

MICHAEL F. BENNET
COLORADO

COMMITTEES:
AGRICULTURE, NUTRITION, AND FORESTRY
FINANCE
HEALTH, EDUCATION, LABOR,
AND PENSIONS

United States Senate
WASHINGTON, DC 20510-0609

1091

WASHINGTON, DC:
458 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-6852
COLORADO:
1127 SHERMAN STREET
SUITE 150
DENVER, CO 80203-2398
(303) 455-7600
<http://www.bennet.senate.gov>

December 13, 2017

Chairman Ajit V. Pai
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Pai:

I write to urge you to abandon your plan to rescind the FCC's net neutrality rules. Over the last two decades, the Internet has become essential for technological innovation, economic development, and freedom of expression both in Colorado and across the country. It has also become a powerful force in breaking cycles of poverty and inequality. As Commissioner Mignon Clyburn has said, "broadband is the greatest equalizer of our time."

The Open Internet rules that the FCC passed in 2015 prohibit broadband providers from blocking, slowing down, or charging more for the delivery of certain Internet content. By rescinding these rules, Internet service providers (ISPs) would be able to favor or discriminate against websites or online media by charging higher fees for access to faster network speeds or premium content. This would undermine the fundamental promise of the Internet, which has enabled economic growth and entrepreneurship, as well as the free exchange of ideas essential to our democracy.

The FCC has a role to play to ensure that promise. Even under the Bush-era FCC, then-FCC chair Michael Powell gave a speech in Boulder, Colorado in 2004 declaring the "Four Internet Freedoms": freedom to access content; freedom to use applications; freedom to attach personal devices; and freedom to obtain service plan information. The Bush Administration later codified these basic rules as regulations. Your proposal threatens to eliminate the FCC's oversight role that has been in place for decades under both Democratic and Republican presidents.

A free and open internet has become a key component of our democracy, economy, and pursuit of a more equal society. As a regulatory body, the FCC has a responsibility to protect the standards that make it possible for our communities to thrive in the 21st Century.

Sincerely,



Michael F. Bennet
United States Senator



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

April 19, 2018

The Honorable Michael Bennet
United States Senate
261 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Bennet:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

At the dawn of the commercial Internet in 1996, President Clinton and a Republican Congress agreed that it would be the policy of the United States "to preserve the vibrant and competitive free market that presently exists for the Internet . . . unfettered by Federal or State regulation." This bipartisan policy worked. Encouraged by light-touch regulation, the private sector invested over \$1.5 trillion to build fixed and mobile networks throughout the United States. Innovators and entrepreneurs grew startups into global giants. America's Internet economy became the envy of the world.

Then, in early 2015, the FCC jettisoned this successful, bipartisan approach to the Internet and decided to subject the Internet to utility-style regulation designed in the 1930s to govern Ma Bell. This decision was a mistake. For one thing, there was no problem to solve. The Internet wasn't broken in 2015. We weren't living in a digital dystopia. To the contrary, the Internet had been a stunning success.

Not only was there no problem, this "solution" hasn't worked. The main complaint consumers have about the Internet is not and has never been that their Internet service provider is blocking access to content. It's that they don't have access at all or enough competition between providers. The 2015 regulations have taken us in the opposite direction from these consumer preferences. Under Title II, annual investment in high-speed networks declined by billions of dollars—the first time that such investment has gone down outside of a recession in the Internet era. And our recent Broadband Deployment Report shows that the pace of both fixed and mobile broadband deployment declined dramatically in the two years following the *Title II Order*.

Returning to the legal framework that governed the Internet from President Clinton's pronouncement in 1996 until 2015 is not going to destroy the Internet. It is not going to end the Internet as we know it. It is not going to undermine the free exchange of ideas or the fundamental truth that the Internet is the greatest free market success story of our lifetimes.

By returning to the light-touch Title I framework, we are helping consumers and promoting competition. Broadband providers will have stronger incentives to build networks, especially in unserved areas, and to upgrade networks to gigabit speeds and 5G. This means there will be more competition among broadband providers. It also means more ways that companies of all kinds and sizes can deliver applications and content to more users. In short, it's a freer and more open Internet.

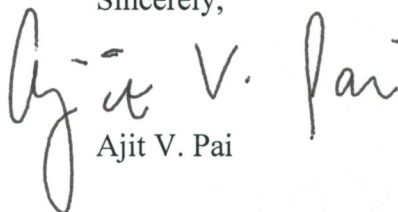
The *Restoring Internet Freedom Order* also promotes more robust transparency among ISPs than existed three years ago. It requires ISPs to disclose a variety of business practices, and the failure to do so subjects them to enforcement action. This transparency rule will ensure that consumers know what they're buying and that startups get information they need as they develop new products and services.

Moreover, we reestablish the Federal Trade Commission's authority to ensure that consumers and competition are protected. Two years ago, the *Title II Order* stripped the FTC of its jurisdiction over broadband providers by deeming them all Title II "common carriers." But now we are putting our nation's premier consumer protection cop back on the beat.

In sum, Americans will still be able to access the websites they want to visit. They will still be able to enjoy the services they want to enjoy. There will still be regulation and regulators guarding a free and open Internet. This is the way things were prior to 2015, and this is the way they will be in the future.

I appreciate your interest in this matter. Your views are important and will be entered into the record of the proceeding. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink that reads "Ajit V. Pai". The signature is fluid and cursive, with the first name "Ajit" being the most prominent part.

Ajit V. Pai