

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20054

In the Matter of)	
)	
Preserving the Open Internet)	GN Docket No. 09-191
)	
Broadband Industry Practices)	WC Docket No. 07-52

GROWING CONFUSION AMONG ASIAN AMERICANS AS TO OPEN INTERNET PROCEEDINGS

Faith Bautista
Mia Martinez
MABUHAY ALLIANCE
1800 K Street, N.W., Suite 200-K
Washington, DC 20006
Telephone: (202) 530 1444
Fax: (202) 204 5843
Email: mia@mabuhayalliance.org

September 3, 2010

GROWING CONFUSION AMONG ASIAN AMERICANS AS TO OPEN INTERNET PROCEEDINGS

These are just preliminary comments; full opening comments will be filed within 30 days after publication in the Federal Register. The preliminary comments are intended to expand the dialogue.

Mabuhay Alliance, on behalf of 18.5 million Asian American, has filed numerous comments before the FCC in the last eight months relating to net neutrality. Our comments that discuss the concern that the vast majority of the public, and in particular, Asian Americans, are not a key part of the discussions and do not have sufficient information to provide a fully informed input.¹

Our concerns regarding Asian American confusion, and perhaps public confidence generally, has been exacerbated by the events of the last few weeks relating to the Verizon agreement with Google, which appeared to supplant, at least in significant part, the FCC's role in setting Internet rules.

In this new proceeding announced on September 1st, the FCC sets forth five areas where it believes its Open Internet proceeding "appears to have narrowed disagreement." We comment as follows on these.

First, we concur that broadband provisions should not prevent users from sending and receiving the lawful content of their choice.

Second, we concur that broadband providers should and must be transparent, although the recent Verizon/Google agreement is perplexing.

Third, there is need for some forms of antidiscrimination protection.

Fourth, broadband providers must be able to reasonably manage their network.

Fifth, we are in full concurrence that in light of rapid technological market changes, we must avoid bureaucratic promulgation of detailed prescriptive rules will have many consequences that are difficult to foresee.

We believe that any poll of Asian Americans will show between 80 to 95 percent concurrence on these generalities. However, a combination of recent private negotiations with the FCC on these rules by only one set of interest (corporations) and private party negotiations (Google/Verizon) that excluded the public but seek to impose broad standards, have raised far more concerns than existed many months ago.

In our final opening comments which will be filed within 30 days after publication in the Federal Register, we will set forth in more detail our position on the two complex issues that this open internet proceedings seeks to address. (The relationship between open Internet protections and services that are provided over the same last-mile facilities and the application of open Internet rules to mobile wireless Internet access and services.)

¹ See, for example, Mabuhay Alliance June 28th letter to President Obama, "An Asian American Perspective on Net Neutrality and Broadband Supremacy."

Need for More Public Input and Understanding

We urge the FCC, and all parties in this proceeding, including those favoring a strict net neutrality position, to consider creating a wide range of public forums where all sides of the controversy can fully and effectively participate to avoid the valid criticisms made by FreePress as to close door meetings and to ensure that no final rules occur until we have a fully informed public.

We will be holding a broadband panel at our Seventh Annual Economic Development Conference on October 16th in the Greater Silicon Valley Area. The conference will draw over 1,000 recipients and is likely to be attended by a broad range of parties affected by the open Internet proceeding. We urge the FCC to take advantage of our conference by supplanting the broadband panel and instead run its own FCC panel on net neutrality. This will ensure the type of public input that has been sadly missing over the last few months.²

Net Neutrality and Job Creation

Although some progress may have occurred in regard to solving net neutrality issues since this Commission's new Chairman has taken over, unemployment has become an increasingly insoluble problem and is now the primary issue before Congress and the Administration. We therefore urge the FCC, in seeking more input and in resolving the open internet issues, to also examine the impact of its rules on job creation on the message of creation. That is, one of the issues before this Commission must be how its rules will affect corporate investments that could clearly lead to job creation.³

Respectfully submitted,

/s/ Faith Bautista
Faith Bautista
President and CEO

/s/ Mia Martinez
Mia Martinez
President and CEO

September 3, 2010

² Confirmed participants include California Public Utilities Commissioner Nancy Ryan, Google, AT&T and Verizon. Other not yet confirmed but invited participants include Sprint, Cox, Comcast, the FCC, the FDIC, Core Logic, Inquirer.Net and California Cable and Telecommunications Association.

³ Incorporated by reference is our filing of July 22nd, "Bipartisan Support for Job Creation and the Role of Regulatory Agencies."