Congress of the United States
Washington, DC 20515

March 20, 2012

The Honorable Julius Genachowski
Chairman
U.S. Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Genachowski:

We write in reference to MM Docket 00-168, in which the Commission has proposed to require that television broadcast stations post their political files on the Commission's Web site. We commend the Commission's efforts to improve disclosure requirements for candidates' political advertising purchases. Moreover, we wholeheartedly support increased disclosure requirements meant to achieve greater transparency in our country's political system.

As we understand the Commission's proposed rule, however, it would apply only to television broadcast stations. This puzzles us because we believe uniform and fair disclosure requirements will best serve the public interest. To help us understand why the Commission has proceeded as it has in this matter, we respectfully request your responses to the following questions:

1. Why has the Commission chosen to revise its political file disclosure requirements with respect only to television broadcasters?

2. Does the Commission intend to apply similar such requirements to multichannel video programming distributors, such as cable and satellite providers, in the future? If so, please explain when the Commission will issue a Notice of Inquiry and Notice of Proposed Rulemaking to that effect. If not, please explain why.

3. Has the Commission considered the misleading effect that the partial disclosure of candidates' political advertising purchases may have on the public? Please explain your response.

4. Similarly, please explain to us the public good that is achieved by the partial disclosure of candidates' political advertising purchases.

5. Further, does the Commission believe that centralizing information about political advertising purchases in a readily searchable online database will stimulate campaign spending instead of curtailing it? Please explain your response.

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6. Lastly, does the Commission believe it has the necessary resources (*i.e.*, sufficient number of employees, funding, and technological capacity) with which to carry out the proposed rule? We are aware of reports that the Commission's systems were unable to cope with prior substantial uploads of information and are concerned that such alleged technological limitations may delay the prompt disclosure of political advertising purchases.

To be certain, we applaud the Commission's effort to uphold its view of what is in the public interest. As our questions above indicate, we are nevertheless somewhat skeptical that the Commission's proposal will result in uniform and equitable disclosure requirements. We furthermore fear that the adoption of the proposed rule may very well encourage more campaign spending at a time when the public and many in Congress believe such spending has gotten out of control.

Please submit your responses to our questions and supporting materials no later than Friday, March 30, 2012. Thank you in advance for helping us gain greater insight into this most topical of issues. Should you require further information, please feel free to contact us or have a member of your staff contact Nathaniel Tipton with Congressman Gene Green at 202-225-1688 or Andrew Woelfling with Congressman Dingell at 202-225-4071.

Sincerely,

Gene Green
Member of Congress

John D. Dingell
Member of Congress

cc: The Honorable Fred Upton, Chairman
Committee on Energy and Commerce

The Honorable Henry Waxman, Ranking Member
Committee on Energy and Commerce

The Honorable Greg Walden, Chairman
Committee on Energy and Commerce
Subcommittee on Communications and Technology

The Honorable Anna Eshoo, Ranking Member
Committee on Energy and Commerce
Subcommittee on Communications and Technology

The Honorable Robert McDowell, Commissioner
U.S. Federal Communications Commission

The Honorable Mignon Clyburn, Commissioner
U.S. Federal Communications Commission