

**Congress of the United States**  
**Washington, DC 20515**

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**809**

May 24, 2010

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Dear Chairman Genachowski:

We are writing to reinforce the strong bipartisan consensus among policymakers, industry participants, and analysts that the success of the broadband marketplace stems from policies that encourage competition, private investment, and legal certainty. The regulatory framework first adopted in 1998 by the Clinton Administration's FCC has resulted in broadband industry infrastructure investment of approximately \$60 billion per year. In the last decade, multiple providers and the hundreds of thousands of workers they employ have brought high speed connections to 95 percent of U.S. households where two-thirds of Americans now access the Internet through broadband at home.

Still, much work remains to be done. According to the National Broadband Plan, 14 million Americans lack broadband access altogether, many underserved areas need more robust broadband facilities, and both wired and wireless broadband services require increasing speeds. As the Plan notes, that work will require as much as \$350 billion in additional private investment. Generating those enormous sums from industry, and the good-paying jobs they produce, will require a continued commitment to the stable regulatory environment that has existed for the last dozen years.

Because of this, we have serious concerns about the proposed new regulatory framework for broadband and the Internet. The expanded FCC jurisdiction over broadband that has been proposed and the manner in which it would be implemented are unprecedented and create regulatory uncertainty. The controversy surrounding that approach will likely serve as a distraction from what should be our Nation's foremost communications priority: bringing broadband to every corner of America, getting every American online, and providing the high speed connections needed to realize the promises of telemedicine, distance learning, and other forms of consumer empowerment.

The continued deployment and adoption of broadband, the growing importance of the Internet to our constituents, and the significant contributions this will make to our economy should be the FCC's primary focus right now. The uncertainty this proposal creates will jeopardize jobs and deter needed investment for years to come. The significant regulatory impact of reclassifying broadband service is not something that should be taken lightly and should not be done without additional direction from Congress. We urge you not to move

forward with a proposal that undermines critically important investment in broadband and the jobs that come with it.

Thank you for your attention to this letter, and we look forward to working with you in a constructive way to address these matters.

Sincerely,

Sam Linn

Gene Taylor

Scott Murphy

Michael R. Orr

Suzanne M. Kanner

Chris Wilk

Tommy Stone

Baron P. Hill

Patricia E. Roberts

W. H. H. H.

Charles J. Ziegler

Henry Culler

Allyson J. Schwartz

Jason Altman

Mike Rice

Carlson

John Garner

Rob Albany

Tracy J  
Kathy Salinger  
Annika Jones

~~John~~  
~~John~~  
G.K. Butterfield Jr.

Chloe P. Carg

~~John~~

Yvette D. Clarke  
Loretta J. Jandke

Rebecca  
Dy C Pet

Allen Bayl

Di Carg

Ann Turner  
Bobby Bright

John  
Jim W

Glenn Cameron

Jerry W. Childers

Dan Puff

Walt Spitt

Walter Brown

Kurt Schaefer

Frank Brown

John P. Hill

Walter

Harry Teague

A. Kirkpatrick

Marion Dodge

Bruce Beckwith

Devin Mee

J. Giffards

Joe Brown

Elyse E. Cummings

E. Brown

Suzanne L. Minto

Alcee L. Hastings

Carl D. Rodney

Charles Farrow

Neil Kahall

Joseph

Rubin Ferguson

W. Foster

C.A. Dutch Rappenburg

William

Bennie A. Thompson

Amos D. B. Goff

Wm. Lacy Clay

T. H. H. H.

[Signature]

Neil Lamm

Eddie Benjamin

[Signature]

Bill O'Quinn

Carine Brown

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Rep. Gregory Meeks  
Rep. Loretta Sanchez  
Rep. Michael McMahon  
Rep. Eddie Bernice Johnson  
Rep. Alcee Hastings  
Rep. Tim Holden  
Rep. Joe Baca  
Rep. William Lacy Clay  
Rep. Charles Gonzalez  
Rep. Bennie Thompson  
Rep. Yvette Clarke  
Rep. G.K. Butterfield  
Rep. Albio Sires  
Rep. Leonard Boswell  
Rep. John Adler  
Rep. Heath Shuler  
Rep. Bobby Rush  
Rep. Allen Boyd  
Rep. Lincoln Davis  
Rep. John Barrow  
Rep. Dan Boren  
Rep. Solomon Ortiz  
Rep. Bill Owens  
Rep. Henry Cuellar  
Rep. Michael Arcuri  
Rep. Charlie Wilson  
Rep. Kathy Dahlkemper  
Rep. Charlie Melancon  
Rep. Walt Minnick  
Rep. David Scott  
Rep. Ed Pastor  
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Rep. Robert Brady  
Rep. Bobby Bright  
Rep. Nick Rahall  
Rep. Jason Altmire  
Rep. Dan Maffei  
Rep. Allyson Schwartz  
Rep. Glenn Nye  
Rep. Ed Towns  
Rep. Debbie Halvorson  
Rep. Scott Murphy

Rep. Suzanne Kosmas  
Rep. Ciro Rodriguez  
Rep. Frank Kratovil  
Rep. Baron Hill  
Rep. Russ Carnahan  
Rep. Kurt Schrader  
Rep. Ruben Hinojosa  
Rep. Al Green  
Rep. Zach Space  
Rep. Laura Richardson  
Rep. Steve Driehaus  
Rep. Gary Peters  
Rep. Dutch Ruppersberger  
Rep. Christopher Carney  
Rep. Dennis Cardoza  
Rep. Chaka Fattah  
Rep. Tim Bishop  
Rep. Sanford Bishop  
Rep. John Tanner  
Rep. Jim Costa  
Rep. Ann Kirkpatrick  
Rep. Gabrielle Giffords  
Rep. Gene Taylor  
Rep. Dennis Moore  
Rep. Elijah Cummings  
Rep. Rick Larsen  
Rep. Harry Teague  
Rep. Corrine Brown



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

December 15, 2010

The Honorable John Adler  
U.S. House of Representatives  
1223 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Adler:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

I look forward to a continuing dialogue about how best to improve our 21<sup>st</sup> Century communications networks.

Sincerely,

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

Julius Genachowski



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

December 15, 2010

The Honorable Scott Murphy  
U.S. House of Representatives  
120 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Murphy:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 15, 2010

The Honorable Glenn Nye  
U.S. House of Representatives  
116 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Nye:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

December 15, 2010

The Honorable Solomon P. Ortiz  
U.S. House of Representatives  
2110 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Ortiz:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 15, 2010

The Honorable Bill Owens  
U.S. House of Representatives  
2366 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Owens:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

December 15, 2010

The Honorable Ed Pastor  
U.S. House of Representatives  
2465 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Pastor:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 15, 2010

The Honorable Gary C. Peters  
U.S. House of Representatives  
1130 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Peters:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

December 15, 2010

The Honorable Nick J. Rahall  
U.S. House of Representatives  
2307 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Rahall:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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FEDERAL COMMUNICATIONS COMMISSION  
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OFFICE OF  
THE CHAIRMAN

December 15, 2010

The Honorable Laura Richardson  
U.S. House of Representatives  
1725 Longworth House Office Building  
Washington, D.C. 20515

Dear Congresswoman Richardson:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

December 15, 2010

The Honorable Ciro D. Rodriguez  
U.S. House of Representatives  
2351 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Rodriguez:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
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December 15, 2010

The Honorable Mike Ross  
U.S. House of Representatives  
2436 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Ross:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

December 15, 2010

The Honorable C.A. Dutch Ruppertsberger  
U.S. House of Representatives  
2453 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Ruppertsberger:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 15, 2010

The Honorable Bobby L. Rush  
U.S. House of Representatives  
2416 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Rush:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 15, 2010

The Honorable Loretta Sanchez  
U.S. House of Representatives  
1114 Longworth House Office Building  
Washington, D.C. 20515

Dear Congresswoman Sanchez:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 15, 2010

The Honorable Kurt Schrader  
U.S. House of Representatives  
1419 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Schrader:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

December 15, 2010

The Honorable Allyson Y. Schwartz  
U.S. House of Representatives  
330 Cannon House Office Building  
Washington, D.C. 20515

Dear Congresswoman Schwartz:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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Julius Genachowski



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THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

December 15, 2010

The Honorable David Scott  
U.S. House of Representatives  
225 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Scott:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 15, 2010

The Honorable Heath Shuler  
U.S. House of Representatives  
422 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Shuler:

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 15, 2010

The Honorable Albio Sires  
U.S. House of Representatives  
1024 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Sires:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 15, 2010

The Honorable Zack Space  
U.S. House of Representatives  
315 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Space:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 15, 2010

The Honorable John Tanner  
U.S. House of Representatives  
1226 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Tanner:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

December 15, 2010

The Honorable Gene Taylor  
U.S. House of Representatives  
2269 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Taylor:

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OFFICE OF  
THE CHAIRMAN

December 15, 2010

The Honorable Harry Teague  
U.S. House of Representatives  
1007 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Teague:

Earlier this year, you expressed "serious concerns" about the impact that reclassifying broadband as a Title II telecommunications service might have on private investment and jobs. I very much appreciate hearing your views on this issue and I strongly share your commitment to bringing better broadband to all Americans. As you may have seen earlier this month, I circulated a proposal for high-level rules of the road to preserve the open Internet that has served so well as a platform for economic growth, innovation, and free expression. That proposal is designed to foster precisely the kind of continued private investment you emphasized and it does not call for the reclassification of broadband. Instead, the proposal relies on the existing legal framework that you commended in your letter.

I look forward to a continuing dialogue about how best to improve our 21<sup>st</sup> Century communications networks.

Sincerely,

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

Julius Genachowski