Congress of the United States
Washington, DC 20515

April 22, 2016

The Honorable Thomas E. Wheeler
Chairman
Federal Communications Commission
445 12th St, S.W.
Washington, D.C. 20554

Dear Chairman Wheeler:

Over the last two decades, we have witnessed remarkable changes in the competitive landscape that have rapidly expanded who provides video programming and how consumers enjoy it. Your recent Notice of Proposed Rulemaking concerning Navigation Devices proposes far reaching rules affecting the current video programming marketplace, programming, security, consumer protections, costs, networks and consumer electronics. It raises substantial issues of concern to many parties that have not been adequately studied.

In order to evaluate the current marketplace and to assess the potential impact of the proposed rules, we believe it is essential for independent, peer-reviewed studies to be completed of current developments towards market-based solutions and of the potential costs and benefits of the proposed rules, including the impact of the proposed rules on diversity of programming, independent and minority television programming, content protection and consumer privacy.

At a minimum, these studies should analyze:

- The potential impact of the proposed rule on all parties in the video programming marketplace, including video programming creators, satellite-delivered video programming vendors, multichannel video programming distributors, and subscribers of multichannel video services;
- The potential impact of the proposed rule on content diversity, intellectual property, and content licensing;
- The potential impact of the proposed rule on consumer privacy, and the legal remedies available to consumers for violations of video privacy obligations.

Therefore, we urge the Commission to suspend further action on its Notice of Proposed Rulemaking until these studies are completed and Congress has the opportunity to review and assess the studies.

Sincerely,

Yvette D. Clarke
Yvette Clarke
Member of Congress

Gene Green
Gene Green
Member of Congress

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