



Commissioner Clyburn Raises The Bar With Net Neutrality Speech

By [Art Brodsky](#) on January 26, 2010 - 6:01pm

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Let us give props where props are due. Federal Communications Commissioner Mignon Clyburn [spoke](#) last Friday before the Minority Media and Telecommunications Council (MMTC). This is a group that on one hand could provide her a sympathetic audience, were it not for the fact that their stance on Net Neutrality has tended to embrace the talking points for the telephone and cable companies.

In [comments](#) in the Net Neutrality docket, MMTC and other organizations put forward the industry talking points that an open and non-discriminatory Internet could raise prices for consumers (citing a Bell front group as evidence). Then the groups raise the spectre of regulation of search engines and other applications, justifying this intrusion into the Internet as grounded in civil rights law, filtered through the prism of making certain that search engines don't harm minorities. Of course, this attack is one that AT&T, which generally disdains regulation, has put forward for years as a means of attacking Google. It fools no one when MMTC raises it as well.

It's [true](#) that Public Knowledge raised questions about Clyburn's readiness to back a Net Neutrality agenda. And PK is pleased to say that our questions have been answered with all doubts dispelled. In her MMTC speech, Clyburn answered them emphatically, not only delivering a strong statement on behalf of a free and open Internet, but calling out minority groups for remaining silent or expressing wariness at new government regulation.

Noting that Web entrepreneur Jonathan Moore, a Net Neutrality [supporter](#) was able to start his Rowdy Orbit site with minority content for little investment, Clyburn noted: "Had the costs of access been much greater, however – say if he had to buy his way into priority status on one or more networks – Rowdy Orbit may never have seen the light of day."

She continued: "So in addition to the issue of how we tackle broadband adoption in communities of color, another central question we must answer is: How can we ensure that our communities can take advantage of this emerging economic force? And relatedly, how can we ensure that the current low barriers to entry remain low in order to prevent yet another communications model that has people of color once again on the outside looking in?"

"To my surprise, most of the filings submitted and public statements issued by some of the

leading groups representing people of color on this matter have been silent on this make-or-break issue. There has been almost no discussion of how important – how essential – it is for traditionally underrepresented groups to maintain the low barriers to entry that our current open Internet provides. I have seen virtually nothing on how important it is that we not allow what is today our Internet become theirs.” Clyburn then quoted from [comments](#) submitted by the National Hispanic Media Coalition, which does recognize the importance of Net Neutrality. She quoted NHMC, saying that high-speed Internet access is essential for small business owners to reach customers, to journalists and to content creators. NHMC's comments were strong and direct.

Here's one part that Clyburn didn't quote: “These (Net Neutrality) principles are necessary to ensure that all people – especially people of color, who have been traditionally under and misrepresented on mainstream media – enjoy opportunities to share their stories fairly and accurately. The Internet is one of the very few places where Latinos can respond to the vitriolic anti-Latino rhetoric that airs unopposed on some mainstream media outlets.”

Clyburn also smartly linked the idea of a free and open Internet to MMTC's signature issue – minority ownership. She noted that MMTC has worked for 22 years to make certain that people of color “will have every opportunity to participate as owners, employees and suppliers in the electronic media and telecommunications industries.”

She added: “These words, I believe, should apply directly to the Internet as well. Together we must ensure that people of color – and all Americans – can “participate as owners, employees, and suppliers” on-line. That cannot happen, however, if we passively permit a new set of gatekeepers to erect yet another set of barriers to entry.” Clyburn also pointed out the danger of using another Bell argument – the “unintended consequences” of government regulation: Some of you have expressed a concern that we must be wary of open Internet rules because of the potential for “unintended consequences.” But the same argument can be made for any government regulation, especially those rules many of the folks here have sought on the media ownership front.”

Considering the subject matter and the venue, this was as impressive a speech as an FCC commissioner can give.