

Remarks of Commissioner Mignon L. Clyburn (as prepared)
Voices for Internet Freedom Public Forum
Atlanta, Georgia
June 13, 2017

Thank you, Rashad, not only for that wonderful introduction, but for your commitment, passion, and advocacy.

Good evening, everyone. As one of your neighbors, from just a few miles above I-20 and the Savannah River, let me say just how great it is to be back in Atlanta. Not just for the good food, fine people and perfect accents, but because it gives me the chance to be in a room full of those who recognize that if their neighbors are without robust, affordable broadband access and an open internet, all of us are disadvantaged. I have been in too many rooms filled with those who have either forgotten, never knew, or do not care about what we are obligated to do for our neighbors, but the Voices for Internet Freedom, Color of Change, Center for Media Justice, National Hispanic Media Coalition and Free Press, those who organized this evening's event and the host, The Gathering Place, and you, fortunately know the parable and are going out and doing likewise.

The pace by which communications and media has been transformed in just a few decades is nothing short of remarkable. Not to date myself, but when I was a young girl in South Carolina, we kept in touch through a rotary dial telephone. At the time, we didn't consider ourselves especially limited by time and distance, but we were well aware of the physical endurance needed to carry on a remote conversation. We were tethered to the base station by a short curly phone cord. Then, along came a magnificent innovation . . . a longer curly phone cord, that allowed us to move about more freely, and even reach that chair to sit down.

But make no mistake, that rotary phone was a powerful communications tool. While primitive or alien through today's lens, it was a vital mechanism for civil rights leaders in the 1960's to get the word out about arrests, beatings, and other unspeakable acts. They would dial a Wide Area Telephone Service, or WATS, line to bypass a switchboard operator who might block their call. And once connected to the national civil rights organization, the person on the other end would take down "WATS reports" and send them out to other civil rights advocates, media contacts, attorneys, and other friends of the movement. As WIRED magazine put it, "it took a lot of infrastructure to live-tweet what was going on in the streets of the Jim Crow South."

That technological artifact got the job done. But, the predilection of those justice seekers during that era to use technology to get the word out, is the same today. As Congressman John Lewis so eloquently put it: "If we had the internet during the movement, we could have done more, much more, to bring people together from all around the country, to organize and work together to build the beloved community." Today, countless numbers of decentralized groups are held together by a common sense of purpose coalesced around Twitter hashtags, tweets, emails, and videos—distributed via an open internet—and the word "Ferguson" is forever seared into our national consciousness because of it.

Simply put, the internet has been transformative. Be it civil rights, community organizing, or being connected to better educational, work, medical, social interactions and opportunities... it is a peerless platform for speech and creativity. Anyone can put up a website and speak their mind, engage their community, or create art. It is a platform that benefits all. And the more people who use it, the more we collectively benefit.

And just as we need the First Amendment to protect basic speech, we need those very same ideals, to ensure free speech and free flow of content on the internet. That First Amendment for the internet, is net neutrality, because people who control the wires and the airwaves over which we communicate, have a unique ability to shape what we see, say, and hear. We saw this power abused when operators refused to connect the call of a civil rights advocate in the 1960's, and we saw power abused, in the refusal to allow consumers to access competing voice services in 2005.

These two examples powerfully prove that strong rules, grounded in strong legal authority, are essential in ensuring that the people who create content, who create media, who create art, are able to find audiences and make a living. I met Denise, an artist, writer and mother of six, last month at an open forum in Los Angeles' Skid Row. She once felt separated from the world because of the challenges of being a stay-at-home mom of six. But soon, she began blogging and what started for her as an avenue of expression, eventually became a retail outlet for her artistic work as well as a source of income that has enabled her and her husband to support their family.

Then there is Jouelzy, a young lady whom I had the pleasure of meeting at my #Solutions2020 conference this past October. She is a self-described #SmartBrownGirl, who uses the internet to celebrate and encourage women of color, through video, spoken, and written word. Simply by making her voice heard on YouTube and beyond, she has made a name for herself and is able to support herself financially.

If the internet were not open and free from interference by broadband providers, these women would not have been able to engage in the speech and commerce that is supported them. And before anyone says that internet service providers would never get in the way of individuals like Jouelzy and Denise, let me remind them of this.

In 2013, a large broadband provider decided that it would engage in some blocking, to try to leverage an interconnection deal with a large content provider. The broadband provider decided that it would configure its modems that it supplied to all of its customers, to block all online ads by default. Now, this may sound like a fight between two massive companies, but it directly impacts the business models of Denise and Jouelzy, for if a broadband provider decides to block ads as leverage in a negotiation, small businesses who depend on ad revenue get trampled.

So too are the consumers, who lost out several years back, when some broadband providers refused to let a certain company's video traffic onto their networks, without further payments from that company. The giants were battling it out again, but it was the consumers who got trampled as their favorite shows buffered or failed to load.

I could go on and on, but the point is this: The FCC had your back in 2015, when we adopted bright-line rules of the road, for broadband internet access. We ensured that balanced rules were in place for broadband providers and content creators alike, rules that would preserve the internet as a platform for creativity and innovation for decades to come. Those rules were based on Title II of the Communications Act, and it gave the agency strong legal authority, which the courts ultimately agreed provided us with the clearest, sustainable means to uphold those open internet rules that enable on-line parity and equity for each and every one of you.

But this is at risk today, because the new FCC leadership, is not interested in keeping these protections in place for you. Make no mistake, those powerful broadband providers along with the new FCC majority may say that they want net neutrality, but that they just don't like Title II. Your follow-up question then needs to be that if we tried instituting net neutrality without Title II twice before, and two times the courts said "no," just how will what you are advocating, stand up and court, and stand up for me?

So why I am here tonight? I can sum it up in two ways. First, I want to hear your stories, take them back to the FCC, and make sure they are part of the conversation. For there are those who are attempting to minimize the value of the over four million comments we have received on line and by post, so give me your permission to mention your names and let them see your faces tonight. And I am here tonight, to tell you that these rules do not have a snowball's chance in that perpetual furnace, if you fail to make your voices heard. So my ask is that you not only submit comments to the FCC, but call your Member of Congress, reach out to your U. S. Senators, and let them know why an open internet is so important to you. Then you've got to talk about it with others, share why this thing we call net neutrality is important and valuable to them as well as every person in America. The only chance of keeping vital protections in place and not being trampled is to speak up and speak out. Silence and inaction, when it comes past movements and in this proceeding, are not your allies.

Thank you, and I look forward to continuing this conversation this evening.