

**Statement of Senator Patrick Leahy (D-Vt.),
Chairman, Senate Judiciary Committee,
Field Hearing on
“Preserving an Open Internet: Rules to Promote Competition
and Protect Main Street Consumers”
Burlington, Vermont
July 1, 2014**

This is a celebrated week in Vermont and all across the country. In just a few days, we will gather with friends and family at barbeques, parades, and parties to celebrate the vision that our Founders put in motion over 200 years ago. Americans – and we Vermonters in particular – hold dear the core freedoms that were established all those years ago. Chief among these are free expression and a free and open marketplace where competition drives innovation. In the 21st Century, these freedoms have been enhanced by one of the greatest tools ever created: the Internet.

The Internet has flourished into a central force in so many of our lives precisely because it has reflected our Founders’ vision. Much like this great country, the Internet was founded on the principles of openness and competition. It has been the ultimate marketplace of ideas, where everyone has a voice and the best products or services succeed based on their own merit. The Internet is a great American success story, a gift to the world that has the potential to spread freedom and democracy to every corner of the globe. But like our country, which is protected by a Bill of Rights that guarantees our basic freedoms, the Internet needs concrete, fundamental protections to ensure that it is not abused by those with the power to do so.

Open Internet principles are the Bill of Rights for the online world. I imagine that many of you in this room shared my dismay when the D.C. Court of Appeals struck down the Federal Communications Commission’s (FCC) 2010 open Internet rules. While they were not perfect, these rules represented a basic level of protection for consumers online. In the wake of the court decision, the FCC is now considering how best to restore open Internet protections.

The debate happening today in Washington over “net neutrality” is critically important, but it should not be confined to the corridors of power. I have brought the U.S. Senate Judiciary Committee to Burlington today to show the FCC and Congress that the decisions made on this issue will have an impact well outside of the Nation’s capital. The outcome of this debate will have a profound effect on small businesses, community institutions, and consumers. It is crucial that we get this right because in the absence of meaningful rules, I fear that we will end up with economic censorship.

I do not want to see an Internet that is divided into “haves” and “have-nots”. I do not want to see an Internet where those who can afford to pay muffle the voices of those who cannot. An online world that is split into fast lanes and slow lanes, where pay-to-play deals dictate who can reach consumers, runs counter to every principle upon which the Internet was founded. Last month, I was pleased to join with Congresswoman Doris Matsui of California in introducing legislation to require the FCC to ban pay-to-play deals online. It is a clear line that should not be crossed, and I will not endorse any effort to do otherwise.

Your voices should be heard as well. I have been so impressed with the overwhelming flood of public comments to the FCC in response to its current proceeding. Vermonters are speaking loud and clear – they do not want an Internet that is dominated by a few large corporations. Thousands of other Americans are joining with you in expressing that sentiment. I will be encouraging the FCC to listen.

Today, we have an excellent panel of witnesses who can testify firsthand about the critical role the Internet plays in our lives and the importance of protecting online openness. Whether you are an expert like Commissioner Copps, an operator of a small business like Mr. Orton and Ms. Groeneveld, or a librarian like Ms. Reid, the Internet touches nearly all of us. I look forward to hearing from each of you.

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