

United States Senate

WASHINGTON, DC 20510

October 21, 2009

Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

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Dear Chairman Genachowski:

We are pleased that the Commission is about to initiate a Notice of Proposed Rulemaking and begin gathering information to learn how best to protect a free and open Internet.

We also support your decision to have an extended comment period in which Internet service providers, content providers, content creators, interested Internet users and many more will be able to provide their input. We believe that this is the path toward guaranteeing that consumers will hold ultimate control over the content they send and receive over the Internet and that the Internet will remain open and free for everyone who uses it.

The last decade has witnessed extraordinary growth in the Internet economy. The Internet has been an engine of innovation, entrepreneurship and commerce precisely because of its free and open nature. But in recent years, the FCC's removal of non-discrimination protections has drawn into question whether the openness and freedom of the Internet marketplace will continue. The proceeding you seek to undertake has the laudable goal of preserving and sustaining the benefits the Internet has delivered.

Throughout the last decade, the FCC has rightly treated the Internet with a light touch. The agency has intervened to enforce existing law only when necessary to ensure that the Internet remains open, adhering to its Internet Policy Statement—a set of four principles that guide policy. But the Commission's actions have been challenged, and both its authority to act and the sufficiency of its guiding principles have been questioned. In short, there is more work to be done to resolve this issue and to guarantee a free and open Internet for all users.

The FCC's proposed rulemaking will consider the best process for affirming the four existing Internet principles, as well as adding two additional principles. The new principles of non-discrimination and transparency are important, because they will help to ensure a free and open Internet in the future. A principle of non-discrimination will ensure that lawful content is protected from discriminatory practices, while allowing network providers to maintain the security of their networks and engage in reasonable network management of congestion. Additionally, it is important to ensure that a principle encouraging the transparency of network management practices exists, so that consumers know they are getting what they have paid for.

Now the FCC, with these important goals in mind, will begin to consider how best to write the rules and reinstate these critical consumer protections. This is the proper course to

protect an open and secure Internet and thriving marketplace for consumers, producers, and service providers.

We support your approach and are pleased that you are starting the process to develop rules, and we look forward to working with you to keep the Internet free and open.

Sincerely,

George A. Sanyal

John F. King

Chris Dodd

Tom Harkin

Bar Sanders

Bill Nelson

Jim Gribble

Patrick Leahy

Th. W. W. W.

Paul Begala

Maria Casanova



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 3, 2010

The Honorable Mark Begich
United States Senate
144 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Begich:

I write to update you on the progress of our ongoing rulemaking to preserve the open Internet. Thank you for your letter expressing your thoughts about the Commission's launch of a participatory public process to develop commonsense rules of the road to preserve an open Internet. We share a common purpose in ensuring that the Internet remains an enduring engine for innovation, investment, economic growth, and the free flow of information. To this important end, you have my pledge to continue working with you and your staff in an ongoing, constructive dialogue with respect to this crucial infrastructure.

The Commission released its *Notice of Proposed Rulemaking (NPRM)* on preserving the open Internet on October 22, 2009. The *NPRM* launched a multi-month process, with the goals of safeguarding the free and open Internet, providing greater predictability for the marketplace, and fostering continued innovation and investment. The task of securing an open Internet deserves an open process. Accordingly, Commission staff are conducting a fact-based, transparent, and participatory process to develop rules based on a record that includes engineering and economic examinations.

The Commission has convened a group of technical advisory experts for ongoing input, and held a workshop in December on broadband network management. Over the last three months, the Commission also has held staff-level workshops on investment and innovation, on consumers and transparency, and on free speech and civic participation. Our process now is well underway, and we are encouraged by signs of growing common ground among the many stakeholders we have heard from.

I look forward to continuing a constructive dialogue with you on these issues. Please do not hesitate to contact me if I can be of further assistance.

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Julius Genachowski



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 3, 2010

The Honorable Byron L. Dorgan
United States Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Dorgan:

I write to update you on the progress of our ongoing rulemaking to preserve the open Internet. Thank you for your letter expressing your thoughts about the Commission's launch of a participatory public process to develop commonsense rules of the road to preserve an open Internet. We share a common purpose in ensuring that the Internet remains an enduring engine for innovation, investment, economic growth, and the free flow of information. To this important end, you have my pledge to continue working with you and your staff in an ongoing, constructive dialogue with respect to this crucial infrastructure.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 3, 2010

The Honorable Richard J. Durbin
United States Senate
309 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Durbin:

I write to update you on the progress of our ongoing rulemaking to preserve the open Internet. Thank you for your letter expressing your thoughts about the Commission's launch of a participatory public process to develop commonsense rules of the road to preserve an open Internet. We share a common purpose in ensuring that the Internet remains an enduring engine for innovation, investment, economic growth, and the free flow of information. To this important end, you have my pledge to continue working with you and your staff in an ongoing, constructive dialogue with respect to this crucial infrastructure.

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WASHINGTON

March 3, 2010

The Honorable Tom Harkin
United States Senate
731 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Harkin:

I write to update you on the progress of our ongoing rulemaking to preserve the open Internet. Thank you for your letter expressing your thoughts about the Commission's launch of a participatory public process to develop commonsense rules of the road to preserve an open Internet. We share a common purpose in ensuring that the Internet remains an enduring engine for innovation, investment, economic growth, and the free flow of information. To this important end, you have my pledge to continue working with you and your staff in an ongoing, constructive dialogue with respect to this crucial infrastructure.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 3, 2010

OFFICE OF
THE CHAIRMAN

The Honorable John F. Kerry
Chairman
Subcommittee on Communications, Technology,
and the Internet
Committee on Commerce, Science, and Transportation
United States Senate
218 Russell Senate Office Building
Washington, D.C. 20510

Dear Chairman Kerry:

I write to update you on the progress of our ongoing rulemaking to preserve the open Internet. Thank you for your letter expressing your thoughts about the Commission's launch of a participatory public process to develop commonsense rules of the road to preserve an open Internet. We share a common purpose in ensuring that the Internet remains an enduring engine for innovation, investment, economic growth, and the free flow of information. To this important end, you have my pledge to continue working with you and your staff in an ongoing, constructive dialogue with respect to this crucial infrastructure.

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WASHINGTON

March 3, 2010

The Honorable Patrick J. Leahy
United States Senate
433 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Leahy:

I write to update you on the progress of our ongoing rulemaking to preserve the open Internet. Thank you for your letter expressing your thoughts about the Commission's launch of a participatory public process to develop commonsense rules of the road to preserve an open Internet. We share a common purpose in ensuring that the Internet remains an enduring engine for innovation, investment, economic growth, and the free flow of information. To this important end, you have my pledge to continue working with you and your staff in an ongoing, constructive dialogue with respect to this crucial infrastructure.

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March 3, 2010

The Honorable Bill Nelson
United States Senate
716 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Nelson:

I write to update you on the progress of our ongoing rulemaking to preserve the open Internet. Thank you for your letter expressing your thoughts about the Commission's launch of a participatory public process to develop commonsense rules of the road to preserve an open Internet. We share a common purpose in ensuring that the Internet remains an enduring engine for innovation, investment, economic growth, and the free flow of information. To this important end, you have my pledge to continue working with you and your staff in an ongoing, constructive dialogue with respect to this crucial infrastructure.

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March 3, 2010

The Honorable Bernard Sanders
United States Senate
332 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Sanders:

I write to update you on the progress of our ongoing rulemaking to preserve the open Internet. Thank you for your letter expressing your thoughts about the Commission's launch of a participatory public process to develop commonsense rules of the road to preserve an open Internet. We share a common purpose in ensuring that the Internet remains an enduring engine for innovation, investment, economic growth, and the free flow of information. To this important end, you have my pledge to continue working with you and your staff in an ongoing, constructive dialogue with respect to this crucial infrastructure.

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March 3, 2010

The Honorable Maria Cantwell
United States Senate
511 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Cantwell:

I write to update you on the progress of our ongoing rulemaking to preserve the open Internet. Thank you for your letter expressing your thoughts about the Commission's launch of a participatory public process to develop commonsense rules of the road to preserve an open Internet. We share a common purpose in ensuring that the Internet remains an enduring engine for innovation, investment, economic growth, and the free flow of information. To this important end, you have my pledge to continue working with you and your staff in an ongoing, constructive dialogue with respect to this crucial infrastructure.

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March 3, 2010

The Honorable Ron Wyden
United States Senate
223 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Wyden:

I write to update you on the progress of our ongoing rulemaking to preserve the open Internet. Thank you for your letter expressing your thoughts about the Commission's launch of a participatory public process to develop commonsense rules of the road to preserve an open Internet. We share a common purpose in ensuring that the Internet remains an enduring engine for innovation, investment, economic growth, and the free flow of information. To this important end, you have my pledge to continue working with you and your staff in an ongoing, constructive dialogue with respect to this crucial infrastructure.

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March 3, 2010

The Honorable Christopher J. Dodd
United States Senate
448 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Dodd:

I write to update you on the progress of our ongoing rulemaking to preserve the open Internet. Thank you for your letter expressing your thoughts about the Commission's launch of a participatory public process to develop commonsense rules of the road to preserve an open Internet. We share a common purpose in ensuring that the Internet remains an enduring engine for innovation, investment, economic growth, and the free flow of information. To this important end, you have my pledge to continue working with you and your staff in an ongoing, constructive dialogue with respect to this crucial infrastructure.

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