



United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

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February 23, 2015

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Wheeler:

As you consider your proposed Order for an open Internet, I urge you to again include provisions that will preserve the ability of Internet service providers to block access to material that endangers public safety, violates intellectual property protections, or threatens national security.

As you may know, terrorists are actively using the Internet to recruit disgruntled youth, and to encourage them to commit acts of terrorism. Pirate websites use the Internet to steal millions of dollars of intellectual property from American creators and businesses. Predators use the Internet to lure and traffic in children, among other crimes. It is therefore essential that Internet service providers (ISPs) have the ability to impede access to sites and services that facilitate these activities.

Recognizing this, the 2010 Open Internet Order that was struck down by the U.S. Court of Appeals for the District of Columbia Circuit expressly preserved the ability of ISPs to block access to these kinds of illegal and harmful materials, by including these provisions:

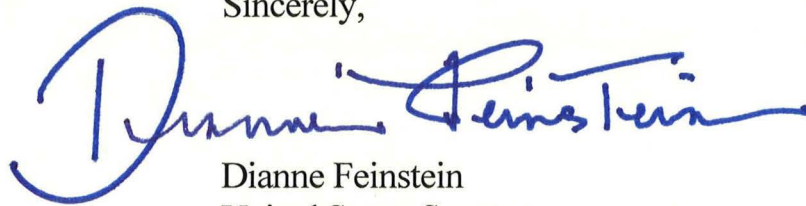
Nothing in this part supersedes any obligation or authorization a provider of broadband Internet access service may have to address the needs of emergency communications or law enforcement, public safety, or national security authorities, consistent with or as permitted by applicable law, or limits the provider's ability to do so.

Nothing in this part prohibits reasonable efforts by a provider of broadband Internet access service to address copyright infringement or other unlawful activity.

I respectfully urge that you include this language, or equally-protective similar language, in any open Internet order that you adopt.

Thank you very much for your attention to this matter. Should you have any questions or wish to discuss this matter, please do not hesitate to call me, or have a member of your staff call my Chief Counsel, Neil Quinter, at 202-224-4933.

Sincerely,

A handwritten signature in blue ink, reading "Dianne Feinstein". The signature is fluid and cursive, with the first name "Dianne" written in a large, stylized "D" and the last name "Feinstein" written in a more standard cursive script.

Dianne Feinstein
United States Senator