

United States Senate
WASHINGTON, DC 20510

May 13, 2014

The Honorable Thomas Wheeler
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Wheeler:

We write to reiterate our strong concerns with any proposal that would have the Federal Communications Commission (FCC) apply monopoly-era Title II regulations to our nation's competitive and dynamic broadband economy.

The growth of the Internet and the rapid adoption of mobile technology have been great American success stories, made possible by a light regulatory touch for the entire online ecosystem. This approach has freed Internet innovators and users at the edge, the core, and the last mile to offer services, to build networks, and to buy and sell products based on market demand; no government permission has been necessary.

Imposing common carrier-style regulation upon any part of the Internet would be a dangerous rejection of this successful policy course, potentially impeding the development and adoption of new Internet technologies and services, and threatening future investment in next-generation broadband infrastructure.

The courts have twice struck down ill-advised and unauthorized attempts by the FCC to regulate the Internet. Unfortunately, you have chosen to have the FCC again undertake a politically corrosive rulemaking, relying upon new and untested court-defined powers rather than upon clear Congressional intent and statutory authority.

Of even greater concern would be using Title II of the Communications Act to regulate broadband, which some voices have called for in recent days. So-called "net neutrality" restrictions are unnecessary, but using Title II reclassification to impose them would create tremendous legal and marketplace uncertainty and would undermine your ability to effectively lead the FCC.

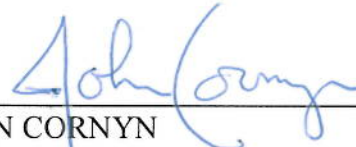
Rather than attempting further legal contortions to encumber modern communications networks with last century's rules, the Commission should work with the Congress to develop clear statutory authority and direction for the agency so that it can be a productive regulator

for the 21st century marketplace. If the Commission will not do that, we urge it to reject new “net neutrality” regulations, particularly any which rely upon Title II.


Sincerely,



MITCH McCONNELL
Senate Republican Leader



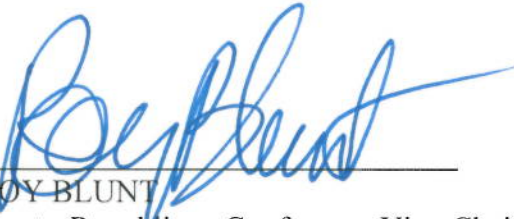
JOHN CORNYN
Senate Republican Whip



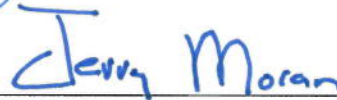
JOHN THUNE
Senate Republican Conference Chairman



JOHN BARRASSO, M.D.
Senate Republican Policy Committee
Chairman



ROY BLUNT
Senate Republican Conference Vice-Chairman



JERRY MORAN
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Committee Chairman