

United States Senate

WASHINGTON, DC 20510

December 20, 2013

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Wheeler:

We write to express our opposition to the Federal Communications Commission's (FCC) continued defense of the Multi-Market Study of Critical Information Needs (CIN Study). This proposed 2014 field test includes a qualitative media analysis that is inconsistent with the First Amendment, and could lead to the FCC exerting undue federal government influence over our private news journalism industry. Americans cherish the First Amendment and they expect their government to protect free speech, not restrain it.

In a House hearing this month, it was confirmed that a consulting group, Social Solutions International (SSI), had been working with the FCC on plans to survey news organizations and their employees. At that hearing you asserted these efforts were not an attempt to "influence the media." However, we remain concerned that the proposed CIN Study sets a bad precedent for government involvement and research into general news practices and decision-making.

Former FCC Commissioner Robert McDowell has argued this proposal wrongly inserts the government into areas of editorial discretion. Some of the questions proposed within the CIN Study appear irrelevant and run counter to the Commission's mandate to serve our constituents. Additionally, it is unclear why the scope of the proposed CIN Study has been limited to Columbia, South Carolina. The original proposal would have included multiple markets, diverse in size and geographic location, and the FCC's rationale for focusing its questioning exclusively on Columbia news organizations has not been explained.

We hope you would agree that no agency of the federal government should interfere or play referee with Americans' Constitutionally-guaranteed right to free speech. For these reasons, we urge you to work with your colleagues at the Commission to ensure the Fairness Doctrine that was fully repealed in 2011 does not come back under a new guise.

The Commission's role is not to question private journalistic standards and practices. Instead of spending scarce federal dollars on an endeavor that has been referred to as the "Fairness Doctrine 2.0," the Commission should instead focus its efforts on addressing the American people's top priority – facilitating access to advanced communications services within the confines of its statutory authority. Thank you for your attention and consideration to this matter.

Sincerely,



Deb Fischer
United States Senator



Tim Scott
United States Senator