

July 16, 2014

The Honorable John Boehner
Speaker of the House
U.S. House of Representatives
H-232 The Capitol
Washington, DC 20515

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
235 Cannon House Office Building
Washington, DC 20515

Dear Speaker Boehner and Leader Pelosi:

We are writing today to urge you and the members of the House of Representatives to oppose Representative Blackburn's amendment to H.R. 5016, The Financial Services and General Government Appropriation Act of 2015 that prohibits the Federal Communications Commission (FCC) from taking any action regarding state laws that restrict local community or municipal broadband projects. After years of bipartisan (and often nonpartisan) local and federal support of local broadband projects as a critical economic development need, this amendment will cut off discussion of the promotion of broadband through local projects before it even begins.

The United States has been a leader in the development of the Internet and online companies since the inception of IP networks. The development of this 21st century communications network has buoyed the American economy over the last two decades as a virtuous cycle of broadband deployment, individual innovation, and market investment has created global tech leaders founded and built here in the United States, creating American jobs. The promise of high speed broadband in local communities presents every American, especially in rural and small sized communities, with the potential to participate in this global online economy.

In order for American communities of all sizes to compete with the world in the online space, they must find ways to create the investment needed to incubate the next wave of tech entrepreneurs and attract small businesses that require these high-speed connections. Broadband deployment is expensive and has always required government investment for even large broadband providers. This is why the Federal government and many state governments have made the decision to subsidize broadband deployment with billions of public funds annually. Still, some rural and smaller communities are left out, while larger communities see virtual local monopolies. It is no wonder that communities began looking for ways to partner with the private sector to build the necessary broadband infrastructure, and even fund their own local projects.

The choice of local communities to finance, partner, or invest their way into the global marketplace through broadband deployment should be discussed by the FCC as the expert agency on broadband networks. Recently, the DC Circuit Court upheld the FCC's authority to encourage the reasonable and timely deployment of broadband under section 706 of the Communications Act, including the power to act when there is a

finding of inadequate deployment. The discussion of local broadband projects is a clear use of this authority and a critical venue for many localities given the elimination of authority of State commissions over broadband and IP networks by many state governments.

Several local communities have found that through local investment and public private partnerships they have boosted their localities economic development potential. In Rep. Blackburn's home state of Tennessee, the Chattanooga, TN local broadband project has been held up as a model for smart economic development investment. In many states, such a project would be illegal under recently passed laws.

It is important the our nation continue to have a policy discussion about how to best ensure that all Americans have access to affordable high speed broadband and the Blackburn Amendment prevents the FCC from having that discussion. We ask each member of the House of Representatives to oppose this and any amendment to HR 5016 that could cut off needed investment and economic development in community and municipal broadband projects.

Sincerely,

Common Cause
Consumers Union
Demand Progress
Engine Advocacy
Electronic Frontier Foundation
Free Press
Institute for Local Self-Reliance
Media Mobilizing Project
National Hispanic Media Coalition
Open Technology Institute
Public Knowledge