



Minority Media &
Telecom Council



National
Urban League



June 18, 2010

Dear Chairman Rockefeller and Chairman Waxman:

As leaders of national civil rights, labor, and environmental organizations, we urge you to move forward quickly on narrowly targeted legislation that clarifies Federal Communications Commission authority to protect an Open Internet and to apply Universal Service funding to broadband.

The build-out of affordable high speed Internet to every American household, business, and community, along with programs to ensure that every American has the skills needed to participate fully in our digital society, remain critical tasks for our nation.

Fortunately, under the leadership of President Obama and FCC Chairman Julius Genachowski, we now have a National Broadband Plan that provides a blueprint to address these infrastructure challenges.

Yet the United States continues to lag behind the rest of the world in high-speed networks. Our nation has fallen to 15th in the world in broadband adoption. More than 100 million Americans do not have broadband at home. There is a persistent digital divide based on race, income, geography, and age. Further, most U.S. broadband networks cannot deliver the speeds necessary to run advanced applications and services that foster sustainable communities and enable cost-effective improvements in education, energy, health, entrepreneurship, and public services.

We are united in our support of those elements of the National Broadband Plan that spur building and upgrading our high-speed networks, providing affordable access and digital skills to every American and building high speed capacity to every community anchor institution.

Unfortunately, the recent *Comcast* court decision threatens to divert our attention from these critical national objectives. The court concluded that the FCC had not demonstrated that it has jurisdiction over broadband Internet access. As a result, some question whether the FCC has authority to enforce its 2005 Open Internet principles and to use the Universal Service Fund to support the build-out of advanced broadband networks.

We can avoid further delays in building out a world class network if Congress quickly moves to pass legislation that clarifies FCC authority to protect an Open Internet and to apply Universal Service funding to broadband. Such narrowly targeted legislation would:

- Make clear that federal Universal Service funding may be used to support broadband build out and programs to encourage broadband adoption and use by low-income households;
- Establish the FCC Open Internet principles as the law of the land, ensuring that broadband Internet service providers (ISPs) do not prevent users from sending and receiving the lawful Internet content of their choice; running lawful applications and services of their choice, subject to the needs of law enforcement; and connecting their choice of legal devices that do not harm the network, all subject to reasonable network management;
- Require broadband Internet access, service, application, and content providers to make available to consumers transparent and accurate information, in widely spoken languages, including Spanish, about the capabilities and network management practices of their offerings;

- Ensure that broadband ISPs do not engage in unreasonable discrimination against any lawful Internet content, application, or service that harms competition or consumers;
- Ensure that minority business and entrepreneurs are given meaningful opportunities to participate in the build out of high-speed networks.

Such a narrowly tailored bill will make clear that the FCC has authority to protect free speech on the Internet and to foster universal, affordable high-speed networks. Most important, it will allow us to move forward to make the job-creating investments necessary to implement the recommendations and meet the goals of the National Broadband Plan.

We must ensure that any action or inaction does not widen the digital divide. Instead, we must broaden opportunity for all consumers and communities, to increase diversity and ensure that all Americans can engage in the Internet Age. We don't want to go backward or push further into the future the time when the digital divide is finally closed. We urge you to proceed quickly with targeted legislation that firmly grounds FCC jurisdiction to protect an open Internet and to promote universal, affordable broadband. We cannot afford inaction which will slow the closing of the digital divide by shifting costs to the poor and discouraging deployment to low income and other disadvantaged Americans. Meanwhile, we recognize that there are important long-range issues that should be included in a more comprehensive update of the Communications Act.

In this way, we will make sure that all Americans, and most especially our children, have access to the unlimited information on the Internet, and that our nation will lead the world in advanced communications networks capable of supporting sustainable communities and spurring economic growth and job creation today and into the future.

Sincerely,



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AFL-CIO



Larry Cohen
President
Communications Workers of America



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