

**Congress of the United States**

**Washington, DC 20515**

May 5, 2010

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

Dear Chairman Genachowski:

Broadband is not just a technology; it is a platform for social, economic, and educational opportunity.

As a result, we are concerned that the Federal Communications Commission's authority to protect broadband consumers and implement important aspects of the National Broadband Plan has been called into question by the opinion of the United States Court of Appeals in *Comcast Corporation v. Federal Communications Commission*. Specifically, questions have been raised about the Commission's authority to move forward with its efforts to promote broadband adoption and deployment in unserved and underserved areas, safeguard consumer privacy, provide consumers with complete and accurate information about broadband service offerings, protect an open Internet, and strengthen public safety communications and cybersecurity.

We believe that it is essential for the Commission to have oversight over these aspects of broadband policy, because they are vitally important to consumers and our growing digital economy. For this reason, in the near term, we want the agency to use all of its existing authority to protect consumers and pursue the broad objectives of the National Broadband Plan.

To accomplish these objectives, the Commission should consider all viable options. This includes a change in classification, provided that doing so entails a light regulatory touch, with appropriate use of forbearance authority.

In the long term, if there is a need to rewrite the law to provide consumers, the Commission, and industry with a new framework for telecommunications policy, we are committed as Committee Chairmen to doing so.

We believe both Congress and the Commission have roles to play in fostering the rapid deployment and dissemination of broadband across the country. We look forward to working with you and making progress in this process.

Sincerely,



Henry A. Waxman  
Chairman  
House Committee on Energy and Commerce



John D. Rockefeller, IV  
Chairman  
Senate Committee on Commerce, Science,  
and Transportation