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Congress of the United States

House of Representatives

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May 18, 2011

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The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Dear Chairman Genachowski:

As you are aware, Commissioner Meredith Atwell Baker recently announced that she will soon depart the Federal Communications Commission (FCC) to join Comcast Corporation (Comcast).¹ This announcement has generated questions surrounding the transition, especially in light of the recent FCC decisions related to her future employer. According to both the FCC and Commissioner Baker, however, she has managed her interest in this position in accordance with established laws and procedures in close coordination with the General Counsel of the FCC. I understand that Commissioner Baker, whose term expires in June, immediately contacted the General Counsel of the FCC when this position became available in mid-April 2011, as it was of interest to her. She subsequently recused herself from all matters relating to Comcast and NBCUniversal and has not "participated or voted any item, not just those related to Comcast or NBCUniversal, since entering discussions about an offer of potential employment."²

Based on the public statements of both Commissioner Baker and the FCC, it does not appear that she violated any of her legal or ethical obligations in accepting a position with Comcast. Nevertheless, because only a short time has passed since the Comcast-NBC Universal merger, it is imperative that the public can trust the integrity of the process. To that extent, we seek to gain a better understanding of the rules that govern Commissioner Baker's departure and the steps that the Commission took to ensure that they were followed. Therefore, please provide answers to the following questions no later than 5:00 p.m. on May 31, 2011:

1. What regulations and FCC policies/procedures apply to Commissioner Baker's departure?

¹ Press Release, Meredith Atwell Baker, FCC Commissioner, to Join Comcast as Senior Vice President of Government Affairs, NBCUniversal (May 11, 2011), available at <http://www.comcast.com/About/PressRelease/PressReleaseDetail.aspx?PRID=1082>.

² Federal Communications Commission, Statement of Commissioner Meredith Atwell Baker (May 13, 2011), available at <http://www.fcc.gov/document/statement-commissioner-meredith-attwell-baker>.

The Honorable Julius Genachowski
May 18, 2011
Page 2

2. What actions did Commissioner Baker and the FCC take to ensure these rules were followed?
3. On what date did Commissioner Baker notify the FCC General Counsel's office that she was engaged in communications with Comcast about a possible job opportunity?
4. On what date did Commissioner Baker begin to recuse herself from matters and/or proceedings before the FCC?
5. For which matters/proceedings currently pending before the FCC has Commissioner Baker recused herself?

Additionally, please make arrangements by May 24, 2011 to brief Committee staff on these issues.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at "any time" investigate "any matter" as set forth in House Rule X.

Please contact John Ohly or Kristin Nelson of the Committee staff at (202) 225-5074 with any questions about this request. We appreciate your attention to this matter and look forward to your continued cooperation.

Sincerely,



Darrell Issa
Chairman

cc: The Honorable Elijah Cummings, Ranking Minority Member

Austin Schlick, Esquire, General Counsel
Federal Communications Commission