

March 1, 2010

Chairman Julius Genachowski
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Preserving the Open Internet*, GN Docket No. 09-191; *Broadband Industry Practices*, WC Docket No. 07-52

Dear Chairman Genachowski,

The undersigned institutions and organizations represent a broad and diverse coalition of schools, colleges, libraries and research institutions who believe strongly in preserving the open Internet. Research, collaboration, distance education, job training and placement, catalog sharing, access to government data and services, and much more all depend upon open and unfettered access to the Internet. We believe it is vitally important that policymakers act now to preserve the open Internet for our institutions, our users, and the public at large.

The open Internet faces four major threats today. First, deregulation in recent years removed previous guarantees of neutrality. Second, many of the largest broadband network operators also sell video and telephone services and have a strong incentive to degrade service from Internet-based competitors. Third, the advent of new network management technologies makes it easier for network operators to control traffic without the knowledge of the end user. Finally, the market for Internet access is increasingly consolidated and prone to failure. We believe that policymakers can and should act decisively to protect the Internet against these threats.

Because the open Internet is indispensable to us and to our users, and because it is threatened now more than ever, the undersigned institutions urge the adoption of net neutrality policies based on the following principles:

- ❖ *Non-discrimination*: Every person in the United States should be able to access content and to use applications and services over the Internet in an open and unfettered manner, without interference from or discrimination by the owners and operators of public broadband networks and Internet Service Providers (ISPs).
- ❖ *All Public Network Operators*: Neutrality is an essential characteristic of the Internet, so the non-discrimination principle must apply to all public broadband network operators and ISPs, regardless of underlying transmission technology (e.g., wireline or wireless) and regardless of local market conditions.
- ❖ *Reasonable Network Management*: Public broadband network operators and ISPs should be able to engage in reasonable network management (e.g., to address congestion, viruses, and spam) as long as such actions are reasonably consistent with the non-discrimination principle above.

- ❖ *Transparency*: Public broadband network operators and ISPs should disclose network management practices publicly and in a manner that 1) allows users to make informed choices, and 2) allows policymakers to determine whether the practices are consistent with neutrality principles.
- ❖ *Private Network Operators and End Users*: Owners and operators of private networks that are not open and available to the general public should continue to operate free from neutrality obligations. Similarly, end users (such as households, companies, coffee shops, schools or libraries) should be free to decide how they use the broadband services they obtain from network operators and ISPs.
- ❖ *Meaningful, Enforceable Policies*: Policymakers should adopt meaningful and enforceable policies to reflect these principles.
- ❖ *Consistent with Law Enforcement*: The above policies should recognize and be consistent with the needs of law enforcement, public safety, homeland security, and national security. Net neutrality policies should not interfere with government efforts to stop illegal activities or content, and existing laws to prevent illegal activity will continue in effect.

Sincerely,

Jeri Semer
Association for Information Communications Technology Professionals in Higher Education

George Boggs
American Association of Community Colleges

Ada Meloy
American Council on Education

Emily Sheketoff
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CC:

Commissioner Michael J. Copps

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Commissioner Mignon Clyburn

Commissioner Meredith Atwell Baker