



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0529**

February 16, 2016

The Honorable Tom Wheeler  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street S.W.  
Washington, D.C. 20554

Dear Chairman Wheeler and Commissioners of the FCC:

On February 18, 2016, you will consider a proposal that has the potential to dramatically change the way Americans watch television. This proposal would open up the television set-top box market to third parties wanting to manufacture their own boxes or offer apps to consumers. As you know, this proposal has garnered vast national attention, owing to your impending vote and to its possible far-reaching effects, in a market that is delivering more choices for our constituents through over the top content and the recent rise of apps.

While we encourage growth and competition in the marketplace, too much government regulation can become burdensome and hurt the innovation it attempts to foster. It is important for the government to not stand in the way of innovation, and to not be overly prescriptive in regulation.

We have been approached by many companies, organizations and constituents that would be directly affected by this proposal, and as Representatives it is our responsibility to communicate their concerns.

We are proud to represent a community of talented and diverse independent programming providers that promote a vibrant vision of the American experience through their content. It is in our nation's best interest to make sure these minority-owned and independent providers are able to reach as many people as possible with high-quality, inclusive content.

As you continue to adjust the proposal in preparation for the meeting, we strongly urge you to take into account independent programmers. These providers share their work through carefully negotiated placement, scheduling, distribution and advertising agreements. Technology companies recognize this, and have declared that device manufacturers cannot violate contracts to which they are not party. The FCC General Counsel has addressed this concern by saying the proposal under consideration will maintain full protection of content, including restrictions on copying.

Any proposal must respect existing contracts so that independent and minority programmers can control the presentation of their content and secure funding essential for diverse voices to thrive in the marketplace.

The emergence of innovative content distribution mechanisms has allowed Americans to experience a vast array of quality television shows and compelling new networks. As we work to foster this growth, we

must be especially careful that we respect copyright, licensing agreements and anti-piracy policies. We ask you to be vigilant and avoid policies or regulations that would erode any of the protections content creators enjoy, particularly in regards to anti-piracy mechanisms that allow these programmers to stay in business, and copyright protections that ensure content creators the exclusive rights to determine how their work is distributed to the public.

Many independent and minority programmers lack the legal, financial or personnel means to police violations of intellectual property themselves, and depend on carriage agreements that allow them to stay in control of the distribution of their content. Without strong safeguards many of these programmers, who live and work in our districts, would fail to earn a living wage for their products, to the detriment of the entire nation, and in particular minority communities.

Additionally, any new proposal should maintain or enhance consumer privacy safeguards in order for consumers to feel secure in their consumption of quality television. We ask that you make sure consumer data is respected and cannot be disclosed without the viewer's consent.


Our country is the innovation capital of the world. As we continue to evolve towards a television environment that allows consumers unprecedented choice of content and device, we ask that you ensure any new proposal avoids excessive government regulation and keeps us on a path forward that embraces consumer choice, protects content creators and safeguards our data. We further ask that any and all concerns raised are thoroughly and seriously considered.

We thank you for your commitment and service to our nation and constituents.

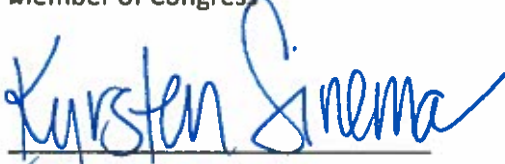
Sincerely,

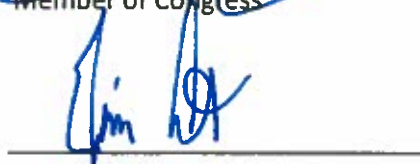
  
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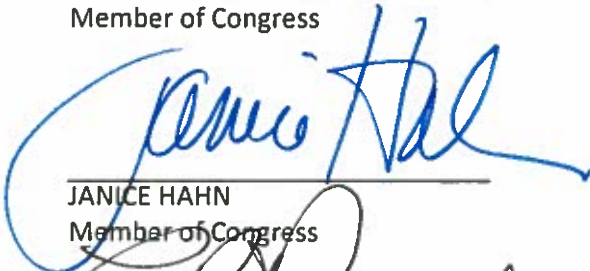
  
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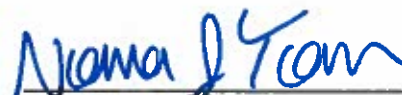
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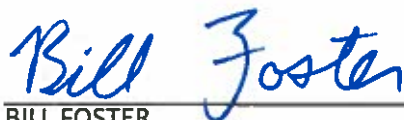
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