



August 25, 2022

To the Members of the United States Congress:

The U.S. Chamber of Commerce strongly opposes H.R. 8573 / S. 4676, the “Net Neutrality and Broadband Justice Act.” **Members of Congress who refrain from cosponsoring this legislation will receive credit for the Leadership component of the Chamber’s “How They Voted” rating.**

While the Chamber supports codifying net neutrality rules into law, we express strong objections on the legislation’s classification of broadband under Title II of the Communications Act. Safeguarding the modern Internet requires modern regulations, not a 1930s-era public utility framework crafted for the days of the rotary phone. Today’s regulatory framework for broadband empowers the private sector to invest tens of billions of dollars to close the digital divide and modernize broadband networks, all while Americans benefit from steady prices for Internet service.

The approach taken under this bill is likely to cause significant negative consequences for the Internet economy. First, in the two years that Title II was last in effect, broadband expenditures dropped for the first time outside the context of a recession; this lost investment could have been used to connect rural Americans and other unserved communities. Private sector investment is particularly necessary now to meet the Administration’s goal of universal broadband service.

Second, at a time when inflation is rampant and private sector broadband companies are leading to keep costs low for service, Title II regulation will lead to a higher regulatory burden on the private sector and thus less affordable and reliable broadband service. Third and finally, granting sweeping new regulatory authority to the FCC under this bill could be used by future Federal Communications Commissions to impose fees on consumers for Internet access and to regulate prices.

Instead of pursuing utility-style regulation for broadband, the Chamber recommends that Congress continues meaningful bipartisan work to permanently codify bright-line net neutrality protections for consumers without pursuing Title II. The Chamber urges you to refrain from cosponsoring this legislation.

Sincerely,

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