by signs of growing common ground among the many stakeholders we have heard from.

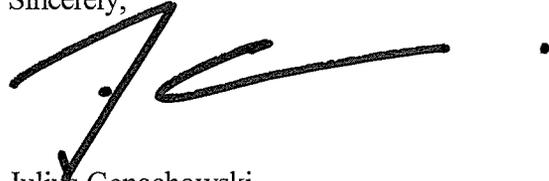
I want to take an additional moment to acknowledge your thoughts about the complementary nature of the goals of ensuring a free and open Internet and protecting the intellectual property rights of creative artists and other content owners; I agree that open Internet protections and enforcement of copyright law are not mutually exclusive. To the contrary, clear rules of the road that protect the open Internet while allowing reasonable network management will provide broadband network operators increased certainty, facilitating the development of innovative approaches to a number of challenges, including online copyright infringement. Coexistence of copyright enforcement and unambiguous obligations of network openness will

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sustain the vibrant opportunities that the Internet has created for independent artists, writers, and even pundits.

I look forward to continuing a constructive dialogue with you on these issues. Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized initial 'J' followed by a horizontal line and a small dot at the end.

Julius Genachowski