

Under no circumstances should a local, state or national government block user's access to the Internet through either wire-line or wireless services. That is unless there is a credible threat to the nation's electronic infrastructure that can be proven to exist and our digital systems have to be shutdown for either maintenance (i.e. Repairs/Upgrades to fix a glitch or improve/expand the service network) or as mentioned to address a threat to the system. In the case of the San Francisco Bay Area Rapid Transit's decision to block wireless service in a portion of their subway system it was to censor communications of potential Occupy Wall Street (OWS) protesters in their area. Occupy Wall Street has grown into a nationwide movement with Occupy protests in different cities and states across the country. In my town there was an Occupy Yuma protest a few months back by protesters supportive of the Occupy Wall Street movement. This being said whenever government at any level tries to silence dissidents/protesters it is wrong. It is wrong when totalitarian governments like that which existed in Egypt under the regime of Hosni Mubarak shutdown any form of communications in their countries to silence protesters or to use digital surveillance equipment/software to spy on user's keystrokes and/or communications. In the case of Egypt's Internet shutdowns they were using technology provided by Western countries to spy on their users. Imagine Egypt using software from an American company like Apple Inc., or Microsoft to spy on Egyptian Internet users. These American firms are making money supplying censorship and spying equipment/software to rogue governments so these regimes can spy on user's to know how their using handsets/devices when communicating and whether they are criticizing the government.

It's bad enough that in the post 9/11 world we have lost the America we know as we've lost a great deal of freedom – constitutional freedom from unreasonable search and seizure; the Transportation Security Administration (TSA) violates our right to unreasonable search and seizure upon our person when we fly in an airplane, and federal agencies formerly permitted to only spy on foreign nationals inside or outside the U.S. for intelligence purposes can now spy on American citizens even. Some judges have ruled in criminal cases that a defendant has to turn over their computer to the government and make all files on the hard drive including deleted files that are recoverable available to law enforcement. While I do not expect myself or anyone I know to ever have to hand over such data to government for any reason information I no longer need that I wish to delete from my Apple laptop I securely delete. I use Mac OS X Snow Leopard (10.6)'s Secure Empty Trash feature to remove files from my Trash Bin and then sometimes use the Erase Free Space feature in OS X's Disk Utility to overwrite the free space – and write zeros over that space at least 7 times for better security. However, I know any files on the Internet I upload or any emails I send/receive can be accessed at any time now even without a warrant by the government. That is unconstitutional. If government wants to be able to see someone's private records whether online or offline they should have a warrant. As for wireless blocking unless there is a legitimate threat or reason to do which I doubt existed in this case and I expect would only rarely occur it should NOT happen. The FCC should make it clear once it has finished reviewing the evidence, comments and other types of responses submitted to this docket for the proceeding on wireless blocking for the express purpose of silencing

others from speaking out is not right. The FCC should set standards on what forms of wireless blocking are acceptable or unacceptable or outright say under no circumstances is any form of wireless blocking acceptable. At the conclusion of this proceeding there should be a rulemaking where the FCC crafts rules to address this issue so should this issue ever be raised again – if it ever comes up again that BART or any other entity does this the FCC should not have to solicit comments again or open an entity specific proceeding on wireless blocking. Let's say six months from now or a year from now LAX Airport does the same thing the FCC should not in that case have to solicit comments as it is doing now on this issue having already addressed the issue of wireless blocking. The FCC's rulemaking in this matter should be generally applied to any and all similar attempts at wireless blocking from BART in the future or any other venue/entity. At the conclusion of this proceeding whatever the FCC decides to do in regard to BART they should do in all similar matters.