



Future of Music Coalition

1615 L Street NW, Suite 520, Washington, DC 20036 • 202.822.2051

February 14, 2011

The Honorable Fred Upton
Chairman
House Energy & Commerce Committee
2161 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Henry Waxman
Ranking Member
House E&C Committee
2204 Rayburn HOB
Washington, D.C. 20515

The Honorable Greg Walden
Chairman
Subcommittee on Communications & Technology
2182 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Anna G. Eshoo
Ranking Member
Subcommittee on Comm. & Tech.
205 Cannon Building
Washington, D.C. 20515

The Honorable Lamar Smith
Chairman
Committee on the Judiciary
2409 Rayburn House Office Building
Washington, D.C. 20515

The Honorable John Conyers, Jr.
Ranking Member
Committee on the Judiciary
2426 Rayburn HOB
Washington, D.C. 20515

The Honorable Robert Goodlatte
Chairman
Subcommittee on IP, Competition & the Internet
2240 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Melvin Watt
Ranking Member
Subcomm. on IP, Competition & Int.
2304 Rayburn HOB
Washington, D.C. 20515

Dear Representatives,

Since its inception, the internet has represented a powerful tool for the exchange of information and ideas. In recent years, it has also contributed greatly to the emergence of novel platforms for the dissemination of creative content. It is as members of the arts community who have come to depend on these structures that we write to you today.

Creators, in particular, depend on open internet structures to engage in a variety of ways, including direct interaction with audiences, fans and patrons, as well as collaboration with

other artists. From musicians to filmmakers to writers to independent labels to arts and service organizations, today's creative community depends on the internet to conduct business and contribute to the rich tapestry that is American culture.

Today's creators are taking advantage of technologies fostered by the internet to deliver a diverse array of content to consumers, while creating efficient new ways to "do for ourselves" in terms of infrastructure. The access and innovation inspired by the web helps us meet the challenges of the 21st century as we contribute to local economies and help America compete globally.

It hasn't always been so. Traditionally, the media landscape relied heavily on hierarchical chains of ownership and distribution, controlled by powerful gatekeepers such as large TV and movie studios, commercial radio conglomerates, major labels and so forth. It would be tremendously disadvantageous to creative entrepreneurship if the internet were to become an environment in which innovation and creativity face tremendous barriers to entry due to business arrangements between a select few industry players.

This is why we support clear, enforceable and transparent rules to ensure that competition and free expression can continue to flourish online. Although many of us feel strongly that the recent FCC Order does not go far enough in its protections (particularly with regard to mobile broadband access), we recognize the importance of having a process in place by which concerns can be addressed and transparency pursued.

We believe that Congress has a role to play in establishing guidelines that preserve a competitive, accessible internet where free expression and entrepreneurship can continue to flourish. We also believe that stripping the FCC's ability to enforce these core principles runs counter the values shared by members on both sides of the aisle, as well as prior and current FCC leadership. Therefore, we strongly urge against a broad repudiation of the Commission's Order.

Sincerely,

Fractured Atlas
Future of Music Coalition
National Alliance for Media Arts and Culture

cc:

The Honorable John Boehner
The Honorable Eric Cantor
The Honorable Kevin McCarthy

The Honorable Nancy Pelosi
The Honorable Steny Hoyer
The Honorable James Clyburn