

FRED UPTON, MICHIGAN  
CHAIRMAN

HENRY A. WAXMAN, CALIFORNIA  
RANKING MEMBER

ONE HUNDRED TWELFTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

*0731*  
*MB*  
*Pol. Adv.*  
*Fairness Doctrine*

Majority (202) 225-2927  
Minority (202) 225-3641

June 8, 2011

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
Room: 8-B201  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Dear Chairman Genachowski:

Thank you for your letter indicating that you plan to strike from the Code of Federal Regulations the Fairness Doctrine and related provisions, as we requested. We are heartened by your continued opposition to the Fairness Doctrine because of its chilling effects on free speech and the free flow of ideas. When precisely will you eliminate the Fairness Doctrine and related regulations at 47 C.F.R. §§ 73.1910, 76.209, 76.1612 and 76.1613? What is involved? Do you have the support of your fellow commissioners? How long will it take?

We are also pleased by your commitment in the letter to abide by President Obama's Executive Order 13563 on Improving Regulation and Regulatory Review, even though it does not bind independent agencies such as the FCC. A thorough review of the Commission's regulations and the repeal of outdated rules will unleash private sector investment, spur growth and create jobs for the American people. Unfortunately, the path forward remains unclear. We have yet to see a plan from your agency on how it will implement the January 2011 order and begin eliminating other outmoded and economically harmful regulations. According to testimony before this committee last week by Cass R. Sunstein, Administrator of the Office of Information and Regulatory Affairs in the Office of Management and Budget, the only independent agency to have submitted a plan is the National Labor Relations Board, and its plan amounted to a single page. When will you submit a plan to Administrator Sunstein? When will you begin eliminating other antiquated rules that stifle investment and harm innovation? What concrete steps will you take to reduce the burden on small businesses, who are today's primary engine for jobs growth? How many jobs will you create through your deregulatory efforts? Unnecessarily burdensome regulations are never appropriate, but eliminating them quickly is all the more important in light of the continued fiscal distress we find our country in.

Letter to the Honorable Julius Genachowski  
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Thank you also for highlighting statutory provisions that you believe have become moot over time and that may be appropriate for repeal or revision. We will consider yours and other suggestions for possible "clean up" legislation addressing just these types of issues.

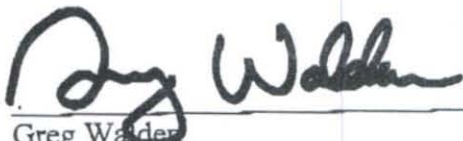
Please respond to the questions in this letter by close of business Friday, June 10, 2011. If you have any questions, don't hesitate to contact our Committee staff at (202) 225-2927.

Sincerely,



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Fred Upton  
Chairman



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Greg Walden  
Chairman, Subcommittee on Communications  
and Technology

cc: The Honorable Henry A. Waxman, Ranking Member

The Honorable Anna G. Eshoo, Ranking Member  
Subcommittee on Communications and Technology

Commissioner Michael J. Copps  
Commissioner Robert M. McDowell  
Commissioner Mignon Clyburn



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**To:** Ms. Terri Glaze, Director of Legislative Affairs, Federal Communications Commission for  
 Chairman Julius Genachowski, Federal Communications Commission

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**From:** Rep. Fred Upton, Chairman, Committee on Energy and Commerce

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**Fax:** (202) 418-7812

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**Date:** June 8, 2011

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**Phone:** 202.418.1000

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**Pages:** 2 (Including cover)

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**Notes:** Detail request letter

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*copies to  
 TB, EL, RK, Josh, al, GG, cl*