

To Chairman Genachowski and whomever this may concern at the FCC,

I stand with Americans for the Arts, and the SaveTheInternet.com coalition of organizations urging your agency to reclassify broadband under Title II of the 1996 Telecommunications Act a telecommunications service, re-regulate broadband, protect your legal authority to protect the Open Internet with Net Neutrality rules in the light of the unfortunate court ruling in Comcast v. FCC and do so while also protecting the National Broadband Plan.

Recently, the Federal Communications Commission (FCC) opened a rulemaking proceeding on network (?net?) neutrality. The goal of this proceeding is to codify network neutrality regulations. Specifically, the FCC intends to implement regulations that will prevent Internet Service Providers (ISPs), i.e. the cable and telephone companies, from unfairly discriminating against certain content, content creators, or Internet applications.

ISPs can exert immense control over the Internet through the networks they operate. Therefore, ISPs could stifle certain types of speech that it feels is inflammatory or it could discriminate against business models that it feels are threatening. ISPs could also block certain Internet applications, slow down the delivery of certain online content, speed up the delivery of content over other websites, or use ?deep packet inspection? to invade users? privacy. Because of this, the FCC is trying to write regulations that will ensure that the Internet remains a place where consumers can learn, express themselves, innovate, and build a business.

The ISPs argue that managing their networks is necessary to ensure that they continue to operate efficiently. Thus the FCC makes allowances for ?reasonable network management.? However, ISPs have also gone beyond what is considered reasonable by blocking certain types of political speech and certain applications.

Statement of Concern

Artists of all genres, mediums, and styles use the Internet to distribute their work to their audience. Artists depend on the Internet to earn a living. Artists sell their work online or merely promote upcoming concerts, shows, or exhibits. In any case, the Internet is critical to the success of artists in the 21st century. Therefore, it is important that the Internet remain open and free. ISPs cannot be allowed to discriminate against certain online content, companies, or creators.

At its core, network neutrality means that any Internet user should be able to access any legal content, or use any legal application, without interference from an ISP. However, network neutrality regulations should not impair ISPs? or the federal government?s ability to openly and transparently protect copyrighted content. Yet by requesting the ISPs? diligence in rooting out piracy, ISPs should

not be granted permission to implement any method they wish. The FCC should only permit ISPs to use technology that will curb Internet piracy without unduly invading users' privacy.

Protecting copyrighted content is not antithetical to an open and neutral Internet. The FCC alluded to this fact in its 2005 policy statement. In its policy statement, the FCC allowed for 'reasonable network management' of the Internet and specified that the policy statement only applied to 'legal' content.

We wholeheartedly support the FCC's efforts to codify network neutrality regulations. The innovation fostered by open Internet structures will expand the legitimate digital marketplace. Thus it is important that the FCC creates a policy that lets innovation thrive yet allows for the protection of artists' work. We hope that Congress will work with the FCC to achieve this goal. Both neutrality and legality on the Internet are critical to artists' professional survival.