

June 19, 2012

The Hon. Hal Rogers
Chair, Appropriations Committee
H307-Capitol
Washington, DC 20515

The Hon. Norm Dicks
Ranking Member, Appropriations Committee
1016 Longworth HOB
Washington DC 20515

The Hon. Jo Emerson
Chair, Subcommittee on Financial
Services & General Government
B300 Rayburn HOB
Washington, DC 20515

The Hon. Jose Serrano
Ranking Member, Subcommittee on Financial
Services & General Government
B300 Rayburn HOB
Washington, DC 20515

Dear Chairs and Ranking Members:

We the undersigned organizations strongly urge you to oppose any effort to include language in the FY 2013 Financial Services and General Government Appropriations measure that would block or hinder implementation of the new Federal Communications Commission (FCC) rule requiring broadcasters to put their political files online. Such a misguided measure was included as a rider in the companion measure recently passed by the House Subcommittee.

The Supreme Court in the *Citizens United* decision held that “transparency enables the electorate to make informed decisions and give proper weight to different speakers and messages.” The Court has specifically addressed the benefits of online access to such information, stating that “[w]ith the advent of the Internet, prompt disclosure of expenditures can provide shareholders and citizens with the information needed to hold corporations and elected officials accountable for their positions and supporters.”

To this end, the recent decision by the FCC to require television licensees to post the information in their political file on the FCC’s website furthers these goals by increasing the availability and transparency of the political interests using the public airwaves to persuade the American electorate. It also brings broadcast recordkeeping practices into the 21st Century.

Because of the importance of these political records we are disappointed that the broadcast industry – which stands to make over \$3 billion in political ads this election cycle – is actively opposing this important transparency initiative.

Broadcasters' complaints that the new rules are burdensome are misguided, if not nonsensical. The FCC has not required any new records or additional information collection from television broadcasters. It is simply requiring that broadcasters replace their existing paper records with electronic ones, a transition that will ultimately be more efficient and cost-effective for broadcasters. Television stations already keep the vast

majority of these records in electronic form, and currently must download and print out any such documents and organize them in their paper political files. In fact, the new online file rules actually diminish the recordkeeping burden on television broadcasters.

Likewise, broadcaster claims that political file information is proprietary are also unfounded. The laws that have been on the books for decades make clear that Congress intended the information in the political file – which includes requests for and purchases of political ads – to be made publicly available. Thus, the transition to an online public file will ensure that members of the public can enjoy fuller and more meaningful access to the broadcast records they already have a right to view. That some broadcasters would in essence attempt to make it as difficult as possible for the public to access these records is inconsistent with their duties as licensees and trustees of the public airwaves.

The broadcast industry's efforts to block what is otherwise a non-controversial, administrative procedure should be rejected. We urge Committee Members to oppose all efforts to place a rider on any appropriations measure that would delay or weaken the FCC's common sense update of a regulation that moves television stations' political files online.

Sincerely,

Access Humboldt

Americans for Campaign Reform

Campaign Legal Center

Center for Creative Voices in Media

Center for Responsive Politics

Citizens for Ethics and Responsibility in Washington

Common Cause

Common Frequency

Democracy 21

Free Press

Media Action Center

National Alliance for Media Arts & Culture

Norman Lear Center, Annenberg School for Communication and Journalism at

University of Southern California

OMB Watch

PR Watch

Public Citizen

Sunlight Foundation

Unitarian Universalist Legislative Ministry of Florida

United Church of Christ, Office of Communications, Inc.

Wisconsin Democracy Campaign

cc: Full House Appropriations Committee