

June 16, 2015

The Honorable Harold Rogers
Chairman
U.S. House of Representatives
Committee on Appropriations

The Honorable Nita M. Lowey
Ranking Member
U.S. House of Representatives
Committee on Appropriations

Dear Chairman Rogers and Ranking Member Lowey,

We are writing on behalf of our organizations, which represent the technology community, ranging from small startups to large companies, to share our concerns regarding the net neutrality provisions contained in the FY 2016 Financial Service and General Government Appropriations legislation.

The Federal Communications Commission's (FCC) Open Internet Order, which took effect on June 12, 2015, concluded a year-long rulemaking process that saw unprecedented public participation. Over 4 million people, companies and groups filed comments, the overwhelming majority of which demanded strong net neutrality rules to prevent broadband carriers from blocking, throttling or charging priority fees for Internet traffic within their networks.

As the Internet plays an increasingly vital role in American business and our economy, net neutrality is critical to ensuring a fair and level competitive playing field. Furthermore, these safeguards provide more certainty and predictability in the marketplace, fostering innovation and growth. To that end, we are concerned with the net neutrality provisions in the bill - section 628, section 629 and section 630.

Section 628 calls for more transparency at the FCC. We agree that sunlight is the best antiseptic—that's why we have advocated for strong net neutrality rules to hold the gatekeepers of the Internet accountable. We also believe that open bipartisan talks remain the best opportunity for Congress to address this issue from a legislative perspective.

Section 629, as currently drafted, is too broad and would have unintended consequences for telecommunications policy concerning interconnection.

Finally, section 630 of the appropriations bill bars the FCC from spending appropriated funds to implement, administer or enforce the Open Internet Order until the pending judicial appeals have been decided, essentially imposing a "legislative stay." On June 11, the U.S. Court of Appeals for the D.C. Circuit denied a request for a stay of the FCC's Open Internet Order and the rules adopted therein to become effective on June 12. Given this recent development, Congress'

pursuit of this provision will only breed more uncertainty for American business and all parties involved.

To that end, we recommend that the House Appropriations Committee defer work on these matters to the committee of jurisdiction, Energy and Commerce, to develop thoughtful, bipartisan solutions on Internet policy.

We appreciate the committee's consideration of the technology community's input and hope to work together to achieve policies that breed competition and innovation while supporting American jobs and bolstering economic growth.

Sincerely,

Internet Freedom Business Alliance
COMPTEL
Computer and Communications Industry Association
Engine

cc: Members of the House Committee on Appropriations