

Congress of the United States

Washington, DC 20515

September 21, 2012

**The Honorable Julius Genachowski
Chairman
The Federal Communications Commission
445 12th Street SW
Washington DC 20554**

Received & Inspected
SEP 28 2012
FCC Mail Room

Blank Spectrum
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Dear Chairman Genachowski:

We write regarding the Federal Communications Commission's (FCC's) implementation of the voluntary incentive auctions of broadcast television spectrum that Congress authorized earlier this year. Specifically, we are concerned that the possible post-auction relocation of local broadcast television stations that choose not to sell their spectrum may result in a loss of service to our constituents.

As you know well, our constituents are more dependent on broadcast television than the general population, including relying heavily on Class A and low power television (LPTV) broadcasters. This makes it particularly important to us that the FCC implement these auctions in a way that ensures our constituents have uninterrupted access to their local broadcast stations. Further, it is critical that these auctions not stunt the growth of multicast programming, which has proven to be an effective platform for niche minority programming. While we applaud the FCC's goal to stimulate the nation's wireless broadband ecosystem with new spectrum, we expect FCC to ensure that there is no degradation or loss of service to our constituents. To do this, it is essential that members of the Congressional Tri-Caucus, comprised of the Congressional Black Caucus, Congressional Hispanic Caucus and Congressional Asian Pacific American Caucus, be kept apprised of FCC's implementation strategy.

Free over-the-air television broadcasting plays an important role in local communities across the country. Its services are even more important in minority communities where relatively high numbers of families rely exclusively on terrestrial television. In fact, 28 percent of Asian households, 23 percent of African-American households, and 26 percent of Latino homes rely on free over-the-air television. In addition to this, 33 percent of homes in which Spanish is the language of choice rely on over-the-air television as their primary medium for information and emergency alerts.¹

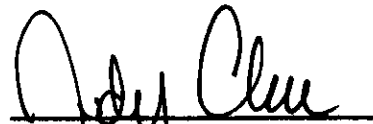

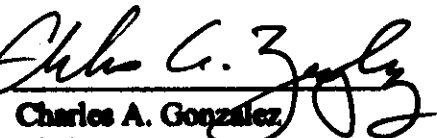
Given the dependence that our communities place on broadcast television, including Class A and LPTV, maintaining a robust free and local broadcasting system must remain a priority for the FCC. As the FCC drafts rules to implement the incentive auctions and develops the technical plans for the repacking process, we implore the Commission to work with all interested parties to

¹ *34 Million Americans watching over-the-air exclusively, says report.* Broadcast Engineering, 21 June 2012. Web. 18 Sept. 2012. (<http://broadcastengineering.com/34-million-americans-watching-over-air-exclusively-says-report/>)

ensure a successful auction. To that end, a fully transparent process that allows interested businesses and consumer groups the opportunity to review and comment on all of the Commission's plans, before any irreversible decision has been made, is critically important.

Thank you for your leadership and your consideration. Please continue to view the Congressional Tri-Caucus as a resource to you as you plan voluntary incentive auctions.

Sincerely,


Judy Chu, PhD
Chair
Congressional Asian Pacific
American Caucus
Emanuel Cleaver, II
Chair
Congressional Black Caucus
Charles A. Gonzalez
Chair
Congressional Hispanic
Caucus