

In the wake of a Jan. 14 court ruling that [struck down the Federal Communications Commission's Net Neutrality rules](#), we've pushed the FCC to [reclassify broadband](#) — a simple fix that would allow it to craft new rules that would stand up to judicial scrutiny.

But on Wednesday the agency took a much more timid path, saying it would simply gather input on whether it has the authority to prevent phone and cable companies from blocking or otherwise discriminating against content online.

Chairman Wheeler talked today about the need to restore our legal protections and ensure we can communicate freely online. But the agency is doing nothing at this point that would actually help Internet users when Internet service providers are blocking or slowing down online traffic. If the Internet is to continue to thrive, we need decisive action and clear protections under the law.

The FCC can't protect free speech and prevent discrimination under the so-called Section 706 authority discussed in today's announcement. Last month's court decision made that crystal clear. If the agency really wants to stop censorship, discrimination and website blocking, it must reclassify broadband as a telecommunications service under Title II of the Communications Act.

The FCC's reluctance to reverse its past mistakes is extremely short-sighted. More than that, it's a political choice driven by the industry's sustained campaign to demonize the important American principle of common carriage, which protects our right to have our communications carried free from discrimination. That freedom is essential to our right to speak.

Reclassifying broadband as a common-carrier service would protect the Internet as a hub for innovation and the exchange of ideas. It would ensure that everyone has a voice and a choice online. Failing to reclassify would have severe consequences over the long term and prolong the uncertainty that has plagued the FCC over the past decade. The FCC has the power to reclassify. Nothing in today's announcement forecloses this better path, but the FCC's reluctance to take it is baffling and short-sighted.

If the FCC ultimately fails to act decisively, the open Internet will be damaged for good. The American people want the FCC to stand up for them — and reclassifying broadband is the best way to protect all of us. That's the message millions of people have sent the FCC and the Obama administration. Our voices will get louder unless and until policymakers in Washington [take action and protect free speech online](#).

