

From: [Ajit Pai](#)
To: [Matthew Berry](#); [Nicholas Degani](#); [Jeffrey Neumann](#); [Brendan Carr](#)
Subject: CIN Study letter
Date: Tuesday, February 25, 2014 3:06:04 PM
Attachments: [Senate Republican CIN Study letter 2-25-14.pdf](#)

United States Senate

WASHINGTON, DC 20510

February 25, 2014

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

Dear Chairman Wheeler:

We write to express our grave concerns regarding the Federal Communications Commission's (FCC) defunct Multi-Market Study of Critical Information Needs ("CIN Study").

It is impossible to imagine a rationale for the Commission to consider using the CIN Study under any circumstance given its flagrantly unconstitutional implications. It is even more troubling that a Commission spokesperson attempted to justify the CIN Study as a report on barriers to entry for entrepreneurs and small businesses in the communications marketplace – particularly when consumers are free to obtain news and information from a vibrant diversity of sources, including multiple broadcast outlets, print media, cable networks, and the Internet.

The CIN Study, as it was originally envisioned, sought to collect information on the process by which stories are selected and even asked about "news philosophy." Such questions are wholly unacceptable and alarming because they invite government intrusion into editorial decisions. While we are relieved the Commission appears to have halted the CIN Study, it is nevertheless troubling the Commission was on schedule to begin using a study that grossly intrudes on the First Amendment as early as this spring. Indeed, it was not until the CIN Study received national headlines and earned broad condemnation that the Commission took steps to remedy a problem that should have never occurred in the first place.

We demand an explanation of how the Commission internally justified the CIN Study as fulfilling its statutory requirement to report on market barriers to entry, as well as the costs incurred by the Commission on this blatantly inappropriate study. We also insist all commissioners be involved in future statutorily required studies in order to guard against the clear potential for abuse.

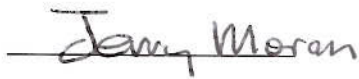
Sincerely,



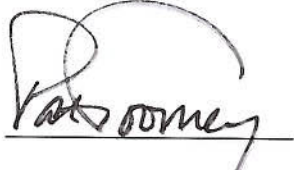
Roy Blunt



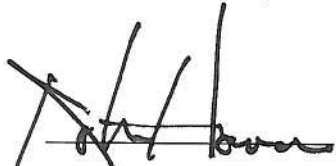
John Cornyn



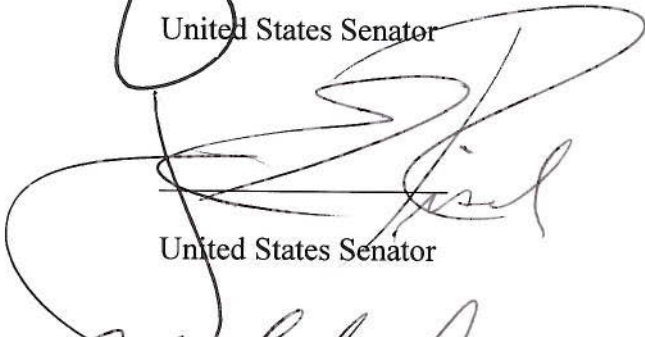
United States Senator



United States Senator



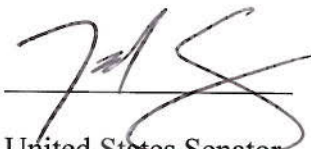
United States Senator



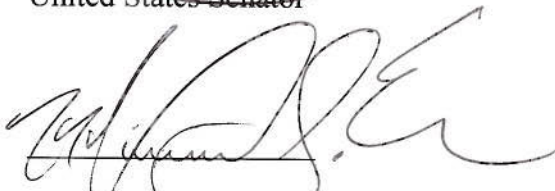
United States Senator



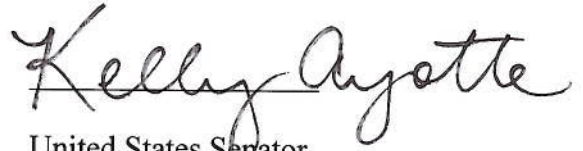
United States Senator



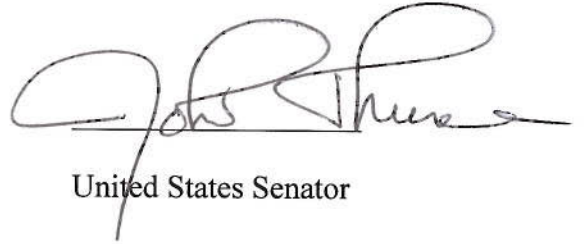
United States Senator



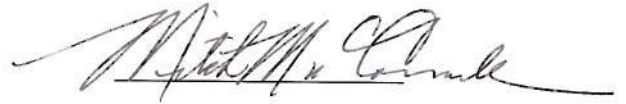
United States Senator



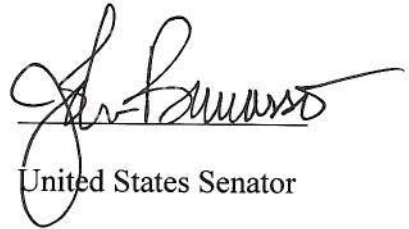
United States Senator



United States Senator



United States Senator



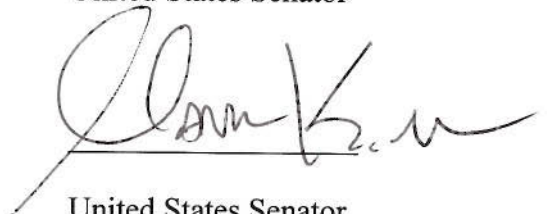
United States Senator



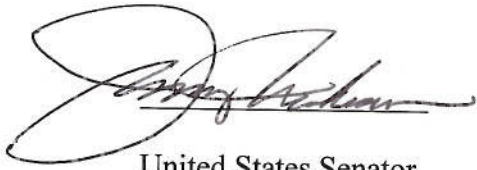
United States Senator



United States Senator



United States Senator



United States Senator



United States Senator



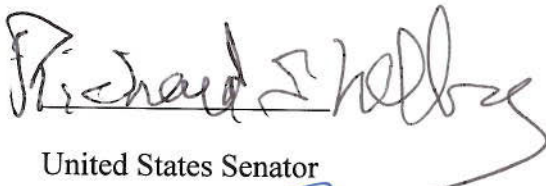
United States Senator



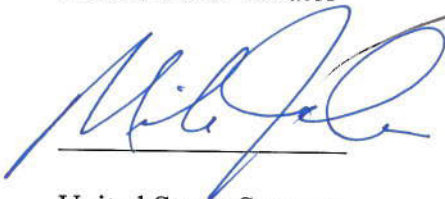
United States Senator



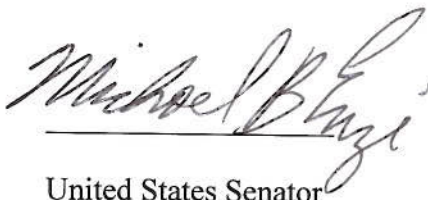
United States Senator



United States Senator



United States Senator



United States Senator



United States Senator



United States Senator



United States Senator



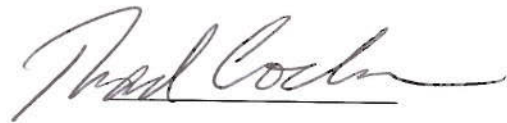
United States Senator



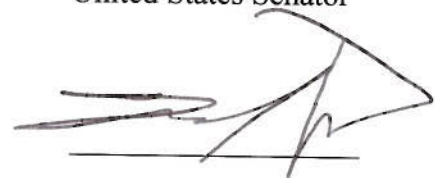
United States Senator



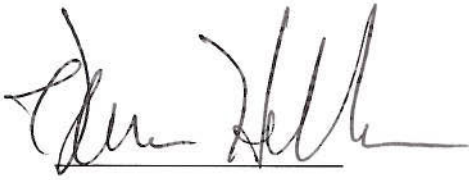
United States Senator



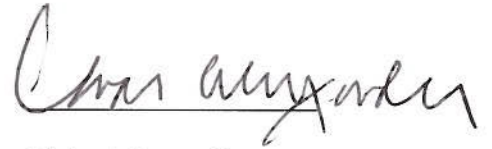
United States Senator



United States Senator



United States Senator



United States Senator




United States Senator



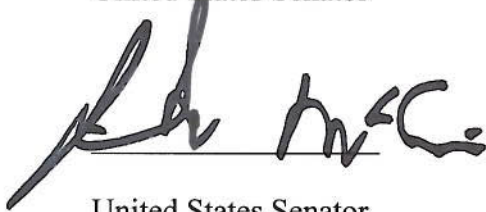
United States Senator



United States Senator



United States Senator



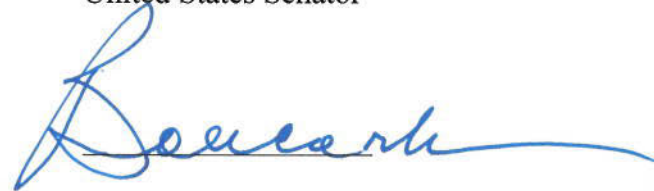
United States Senator



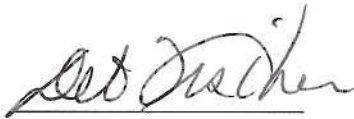
United States Senator



United States Senator



United States Senator



United States Senator



United States Senator



United States Senator

From: [Matthew Berry](#)
To: [Ajit Pai](#); [Nicholas Degani](#); [Brendan Carr](#)
Subject: CIN Study
Date: Friday, February 28, 2014 4:50:49 PM

http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-325852A1.pdf

From: [Ajit Pai](#)
To: [Nicholas Degani](#)
Subject: FW: CJR report on FCC revamp of CIN Study
Date: Tuesday, February 18, 2014 10:18:16 AM
Attachments: [CJR - News report on FCC revamp of CIN Study \(Feb 2014\).pdf](#)

From: Harold, Rosemary [mailto:RHarold@wbklaw.com]
Sent: Tuesday, February 18, 2014 10:08 AM
To: Ajit Pai; Matthew Berry
Subject: CJR report on FCC revamp of CIN Study

Thought you would be amused – as well as pleased – by this report!

Rosemary

WILKINSON) BARKER) KNAUER) LLP

ROSEMARY C. HAROLD
PARTNER
2300 N STREET, NW
SUITE 700
WASHINGTON, DC 20037-1128
MAIN 202.783.4141
DIRECT 202.383.3371
FAX 202.783.5851
RHarold@wbklaw.com
www.wbklaw.com

This electronic message transmission contains information from the law firm of Wilkinson Barker Knauer, LLP which may be confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone at 202.783.4141 or by electronic mail administrator@wbklaw.com immediately.

COLUMBIA JOURNALISM REVIEW

The future of media is here

03:30 PM - February 17, 2014

FCC revamps controversial study of TV newsrooms

Local stations in South Carolina test market still waiting to hear from federal government

By Corey Hutchins

Charleston, SC — As the Federal Communications Commission [revamps a controversial study](#) that has been slammed by critics as an inappropriate government intrusion into news media, broadcast newsrooms in its test market of Columbia, SC, still haven't heard directly from the agency about its plan.

At issue is the [Multi-Market Study of Critical Information Needs](#) (CIN), initiated last year under acting FCC Chairwoman Mignon L. Clyburn. The study aims to gauge news consumers' access to "critical information" in six local markets, along with any negative impact from "barriers to entry" facing news producers in those markets. The commission [chose Columbia](#) as the test market in November because of its medium size, racial and ethnic diversity, and the nearby journalism school at the University of South Carolina.

According to a [research design document dated April 2013](#), parts of the study would involve taking a census of newspaper, radio, broadcast, and web coverage in a given market, along with surveying and interviewing local residents about their "critical information needs."

But it's another part of the study that has prompted critics to invoke images of FCC officials parachuting into local newsrooms to influence coverage decisions. The design calls for the FCC to interview management and staff at broadcast outlets in order

to ascertain the process by which stories are selected, station priorities (for content, production quality, and populations served), perceived station bias, perceived percent of news dedicated to each of the eight CINs, and perceived responsiveness to underserved populations.

Suggested questions directed to station managers in the voluntary interviews include, "What is the news philosophy of the station?" and "How much does community input influence news coverage decisions?"

One of the FCC's own members, Ajit Pai, who was appointed in 2012 by President Obama, panned the study in a recent [Wall-Street Journal op-ed](#). That followed a [December letter](#) sent by 16 congressional Republicans to the new chairman, Tom Wheeler, urging him to stop what they called an "attempt to engage the FCC as the 'news police.'"

The FCC is now responding to concerns by adjusting the study's design under the direction of Wheeler, who became chairman in November. An FCC spokesman told CJR, "The Commission has no intention of interfering in the coverage and editorial choices that journalists make. We reviewed the research design carefully and plan to adapt the study where appropriate." The course change was reported last week by [AdWeek](#) and [National Journal](#).

Even as the controversy around the study design unfolds, stations in Columbia have heard nothing directly from the FCC—not surprising, because the study design and required approval from the federal Office of Management and Budget haven't been finalized yet. In December Richard O'Dell, president and general manager of the CBS affiliate WLTX, told me he'd read about the CIN in media reports but hadn't heard from anyone at the commission. That's still the case two months later. "Absolutely nothing," he wrote in an email on Friday.

Donita Todd, station manager of Columbia's NBC affiliate WIS, had a similar story. "All I know is that they have received strong push-back from NAB (the National Association of Broadcasters), station group owners, and dissension within the FCC commissioners themselves," she told me.

In their critique of the study, Republicans in Congress evoked the [Fairness Doctrine](#), a defunct mandate that required FCC-regulated entities to offer contrasting viewpoints in coverage of important controversial issues. The FCC stopped enforcing the Fairness Doctrine in 1987, though some conservative critics and politicians regularly warn of its revival. The FCC's Pai offered the same warning in his [WSJ op-ed](#), writing that "proponents of newsroom policing" are "not deterred," and that the new study is "a first step down the same dangerous path."

Steven Waldman, a senior advisor to former FCC Chairman Julius Genachowski (and a contributor to CJR), told me in December that concerns that the planned study amounts to “Fairness Doctrine 2.0” were “completely and utterly made up.”

Waldman was the chief author of a [2011 FCC report](#) looking at the information needs of communities and operations of the news media. The 464-page report did make reference to the Fairness Doctrine—by calling on the FCC to eliminate its last vestiges, as Genachowski [did in 2011](#).

Another possible explanation for the study’s initial design and its focus on underserved populations and “barriers to entry” might be the ongoing [wave of consolidation in local television](#)—for which watchdog groups [have faulted the FCC](#)—and [a decline in African American ownership of broadcast stations](#). The commission is also required to periodically report to Congress on proposals to reduce barriers to entry in the news industry.

Still, if the FCC were to actually question local broadcasters about their “news philosophy,” it likely would encounter more pushback—and not just from the broadcasters.

“I’m not crazy about the federal government questioning reporters and editors about their news judgments,” said Bill Rogers, director of the South Carolina Press Association, which represents the state’s daily and weekly newspapers.

Rogers added: “What is the relevance of news decisions as to whether small businesses can enter the broadcast industry? Viewers evaluate coverage for content and fairness, and the marketplace responds accordingly.”

For the time being, broadcasters in South Carolina are waiting to see what they ultimately hear from the FCC, once the study design is finalized. As WLTX’s O’Dell put it to me: “This is a strange one.”

more sharing

TAGS:Fairness Doctrine, FCC, local news

Corey Hutchins is CJR’s correspondent for Virginia, North Carolina, South Carolina, and West Virginia. A reporter for the *Charleston City Paper*, he has twice been named journalist of the year in the weekly division by the S.C. Press Association. Hutchins recently worked on the State Integrity Investigation at the Center for Public Integrity, and he has contributed to CBS News, *The Nation*, and Slate, among others. Follow him on Twitter [@coreyhutchins](#) or email him at coreyhutchins@gmail.com.

From: [Courtney Reinhard](#)
To: [Ajit Pai](#); [Matthew Berry](#); [Nicholas Degani](#); [Jeffrey Neumann](#)
Subject: FW: FCC Letter
Date: Friday, December 20, 2013 10:33:39 AM
Attachments: [FCC Letter CIN Study Dec 20 2013.pdf](#)

FYI

From: Lynch, Josh (Fischer) [mailto:Josh_Lynch@fischer.senate.gov]
Sent: Friday, December 20, 2013 10:25 AM
To: Courtney Reinhard
Subject: FCC Letter

Courtney,

I thought your office would be interested in the attached letter that was sent to FCC Chairman Wheeler today.

Best,
Josh

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

From: Nicholas Degani
To: [Deanne Erwin](#)
Subject: Put into Press Release
Date: Friday, February 21, 2014 2:47:00 PM

STATEMENT OF COMMISSIONER AJIT PAI
ON THE SUSPENSION OF THE CRITICAL INFORMATION NEEDS STUDY

I welcome today's announcement that the FCC has suspended its "Multi-Market Study of Critical Information Needs," or CIN study. This study would have thrust the federal government into newsrooms across the country, somewhere it just doesn't belong. The Commission has now recognized that no study by the federal government, now or in the future, should involve asking questions to media owners, news directors, or reporters about their practices. This is an important victory for the First Amendment. And it would not have been possible without the American people making their voices heard. I'll remain vigilant for any future initiatives that could infringe on our constitutional freedoms.

From: Nicholas Degani
To: "Redl, David"
Subject: RE: CIN Op-Ed
Date: Tuesday, February 11, 2014 1:56:00 PM

No problem. Glad you guys liked the piece!

From: Redl, David [mailto:David.Redl@mail.house.gov]
Sent: Tuesday, February 11, 2014 1:51 PM
To: Nicholas Degani
Subject: FW: CIN Op-Ed

I suck... somehow got your address wrong.

From: Ajit Pai <Ajit.Pai@fcc.gov>
Date: Tuesday, February 11, 2014 at 1:49 PM
To: David Redl <david.redl@mail.house.gov>
Cc: Matthew Berry <Matthew.Berry@fcc.gov>, "Nick.Degani@fcc.gov" <Nick.Degani@fcc.gov>
Subject: RE: CIN Op-Ed

Thanks very much! Appreciate what you guys have done on this issue as well.

From: Redl, David [mailto:David.Redl@mail.house.gov]
Sent: Tuesday, February 11, 2014 12:38 PM
To: Ajit Pai
Cc: Matthew Berry; Nick.Degani@fcc.gov
Subject: CIN Op-Ed

Love it (and so did Greg)! Nice work guys!

David

From: Lori Alexiou <Lori.Alexiou@fcc.gov>
Date: Tuesday, February 11, 2014 at 9:55 AM
Subject: <no subject>

<http://online.wsj.com/news/articles/SB10001424052702304680904579366903828260732?mg=reno64-wsj&url=http%3A%2F%2Fonline.wsj.com%2Farticle%2FSB10001424052702304680904579366903828260732.html>

The FCC Wades Into the Newsroom

Why is the agency studying 'perceived station bias' and asking about coverage choices?

By AJIT PAI

Feb. 10, 2014 7:26 p.m. ET

News organizations often disagree about what Americans need to know. MSNBC, for example, apparently believes that traffic in Fort Lee, N.J., is the crisis of our time. Fox News, on the other hand, chooses to cover the September 2012 attacks on the U.S. diplomatic compound in Benghazi more heavily than other networks. The American people, for their part, disagree about what they want to watch.

But everyone should agree on this: The government has no place pressuring media organizations into covering certain stories.

Unfortunately, the Federal Communications Commission, where I am a commissioner, does not agree.

Last May the FCC proposed an initiative to thrust the federal government into newsrooms across the country. With its "Multi-Market Study of Critical Information Needs," or CIN, the agency plans to send researchers to grill reporters, editors and station owners about how they decide which stories to run. A field test in Columbia, S.C., is scheduled to begin this spring.

The purpose of the CIN, according to the FCC, is to ferret out information from television and radio broadcasters about "the process by which stories are selected" and how often stations cover "critical information needs," along with "perceived station bias" and "perceived responsiveness to underserved populations."

How does the FCC plan to dig up all that information? First, the agency selected eight categories of "critical information" such as the "environment" and "economic opportunities," that it believes local newscasters should cover. It plans to ask station managers, news directors, journalists, television anchors and on-air reporters to tell the government about their "news philosophy" and how the station ensures that the community gets critical information.

The FCC also wants to wade into office politics. One question for reporters is: "Have you ever suggested coverage of what you consider a story with critical information for your customers that was rejected by management?" Follow-up questions ask for specifics about how editorial discretion is exercised, as well as the reasoning behind the decisions.

Participation in the Critical Information Needs study is voluntary—in theory. Unlike the opinion surveys that Americans see on a daily basis and either answer or not, as they wish, the FCC's queries may be hard for the broadcasters to ignore. They would be out of business without an FCC license, which must be renewed every eight years.

This is not the first time the agency has meddled in news coverage. Before Critical Information Needs, there was the FCC's now-defunct Fairness Doctrine, which began in 1949 and required equal time for contrasting viewpoints on controversial issues. Though the Fairness Doctrine ostensibly aimed to increase the diversity of thought on the airwaves, many stations simply chose to ignore controversial topics altogether, rather than air unwanted content that might cause listeners to change the channel.

The Fairness Doctrine was controversial and led to lawsuits throughout the 1960s and '70s that argued it infringed upon the freedom of the press. The FCC finally stopped enforcing the policy in 1987, acknowledging that it did not serve the public interest. In 2011 the agency officially took it off the books. But the demise of the Fairness Doctrine has not deterred proponents of newsroom policing, and the CIN study is a first step down the same dangerous path.

The FCC says the study is merely an objective fact-finding mission. The results will inform a report that the FCC must submit to Congress every three years on eliminating barriers to entry for entrepreneurs and small businesses in the communications industry.

This claim is peculiar. How can the news judgments made by editors and station managers impede small businesses from entering the broadcast industry? And why does the CIN study include newspapers when the FCC has no authority to regulate print media?

Should all stations follow MSNBC's example and cut away from a discussion with a former congresswoman about the National Security Agency's collection of phone records to offer live coverage of [Justin Bieber](#)'s bond hearing? As a consumer of news, I have an opinion. But my opinion

shouldn't matter more than anyone else's merely because I happen to work at the FCC.

Mr. Pai is a commissioner of the Federal Communications Commission.

Lori Alexiou
Confidential Assistant
Office of Commissioner Ajit Pai
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554
202-418-2001

From: [Matthew Berry](#)
To: [Ajit Pai](#); [Nicholas Degani](#); [Jeffrey Neumann](#); [Brendan Carr](#)
Subject: RE: Comments to the Commissioner
Date: Thursday, February 27, 2014 11:15:38 AM

(b) (5)

-----Original Message-----

From: Ajit Pai
Sent: Thursday, February 27, 2014 11:15 AM
To: Matthew Berry; Nicholas Degani; Jeffrey Neumann; Brendan Carr
Subject: Re: Comments to the Commissioner

(b) (5)

----- Original Message -----

From: Matthew Berry
Sent: Thursday, February 27, 2014 11:12 AM Eastern Standard Time
To: Ajit Pai; Nicholas Degani; Jeffrey Neumann; Brendan Carr
Subject: RE: Comments to the Commissioner

(b) (5)

-----Original Message-----

From: Ajit Pai
Sent: Thursday, February 27, 2014 11:07 AM
To: Matthew Berry; Nicholas Degani; Jeffrey Neumann; Brendan Carr
Subject: Fw: Comments to the Commissioner

----- Original Message -----

From: Richard GazariK (b) (6)
Sent: Thursday, February 27, 2014 11:01 AM Eastern Standard Time
To: Ajit Pai
Subject: Comments to the Commissioner

Richard GazariK (b) (6) writes:

Commissioner Pai:

I am a staff writer for the Pittsburgh Tribune-Review who has written about the controversial survey of American news organizations.

Do you have any comment about the letter from 43 U.S. senators demanding an explanation and the cost of the study?

Given the opposition from the senators and news organizations, do you believe the survey should now be scrapped?

Richard Gazarik

Staff Writer
Pittsburgh Tribune-Review
724-830-6292

Server protocol: HTTP/1.1

Remote host: (b) (6)

Remote IP address: (b) (6)

From: [Ajit Pai](#)
To: [Nicholas Degani](#); [Matthew Berry](#); [Brendan Carr](#)
Subject: RE: Comments to the Commissioner
Date: Tuesday, March 04, 2014 1:39:38 PM

(b) (5)

-----Original Message-----

From: Nicholas Degani
Sent: Tuesday, March 04, 2014 1:35 PM
To: Ajit Pai; Matthew Berry; Brendan Carr
Subject: RE: Comments to the Commissioner

(b) (5)

-----Original Message-----

From: Ajit Pai
Sent: Tuesday, March 04, 2014 1:33 PM
To: Nicholas Degani; Matthew Berry; Brendan Carr
Subject: RE: Comments to the Commissioner

(b) (5)

-----Original Message-----

From: Nicholas Degani
Sent: Tuesday, March 04, 2014 1:32 PM
To: Ajit Pai; Matthew Berry; Brendan Carr
Subject: RE: Comments to the Commissioner

(b) (5)

-----Original Message-----

From: Ajit Pai
Sent: Tuesday, March 04, 2014 12:05 PM
To: Michael B. Williams (mbwilliams@law.gwu.edu) (mbwilliams@law.gwu.edu); Nicholas Degani; Brendan Carr
Subject: FW: Comments to the Commissioner

-----Original Message-----

From: Bill Williams (b) (6)
Sent: Tuesday, March 04, 2014 11:48 AM
To: Ajit Pai
Subject: Comments to the Commissioner

Bill Williams (b) (6) writes:

could you email me a statement on the "plan" to send "monitors into newsrooms" which has made the news? I write for examiner.com You can search the site for my writings and bio. Thank you.

Server protocol: HTTP/1.1

Remote host: (b) (6)

Remote IP address: (b) (6)

From: Nicholas Degani
To: [Matthew Berry](#); [Ajit Pai](#); [Jeffrey Neumann](#); [Lori Alexiou](#)
Subject: RE: FCC media study
Date: Thursday, February 20, 2014 2:33:00 PM

(b) (5)

From: Matthew Berry
Sent: Thursday, February 20, 2014 2:28 PM
To: Ajit Pai; Jeffrey Neumann; Nicholas Degani; Lori Alexiou
Subject: RE: FCC media study

(b) (5)

From: Ajit Pai
Sent: Thursday, February 20, 2014 2:26 PM
To: Jeffrey Neumann; Matthew Berry; Nicholas Degani; Lori Alexiou
Subject: RE: FCC media study

(b) (5)

[Redacted]

From: Jeffrey Neumann
Sent: Thursday, February 20, 2014 1:50 PM
To: Matthew Berry; Nicholas Degani; Ajit Pai; Lori Alexiou
Subject: RE: FCC media study

(b) (5)

From: Matthew Berry
Sent: Thursday, February 20, 2014 1:46 PM
To: Nicholas Degani; Ajit Pai; Lori Alexiou; Jeffrey Neumann
Subject: RE: FCC media study

(b) (5)

[Redacted]

(b) (5)

From: Nicholas Degani
Sent: Thursday, February 20, 2014 1:00 PM
To: Ajit Pai; Lori Alexiou; Matthew Berry; Jeffrey Neumann
Subject: RE: FCC media study

(b) (5)

From: Ajit Pai
Sent: Thursday, February 20, 2014 12:58 PM
To: Nicholas Degani; Lori Alexiou; Matthew Berry; Jeffrey Neumann
Subject: RE: FCC media study

(b) (5)

From: Nicholas Degani
Sent: Thursday, February 20, 2014 12:55 PM
To: Ajit Pai; Lori Alexiou; Matthew Berry; Jeffrey Neumann
Subject: RE: FCC media study

(b) (5)

From: Ajit Pai
Sent: Thursday, February 20, 2014 12:28 PM
To: Lori Alexiou; Matthew Berry; Nicholas Degani; Jeffrey Neumann
Subject: FW: FCC media study

From: Picket, Kerry [<mailto:kpicket@breitbart.com>]
Sent: Thursday, February 20, 2014 12:14 PM
To: Ajit Pai
Subject: FCC media study

Commissioner Pai, can I please get a statement on this piece below? My deadline is 3:30pm today. Thanks.

<http://m.us.wsj.com/articles/SB10001424052702304680904579366903828260732?mobile=y>

Thanks,
Kerry Picket
Breitbart News
Pvt. Phone [redacted] c
www.breitbart.com

From: Nicholas Degani
To: ["Koh, Grace"](mailto:Grace.Koh@mail.house.gov)
Subject: RE: Fw:
Date: Tuesday, February 11, 2014 10:09:00 AM

Thanks!

From: Koh, Grace [<mailto:Grace.Koh@mail.house.gov>]
Sent: Tuesday, February 11, 2014 10:06 AM
To: Nicholas Degani
Subject: Fw:

This is awesome. Kelsey gave us the heads up, but it's nice to read in full!

From: Lori Alexiou [<mailto:Lori.Alexiou@fcc.gov>]
Sent: Tuesday, February 11, 2014 09:55 AM
Subject:

<http://online.wsj.com/news/articles/SB10001424052702304680904579366903828260732?mg=reno64-wsj&url=http%3A%2F%2Fonline.wsj.com%2Farticle%2FSB10001424052702304680904579366903828260732.html>

The FCC Wades Into the Newsroom

Why is the agency studying 'perceived station bias' and asking about coverage choices?

By AJIT PAI

Feb. 10, 2014 7:26 p.m. ET

News organizations often disagree about what Americans need to know. MSNBC, for example, apparently believes that traffic in Fort Lee, N.J., is the crisis of our time. Fox News, on the other hand, chooses to cover the September 2012 attacks on the U.S. diplomatic compound in Benghazi more heavily than other networks. The American people, for their part, disagree about what they want to watch.

But everyone should agree on this: The government has no place pressuring media organizations into covering certain stories.

Unfortunately, the Federal Communications Commission, where I am a commissioner, does not agree. Last May the FCC proposed an initiative to thrust the federal government into newsrooms across the country. With its "Multi-Market Study of Critical Information Needs," or CIN, the agency plans to send researchers to grill reporters, editors and station owners about how they decide which stories to run. A field test in Columbia, S.C., is scheduled to begin this spring.

The purpose of the CIN, according to the FCC, is to ferret out information from television and radio broadcasters about "the process by which stories are selected" and how often stations cover "critical information needs," along with "perceived station bias" and "perceived responsiveness to underserved populations."

How does the FCC plan to dig up all that information? First, the agency selected eight categories of "critical information" such as the "environment" and "economic opportunities," that it believes local newscasters should cover. It plans to ask station managers, news directors, journalists, television anchors and on-air reporters to tell the government about their "news philosophy" and how the station ensures that the community gets critical information.

The FCC also wants to wade into office politics. One question for reporters is: "Have you ever

suggested coverage of what you consider a story with critical information for your customers that was rejected by management?" Follow-up questions ask for specifics about how editorial discretion is exercised, as well as the reasoning behind the decisions.

Participation in the Critical Information Needs study is voluntary—in theory. Unlike the opinion surveys that Americans see on a daily basis and either answer or not, as they wish, the FCC's queries may be hard for the broadcasters to ignore. They would be out of business without an FCC license, which must be renewed every eight years.

This is not the first time the agency has meddled in news coverage. Before Critical Information Needs, there was the FCC's now-defunct Fairness Doctrine, which began in 1949 and required equal time for contrasting viewpoints on controversial issues. Though the Fairness Doctrine ostensibly aimed to increase the diversity of thought on the airwaves, many stations simply chose to ignore controversial topics altogether, rather than air unwanted content that might cause listeners to change the channel.

The Fairness Doctrine was controversial and led to lawsuits throughout the 1960s and '70s that argued it infringed upon the freedom of the press. The FCC finally stopped enforcing the policy in 1987, acknowledging that it did not serve the public interest. In 2011 the agency officially took it off the books. But the demise of the Fairness Doctrine has not deterred proponents of newsroom policing, and the CIN study is a first step down the same dangerous path.

The FCC says the study is merely an objective fact-finding mission. The results will inform a report that the FCC must submit to Congress every three years on eliminating barriers to entry for entrepreneurs and small businesses in the communications industry.

This claim is peculiar. How can the news judgments made by editors and station managers impede small businesses from entering the broadcast industry? And why does the CIN study include newspapers when the FCC has no authority to regulate print media?

Should all stations follow MSNBC's example and cut away from a discussion with a former congresswoman about the National Security Agency's collection of phone records to offer live coverage of [Justin Bieber](#)'s bond hearing? As a consumer of news, I have an opinion. But my opinion shouldn't matter more than anyone else's merely because I happen to work at the FCC.

Mr. Pai is a commissioner of the Federal Communications Commission.

Lori Alexiou
Confidential Assistant
Office of Commissioner Ajit Pai
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554
202-418-2001

From: [Ajit Pai](#)
To: [Matthew Berry](#); [Nicholas Degani](#); [Brendan Carr](#)
Subject: Re: Kudos for Commissioner Pai
Date: Tuesday, March 04, 2014 7:44:42 PM

That's really nice. (b) (5)

From: Matthew Berry
Sent: Tuesday, March 04, 2014 05:54 PM
To: Ajit Pai; Nicholas Degani; Brendan Carr
Subject: FW: Kudos for Commissioner Pai

FYI

From: Michael Carowitz
Sent: Tuesday, March 04, 2014 5:52 PM
To: Matthew Berry
Subject: FW: Kudos for Commissioner Pai

Hi, Matthew. CGB wanted to share the information below with your office. Thanks.

From: Sue Sterner
Sent: Tuesday, March 04, 2014 2:49 PM
To: Sharon Bowers
Cc: Teresa Flasher; Sue Sterner
Subject: Kudos for Commissioner Pai

We received a call from a consumer today; who wishes to extend Kudos to Commissioner Ajit Pai on his recent speech regarding the monitoring of newsrooms in an attempt to keep the news non-biased. Mr. Pai is to be applauded for his willingness to stand up for his Country even though there is criticism and rancor from the politicians. She wants him to know that everybody is not against him and there are those in this Country that still want the news to be broadcast non-biased and truthfully. She congratulates him on his courage and willingness to stand up for the American People.

From: [Deanne Erwin](#)
To: [Nicholas Degani](#)
Subject: RE: Put into Press Release
Date: Friday, February 21, 2014 2:53:30 PM
Attachments: [Statement 2.21.docx](#)

From: Nicholas Degani
Sent: Friday, February 21, 2014 2:48 PM
To: Deanne Erwin
Subject: Put into Press Release

STATEMENT OF COMMISSIONER AJIT PAI
ON THE SUSPENSION OF THE CRITICAL INFORMATION NEEDS STUDY

I welcome today's announcement that the FCC has suspended its "Multi-Market Study of Critical Information Needs," or CIN study. This study would have thrust the federal government into newsrooms across the country, somewhere it just doesn't belong. The Commission has now recognized that no study by the federal government, now or in the future, should involve asking questions to media owners, news directors, or reporters about their practices. This is an important victory for the First Amendment. And it would not have been possible without the American people making their voices heard. I'll remain vigilant for any future initiatives that could infringe on our constitutional freedoms.



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

News Media Information 202-418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See *MCI v. FCC*, 515 F.2d 385 (D.C. Cir. 1974).

FOR IMMEDIATE RELEASE:
January 14, 2014

NEWS MEDIA CONTACT:
Matthew Berry, 202-418-2005
Email: Matthew.Berry@fcc.gov

STATEMENT OF COMMISSIONER AJIT PAI ON THE SUSPENSION OF THE CRITICAL INFORMATION NEEDS STUDY

I welcome today's announcement that the FCC has suspended its "Multi-Market Study of Critical Information Needs," or CIN study. This study would have thrust the federal government into newsrooms across the country, somewhere it just doesn't belong. The Commission has now recognized that no study by the federal government, now or in the future, should involve asking questions to media owners, news directors, or reporters about their practices. This is an important victory for the First Amendment. And it would not have been possible without the American people making their voices heard. I'll remain vigilant for any future initiatives that could infringe on our constitutional freedoms.

From: [Ajit Pai](#)
To: [Nicholas Degani](#); [Deanne Erwin](#)
Cc: [Matthew Berry](#); [Jeffrey Neumann](#); [Anthony Glosson](#); [justin miller](#)
Subject: Re: Statement on Suspension of CIN Study
Date: Friday, February 21, 2014 3:08:53 PM

(b) (5)

A large black rectangular redaction box covers the majority of the page content below the header. The text "(b) (5)" is visible in the top-left corner of this redacted area.

From: Nicholas Degani
Sent: Friday, February 21, 2014 03:01 PM Eastern Standard Time
To: Deanne Erwin
Cc: Ajit Pai; Matthew Berry; Jeffrey Neumann; Anthony Glosson; justin miller
Subject: Statement on Suspension of CIN Study

Deanne,

Here's the final statement, in word and PDF. Please distribute the state to press and allies. Please get the statement up on the web as well. Thanks!

Best,

-Nick D.

From: [Ajit Pai](#)
To: [Matthew Berry](#); [Nicholas Degani](#)
Subject: Tweet from Todd O'Boyle (@tboyle)
Date: Friday, February 21, 2014 3:55:59 PM



Todd O'Boyle (@tboyle)

[2/21/14, 3:52 PM](#)

Contra [@AjitPaiFCC](#) the [@FCC](#) has not suspended the Critical Information Needs Studies [fcc.gov/document/setti...](#)

Download the official Twitter app [here](#)

From: [Ajit Pai](#)
To: [Matthew Berry](#)
Cc: [Nicholas Degani](#)
Subject: Re: Link
Date: Friday, February 21, 2014 3:44:10 PM

(b) (5)





From: Matthew Berry
Sent: Friday, February 21, 2014 03:35 PM Eastern Standard Time
To: Ajit Pai
Subject: RE: Link

This is for your statement:

<http://go.usa.gov/BHjj>

From: Ajit Pai
Sent: Friday, February 21, 2014 3:32 PM
To: Nicholas Degani; Matthew Berry
Subject: Re: Link

(b) (5)



From: Ajit Pai
Sent: Friday, February 21, 2014 03:24 PM Eastern Standard Time
To: Nicholas Degani; Matthew Berry
Subject: Re: Link

Just saw this. Thx!

From: Nicholas Degani
Sent: Friday, February 21, 2014 03:23 PM Eastern Standard Time
To: Matthew Berry; Ajit Pai
Subject: RE: Link

(b) (5)



From: Matthew Berry
Sent: Friday, February 21, 2014 3:23 PM

To: Ajit Pai; Nicholas Degani
Subject: Link

Link to statement:

http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-325727A1.pdf

(b) (5)

