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## United States Senate

COMMITTEE ON COMMERCE, SCIENCE,  
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <http://commerce.senate.gov>

# 209

NICK ROSSI, STAFF DIRECTOR  
KIM LIPSKY, DEMOCRATIC STAFF DIRECTOR

March 10, 2017

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> St., SW  
Washington, DC 20554

Dear Chairman Pai:

The Federal Communications Commission (FCC) is the sole federal agency to which Congress has conferred direct regulatory responsibility over the nation's media.

Media independence is a hallmark of this great nation – which is why it is troubling to hear various members of the administration openly attack the media.

As FCC chairman, you have direct authority over the nation's broadcast and media marketplace. Your independent agency controls whether broadcast stations are allowed access to the U.S. airwaves, oversees elements of the contractual relationships between media outlets and their distribution partners, renders judgements on mergers and acquisitions of media properties, and issues regulations that can affect the financial future of major media companies. And ultimately, the decisions that you, your fellow commissioners, and the agency staff which you oversee make affect the viability and sustainability of news media.

However, we find your lack of full transparency at this week's hearing in the Senate Committee on Commerce, Science, and Transportation on FCC oversight to be unfortunate for someone who has been renominated to head the commission. Specifically, your refusal to answer straightforward questions about how you view the media and whether you will uphold the First Amendment rights of journalists and media outlets is concerning.

While you have long claimed to be an advocate for the freedom of the press and the First Amendment, your silence on the matter and refusal to take a stand against threats levied at the media is troubling given your regulatory and oversight role over the industry.

Moreover, such a lack of response could call into question the ongoing independence of the FCC under your watch.

Accordingly, we ask you to respond directly, fully, and individually to the questions below, which will inform our ongoing consideration of your renomination for an additional five-year term on the FCC.

- 1) Do you believe the media is the “enemy” of the American people?
- 2) Can you assure us that you will exercise your authority as chairman of the FCC to regulate the media in an impartial manner?
- 3) Will you commit to us that the FCC will not act in a manner that violates the First Amendment and stifles or penalizes free speech by electronic media, directly or indirectly, even if requested by the administration?
- 4) Did you commit to the administration, as a condition for your elevation or renomination as chairman of the FCC, to take any action against a specific media entity or generally against broadcast entities, cable network owners or other media outlets?
- 5) Will you commit to us that you will exercise your authority as chairman of the FCC in a manner that fully respects the absolute independence of the agency from the executive branch?
- 6) Finally, will you commit to inform us and the public of any attempt by the White House or by any executive branch official to influence your decision-making or direct you to take or not take any action with respect to media interests within your jurisdiction, including the license renewal applications for broadcasters (whether or not such contacts fall under the ex parte rules or other legal or ethical rules applicable to the FCC)?

Please provide your responses no later than 5 p.m. on Friday, March 17, 2017.

Sincerely,



BILL NELSON  
Ranking Member



TOM UDALL  
Member



MARGARET WOOD HASSAN  
Member



MARIA CANTWELL  
Ranking Member, Subcommittee  
on Aviation Operations, Safety,  
and Security



AMY KLOBUCHAR  
Member



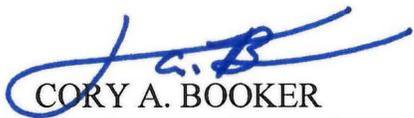
RICHARD BLUMENTHAL  
Ranking Member, Subcommittee  
on Consumer Protection, Product  
Safety, Insurance, and Data  
Security



BRIAN SCHATZ  
Ranking Member, Subcommittee  
on Communications, Technology,  
Innovation, and the Internet



EDWARD J. MARKEY  
Ranking Member, Subcommittee  
on Space, Science, and  
Competitiveness



CORY A. BOOKER  
Ranking Member, Subcommittee  
on Surface Transportation and  
Merchant Marine Infrastructure,  
Safety, and Security



GARY C. PETERS  
Ranking Member, Subcommittee  
on Oceans, Atmosphere,  
Fisheries, and Coast Guard



TAMMY BALDWIN  
Member



TAMMY DUCKWORTH  
Member



CATHERINE CORTEZ MASTO  
Member

cc: The Honorable John Thune, Chairman