

December 8, 2017

1055

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street Southwest
Washington, DC 20554

Dear Chairman Pai:

In advance of the Federal Communications Commission's (FCC) upcoming vote on proposed changes to the existing net neutrality rules, we are writing to emphasize the importance of an open and free Internet to the nation's small business community. The structure of these crucial regulations must maintain a level digital playing field for businesses of all sizes and we implore the FCC to fully honor the unique challenges that small businesses face in an online market and to reject changes that could disadvantage this important sector of our economy.

The concept of a fair and open Internet prevents discriminatory practices that could favor larger companies online - like higher costs for faster delivery speeds or prioritization of provider content. Small businesses are particularly dependent on high quality Internet services in order to increase their consumer base and expand their operations and are much less likely to have the resources to invest in this kind of 'pay-to-play' system. Research shows that 47 percent of people expect a web page to load in two seconds or less and 40 percent will abandon a web page if it takes more than three seconds to load. Increased costs or slower speeds could severely limit the small business community's ability to attract customers, communicate with vendors, manage data and recruit talented employees.

Inequities in Internet service can also limit our nation's economic growth by increasing launch costs for entrepreneurs and companies seeking to expand. Many new and smaller businesses rely on high-speed Internet access to build name recognition and seek out investors without incurring initial major overhead costs. In 2014, startups created approximately 2.5 million jobs, representing roughly 2.1 percent of total U.S. employment. Changes to the net neutrality rules could inflate entry barriers and loosen the control that small businesses have over how they reach their customers.

As the lynchpins of many local communities, small businesses deserve our support. We ask that the FCC closely examine how changes to the current net neutrality regulations could unfairly disadvantage small businesses and give full consideration to comments submitted for the record addressing such concerns before the Commission's scheduled December 14 vote. Thank you for your immediate attention to this matter.

Sincerely,



Jeanne Shaheen
United States Senator



Maria Cantwell
United States Senator



Benjamin L. Cardin
United States Senator



Mazie K. Hirono
United States Senator



Tammy Duckworth
United States Senator

CC: The Honorable Mignon Clyburn, Commissioner
The Honorable Michael O'Rielly, Commissioner
The Honorable Brendan Carr, Commissioner
The Honorable Jessica Rosenworcel, Commissioner



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

April 24, 2018

The Honorable Benjamin L. Cardin
United States Senate
509 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Cardin:

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.

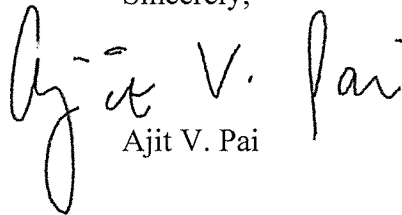
The *Restoring Internet Freedom Order* also promotes more robust transparency among ISPs than existed three years ago. It requires ISPs to disclose a variety of business practices, and the failure to do so subjects them to enforcement action. This transparency rule will ensure that consumers know what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

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THE CHAIRMAN

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WASHINGTON

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United States Senate
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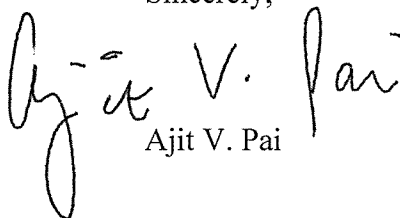
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April 24, 2018

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United States Senate
511 Hart Senate Office Building
Washington, D.C. 20510

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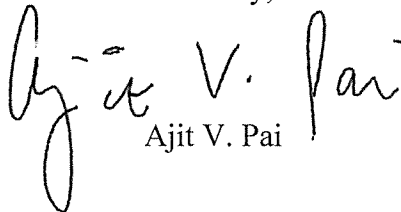
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OFFICE OF
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 24, 2018

The Honorable Mazie K. Hirono
United States Senate
330 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Hirono:

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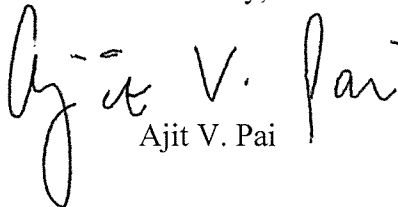
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FEDERAL COMMUNICATIONS COMMISSION
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The Honorable Tammy Duckworth
United States Senate
G12 Dirksen Senate Office Building
Washington, D.C. 20510

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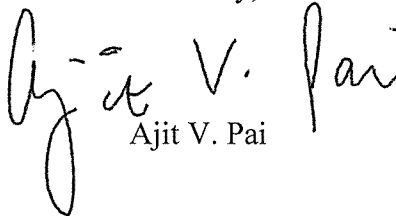
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