

# United States Senate

WASHINGTON, DC 20510-2309

January 16, 2014

The Honorable Tom Wheeler, Chairman  
Federal Communications Commission  
445 12th Street SW, Washington, DC 20554

Dear Chairman Wheeler,

The D.C. Circuit Court of Appeals' recent decision in *Verizon v. FCC* is a major setback for Minnesota's consumers and small businesses, and it threatens access to the Internet as we know it. I am writing to urge you to take any and all appropriate actions necessary to preserve net neutrality.

Generally speaking, net neutrality is the principle that the Internet belongs to the people, not to huge corporations. Today, the Internet is an open marketplace where everyone can participate on equal footing – and that's the way it should be. The website for a small business in Willmar loads as quickly as the website for Wal-Mart's stores. Minnesota Vikings fans can read about their team on the sports website of their choice, whether that's ESPN or a blog written by a fan club in Duluth. An email from a constituent in Edina gets to me just as quickly as an email from my bank.

The Internet was developed at taxpayers' expense to benefit the public interest. It belongs to all of us. And net neutrality keeps it that way. Big corporations – like Verizon, Time Warner, and Comcast – control the broadband networks that feed the Internet into homes and offices across the country. The FCC's net neutrality rules say that these corporations cannot “unreasonably discriminate in transmitting lawful network traffic over a consumer's broadband Internet access service” and that broadband providers cannot “block lawful content, applications, services, or non-harmful devices.” In other words, the big corporations are prohibited from picking and choosing which lawful content will reach consumers and from charging content providers more to put them in a “fast lane.”

The *Verizon* decision does away with those rules. The potential consequences are disastrous. Now, there is no law to stop Wal-Mart from paying Comcast for preferential treatment so that its website loads more quickly and with better quality than the website of the small business in Wilmar. There is no law to stop Time Warner from blocking all movie websites except HBO and all news websites except CNN – both of which Time Warner owns. Simply put, the Internet – once an open platform for innovation, entrepreneurship, and free speech – could become a closed forum, accessible only to the highest bidders.

The FCC must act quickly to preserve net neutrality in response to the *Verizon* decision. Fortunately, the court clearly stated that the Telecommunications Act of 1996 empowers the FCC to promulgate rules governing broadband providers' treatment of Internet traffic. This

means that the FCC already has the legal authority it needs to require net neutrality. The FCC must exercise that authority to implement new rules that will preserve access to the Internet.

I look forward to working with you on this very important issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "Al Franken", with a long horizontal flourish extending to the right.

Al Franken  
United States Senator