Congress of the United States
House of Representatives
Washington, DC 20515

October 25, 2007

The Honorable Kevin J. Martin
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Martin:

We write to express our grave shock and dismay over reports that you are circulating draft media ownership rules among your colleagues at the Federal Communications Commission. We understand that you intend to try to finalize these rules by the end of this calendar year. We believe that such actions are reminiscent of the bad behavior that resulted in an intervention by the Third Circuit of the United States Court of Appeals in your agency's efforts on media ownership three years ago. Therefore, we hope that you will immediately take steps to resolve significant shortcomings in your plan regarding accountability, transparency, and scientific integrity.

Your effort to advance these rules is taking place before the FCC holds its promised sixth and final public hearing on the state of our current media ownership rules. Furthermore, the most recent hearing, in Chicago, IL, only took place on September 20, 2007. It is our understanding that each of the hearings held by the agency have been very heavily attended, with people staying into the late evening in order to make their opinions known. Therefore, we have great difficulty understanding the propriety of moving forward on new media ownership rules before the commission has held its final event. In addition, we cannot comprehend how your staff could possibly have fully analyzed the public comments submitted in Chicago before you began to circulate these new rules.

In addition, we are very troubled by the agency's handling of ten reports on media ownership that it had drafted to help inform its decisions on these media ownership policies. There are a significant number of problems with these reports, including: the FCC's failure to reveal how it recruited individuals to conduct these studies; the agency's subsequent hiring of one of the authors to be its new chief economist (raising troubling questions regarding conflicts of interest); confusion over how the FCC decided to focus the research on its ten chosen topics; and serious mismanagement of the peer review process that is normally used to guarantee the scientific validity of the generated work. Adding insult to injury, the FCC's public comment period on the media ownership reports remains open, making yet another instance where the agency is moving forward without sufficiently consulting the public.

PRINTED ON RECYCLED PAPER

Finally, we are highly alarmed by news that you plan to hold a commission vote on these proposed changes within the next two months. Such action would make public comment on the new rules inadequate. After all of the controversy that this proceeding has generated over the past four years, we believe that another full round of public commentary is essential before a final vote.

At its heart, the debate over the future of media ownership in America is a debate over the future of our democracy. Therefore, we hope you will agree that the Federal Communications Commission must do everything it can to be able to honestly say that it is ending this proceeding after having considered every factor on behalf of the public whose airwaves it purports to represent.

Thank you for your consideration. We look forward to your prompt reply.

Sincerely,

Maurice D. Hinchey (NY-22)

Peter DeFazio (OR-4)

Raúl M. Grijalva (AZ-7)

George Miller (CA-7)

Tammy Baldwin (WI-2)

David Price (NC-4)

Tom Allen (ME-1)

Betty Sutton (OH-13)

Sheila Jackson-Lee (TX-18)

Mike Honda (CA-15)

Dennis J. Kucinich (OH-10)

Lynn Woolsey (CA-6)

Gwen Moore (WI-4)

Bob Filner (CA-51)

Barbara Lee (CA-9)

Adam Smith (WA-9)

Ed Pastor (AZ-4)

Carolyn B. Maloney (NY-14)

Marcy Kaptur (OH-9)

Steve Cohen (TN-9)

Louise M. Slaughter (NY-28)

Jim Moran (VA-8)

Nita M. Lowey (NY-18)

Linda T. Sánchez (CA-39)

Al Green (TX-9)

Wm. Lacy Clay (MO-1)

Susan Davis (CA-53)

David Obey (WI-7)

Diane E. Watson (CA-33)

Jan Schakowsky (IL-9)

John Olver (MA-1)

David Wu (OR-1)

Anna G. Eshoo (CA-14)

Jay Inslee (WA-1)

Brian M. Higgins (NY-27)

Earl Blumenauer (OR-3)

Jim Cooper (TN-5)

Jesse L. Jackson, Jr. (IL-2)

José E. Serrano (NY-16)

Darlene Hooley (OR-5)

Sam Farr (CA-17)

Mark Udall (CO-2)