



Nancy Pelosi
Democratic Leader

June 18, 2018

The Honorable Miguel Santiago
Chair, Assembly Communications and Conveyance Committee
State Capitol, Room 6027
Sacramento, CA 95814

Re: Support of SB 822

Dear Chairman Santiago,

Thank you for your leadership to restore rules protecting net neutrality in your capacity as the Chair of the Communications and Conveyance Committee in the California Assembly.

House Democrats share your desire to correct the Federal Communications Commission's (FCC's) misguided decision to eliminate those protections, and are fighting in Congress to pass a resolution under the Congressional Review Act that would reinstate the 2015 rules in full. We will not settle for the weak bills pushed by Republicans that eliminate crucial consumer protections and are net neutrality in name only.

Californians deserve the strong protections they had on the Internet until last week, and I am pleased that your committee will be taking up two net neutrality bills on Wednesday: SB 460 by Senator Kevin de Leon (D-Los Angeles) and SB 822 by Senator Scott Wiener (D-San Francisco). As the Committee considers these bills, I urge you to maintain all of the comprehensive protections in SB 822 to ensure that California citizens, not the companies we pay to get online, are able to decide which apps, services and websites they use.

This legislation reinstates all of the carefully crafted protections that President Obama's FCC Chairman Tom Wheeler implemented and were upheld by the courts. Chairman Wheeler's endorsement of SB 822 should carry great weight for policymakers interested in protecting net neutrality.

SB 822 prohibits Internet Service Providers (ISPs) from charging websites fees for access to users so that a website will only work for an ISP's subscribers if that website pays the ISP. Those have never existed in the U.S. and were banned by the 2015 order as kinds of blocking and throttling.

Like the FCC's 2015 Open Internet Order, SB 822 prohibits ISPs from using interconnection practices to circumvent net neutrality protections. From 2013 until the 2015 order, the nation's largest ISPs did just that. This slowed down the internet inexplicably for tens of millions of Americans and countless websites, as ISPs attempted to make online services pay them directly. Without this prohibition, this kind of conduct will certainly return.

Finally, SB 822 protects against anti-competitive forms of zero-rating, while permitting those that benefit consumers and don't harm speakers and startups without deep pockets. Given the immense media consolidation happening in front of our eyes, we cannot allow giant conglomerates to use their communications pipes to tilt internet users toward the content, including news, they control. Allowing those companies to do so would severely harm the diversity of voices and viewpoints, including those of communities of color.

The U.S. Senate has already voted to protect freedom on the Internet, and we are close in the House. The outside awareness and mobilization is making a difference.

With your continued leadership, California can set the standard for net neutrality at this crucial moment in history. The protections contained in SB 822 are critical to prohibit unfair discrimination online against all Californians, including small businesses, entrepreneurs, marginalized communities, students and activists, and must be included in a final bill.

Thank you for your attention to the extraordinary opportunity that California has to advance democracy on the Internet.

best wishes,


NANCY PELOSI
Democratic Leader