



September 7, 2018

The Honorable Edmund G. Brown, Jr.  
Governor, State of California  
State Capitol, First Floor  
Sacramento, CA 95814

RE: SB 822 (Wiener and De Leon) – Request for Signature

Dear Governor Brown,

The Center for Media Justice and the undersigned California-based members and allies of our Media Action Grassroots Network (MAG-Net)—the largest racial justice network fighting for media and digital rights in the country—urge you to sign Senate Bill 822 by Senators Wiener and De Leon into law without delay. This bill will establish the strongest net neutrality protections in the country for consumers in California and ensures residents can continue to use the open Internet to participate in democracy and access essential resources in this digital age.

On December 14, 2017, the Federal Communications Commission (FCC) voted to repeal net neutrality rules adopted under President Obama, and on June 11th of this year Americans formally lost those net neutrality protections. Net neutrality refers to the principle that all websites and other online content should be equally available to consumers at the internet speed provided for in their agreement with an Internet Service Providers (ISPs). California has never needed its own net neutrality rules because we have always been able to defer to the federal government. Under the new FCC Order, however, ISPs are now free to manipulate web traffic to decide which websites will be easily accessible and what content they want to restrict access to on a discretionary basis. The loss of these important protections leaves vulnerable poor communities and communities of color who have used the Internet as a tool to bypass traditional media gatekeepers and who cannot afford tolls to the digital fast lane.

Your signature on SB822 would mark a historic victory for Black people and other underrepresented groups, advancing the long-held civil rights fight for equal voice, now in a digital age. SB 822 prohibits blocking websites, speeding up or slowing down websites or whole classes of applications such as video, and charging websites for access to an ISP's subscribers or for fast lanes to those subscribers. Under this bill, ISPs will also be prohibited from evading these protections at the point where data enters their networks and from charging access fees to

reach ISP customers. SB 822 bans ISPs from violating net neutrality by not counting the content and websites they own against subscribers' data caps. This kind of abusive and anti-competitive "zero rating", which leads to lower data caps for everyone, would be prohibited, while "zero-rating" plans that don't harm consumers are not banned.

SB 822 has been carefully written to translate the protections of the FCC's 2015 Open Internet Order, drawing from all 313 pages of the document, in order to deliver those same protections to Californians. In the face of media consolidation and a shocking lack of competition among consumer broadband providers, having these protections is essential to ensuring that the internet as we know it today continues to be a venue to explore new ideas, reach new audiences, share content, and remain a tool to fight the very real threats to democracy and human rights. Additionally, a restored open Internet, like the one SB 822 would mandate, allows underserved Californian communities to communicate with family and friends; find housing, employment, and educational opportunities and connect to the resources they need to live and thrive.

For these reasons, the Center for Media Justice along with the undersigned California based MAG-Net members and allies urge you to sign SB 822 without delay.

Sincerely,

18MillionRising.org  
Access Humboldt  
ACLU of California  
Asian Americans Advancing Justice - CA  
Black Alliance for Just Immigration  
Center for Media Justice  
Color Of Change  
Common Cause  
CreaTV San Jose  
Electronic Frontier Foundation  
Ella Baker Center for Human Rights  
Forward Together  
The Greenlining Institute  
Media Action Center  
Media Alliance  
Muslim Advocates  
Right To The City Alliance  
RYSE Center  
Stop LAPD Spying Coalition  
TURN - The Utility Reform Network

CC: Tom Dyer, Chief Deputy Legislative Affairs Secretary  
Brayden Borcharding, Legislative Director, Office of Senator Scott Wiener