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Congress of the United States
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January 14, 2010

Julius Genachowski
Chairman
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Dear Chairman Genachowski,

I am pleased that the Federal Communications Commission (FCC) has initiated a proceeding to ensure that the Internet remains a vibrant, open, and free medium for innovation, entrepreneurship, and expression. Given the scope of recent telecommunications and broadcast mergers, it is important the Internet continues to provide an easily accessible platform for emerging entrepreneurs to develop business models and compete against traditional media platforms.

The growth of the Internet over the past decade has allowed for extraordinary activity among all users. It has been a medium that has facilitated and supported a diversity of information, expression, and ingenuity; a vehicle for economic activities and innovation; and a means for strengthening civil society and democratic governance. As a small number of firms have come to control large market shares and exert excessive regulation and influence over media output, the Internet has remained the last, truly free forum for independent thought and unfettered creativity.

Where local radio stations and newspapers have either closed or been acquired by larger firms, individuals have used the Internet to launch online publications, present podcasts and stream live audio and video featuring current news and information concerning their local communities. While syndicated satellite radio broadcasts may not be tailored to local or regional interests, a diversity of entrepreneurs can use the web as a platform to meet the demands of their local consumers.

Where producers or writers are unable to penetrate the corporate structures of major film and television production companies and studios, the Internet has provided a vehicle for them to distribute groundbreaking and diverse independent films and other

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entertainment programming able to reach millions of Internet users across the country and beyond.

Altogether, an open Internet provides cable, satellite, broadcast, film, and other corporations with competition that will positively affect consumers. Accordingly, mainstream and traditional media outlets will have a better gauge of consumer demand and interest when measured against what consumers view on the web. In this view, the consumer benefits from a higher quality of programming and the options that stem from healthy competition.

To fully achieve the Internet's potential, my constituents must have the freedom and unrestricted ability to communicate and interact with each other. This unfettered access to the Internet is an essential component for economic, social, and political discourse. However, prohibition of access to any lawful content, applications, services, or devices can interfere with such vibrant activity and discourse. The same is true of practices which might degrade the functionality of devices or degrade the accessibility of certain applications, content, or services.

In light of recent challenges to and questions regarding the FCC's authority to preserve a free and open Internet, it is critical that the FCC has begun this proceeding. I support the FCC's approach to conduct this necessary proceeding in an open, deliberate, and transparent manner before adopting any protections necessary to maintain an open and secure Internet.

Sincerely,

A handwritten signature in black ink, appearing to read "Maxine Waters". The signature is written in a cursive, flowing style.

Maxine Waters
Member of Congress



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 3, 2010

The Honorable Maxine Waters
U.S. House of Representatives
2344 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Waters:

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.

Sincerely,

A handwritten signature in black ink, appearing to read "Julius Genachowski".

Julius Genachowski