

April 4, 2011

Dear Representative,

We write to urge your support for the FCC's open Internet rules and rejection of HJ Res 37, a resolution of disapproval under the Congressional Review Act. Americans have come to depend on reliable open Internet access for their daily life and work. A minimalist FCC rule is necessary to provide households, students and small businesses even limited recourse if their Internet Access Provider (IAP) decides to abuse its power and tries to regulate Internet activity to favor its own interests. They have an understandable incentive and the technical ability to prioritize their own video programming, cloud computing and other services, and make access to competing online alternatives more difficult and/or more expensive.

The FCC's December 2010 decision was adopted after lengthy proceedings and unprecedented public input. The result is a very modest rule designed to preserve open non-discriminatory Internet access. Entrepreneurs and start-ups and thousands of Internet related companies need business certainty that their innovations and businesses will not be blocked. In deference to the wishes of IAPs, the FCC completely avoided more sweeping Title II common carrier regulation. The final rule allows flexible network management and will encourage, not inhibit broadband network deployment, since it affirmatively facilitates innovation and investment in new online services, content, applications and access devices by providing some assurance they will not be blocked.

CRA repeal of this FCC rule would actually leave the American public and businesses worse off than with no Open Internet rule, as it also would rescind existing FCC authority in this area. Congress has long entrusted the FCC with a duty to protect the public interest in nationwide communications by wire and radio. No other agency can help your constituents with Internet access abuses if FCC authority is terminated. We urge your opposition to the Resolution which is based on multiple misunderstandings and misrepresentations repeatedly made by a few dominant players seeking the power to be gatekeepers of the Internet.

Sincerely,

Ed Black
President and CEO
CCIA