

Testimony of Ruth Livier

Before the
United States Senate Committee on the Judiciary

At a Hearing Entitled
“ Why Net Neutrality Matters: Protecting Consumers and
Competition Through Meaningful Open Internet Rules.”

Thank you, Senator Leahy. My name is Ruth Livier. I'm here today as a Union actress and as the first person to join the Writers Guild of America West via my work in digital Media to share about how net neutrality has changed my life.

Countless studies have shown that minority communities have historically lacked equitable and balanced representation in traditional media. UCLA's Dr. Darnell Hunt, a media diversity expert, testified “that business as usual in the industry is wholly inadequate for addressing the stagnation in Hollywood diversity.... A new paradigm is

needed...”. [That goes] “...beyond symbolic pronouncements and token gestures”.¹

This is where Net Neutrality, or the Open Internet comes in.

As an American Latina, I got tired of seeing the disproportionate amount of negative stereotypes about my community in traditional media. So, in 2000, I wrote *Ylse* as a TV pilot. It’s a bicultural dramedy about a modern Latina: Someone with big dreams fighting thru other people’s low expectations; juggling career, a not-so-successful love life and a family who sometimes doesn’t understand her progressive American ways.

At a conference designed to nurture Latino talent, I approached a traditional media executive for advice on how to get my show produced who said, “Who are you for anyone to produce your show?” Others asked, “Who’s going to watch *this*?” Their comments were not based on my writing. They had not read a single word. Their immediate objections were based entirely on the concept of a Latina-driven show

¹ http://judiciary.house.gov/_files/hearings/pdf/Hunt100607.pdf

written by someone with no track record. Who was I to think that anyone would take me seriously? How was I supposed to prove there was a market for my content? There was no way in so, I filed the script away.

Then, a few years later, everything changed. Technology advanced. Camera equipment was no longer cost prohibitive. The Internet suddenly put worldwide distribution at our fingertips. It all seemed too good to be true. But, it was good. And, it was true. And, it changed *everything*. We independent artists suddenly had unprecedented access to create, produce and distribute our content. In this exciting new frontier of an open Internet, anyone, regardless of ethnicity or socio-economic standing, could finally tell their stories from their points of view without getting discouraged, derailed or having their visions diluted by corporate gatekeepers.

So in 2008, I took that old TV script and reconceived it into the award-winning web series, www.Ylse.net. Our global audience was even broader than expected. Our independent low-budget series provided jobs for a diverse workforce in front of and behind the cameras. And, because we were a union signatory, our minority directors earned points towards

their Directors Guild of America membership and I earned points towards becoming the first person to join the Writer's Guild of America via work in digital Media.

Joining the WGAw through this medium was significant because it meant that Digital Media was in fact a viable alternative way to build a career and diversify the talent pool of professional writers. It also meant that programming on the web was not up to the same few gatekeepers who control traditional media where, by all accounts, minorities are still underrepresented in the writers rooms, Executive positions, and in front of the camera. And Latinos are the most underrepresented relative to our share of the US population.

But, in the unprecedented world of an open, non-discriminatory Internet, no longer did low-budgets and no connections mean there was no way in. Never again could we be disregarded by anyone who essentially asks, "Who are *you* to have your story be told?" We all deserve to have our stories told. We all deserve to be heard, to be acknowledged, and to not have to sit in the shadows until someone else decides that our lives are worthy of being reflected in the media and have to wait for someone else to get it done. We

could now take the reigns in our hands and take responsibility for our own destinies.

The open Internet has given the rest of us an opportunity to:

- Improve our crafts
- Provide jobs and a creative outlet for a more diverse workforce.
- Define ourselves by creating more varied, complex, positive and balanced portrayals of our demos.
- Instantly access information and reputable data to prove our markets.
- Connect with our global audiences, again, proving our markets.
- Empower and motivate historically marginalized communities to take the reigns in our own hands and create content, knowing there is a distribution outlet for it.

As long as this revolutionary platform does not go the way of traditional media, diverse voices can finally partake in the national conversation at all levels.

Unfortunately, not everyone wants the Internet to remain open and free of gatekeepers. The same companies

that distribute traditional media control Internet service, and they are advancing an agenda of weak rules that would allow them to be the gatekeepers and decide what content is available online as well and on what terms. We cannot allow this to happen. That's why the FCC must institute strong open Internet rules that ban unjust and unreasonable discrimination by Internet service providers. I join with the majority of Americans who have commented on the FCC's proposed rules to call on the Commission to reclassify Internet service as a telecommunications service, so that it may, once and for all, *permanently* protect Internet openness.

The Open Internet may just be that “effective mechanism” Dr. Hunt alluded to in his testimony “for an industry truly committed to catching up with a changing America”.

It's a civil rights issue. And, it is my hope that, for future generations of minority and low-income youth, having a platform where they can express themselves on an equal playing field will be nothing out of the ordinary because, for us, it has been nothing short of revolutionary.

Thank you.