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December 13, 2017

The Honorable Ajit V. Pai
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Pai:

I am writing on behalf of the constituents of the Ninth Congressional District of Washington who are gravely concerned about the plan to eliminate net neutrality and to convey the vehement opposition to it that they have shared with me. I urge you and the Federal Communications Commission (FCC) to reject these harmful changes to internet governance and instead preserve strong and enforceable protections for a free and open internet.

I am also strongly opposed to the "Restoring Internet Freedom" order, which is currently pending before the FCC, and am very worried that it will jeopardize unfettered access to the internet. This rule would effectively end net neutrality and fundamentally alter the manner in which internet service is governed by reversing the classification of broadband internet as a telecommunications service under Title II of the Communications Act.

Title II has provided the only authority available in law to effectively preserve an open internet that has been upheld by the courts. Since the reclassification of internet service in 2015, Title II regulation has served to ban blocking, throttling, and paid prioritization, and has enhanced transparency rules. Additionally, the current regulatory approach has helped to protect consumer privacy, disability accessibility, consumer complaint and enforcement processes, and fair access, while barring unjust and unreasonable practices as well as discrimination.

The Restoring Internet Freedom order ends crucial net neutrality and consumer protections and abandons the FCC's duty to protect the public interest in communications matters. Among the many concerning aspects of this plan and its potential impacts, it would eliminate the general conduct standard that stops internet service providers from harming consumers or edge providers while lifting the ban on blocking, throttling, and paid prioritization, which are at the heart of net neutrality principles. In its place, the FCC rule would merely require public disclosure about violations of net neutrality and count on after-the-fact enforcement by the Federal Trade Commission to protect consumers, even though that agency's jurisdiction and expertise is extremely limited in the telecommunications space. Finally, the Restoring Internet Freedom order prevent states and localities from enacting laws that attempt to protect consumers and the

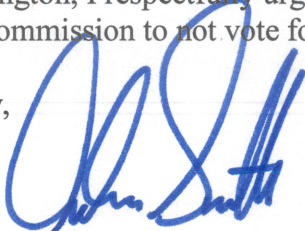
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internet by filling the void left by the FCC's withdraw of responsibility to protect and maintain a free and open internet.

The internet has become an indispensable tool – one that millions of people and businesses rely on being open and accessible for a wide array of purposes. This proposal puts the historic strengths of the internet and future of the web at serious risk. It opens the door to new barriers to accessing and sharing information, perspectives, and content. The order shifts power over the internet to a relatively small number of large companies that will be empowered to handle internet traffic based on their own commercial interests. This rule risks undercutting innovation and hampering the myriad of businesses that rely on the internet to grow and reach their customers. It threatens free speech and democracy by allowing limitations on the dissemination of and access to a full range of information and views. The plan makes increased costs to consumers likely and favors the wealthy and powerful. It also undermines equity of access to internet service that will disproportionately harm those who are economically disadvantaged.

On behalf of the many thousands of concerned constituents of the Ninth Congressional District of Washington, I respectfully urge your rejection of this misguided plan to end net neutrality and for the Commission to not vote for the proposed Restoring Internet Freedom order.

Sincerely,



Adam Smith
Member of Congress