

# United States Senate

WASHINGTON, DC 20510

October 17, 2017

The Honorable John Thune  
Chair  
U.S Senate Committee on Commerce,  
Science & Transportation  
Washington, DC 20510

The Honorable Bill Nelson  
Ranking Member  
U.S Senate Committee on Commerce  
Science & Transportation  
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson,

Since taking office, this Administration has made statements and has taken actions that suggest a troubling disregard for the First Amendment and the freedom of the press. The President has referred to the media as “the enemy of the state”, publicly antagonizes specific companies for what he deems unfair coverage, and regularly undermines public confidence in the free press with unsubstantiated claims of “fake news”.

On October 11, the President escalated that attack by directly attacking specific, and real, network news operations based on reporting with which he disagreed, and threatening those operations through the Federal Communication Commission’s (FCC’s) television station license renewal proceedings.

It took six days and pressure from Congress and the media for FCC Chairman Ajit Pai to respond and Commissioners Michael O’Rielly and Brendan Carr continue to remain silent on the President’s threats. This silence is inexcusable on an issue that goes not only to the independence of the FCC, but also to the core of our democracy and the freedoms we value as Americans. FCC Chairman Pai had previously defended his lack of response to the President’s earlier comments, saying the President was responding to “fake news” not to actual FCC regulated media operations.<sup>1</sup> The President’s latest actions have crossed that line with his blatant suggestion of interference with specific FCC licensees. The FCC Chairman’s failure to quickly respond and denounce these threats is shocking and raises questions about the ability of the FCC to truly act independently under Chairman Pai’s leadership.

It is crucial that the Committee on Commerce, Science, and Transportation exercise oversight in this matter. This Committee is the United States Senate’s committee of jurisdiction over policies that impact the media landscape, including through its oversight of the FCC, which is the only Federal agency that has express regulatory authority over broadcast and media companies. Previously, you, Chairman Thune, committed to holding FCC oversight hearings at least biannually, but the Committee has yet to have a hearing with the newly fully appointed

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<sup>1</sup> Chairman Pai response to Senate Commerce Committee Democratic letter, accessed here [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-344141A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DOC-344141A1.pdf)

Commission. Moreover, this Committee also has not held a hearing on the state of the media in the U.S. since 2009.

We therefore request an FCC Oversight Hearing as soon as possible. It is imperative that FCC Chairman Pai and his fellow Commissioners address this Committee and respond to the President's stated desire for regulatory abuse of his perceived critics through the FCC. We also urge you to move forward on the separate request made earlier this year asking you to hold a hearing on the state of the U.S. media landscape more generally. A copy of the May 2017 letter is attached, and the topic of the state of the media is timelier than ever.

Thank you for your immediate attention to this matter.

Sincerely,



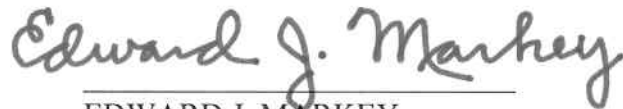
BRIAN SCHATZ  
United States Senator



TOM UDALL  
United States Senator



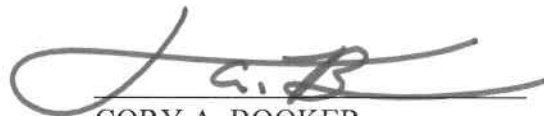
MARGARET WOOD HASSAN  
United States Senator



EDWARD J. MARKEY  
United States Senator



RICHARD BLUMENTHAL  
United States Senator



CORY A. BOOKER  
United States Senator



CATHERINE CORTEZ MASTO  
United States Senator



TAMMY DUCKWORTH  
United States Senator



AMY KLOBUCHAR  
United States Senator

## United States Senate

May 22, 2017

The Honorable John Thune  
Chairman  
Committee on Commerce, Science and  
Transportation  
United States Senate  
Washington, DC 20510

The Honorable Bill Nelson  
Ranking Member  
Committee on Commerce, Science and  
Transportation  
United States Senate  
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson:

Joseph Pulitzer famously said, "Our Republic and its press will rise and fall together." There is a clear link between the strength of our nation's democracy and its free press. Our reverence for free public debate is enshrined in the First Amendment to the United States Constitution, which guarantees the freedom of the press and guards against censorship.

The journalism industry is grappling with a changing media landscape: from the changing dynamics of how people access news, to changing financial calculations, to the proliferation of so-called "fake news" (both actual disinformation campaigns and the use of the term to slander legitimate news reporting), to a challenging relationship between news media and the Executive branch. There have been a series of recent incidents in which hostility has been exercised against members of the press by members of the Administration, including just last week when a reporter was allegedly manhandled and threatened by security guards after a news conference at the Federal Communications Commission headquarters.<sup>1</sup> Given the importance of robust journalism to our democracy, we write to urge the committee to once again hold a hearing on the current state of the U.S. media landscape to refresh the public record.

The Committee on Commerce, Science, and Transportation plays an important role in shaping the environment in which journalism and media exist. With oversight jurisdiction of the Federal Communications Commission's role in broadcast media licensing and communications networks, the Committee is poised to examine the state of independent news, journalism, and the broadcast media landscape.

As you know, in May 2009, the Committee hosted a hearing on the Future of Journalism, at which Members were given an opportunity to hear from industry stakeholders about this important sector of our economy. Much has changed in the last eight years. For example, newspaper circulation has declined by an average of 4.2 percent per year in those years.<sup>2</sup> The percentage of adults who use at least one social media website has increased from 38 percent to

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<sup>1</sup> Schoo, Julie. "Reporter manhandled by FCC guards because he asked question." National Press Club. May 18, 2017, <http://www.press.org/news-multimedia/news/reporter-manhandled-fcc-guards-because-he-asked-question>

<sup>2</sup> Pew Research Center, "Newspapers: Fact Sheet"  
<http://www.journalism.org/2016/06/15/newspapers-fact-sheet/>

68 percent, and the percentage of adults who primarily receive their news from social media is at a record 62 percent.<sup>3</sup>

Thank you for your immediate attention to this matter. We look forward to further examining the state of journalism through the lens of the Committee of Commerce, Science, and Transportation. We applaud your leadership of this Committee and look forward to working with you on this over the coming few months.

Sincerely,



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Margaret Wood Hassan  
United States Senator



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Tom Udall  
United States Senator

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<sup>3</sup> Pew Research Center, "New Use Across Social Media Platforms 2016."  
<http://www.journalism.org/2016/05/26/news-use-across-social-media-platforms-2016/>