

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

In the Matter of)
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Restoring Internet Freedom)

WC Docket No. 17-108
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To: The Commission

Comments of National Religious Broadcasters

The National Religious Broadcasters (NRB) is a non-partisan, international association of Christian communicators and broadcasters, whose member organizations represent millions of listeners, viewers, and readers. Our mission is to advance biblical truth, promote media excellence, and defend free speech. In addition to promoting standards of excellence, integrity, and accountability, NRB provides networking, educational, ministry, and fellowship opportunities for its members.

The internet is a valuable and integral part of NRB members' communications outreach, which includes the use of websites, webstreaming, blogs, social networking sites, email, electronic delivery of images, and transmission of audio and video files and other broadcasting content. We believe good ideas will ultimately rise to the top in a free marketplace of ideas, and we are committed to the internet remaining open for the widest range of lawful viewpoints, opinions, and information. Free speech and free enterprise have been bedrock principles for the internet as it has flourished, and we must not allow those foundations to be eroded.

Prior to the Commission's vote in 2015 to assert Title II authority over internet service providers, NRB expressed its views during the comment period of that proceeding (GN Docket No. 14-28) on July 14, 2014, and concluded, "The Commission should only exercise its narrow authority under section 706 and ancillary jurisdiction under Title I regarding the internet; and if it determines that additional authority is needed, it should seek it from Congress." NRB also stated that "asserting jurisdiction under Title II with its heavy hand of telecommunications regulations is ill-advised."

At the time of the Commission's *Title II Order*, the NRB Board of Directors, a body of approximately a hundred key leaders among Christian communicators, unanimously approved a resolution opposed to such a move. In particular, the NRB Board urged "the FCC to reject the use of Title II or any other heavy-handed regulatory approach to the internet," and the Board urged the U.S. Government "to uphold a position of a 'light touch' toward the internet and to continue to work to ensure principles of freedom, and particularly freedom of speech, on the internet globally." For your consideration, a copy of that resolution is attached to this filing.

In closing, it is notable also to highlight that in our July 2014 comments to what ultimately became the *Title II Order*, NRB addressed the situation of edge providers. While very cautious about new regulatory powers being asserted and highlighting the importance of free enterprise, we did insist, "Any regulation of broadband providers requires a broad picture that includes an evaluation of the policies and practices of edge providers in order to protect the free speech interests of citizen users." NRB cited

examples of censorship by major edge providers of otherwise lawful and non-injurious citizen viewpoints, often of ideologically conservative or religious nature, and sadly that pattern has not abated. In our comments we expressed a desire that “viewpoint discrimination by edge providers regarding citizen user-generated opinions should rarely be practiced, except when it could be justified under the free speech doctrines established by the Supreme Court.”

In closing, we concur with the sentiment that the internet was not broken in 2015. The commission is to be applauded for its transparent efforts to roll back the assumption of new heavy-handed Title II powers.

Dated this 17th day of July, 2017

Respectfully submitted:

National Religious Broadcasters, by:

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Resolution

URGING THE FCC TO REJECT HEAVY-HANDED REGULATION OF THE INTERNET

- WHEREAS** Free speech and free enterprise are bedrock principles that have allowed the Internet to grow and flourish.
- WHEREAS** The Federal Communications Commission (FCC) has instituted several proceedings over the years in an effort to exert authority over broadband providers and to regulate commercial decisions about, and consumer usage of, the Internet; however, twice the federal Court of Appeals has struck down such regulations.
- WHEREAS** During the FCC's most recent deliberation on "net neutrality," the President of the United States urged the independent federal agency to apply to broadband providers powers from Title II of the *Communications Act*, which allows for the regulation of "common carriers" as public utilities.
- WHEREAS** In public comments filed with the FCC in this proceeding last summer, NRB declared that "asserting jurisdiction under Title II with its heavy hand of telecommunications regulations is ill-advised."
- WHEREAS** The United States has in the past worked at the World Conference on International Telecommunications and other global assemblies to prevent increased international regulation of the Internet. However, asserting Title II power domestically could not only send a poor signal to nations that have or are considering more state governance of the Internet, but also it could appear to lend credence to arguments by certain repressive regimes that would like an international body like the International Telecommunications Union of the United Nations to have increased authority over the Internet.
- WHEREAS** The United States House of Representatives and the United States Senate have previously concurrently stated the "sense of Congress that the Secretary of State, in consultation with the Secretary of Commerce, should continue working to implement the position of the United States on Internet governance that clearly articulates the consistent and unequivocal policy of the United States to promote a global Internet free from government control and preserve and advance the successful multistakeholder model that governs the Internet today."
- THEREFORE BE IT RESOLVED** NRB urges the FCC to reject the use of Title II or any other heavy-handed regulatory approach to the Internet. NRB further urges the Executive, Legislative, and Judicial Branches of the United States to uphold a position of a "light touch" toward the Internet and to continue to work to ensure principles of freedom, and particularly freedom of speech, on the Internet globally.
- THEREFORE BE IT RESOLVED** NRB urges its members, as well as other freedom-loving Americans, to contact the White House, the FCC, and Congress to advocate for First Amendment principles to be honored on the Internet, and to urge that this attempt to apply Title II be rejected.

Approved by the Board of Directors February 23, 2015