

June 30, 2014

The Honorable Gene Green U.S. House of Representatives 2470 Rayburn House Office Building Washington, D.C. 20515

Dear Representative Green:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("Notice") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

The Commission has struggled for over a decade with how best to protect and promote an open Internet. While there has been bipartisan consensus, starting under the Bush Administration with Chairman Powell, on the importance of an open Internet to economic growth, investment, and innovation, we find ourselves today faced with the worst case scenario: we have no Open Internet rules in place to stop broadband providers from limiting Internet openness. The *status quo* is unacceptable. The Commission has already found, and the court has agreed, that broadband providers have economic incentives and technological tools to engage in behavior that can limit Internet openness and harm consumers and competition. As such, the Commission must craft meaningful rules to protect the open Internet, and it must do so promptly. I can assure you that I will utilize the best tools available to me to ensure the Commission adopts effective and resilient open Internet rules. Unless and until the Commission adopts new rules, broadband providers will be free to block, degrade, or otherwise disadvantage innovative services on the Internet without threat of sanction by the FCC.

With respect to the substance of the rules, the proposals and questions in the *Notice* are designed to elicit a record that will give us a foundation to adopt strong, enforceable rules to protect the open Internet and prevent broadband providers from harming consumers or competition. I am especially sensitive to concerns about paid prioritization arrangements, and the potential such arrangements have for creating an Internet that is fast for a few, and slow for everyone else. Let me be crystal clear: there must only be one Internet. It must be fast, robust and open for everyone. The *Notice* addresses this issue head-on, even asking if paid prioritization should be banned outright. It also proposes clear rules of the road and aggressive enforcement to prevent unfair treatment of consumers, edge providers and innovators. Small companies and startups must be able to reach consumers with their innovative products and services, and they must be protected against harmful conduct by broadband providers.

The *Notice* includes a number of proposals designed to empower consumers and small businesses who may find themselves subject to harmful behavior by a broadband provider. For example, the Court of Appeals did uphold our existing transparency rule, and the *Notice* proposes to strengthen that rule to require that networks disclose *any* practices that could change a consumer's or a content provider's relationship with the network. The *Notice* proposes the creation of an ombudsperson to serve as a watchdog and advocate for start-ups, small businesses and consumers. And the *Notice* seeks comment on how to ensure that all parties, and especially small businesses and start-ups, have effective access to the Commission's dispute resolution and enforcement processes.

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Again, I appreciate your deep interest in this matter and look forward to continued engagement with you as the proceeding moves forward.

Sincerely,



June 30, 2014

The Honorable John Barrow U.S. House of Representatives 2202 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Barrow:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("*Notice*") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

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Sincerely,



June 30, 2014

The Honorable Sanford Bishop U.S. House of Representatives 2429 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Bishop:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("*Notice*") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

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June 30, 2014

The Honorable Corrine Brown U.S. House of Representatives 2111 Rayburn House Office Building Washington, D.C. 20515

Dear Congresswoman Brown:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("Notice") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

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Sincerely,



June 30, 2014

The Honorable G.K. Butterfield U.S. House of Representatives 2305 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Butterfield:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("Notice") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

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Sincerely,



June 30, 2014

The Honorable Joaquin Castro U.S. House of Representatives 212 Cannon House Office Building Washington, D.C. 20515

Dear Congressman Castro:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("*Notice*") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

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Sincerely,



June 30, 2014

The Honorable William Lacy Clay U.S. House of Representatives 2418 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Clay:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("*Notice*") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

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June 30, 2014

The Honorable Henry Cuellar U.S. House of Representatives 2431 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Cuellar:

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Sincerely,



June 30, 2014

The Honorable Alcee Hastings U.S. House of Representatives 2353 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Hastings:

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Again, I appreciate your deep interest in this matter and look forward to continued engagement with you as the proceeding moves forward.

Sincerely,



June 30, 2014

The Honorable Gregory Meeks U.S. House of Representatives 2234 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Meeks:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("*Notice*") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

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Again, I appreciate your deep interest in this matter and look forward to continued engagement with you as the proceeding moves forward.

Sincerely,



June 30, 2014

The Honorable Bill Owens U.S. House of Representatives 405 Cannon House Office Building Washington, D.C. 20515

Dear Congressman Owens:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("Notice") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

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Sincerely,



June 30, 2014

The Honorable Scott Peters U.S. House of Representatives 2410 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Peters:

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Sincerely,



June 30, 2014

The Honorable Nick Rahall U.S. House of Representatives 2307 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Rahall:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("*Notice*") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

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Sincerely,



June 30, 2014

The Honorable Bobby Rush U.S. House of Representatives 2268 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Rush:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("*Notice*") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

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Sincerely,



June 30, 2014

The Honorable Loretta Sanchez U.S. House of Representatives 1114 Longworth House Office Building Washington, D.C. 20515

Dear Congresswoman Sanchez:

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Again, I appreciate your deep interest in this matter and look forward to continued engagement with you as the proceeding moves forward.

Sincerely,



June 30, 2014

The Honorable Kurt Schrader U.S. House of Representatives 108 Cannon House Office Building Washington, D.C. 20515

Dear Congressman Schrader:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("Notice") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

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Again, I appreciate your deep interest in this matter and look forward to continued engagement with you as the proceeding moves forward.

Sincerely,



June 30, 2014

The Honorable David Scott U.S. House of Representatives 225 Cannon House Office Building Washington, D.C. 20515

Dear Congressman Scott:

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Again, I appreciate your deep interest in this matter and look forward to continued engagement with you as the proceeding moves forward.

Sincerely,



June 30, 2014

The Honorable Albio Sires U.S. House of Representatives 2342 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Sires:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("*Notice*") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

The Commission has struggled for over a decade with how best to protect and promote an open Internet. While there has been bipartisan consensus, starting under the Bush Administration with Chairman Powell, on the importance of an open Internet to economic growth, investment, and innovation, we find ourselves today faced with the worst case scenario: we have <u>no</u> Open Internet rules in place to stop broadband providers from limiting Internet openness. The *status quo* is unacceptable. The Commission has already found, and the court has agreed, that broadband providers have economic incentives and technological tools to engage in behavior that can limit Internet openness and harm consumers and competition. As such, the Commission must craft meaningful rules to protect the open Internet, and it must do so promptly. I can assure you that I will utilize the best tools available to me to ensure the Commission adopts effective and resilient open Internet rules. Unless and until the Commission adopts new rules, broadband providers will be free to block, degrade, or otherwise disadvantage innovative services on the Internet without threat of sanction by the FCC.

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Sincerely,



June 30, 2014

The Honorable Bennie Thompson U.S. House of Representatives 2466 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Thompson:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("*Notice*") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

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June 30, 2014

The Honorable Marc Veasey U.S. House of Representatives 414 Cannon House Office Building Washington, D.C. 20515

Dear Congressman Veasey:

Thank you for writing to express your concerns regarding the need to reinstate rules to preserve a free and Open Internet for all Americans, and the legal basis upon which the Commission relies in proposing to reinstate its rules. I share the sense of urgency expressed by many on this matter and moved with dispatch to initiate a proceeding to consider new open Internet rules to replace those that were vacated by the D.C. Circuit Court of Appeals in the *Verizon* case. As you know, the *Notice of Proposed Rulemaking* ("*Notice*") adopted by the Commission in May 2014 begins that process. Therein, we ask a number of questions about the rules we need to adopt, as well as the appropriate legal foundation for such rules. Your letter touches on some of the most important issues presented in the *Notice*, and I will ensure that it is included in the record of the proceeding and considered as part of the Commission's review.

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