

From: [Shannon Gilson](#)
To: [Lori Maarbjerg](#); [Sara Morris](#); [Gigi Sohn](#); [Maria Kirby](#)
Cc: [Mark Wigfield](#)
Subject: FW: FCC media study
Date: Thursday, February 20, 2014 5:13:05 PM

(b) (5)

From: Farhi, Paul [<mailto:Paul.Farhi@washpost.com>]
Sent: Thursday, February 20, 2014 5:10 PM
To: Shannon Gilson
Subject: RE: FCC media study

Thanks, Shannon. Quick folo: Was this thing even funded? Tom's letter references cost issues. Unclear that the FCC actually had the money for this...

From: Shannon Gilson [<mailto:Shannon.Gilson@fcc.gov>]
Sent: Thursday, February 20, 2014 4:59 PM
To: Farhi, Paul
Subject: RE: FCC media study

In case you need it, my info:

Shannon Gilson
202-418-0505 (direct)

(b) (6) (bb)

From: Shannon Gilson
Sent: Thursday, February 20, 2014 4:52 PM
To: 'Paul.Farhi@washpost.com'
Subject: Re: FCC media study

Got it. Thanks, Paul.

From: Farhi, Paul [<mailto:Paul.Farhi@washpost.com>]
Sent: Thursday, February 20, 2014 04:51 PM
To: Shannon Gilson
Subject: RE: FCC media study

I interviewed Ajit earlier today...

From: Shannon Gilson [<mailto:Shannon.Gilson@fcc.gov>]
Sent: Thursday, February 20, 2014 4:36 PM
To: Farhi, Paul
Subject: RE: FCC media study

Quoting from op-ed or is there something new?

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Sent: Thursday, February 20, 2014 4:35 PM
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Thanks again...Paul

From: Shannon Gilson [<mailto:Shannon.Gilson@fcc.gov>]
Sent: Thursday, February 20, 2014 4:16 PM
To: Farhi, Paul
Subject: RE: FCC media study

"By law, the FCC must study the ability of entrepreneurs and small business to compete in the media marketplace. The Commission does not and will not interfere in newsrooms or editorial decision making. Any suggestion the Commission intends to regulate the speech of news media is false. The draft questions in the study are being revised to clear up any confusion."

FCC Spokeswoman Shannon Gilson

Background

- The FCC is required to report to Congress every three years on regulations that it has advanced and statutes that it recommends should be eliminated to remove market entry barriers for entrepreneurs and small businesses.
- In June 2013, the FCC put the draft study out for public comment.
- This draft study was initiated before Chairman Wheeler's arrival.
- The Chairman's office began a review of the draft study in late 2013, weeks after he was sworn in.
- There have been concerns raised that some of the question may not be appropriate. The Chairman agrees that the question in the draft study overstepped the bound.
- Last week, the Chairman informed lawmakers that that Commission has no intention of regulating political or other speech of journalists or broadcasters and would be modifying the draft study.
- **The Chairman has directed that all questions in the draft study regarding news philosophy and editorial judgment be removed.**

From: Farhi, Paul [<mailto:Paul.Farhi@washpost.com>]
Sent: Thursday, February 20, 2014 1:13 PM
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Subject: RE: FCC media study

Many thanks, Shannon (and you're fast!). I'll be at my desk all day (short break for lunch) , so check in anytime.

--Paul

From: Shannon Gilson [<mailto:Shannon.Gilson@fcc.gov>]
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To: Farhi, Paul
Subject: RE: FCC media study

Hey Paul,

Attached is the letter to Upton.

Will give you a call in a bit to touch based on this.

Shannon

From: Farhi, Paul [<mailto:Paul.Farhi@washpost.com>]
Sent: Thursday, February 20, 2014 1:09 PM
To: Shannon Gilson
Subject: FCC media study

Hi, Shannon...My colleague Cecilia Kang mentioned this to you earlier today; I'm working on a story about the FCC media study that has gotten the conservative media all worked up.

Any chance you could send me the statement the chairman sent to Upton last week about this issue?

Many thanks...Paul

Paul Farhi
Washington Post
(202) 334-4452

Background

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More Background

- Section 257 of the Telecom Act requires the FCC to report to Congress every three years on our efforts to remove barriers to entry in media markets
- As part of fulfilling that mandate, we asked researchers at the Annenberg School to do a survey of literature that identifies the critical information needs of communities. See blog <http://www.fcc.gov/blog/review-literature-regarding-critical-information-needs-american-public>
- Those needs are identified in the executive summary of the Annenberg study

1. emergencies and risks, both immediate and long term;
2. health and welfare, including specifically local health information as well as group specific health information where it exists;
3. education, including the quality of local schools and choices available to parents;
4. transportation, including available alternatives, costs, and schedules;
5. economic opportunities, including job information, job training, and small business assistance;
6. the environment, including air and water quality and access to recreation;
7. civic information, including the availability of civic institutions and opportunities to associate with others;
8. political information, including information about candidates at all relevant levels of local governance, and about relevant public policy initiatives affecting communities and neighborhoods.

The Office of Business Opportunities in Feb 2012 followed up by putting out a contract (RFQ) for a research design model that can determine if these needs are being met

PN: http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-12-156A1.doc

SSI was selected as the contractor and they first convened a summit in September of 2012 in which a number of academics from a wide range of fields participated and gave SSI input as to how to construct the research design model. They delivered to us a draft research model, which was released for public comment in May of 2013. The contract was a multi-staged option contract wherein the agency could subsequently exercise additional options for additional work to be completed by SSI.

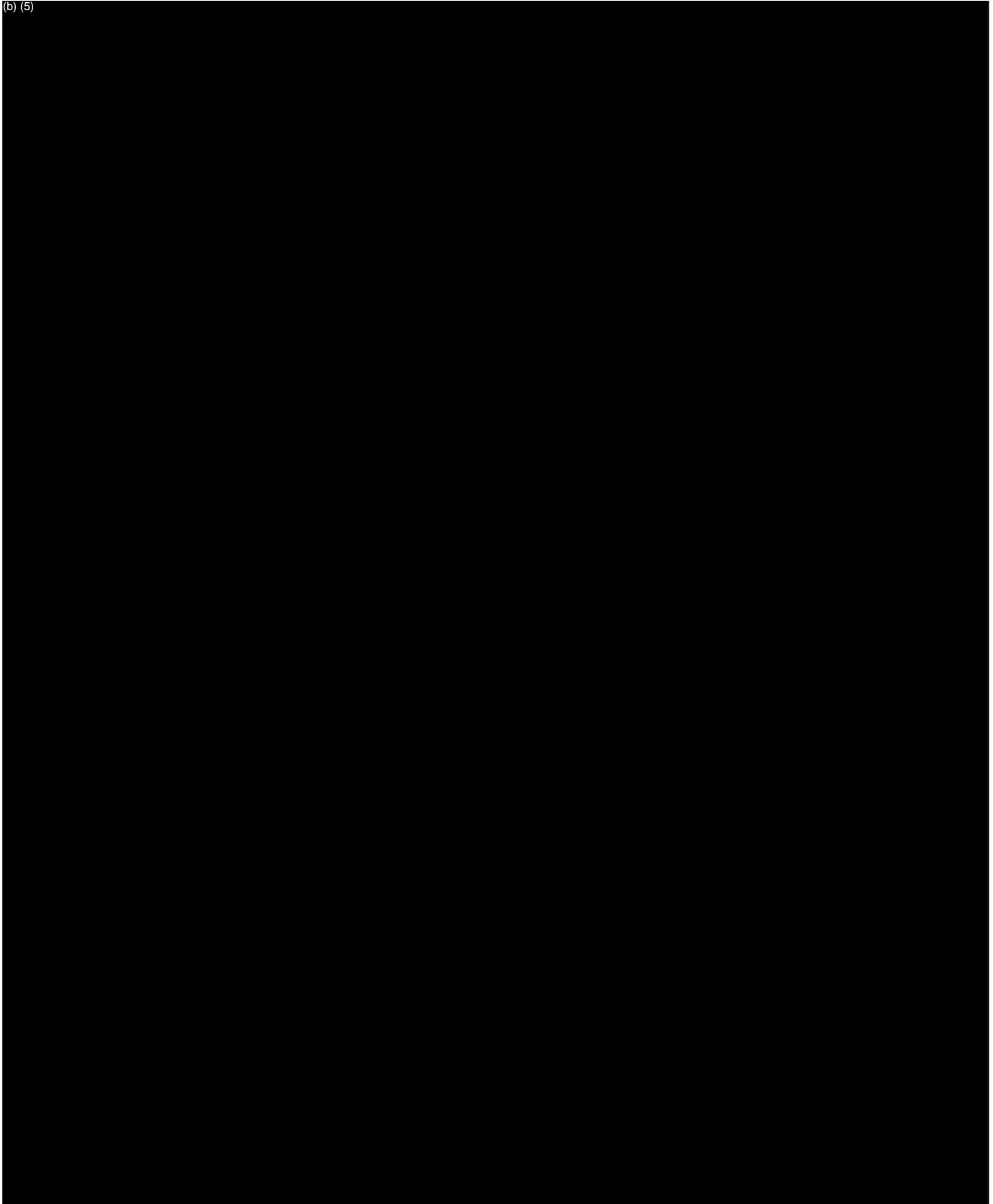
PN: http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-13-1214A1.pdf.

OCBO, after review and revisions to the research design model, directed the contractor to conduct a field test of the research design. In November, OCBO chose Columbia, SC for the pilot market to test the research design.

PN: http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-13-2126A1.docx

From: [Shannon Gilson](#)
To: [Lori Maarbjerg](#); [Mark Wigfield](#); [Neil Grace](#); [Maria Kirby](#); [Sara Morris](#)
Subject: Re: FCC media study
Date: Friday, February 21, 2014 8:23:17 AM

(b) (5)



(b) (5)



From: Lori Maarbjerg
Sent: Friday, February 21, 2014 07:36 AM
To: Shannon Gilson; Mark Wigfield; Neil Grace; Maria Kirby; Sara Morris
Subject: Re: FCC media study

(b) (5)



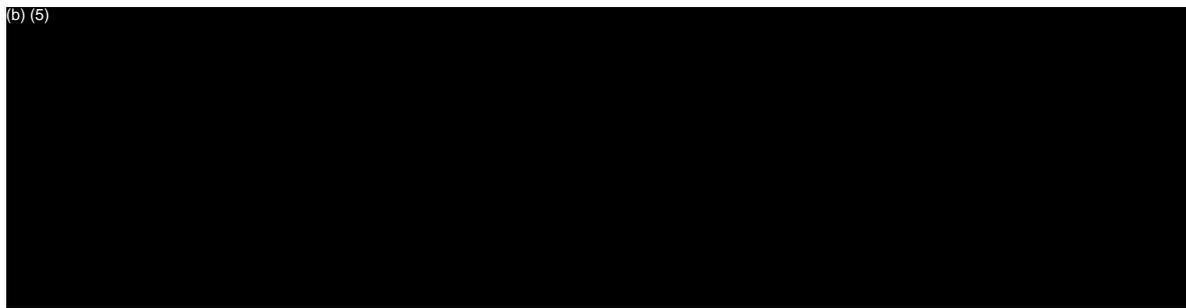
From: Shannon Gilson
Sent: Thursday, February 20, 2014 06:35 PM Eastern Standard Time
To: Mark Wigfield; Lori Maarbjerg; Neil Grace; Maria Kirby; Sara Morris
Subject: RE: FCC media study

(b) (5)



From: Mark Wigfield
Sent: Thursday, February 20, 2014 6:32 PM
To: Shannon Gilson; Lori Maarbjerg; Neil Grace; Maria Kirby; Sara Morris
Subject: RE: FCC media study

(b) (5)



From: Shannon Gilson

Sent: Thursday, February 20, 2014 6:31 PM
To: Lori Maarbjerg; Mark Wigfield; Neil Grace; Maria Kirby; Sara Morris
Subject: RE: FCC media study

(b) (5)

From: Lori Maarbjerg
Sent: Thursday, February 20, 2014 6:30 PM
To: Shannon Gilson; Mark Wigfield; Neil Grace; Maria Kirby; Sara Morris
Subject: Re: FCC media study

(b) (5)

From: Shannon Gilson
Sent: Thursday, February 20, 2014 06:18 PM Eastern Standard Time
To: Lori Maarbjerg; Mark Wigfield; Neil Grace; Maria Kirby; Sara Morris
Subject: RE: FCC media study

(b) (5)

From: Lori Maarbjerg
Sent: Thursday, February 20, 2014 6:16 PM
To: Shannon Gilson; Mark Wigfield; Neil Grace; Maria Kirby; Sara Morris
Subject: Re: FCC media study

(b) (5)

From: Shannon Gilson
Sent: Thursday, February 20, 2014 06:02 PM Eastern Standard Time
To: Mark Wigfield; Neil Grace; Maria Kirby; Lori Maarbjerg; Sara Morris
Subject: Re: FCC media study

(b) (5)

From: Shannon Gilson
Sent: Thursday, February 20, 2014 05:48 PM
To: Mark Wigfield; Neil Grace; Maria Kirby; Lori Maarbjerg

Subject: Fw: FCC media study

(b) (5)

From: Farhi, Paul [<mailto:Paul.Farhi@washpost.com>]

Sent: Thursday, February 20, 2014 05:45 PM

To: Shannon Gilson

Subject: RE: FCC media study

Yeah, but we're now in FY14. So where does that leave it???

From: Shannon Gilson [<mailto:Shannon.Gilson@fcc.gov>]

Sent: Thursday, February 20, 2014 5:44 PM

To: Farhi, Paul

Subject: Re: FCC media study

Paul,

On background, it was funded in the FY12 budget.

Shannon

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Many thanks...Paul

Paul Farhi
Washington Post
(202) 334-4452

From: [Shannon Gilson](#)
To: [Ruth Milkman](#); [Maria Kirby](#); [Mark Wigfield](#); [Lori Maarbjerg](#)
Cc: [Thomas Reed](#); [Daniel Margolis](#); [Gigi Sohn](#)
Subject: RE: Following up
Date: Friday, February 21, 2014 10:56:13 AM

(b) (5)

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

From: Shannon Gilson
Sent: Friday, February 21, 2014 10:53 AM
To: Ruth Milkman; Maria Kirby; Mark Wigfield; Lori Maarbjerg
Cc: Thomas Reed; Daniel Margolis
Subject: RE: Following up

(b) (5)

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

From: Ruth Milkman
Sent: Friday, February 21, 2014 10:51 AM
To: Shannon Gilson; Maria Kirby; Mark Wigfield; Lori Maarbjerg
Cc: Thomas Reed; Daniel Margolis
Subject: RE: Following up

(b) (5)

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

From: Shannon Gilson
Sent: Friday, February 21, 2014 10:19 AM
To: Maria Kirby; Mark Wigfield; Lori Maarbjerg; Ruth Milkman
Cc: Thomas Reed; Daniel Margolis
Subject: Re: Following up

(b) (5)

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

From: Maria Kirby
Sent: Friday, February 21, 2014 10:13 AM
To: Shannon Gilson; Mark Wigfield; Lori Maarbjerg; Ruth Milkman
Cc: Thomas Reed; Daniel Margolis
Subject: RE: Following up

(b) (5)

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

From: Shannon Gilson
Sent: Friday, February 21, 2014 10:01 AM
To: Maria Kirby; Mark Wigfield; Lori Maarbjerg; Ruth Milkman
Cc: Thomas Reed; Daniel Margolis
Subject: Re: Following up

(b) (5)

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

From: Maria Kirby
Sent: Friday, February 21, 2014 09:56 AM
To: Mark Wigfield; Lori Maarbjerg; Shannon Gilson; Ruth Milkman
Cc: Thomas Reed; Daniel Margolis
Subject: RE: Following up

(b) (5)

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

From: Mark Wigfield
Sent: Friday, February 21, 2014 9:55 AM
To: Maria Kirby; Lori Maarbjerg; Shannon Gilson; Ruth Milkman
Cc: Thomas Reed; Daniel Margolis
Subject: RE: Following up

(b) (5)

From: Maria Kirby
Sent: Friday, February 21, 2014 9:53 AM
To: Lori Maarbjerg; Shannon Gilson; Ruth Milkman
Cc: Mark Wigfield; Thomas Reed; Daniel Margolis
Subject: RE: Following up

(b) (5)

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

From: Lori Maarbjerg
Sent: Friday, February 21, 2014 9:53 AM
To: Maria Kirby; Shannon Gilson; Ruth Milkman
Cc: Mark Wigfield; Thomas Reed; Daniel Margolis
Subject: RE: Following up

(b) (5)

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

From: Maria Kirby
Sent: Friday, February 21, 2014 9:51 AM
To: Shannon Gilson; Ruth Milkman; Lori Maarbjerg
Cc: Mark Wigfield; Thomas Reed; Daniel Margolis
Subject: RE: Following up
Importance: High

(b) (5)

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

From: Shannon Gilson
Sent: Friday, February 21, 2014 9:49 AM
To: Maria Kirby; Ruth Milkman; Lori Maarbjerg
Cc: Mark Wigfield
Subject: Fw: Following up

(b) (5)

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

From: Metzger, Jessica [<mailto:Jessica.Metzger@turner.com>]
Sent: Friday, February 21, 2014 09:45 AM
To: Shannon Gilson
Subject: RE: Following up

oh so that's the only market where they'd go in and survey newsrooms? Is there a chance it would go beyond the pilot program and expand to other markets?

From: Shannon Gilson <Shannon.Gilson@fcc.gov>
Sent: Friday, February 21, 2014 9:43 AM
To: Metzger, Jessica
Subject: Re: Following up

The research design would only take place in Columbia, SC.

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

From: Shannon Gilson
Sent: Friday, February 21, 2014 09:28 AM
To: 'Jessica.Metzger@turner.com' <Jessica.Metzger@turner.com>
Subject: Re: Following up

Believe just local markets

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

From: Metzger, Jessica [<mailto:Jessica.Metzger@turner.com>]
Sent: Friday, February 21, 2014 09:23 AM
To: Shannon Gilson
Subject: RE: Following up

hey shannon, one question i forgot to ask..does this study involve national television news (like us) or just local markets?

From: Shannon Gilson <Shannon.Gilson@fcc.gov>
Sent: Friday, February 21, 2014 9:11 AM
To: Metzger, Jessica
Subject: Following up

Jessica,

Thank you for reaching out.

Statement which you can attribute to FCC spokeswoman Shannon Gilson:

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PN: http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-13-2126A1.docx

From: [Shannon Gilson](#)
To: [Mark Wigfield](#); [Neil Grace](#); [Maria Kirby](#); [Lori Maarbjerg](#); [Sara Morris](#)
Subject: Re: Foxnews.com question on "critical information needs" study
Date: Thursday, February 20, 2014 10:52:23 AM

(b) (5)

From: Mark Wigfield
Sent: Thursday, February 20, 2014 10:51 AM
To: Shannon Gilson; Neil Grace; Maria Kirby; Lori Maarbjerg; Sara Morris
Subject: RE: Foxnews.com question on 'critical information needs' study

(b) (5)

From: Shannon Gilson
Sent: Thursday, February 20, 2014 10:50 AM
To: Neil Grace; Mark Wigfield; Maria Kirby; Lori Maarbjerg; Sara Morris
Subject: Re: Foxnews.com question on 'critical information needs' study

(b) (5)

From: Neil Grace
Sent: Thursday, February 20, 2014 10:48 AM
To: Shannon Gilson; Mark Wigfield; Maria Kirby; Lori Maarbjerg; Sara Morris
Subject: FW: Foxnews.com question on 'critical information needs' study

(b) (5)

Neil Derek Grace
Senior Communications Advisor
Federal Communications Commission
(o) 202-418-0506 (m) 202-413-4959
neil.grace@fcc.gov

From: Berger, Judson [<mailto:Judson.Berger@FOXNEWS.COM>]
Sent: Thursday, February 20, 2014 10:46 AM
To: Neil Grace; Justin Cole
Subject: foxnews.com question on 'critical information needs' study

Good morning,

This is Judd at FoxNews.com. I saw that Chairman Wheeler wrote back to Republicans on House Energy and Commerce about the proposed 'critical information needs' study.

In the letter, Chairman Wheeler said they would 'adapt' the proposed study to address concerns.

Can the FCC provide any more details about how the study will be adjusted? Is there any consideration being given to suspending the study?

Thank you.

Judson Berger
Senior Editor for Politics, FoxNews.com
202-715-2406
@juddberger



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 14, 2014

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Upton:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

The Commission has no intention of regulating political or other speech of journalists or broadcasters by way of this Research Design, any resulting study, or through any other means. The development of the Research Design was intended to aid the Commission in meeting its obligations under Section 257 of the Communications Act. Section 257 directs the Commission to identify and eliminate "market entry barriers for entrepreneurs and other small businesses in the provision and ownership of telecommunications services and information services." The statutory provision expressly links our obligation to identify market barriers with the responsibility to "promote the policies and purposes of this chapter favoring diversity of media voices." Finally, Section 257 requires the Commission to review and report to Congress on "any regulations prescribed to eliminate barriers within its jurisdiction ... that can be prescribed consistent with the public interest, convenience, and necessity."

Under the statutory reporting requirement of Section 257, the Commission studies market conditions to understand the scope and extent of market entry barriers. Past studies by the Commission pursuant to Section 257, include *History of the Broadcast Licensee Application Process; Utilization Rates, Win Rates, and Disparity Ratios for Broadcast Licenses Awarded by the FCC; Logistic Regression Models of the Broadcast Licensee Award Process for Licenses Awarded by the FCC*; and the *FCC Econometric Analysis of Potential Discrimination Utilization Ratios for Minority and Women-Owned Companies in FCC Wireless Spectrum Auctions*. The Research Design is a precursor to any formal study. If used in any way, its goal would be similar to those of past reports – seeking to identify whether potential market barriers exist and, if so, whether those barriers affect diversity of media voices.

After the selection of the contractor for the Research Design, the Commission put the design out for comment, inviting input from all stakeholders. Your letter and the opportunity for public review surfaced a number of issues and modification of the Research Design may be necessary. My staff has engaged in a careful and thorough review of the Research Design with the contractor to ensure that the inquiries closely hew to the mandate of Section 257. While the Research Design is a tool intended to help the Commission consider effective, pro-competitive policies that would encourage new entrants, its direction need not go beyond our responsibilities. We continue to work with the contractor to adapt the study in response to these concerns and expect to complete this work in the next few weeks. As the revisions that we may implement likely will require cost reassessments, we will provide you with further details regarding cost and methodology as soon as they are available.

Again, thank you for providing me with your views on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Wheeler". The signature is fluid and cursive, with a prominent initial "T" and "W".

Tom Wheeler

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O'Rielly, Commissioner



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 14, 2014

The Honorable Greg Walden
Chairman
Subcommittee on Communications and Technology
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

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Again, thank you for providing me with your views on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Wheeler", written in a cursive style.

Tom Wheeler

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O'Rielly, Commissioner



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 14, 2014

The Honorable Joe Barton
Chairman Emeritus
Committee on Energy and Commerce
U.S. House of Representatives
2107 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Emeritus Barton:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

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Tom Wheeler

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O'Rielly, Commissioner



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 14, 2014

The Honorable Marsha Blackburn
Vice Chairman
Committee on Energy and Commerce
U.S. House of Representatives
217 Cannon House Office Building
Washington, D.C. 20515

Dear Vice Chairman Blackburn:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

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Sincerely,


Tom Wheeler

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O'Rielly, Commissioner



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 14, 2014

The Honorable Renee Ellmers
Congresswoman
U.S. House of Representatives
426 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Ellmers:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

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Tom Wheeler

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O’Rielly, Commissioner



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 14, 2014

The Honorable Cory Gardner
U.S. House of Representatives
213 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Gardner:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

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Tom Wheeler

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O'Rielly, Commissioner



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 14, 2014

The Honorable Brett Guthrie
U.S. House of Representatives
308 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Guthrie:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

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The Honorable Ajit Pai, Commissioner
The Honorable Michael O'Rielly, Commissioner



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 14, 2014

The Honorable Adam Kinzinger
U.S. House of Representatives
1221 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Kinzinger:

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Tom Wheeler

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The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O'Rielly, Commissioner



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 14, 2014

The Honorable Leonard Lance
U.S. House of Representatives
133 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Lance:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

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Tom Wheeler

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O'Rielly, Commissioner



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 14, 2014

The Honorable Robert Latta
Vice Chairman
Subcommittee on Communications and Technology
Committee on Energy and Commerce
U.S. House of Representatives
2448 Rayburn House Office Building
Washington, D.C. 20515

Dear Vice Chairman Latta:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

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Tom Wheeler

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O'Rielly, Commissioner



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 14, 2014

The Honorable Billy Long
U.S. House of Representatives
1541 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Long:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

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Tom Wheeler

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O'Rielly, Commissioner



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 14, 2014

The Honorable Mike Pompeo
U.S. House of Representatives
107 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Pompeo:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

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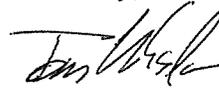
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Again, thank you for providing me with your views on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Wheeler", written in a cursive style.

Tom Wheeler

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O’Rielly, Commissioner



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 14, 2014

The Honorable Mike Rogers
U.S. House of Representatives
2112 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Rogers:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

The Commission has no intention of regulating political or other speech of journalists or broadcasters by way of this Research Design, any resulting study, or through any other means. The development of the Research Design was intended to aid the Commission in meeting its obligations under Section 257 of the Communications Act. Section 257 directs the Commission to identify and eliminate "market entry barriers for entrepreneurs and other small businesses in the provision and ownership of telecommunications services and information services." The statutory provision expressly links our obligation to identify market barriers with the responsibility to "promote the policies and purposes of this chapter favoring diversity of media voices." Finally, Section 257 requires the Commission to review and report to Congress on "any regulations prescribed to eliminate barriers within its jurisdiction ... that can be prescribed consistent with the public interest, convenience, and necessity."

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Tom Wheeler

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O'Rielly, Commissioner



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 14, 2014

The Honorable Steve Scalise
U.S. House of Representatives
2338 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Scalise:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

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The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O’Rielly, Commissioner



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 14, 2014

The Honorable John Shimkus
U.S. House of Representatives
2452 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Shimkus:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 14, 2014

The Honorable Lee Terry
U.S. House of Representatives
2266 Rayburn House Office Building
Washington, D.C. 20515

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The Honorable Michael O'Rielly, Commissioner

From: [Lori Maarbjerg](#)
To: [Connie Chapman](#)
Cc: [Alethea Lewis](#); [Sara Morris](#)
Subject: 13-1216M - CIN Letter - Done and Transmitted Via E-mail
Date: Friday, February 14, 2014 5:49:34 PM

We got the Walden/Upton et al CIN letter out today. I've saved a combined file (plus the individual letters) here: <K:\Bureaus-Offices\OLA\Correspondence\CIN Responses>

We e-mailed the letters to staff this evening. Hard-copies are in Connie's mailbox.

(b) (5)

From: [Meribeth McCarrick](#)
To: [Neil Grace](#); [Shannon Gilson](#); [Mark Wigfield](#); [Maria Kirby](#); [Sara Morris](#); [Gigi Sohn](#)
Cc: [Lori Maarbjerg](#); [Jim Balaguer](#)
Subject: CIN Coverage
Date: Thursday, February 20, 2014 12:47:32 PM
Attachments: [CIN Study - Coverage 022014 \(3\).docx](#)

(b) (5)



CIN STUDY – ROUNDUP

HILL

-

REP RIGELL

[Rep. Scott Rigell @RepScottRigell: Gov't monitors in the newsroom? Administration now sets sights on freedom of the press. #Orwellian http://tinyurl.com/nhll4e8](#)

REPS UPTON & WALDEN: FCC Responds to Committee Questions on Fairness Doctrine; Upton, Walden Push for More First Amendment Protection

WASHINGTON, DC – House Energy and Commerce Committee Chairman Fred Upton (R-MI) and Communications and Technology Subcommittee Chairman Greg Walden (R-OR) today commented on the FCC's response to the committee's December 10, 2013, letter regarding the commission's Critical Information Needs (CIN) study. In December, committee leaders, along with every Republican member of the Communications and Technology Subcommittee, wrote to FCC Chairman Tom Wheeler urging him to suspend the CIN study which included provisions for FCC funded agents to question the editorial decisions of journalists, producers, and other news professionals.

"We are pleased to see Chairman Wheeler recognizes the gravity of our concerns and has accordingly made progress toward ensuring that First Amendment protections remain in place for journalists," said Upton and Walden. "Before moving forward, however, it is imperative that the FCC ensure that any study, with any agents acting on its behalf, stays out of newsrooms. The courts have rightfully struck down the Fairness Doctrine, and any attempt to revive it, through study or any other means, should not be attempted by the FCC or any other government agency."

Former FCC Commissioner Robert McDowell similarly expressed concern that the CIN study raises questions about government interference in the newsroom. On Fox News yesterday, he asked, "How much government coercion might there be with all of this? Is the government trying to ultimately dictate speech and dictate how journalists are supposed to do their jobs? And it doesn't matter what your political stripe might be, that's just not a good idea, especially when you have such a competitive communications landscape." Watch the full interview here. <https://www.youtube.com/watch?v=fzca4mjbHCl&feature=youtu.be>

Upton and Walden cited similar free speech concerns with respect to the original Fairness Doctrine in urging then FCC Chairman Julius Genachowski to remove the statute from the Code of Federal Regulations in 2011. The doctrine was eliminated in August 2011.

NEWS

WASHINGTON EXAMINER

[Washington Examiner @dcexaminer :Will journalists tell the FCC it's none of its business how they cover the news? http://washex.am/1gKTbuY](#)

Washington Examiner @dcexaminer :Tapscott: Why now is the FCC reinventing its discredited Fairness Doctrine wheel? <http://washex.am/1mvTdvN>

FOX NEWS

Fox Nation @foxnation: FCC Survey Sparks Fears of Big Brother in the Newsroom <http://bit.ly/1jLIWpY> #BigBrotherWatching

Jay Sekulow @JaySekulow 15m

Is #Obama trying to kill a free press? <http://aclj.org/free-speech-2/is-obama-trying-to-kill-a-free-press> ... FCC to monitor newsrooms deciding what public "needs" to hear? via @FoxNews

Fox News.com: Critics want FCC media study thrown on 'trash heap,' skeptical of changes

Published February 20, 2014

<http://www.foxnews.com/politics/2014/02/20/critics-want-fcc-media-study-thrown-on-trash-heap-skeptical-changes/>

Critics of a proposed Federal Communications Commission study that would send researchers into newsrooms across America say the new chairman's vow to tweak the plan doesn't go far enough -- with one leading media group calling on the agency to scrap the study entirely.

"Where it really needs to go is onto the trash heap," Mike Cavender, director of the Radio Television Digital News Association, said in a statement.

The FCC drew the ire of free-press advocates and lawmakers after proposing a "[study of critical information needs](#)," which one dissenting commissioner said would let researchers "grill reporters, editors and station owners about how they decide which stories to run."

GOP lawmakers warned the program essentially would become the "Fairness Doctrine 2.0," in reference to a long-abandoned policy requiring broadcasters to provide what was deemed balanced coverage of major issues.

After being pressed by Republican lawmakers on the House Energy and Commerce Committee, Chairman Tom Wheeler said in a Feb. 14 letter that his agency "has no intention of regulating political or other speech of journalists or broadcasters" through this study.

Wheeler pledged to work with the contractor to "adapt the study" in response to concerns that have been raised.

Republicans on Thursday praised Wheeler for recognizing "the gravity of our concerns" -- but urged him to go further.

"Before moving forward, however, it is imperative that the FCC ensure that any study, with any agents acting on its behalf, stays out of newsrooms," committee Chairman Fred Upton, R-Mich., and Rep. Greg Walden, R-Ore., said in a statement.

"The courts have rightfully struck down the Fairness Doctrine, and any attempt to revive it, through study or any other means, should not be attempted by the FCC or any other government agency."

Cavender was unsparing in his criticism of what he called an "ill-conceived study." He said that regardless of the agency's motives, "even the concept of a study like this is enough to chill every journalist and every station which prides itself on journalistic independence.

"Why does the FCC need this information and what possible use can it be to the regulatory body that impacts every broadcast station in this country? We think it's clearly an overreach by the Commission," he said. "... The FCC should scrap the entire idea and leave any concerns about news coverage to the professionals in the newsroom -- not the regulators in Washington."

One agency commissioner, Ajit Pai, originally raised concerns about the review in a Wall Street Journal op-ed piece.

The research would include questions about the process by which stories are selected and on how often

stations cover "critical information needs" and would be posed through voluntary surveys.

However, Pai warned that those inquiries "may be hard for the broadcasters to ignore. They would be out of business without an FCC license."

The new project also would include newspaper and Internet content and is expected to start this spring with a field test in Columbia, S.C.

B&C: Wheeler: FCC Won't Regulate Journalist's Speech

Tells Hill he is working on changes to Critical Needs Study to address concerns

2/20/2014 11:10:00 AM Eastern

By: John Eggerton

<http://www.broadcastingcable.com/news/washington/wheeler-fcc-wont-regulate-journalists-speech/129286>

FCC chairman Tom Wheeler has told the chairman of the House Energy & Commerce Committee that the FCC "has no intention of regulating political or other speech of journalists or broadcasters" via its Multi-Market Study of Critical Information Needs, but says he is working on changes to the study to address those concerns.

That came in a letter to House E&C chair Fred Upton (R-Mich.), in response to a letter from the committee's Republican leadership and members asking the chairman to suspend the study since it included provisions for "FCC funded agents to question the editorial decisions of journalists, producers, and other news professionals."

They saw that as the FCC putting itself back in the business of controlling political speech, the "back" being a reference to the former Fairness Doctrine requirement that broadcasters seek out opposing viewpoints on issues of importance.

Wheeler indicated that changes would be coming, but that that might change the cost of the study. He also pointed out that the study was launched to fulfill the FCC's statutory mandate to 'identify and eliminate "market entry barriers for entrepreneurs and other small businesses in the provision and ownership of telecommunications services and information services."

The FCC has also been instructed by a federal appeals court to better justify initiatives to promote that diversity.

"My staff has engaged in a careful and thorough review of the Research Design with the contractor to ensure that the inquiries closely hew to [that] mandate," Wheeler wrote. "While the Research Design is a tool intended to help the Commission consider effective, pro-competitive policies that would encourage new entrants, its direction need not go beyond our responsibilities. We continue to work with the contractor to adapt the study in response to these concerns and expect to complete this work in the next few weeks. As the revisions that we may implement likely will require cost reassessments, we will provide you with further details regarding cost and methodology as soon as they are available."

The Republican leadership want those details to include that the study will stay away from newsroom decisionmaking.

"We are pleased to see chairman Wheeler recognizes the gravity of our concerns and has accordingly made progress toward ensuring that First Amendment protections remain in place for journalists," said Upton and Communications Subcommittee chairman Greg Walden (R-Ore.) of Wheeler's response. "Before moving forward, however, it is imperative that the FCC ensure that any study, with any agents acting on its behalf, stays out of newsrooms. The courts have rightfully struck down the Fairness Doctrine, and any attempt to revive it, through study or any other means, should not be attempted by the FCC or any other government agency."

The Hill: February 20, 2014, 11:06 am

FCC: 'No intention' of muzzling press

By Julian Hatter

<http://thehill.com/blogs/hillicon-valley/technology/198799-fcc-no-intention-of-regulating-journalism>

The Federal Communications Commission (FCC) is trying to reassure House Republicans that it has no plans to restrict the freedom of the press.

In a letter released Thursday, FCC Chairman Tom Wheeler told Republican leaders of the House Energy and Commerce Committee that his commission “has no intention of regulating political or other speech of journalists or broadcasters.”

Wheeler defended new FCC research as the first step toward pinpointing “market barriers” that may make affect the “diversity of media voices.”

Republicans expressed concern that the FCC's study was an attempt “to control the political speech of journalists” by reviving the Fairness Doctrine, now-extinct rules that required radio and TV broadcasters to air opposing viewpoints on major issues.

Ajit Pai, a Republican commissioner at the FCC, raised alarms about the study.

In an op-ed in The Wall Street Journal last week, Pai said that the effort would “thrust the federal government into newsrooms across the country.”

The FCC killed the Fairness Doctrine in 1987 and formally erased it from the books in 2011.

The agency's new study will focus on how “critical information needs” are reported.

In a field test scheduled this spring, the FCC is planning to ask journalists and station owners in Columbia, S.C. about their philosophy for covering the news and the way they select stories.

In his op-ed, Pai worried that broadcast journalists would feel pressured to participate, since they depend on the FCC's licenses to operate.

House Republicans weren't entirely soothed by Wheeler's letter.

In a statement, Energy and Commerce Chairmen Fred Upton (R-Mich.) and Rep. Greg Walden (R-Ore.), head of the Communications and Technology subcommittee, said “it is imperative that the FCC ensure that any study, with any agents acting on its behalf, stays out of newsrooms.”

“The courts have rightfully struck down the Fairness Doctrine, and any attempt to revive it, through study or any other means, should not be attempted by the FCC or any other government agency.”

The FCC is required by law to study ways to eliminate barriers that may prevent some outlets from getting off the ground.

Previous studies in the past have looked at the history of broadcast license applications and the way minority and women-owned companies participate in spectrum auctions, among other issues.

FOX News.com: Critics want FCC media study thrown on ‘trash heap,’ skeptical of changes

Published February 20, 2014

<http://www.foxnews.com/politics/2014/02/20/critics-want-fcc-media-study-thrown-on-trash-heap-skeptical-changes/>

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newsrooms across America say the new chairman's vow to tweak the plan doesn't go far enough -- with one leading media group calling on the agency to scrap the study entirely.

"Where it really needs to go is onto the trash heap," Mike Cavender, director of the Radio Television Digital News Association, said in a statement.

The FCC drew the ire of free-press advocates and lawmakers after proposing a "study of critical information needs," which one dissenting commissioner said would let researchers "grill reporters, editors and station owners about how they decide which stories to run."

GOP lawmakers warned the program essentially would become the "Fairness Doctrine 2.0," in reference to a long-abandoned policy requiring broadcasters to provide what was deemed balanced coverage of major issues.

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"Why does the FCC need this information and what possible use can it be to the regulatory body that impacts every broadcast station in this country? We think it's clearly an overreach by the Commission," he said. "... The FCC should scrap the entire idea and leave any concerns about news coverage to the professionals in the newsroom-not the regulators in Washington."

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The new project also would include newspaper and Internet content and is expected to start this spring with

a field test in Columbia, S.C.

Washington Examiner: OPINION: Will journalists tell the FCC it's none of its business how they cover the news?

BY MARK TAPSCOTT | FEBRUARY 20, 2014 AT 9:06 AM

http://washingtonexaminer.com/will-journalists-tell-the-fcc-its-none-of-its-business-how-they-cover-the-news/article/2544309?custom_click=rss&utm_source=twitterfeed&utm_medium=twitter

Back in the dark ages when there was only three national broadcast news networks, the FCC... Lots of bad things happen when a constitutionally-limited national government is transformed into a Nanny State Leviathan.

But one of the worst is when federal bureaucrats — apparently convinced that the rest of us are too stupid to figure it out for ourselves — decide to conduct a "Multi-Market Study of Critical Information Needs."

What that means is, as FCC Commissioner Ajit Pai wrote recently in *The Wall Street Journal*, the bureaucrats will:

"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.'"

Fairness Doctrine is back

Sign Up for the Morning Examiner newsletter!

If any of that menu sounds familiar to older readers, it should because it's a summary of what the FCC used to do with its Fairness Doctrine.

Back in the dark ages when there was only three national broadcast news networks, the FCC exercised suffocating control over how the news was presented via its power to regulate broadcasting licenses.

President Ronald Reagan terminated the Fairness Doctrine in 1987 because it had been used by presidents of both political parties as a weapon against perceived enemies in the media.

None of their business

Why now is the FCC reinventing its discredited Fairness Doctrine wheel? Pai notes the official rationale is "eliminating barriers to entry for entrepreneurs and small businesses in the communications industry."

If that's so, one of the questions to be asked of newspaper reporters is whether they've ever suggested stories on "critical information" that were rejected by editors?

That question exposes what's really going on here: The FCC bureaucrats can't bear to know that somebody, somewhere in this country can cover the news without being told how by the nannies in Washington.

Fox News' Greta Van Susteren said Wednesday evening that she believes every media outlet should tell the FCC that how they cover the news is "none of its business."

Whether the rest of the media have as much backbone and common sense as Van Susteren will be revealed in coming months.

FOX News.com: Is Obama trying to kill a free press?

By Jay Sekulow Published February 20, 2014

<http://www.foxnews.com/opinion/2014/02/20/is-obama-trying-to-kill-free-press/>

President Barack Obama waves to reporters as he walks on the South Lawn aof the White House in Washington, Friday, Feb. 14, 2014, before boarding the Marine One helicopter to travel to the Democratic House members retreat in Cambridge, Md. (AP Photo/Charles Dharapak) (AP2014)

The FCC is launching a new study, taking upon itself the task of deciding what news the public “needs” to hear, versus the news the public wants to hear. The agency will conduct a “General Population Survey” that will “measure community members’ actual and perceived critical information needs.”

Got that? What you think (perceive) you need to know is different from what the government says you need to know.

Next, the FCC will send monitors to newsrooms across the country who will ask questions regarding the “philosophy” of the newsroom, inquire about possible conflicts between reporters and their bosses, and even determine how much influence each individual has in deciding what to report.

Does that kind of government inquiry sound familiar? Are we not less than a year removed from an IRS apology for inquiring about the internal workings of conservative groups?

Last week, FCC Commissioner Ajit Pai, who believes the government has no role in how a certain story is covered, disclosed in a Wall Street Journal Op-Ed the existence of the new FCC plan that will ostensibly “study” how media organizations report the news.

Here’s Mr. Pai:

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.”

The news was jarring, so I downloaded the FCC’s “Research Design” and read it for myself.

How reassuring that the federal government is devising new ways to violate the privacy of reporters, editors and their employers.

What I found was even more disturbing than what Mr. Pai reports.

If radio and television stations resist coughing up confidential employee data (including demographic information) to aid the FCC monitors, the study also (on pages 10 and 11) provides helpful “strategies” for obtaining information -- even when employers and their Human Resources departments refuse to cooperate.

How reassuring that the federal government is devising new ways to violate the privacy of reporters, editors and their employers – all to make sure news outlets are providing Americans with the news the Obama

administration says they “need.”

The roadmap to censorship is clear. Expect this study to show that some news organizations are failing to cover the “right” stories – thus failing to give the people what they “need.”

Then, the FCC – which owns the airwaves – will propose to swoop in and fix the “market failure” by making sure that Americans learn what they “need” to learn – regardless of their own preferences.

And what does the FCC prioritize? If its list is any indication, it prioritizes the “environment” far above the “weather,” while war news barely makes the list.

So I suppose when storms are brewing it’s more important that I learn about carbon credits than where a tornado might touch down? And just don’t you worry about what’s happening in our war against jihadists.

Given the Obama administration’s consistent and publicly-expressed loathing for Fox News, expect to see the news lineup the Obama administration says America needs to look a lot more like MSNBC’s nonstop coverage of climate change and “bridgegate” than Fox’s rightful focus on lost American lives in Benghazi.

From its inception, the Obama administration has proven that it’s not only intolerant of critics, but that it will use the full power of an increasingly partisan bureaucracy to intimidate Americans and rein in dissent. The administration turned the IRS on the Tea Party, it unleashed the Department of Justice on wayward reporters, and now the FCC is preparing to snoop into America’s television and radio studios.

In an era of divided government, it’s sometimes difficult to stop Obama administration excess, but this call to action should be easy: Under no circumstances should the House of Representatives allocate even a single dime of taxpayer money to authorize or empower government monitors in any newsroom in America.

The free press is at stake.

FOX News.com: Why the FCC should keep its nose out of TV newsrooms

Howard Kurtz February 20, 2014

<http://www.foxnews.com/politics/2014/02/20/why-fcc-should-keep-its-nose-out-tv-newsrooms/>

What on earth is the FCC thinking?

The last thing we need is the government mucking around with news content.

The title of this Big Brother-ish effort by the Federal Communications Commission sounds innocuous enough: “Multi-Market Study of Critical Information Needs.” But it’s a Trojan horse that puts federal officials in the newsroom, precisely where they shouldn’t be.

Don’t take my word for it. The FCC says it wants to examine “the process by which stories are selected,” as well as “perceived station bias” and “perceived responsiveness to underserved populations.”

Perceived station bias? Are you kidding me? Government bureaucrats are going to decide whether a newsroom is being fair?

Keep in mind that the commission has the power to renew or reject broadcast television licenses. During Watergate, Richard Nixon’s FCC challenged two TV licenses of stations owned by the Washington Post. So

mere information gathering can become a little more serious, given that enormous clout.

As FCC Commissioner Ajit Pai notes in a Wall Street Journal op-ed, the commission “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 first test is slated for this spring in Columbia, S.C.

I know that television stations are licensed in the public interest. It’s fair for the FCC to examine how much news a station offers, as opposed to lucrative game shows and syndicated reruns. But the content of that news ought to be off-limits.

The Fairness Doctrine, which once required TV and radio stations to offer equal time for opposing points of view, is no more, and good riddance (since it discouraged stations from taking a stand on much of anything). The Obama administration swears it’s not coming back.

How, then, to explain this incursion into the substance of journalism, which seems utterly at odds with the notion of a free and unfettered press?

Now some of the commentary about this is overheated, with talk of an FCC “thought police” and so on. The effort is beginning in a single city. But already there are signs that the commission is backing off.

Adweek reports that “controversial” sections of the study will be “revisited” under new chairman Tom Wheeler. An FCC official told the publication that the agency “has no intention of interfering in the coverage and editorial choices that journalists make. We’re closely reviewing the proposed research design to determine if an alternative approach is merited.”

The FCC should keep its alternative approaches to itself, as even the posing of these questions carries an intimidation factor. The government has no business meddling in how journalism is practiced. And if George W. Bush’s FCC had tried this, it would be a front-page story.

I can haz NewsToons?

I’m all about social media. And HLN is conducting an interesting experiment in rebranding itself as a social media network.

But do these shows, described in a release as being in development, strike anyone as strange?

Keywords—A game show of search and tag trivia for internet addicts.

I Can Haz NewsToons—Finally, a place on TV for social media’s best satire cartoons.

One.Click.Away—The untold stories behind the online classifieds

Vacation Hunters—One tweet, two vacation teams, one amazing vacation.

Videocracy—Hosts and a team of panelists comment on the stories and the people creating the shared content we’re all talking about.

#What’sYourFomo—This app will collect your list of FOMO’s (Fear Of Missing Out) and guarantees that you never miss a thing.

One thing that's clear from this slate: the former Headline News is out of the news business. Whether it can build a different business by tapping into the likes of Facebook and Twitter remains to be seen.

FOX News.com: FCC official, others warn agency study could stifle freedom of the press

Published February 20, 2014

http://www.foxnews.com/politics/2014/02/20/fcc-official-others-warn-agency-study-would-squash-news-media-1st-amendment/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+foxnews%2Fpolitics+%28Internal+-+Politics+-+Text%29

An Obama administration plan that would get researchers into newsrooms across the country is sparking concern among congressional Republicans and conservative groups.

The purpose of the proposed Federal Communications Commission study is to "identify and understand the critical information needs of the American public, with special emphasis on vulnerable-disadvantaged populations," according to the agency.

However, one agency commissioner, Ajit Pai, said in a Wall Street Journal op-ed piece Wednesday that the May 2013 proposal would allow researchers to "grill reporters, editors and station owners about how they decide which stories to run."

He also said he feared the study might stifle the freedom of the press.

"The American people, for their part, disagree about what they want to watch," wrote Pai, appointed to the FCC's five-member commission in May 2012 by President Obama. "But everyone should agree on this: The government has no place pressuring media organizations into covering certain stories."

The agency declined to comment. But watchdog groups immediately responded to Pai's concerns.

"The FCC seems unable to keep its hands off the news media for any extended period of time," Jeffrey Eisenach, a visiting scholar at the American Enterprise Institute, told FoxNews.com.

"It's the same generic concern of needing a news nanny to make sure we're all well informed," he added. "The same people who are concerned about the NSA spying on Americans ought to be concerned about this."

The research will include questions about the process by which stories are selected and on how often stations cover "critical information needs" and will be posed through voluntary surveys.

However, Pai remains wary.

"Participation is voluntary—in theory," he wrote. But "the FCC's queries may be hard for the broadcasters to ignore. They would be out of business without an FCC license."

Several months ago, the GOP-led House Committee on Energy and Commerce said the proposed field study showed "startling disregard" for the news media's freedom and urged agency Commissioner Tom Wheeler to suspend the effort.

"Given the widespread calls for the commission to respect the First Amendment and stay out of the editorial

decisions of reporters and broadcasters, we were shocked to see that the FCC is putting itself back in the business of attempting to control the political speech of journalists,” committee leaders wrote in their December 2013 letter. “It is wrong, it is unconstitutional, and we urge you to put a stop to this.”

Pai and Eisenach also argued the proposal could lead to the revival of the agency’s 1949 Fairness Doctrine, which resulted in lawsuits throughout the 1960s and '70s.

The agency stopped enforcing the policy in the late 1980s, and then-FCC Chairman Julius Genachowski eliminated it in August 2011.

The new project also will include newspaper and Internet content and is expected to start this spring with a field test in Columbia, S.C.

“This is an extremely troubling and dangerous development that represents the latest in an ongoing assault on the Constitution by the Obama administration,” said Jay Sekulow, chief counsel for the American Center for Law and Justice. “The federal government has no place attempting to control the media, using the unconstitutional actions of repressive regimes to squelch free speech.”

Washington Times: White House to sniff out newsrooms: ‘Troubling and dangerous development’

By Cheryl K. Chumley-The Washington Times Thursday, February 20, 2014

<http://www.washingtontimes.com/news/2014/feb/20/white-house-sniff-out-newsrooms-troubling-and-dang/#ixzz2tsXTc3eL>

The Obama administration is pushing forward with a Federal Communications Commission project that would send the nose of government researchers in newsrooms across the country — and First Amendment advocates want to know why.

The touted purpose of the plan is to “identify and understand the critical information needs of the American public, with special emphasis on vulnerable-disadvantaged populations,” the FCC said, Fox News reported.

But at least one FCC commissioner, Ajit Pai, wrote an op-ed piece for the Wall Street Journal that suggested the notion was more aimed at giving government entities the ability to “grill reporters, editors and station owners about how they decide which stories to run.”

Mr. Pai continued: “Everyone should agree on this: The government has no place pressuring media organizations into covering certain stories.”

First Amendment and government watchdog organizations were quick to agree.

“The FCC seems unable to keep its hands off the news media for any extended period of time,” said Jeffrey Eisenach, a visiting scholar with The American Enterprise Institute, to Fox News. “It’s the same generic concern of needing a news nanny to make sure we’re all well informed.”

Among the questions to be studied: How news organizations select stories, and frequency with which broadcast outlets report on “critical information needs,” Fox News reported.

The surveys will be voluntary — but Mr. Pai said the definition of voluntary can be rather subjective.

“Participation is voluntary — in theory,” he wrote, in his op-ed to the Wall Street Journal. “[But] the FCC’s queries may be hard for the broadcasters to ignore. They would be out of business without an FCC license.”

The project is reportedly due to kick off this spring in Columbia, S.C.

“This is an extremely troubling and dangerous development that represents the latest in an ongoing assault on the Constitution by the Obama administration,” said Jay Sekulow, the chief counsel for the American Center for Law and Justice, in Fox News. “The federal government has no place attempting to control the media, using the unconstitutional actions of repressive regimes to squelch free speech.”

KFBK News: FCC Study Could Limit Freedom of the Press

Posted Thursday, February 20th 2014 @ 11am

<http://www.kfbk.com/articles/kfbk-news-461777/fcc-study-could-limit-freedom-of-12086053/#ixzz2tsoEjBf>

The Federal Communications Commission is launching a study that some warn could limit freedom of the press.

Former FCC Commissioner Robert McDowell says it may limit journalists.

"How much government coercion might there be with all of this? Is the government trying to ultimately dictate speech and dictate how journalists are supposed to do their jobs?"

The FCC says the study aims to "identify and understand the critical information needs of the American public, with special emphasis on vulnerable-disadvantaged populations."

However, current FCC commissioner Ajit Pai said a "Wall Street Journal" op-ed Wednesday that the study could allow researchers to "grill reporters, editors, and station owners about how they decide which stories to run."

The study will include newspaper and Internet content and is scheduled to begin this spring in Columbia, South Carolina.

The Blaze: Obama Administration’s Plan to Study Newsrooms Is Drawing Plenty of Public Opposition

Feb. 19, 2014 5:30pm Fred Lucas

<http://www.theblaze.com/stories/2014/02/19/obama-administrations-plan-to-study-newsrooms-is-drawing-plenty-of-public-opposition/>

A plan by the Federal Communications Commission to study how news organizations select stories has prompted about 10,000 people to sign a petition demanding: “no government monitors in newsrooms.”

That’s according to the American Center for Law and Justice, which announced the petition Wednesday and said it reached that number within the first two hours.

Obama Administrations Plan to Study Newsrooms Is Drawing Plenty of Public Opposition

AP

The FCC announced a Multi-Market Study of Critical Information Needs last year, saying that it wanted to understand the process of which stories are selected, station priorities, content production, populations served, perceived station bias and perceived percent of news dedicated to each of the “critical information

needs” in a community, Fox News reported.

But Jay Sekulow, chief counsel of the ACLJ, a conservative legal group, said he worries it could be used to intimidate certain news organizations into covering issues that government officials feel are important.

“This is an extremely troubling and dangerous development that represents the latest in an ongoing assault on the Constitution by the Obama administration,” Sekulow said in a statement. “We have seen a corrupt IRS unleashed on conservatives. We have seen an imperial president bypass Congress and change the law with executive orders.”

The FCC only has jurisdiction over the broadcast industry, not over cable news or print publications. Networks, local stations and most radio stations would be subject to evaluation.

“Now we see the heavy hand of the Obama administration poised to interfere with the First Amendment rights of journalists,” Sekulow said. “It’s clear that the Obama administration is only interested in utilizing intimidation tactics – at the expense of Americans and the Constitution. The federal government has no place attempting to control the media, using the unconstitutional actions of repressive regimes to squelch free speech.”

An FCC representative did not respond to a request for comment from TheBlaze.

The objectives for the research, released publicly on May 28, 2013, are to “collect data to inform: the access (or potential barriers) to [critical information needs] as identified by the FCC; the media that makes up media ecologies (i.e., what media is actually included in that ecology; ownership of that market; what specific type of content dominates those media ecologies; what is the flow of information within the ecology, etc); the use of and interaction between media that makes media ecologies (i.e., how do different layers of the ecology interact to provide for CINs; how do individuals of diverse neighborhoods/communities differ in terms of access to CINs); validate data collection tools/templates and protocols; demonstrate high internal validity and reliability of measured constructs.”

The Obama administration has already come under scrutiny for its treatment of the press.

The group Reporters Without Borders ranked the United States 46th in the world for press freedom, citing the governments investigations into various newsrooms in national security cases.

“The trial and conviction of Private Bradley Manning and the pursuit of NSA analyst Edward Snowden were warnings to all those thinking of assisting in the disclosure of sensitive information that would clearly be in the public interest,” the international journalists report stated.

“U.S. journalists were stunned by the Department of Justice’s seizure of Associated Press phone records without warning in order to identify the source of a CIA leak,” the report continued. “It served as a reminder of the urgent need for a ‘shield law’ to protect the confidentiality of journalists’ sources at the federal level.”

FOX News.com: 'The Kelly File': FCC proposes initiative to 'study' how journalists operate

Published February 19, 2014

<http://www.foxnews.com/on-air/the-kelly-file/transcript/2014/02/20/fcc-proposes-initiative-study-how-journalists-operate>

This is a rush transcript from "The Kelly File," February 19, 2014. This copy may not be in its final form and may be updated.

MEGYN KELLY, HOST: Developing tonight, angry reaction is building from a variety of groups over what is said to be a new plan from the Obama administration to monitor America's newsrooms. And not in a way that you monitor it from home on the couch, a much more invasive way. And Shannon Bream reports from Washington -- Shannon.

SHANNON BREAM, FOX NEWS CORRESPONDENT: Well, Megyn, the Federal Communications Commission or FCC, wants to send investigators into televisions and radio stations to ask questions like this -- "What is the news philosophy of this station? Who decides which stories are covered?"

Well, the stated purpose of what is being called the multi-market study of critical information needs is to determine how media outlets make editorial decisions and how much time they're spending on several key topics the FCC is concerned about, like the environment.

News of this proposed project so unnerved a group of House Republicans that they sent FCC Chairman Tom Wheeler a letter saying the proposal shows a quote, "Startling disregard for the bedrock constitutional principles that prevent government intrusion into the press," adding, "The Commission has no business probing the news media's editorial judgment and expertise."

Attorney Jay Sekulow, who represents dozens of conservatives targeted by the IRS, says he sees a disturbing pattern.

(BEGIN VIDEO CLIP)

JAY SEKULOW, AMERICAN CENTER FOR LAW AND JUSTICE: It is very reminiscent of the kind of questions that were asked of my clients in the IRS matter that is currently in federal court. Same kind of questioning process of content, determination on point of view. And I think this government, this administration, is bent on aiming and targeting those they don't like, and this is another way to do it. This time it is the FCC.

(END VIDEO CLIP)

BREAM: The study was conceived under the previous head of the FCC. There are reports the current chairman is considering tweaking it. Megyn.

KELLY: We'll look forward to that. Shannon, thank you. My next guest is calling this creepy. Katie Pavlich is the news editor at Townhall.com. I mean, we had all these debate about the Fairness Doctrine. Is this basically the Fairness Doctrine in other clothing?

KATIE PAVLICH, TOWNHALL.COM NEWS EDITOR: You know what, Megyn? I don't understand, you know, why the Obama administration has not understood this idea that when the Department of Justice monitored the phone line of journalists and their parents, by the way, that was not enough to them. Now they want to send investigators into newsrooms all over the country whether it is broadcast or prints. They have no business sending those people into our newsrooms. How we gather news is none of the government's business. And this is not about the FCC getting people the information that they, quote, "need" as they claim. This is about controlling what people say and this is about intimidating the news through the, you know --

KELLY: What kind of crazy talk is that?

PAVLICH: -- whatever they call the navigators.

KELLY: What kind of crazy talk is this? I mean, they're saying oh, and now we're going to take a second look at it. Whose brain child was this in the first place? And it gives you a window, does it not, Katie, into the window that they're thinking.

PAVLICH: Oh, absolutely, and I just think it is such an asinine concept that the government, government bureaucrats are now going to be appointed to come in and monitor, you know, professional editors, reporters, and decide the best way for them to gather news as if they don't know what they're doing. And then to try and shift the focus from certain stories to others, I mean, why is it that we need someone like that to come in at the picture?

KELLY: Yes, let me guess. We've heard enough about ObamaCare, we can move on from that story now. I mean, how would it actually work? Somebody is going to sit there, you know, in our news meeting and tell me and my executive producer that you should not lead with that. "This story over here at how, you know, we think we're doing so great, that is what the people need to hear."

PAVLICH: You know, Megyn, you are just not covering what the people need. Right? But, you know, on another point here it is really important to point out that we live in an era, the year is 2014, where we have more access to information than we've ever had in the history of mankind. And now the government is coming in through this, you know, so-called regulation in wanting to say that they need to cater to the needs of people who are maybe being under-served by the news? We have more news outlets in this country and in the world than we've ever had, serving many different kinds of communities, many different kinds of people, many different kinds of, you know, exactly outlets.

KELLY: Yes.

PAVLICH: You know, catering to different, you know, whatever. Anything you want to know about any kind of news is out there. So it is, you know, none of their business to even inquire about how news editors and reporters gather the news stories and decide on what they're reporting inside their newsrooms.

KELLY: Katie, good to see you, let's hope it's true that they are reconsidering and it wouldn't happen.

PAVLICH: Good to see you, too.

FOX News.com: 'The Kelly File' looks at the FCC's proposal to study newsrooms

Published February 19, 2014

<http://www.foxnews.com/politics/2014/02/19/kelly-file-looks-at-fcc-proposal-to-study-newsrooms/>

A Federal Communications Commission proposal to "study" how the news media operates by placing researchers in newsrooms, "The Kelly File" reported on Wednesday.

"It's very reminiscent of the kinds of questions that were asked of my clients in the IRS matter that is currently in federal court," said Jay Sekulow of the American Center for Law and Justice. "Same kind of questioning process of content, determination on point of view, and I think this government, this administration is bent on aiming and targeting those they don't like."

Katie Pavlich, the news editor of Townhall.com, wondered why the Obama administration didn't learn following the fallout over the Justice Department's wiretapping of Associated Press journalists.

"Now, they want to send investigators into newsrooms all over the country," she said. "This is about

controlling what people say, and this is about intimidating the news.”

Pavlich agreed with host Megyn Kelly’s assertion that the proposal provides a window into “how the FCC is thinking” when it comes to an independent press.

“We live in an era ... when we have access to more information than in the history of mankind,” Pavlich said. “It’s none of (the FCC’s) business to even inquire about how news editors and reporters gather their news stories and decide what they’re reporting inside their news rooms.”

The Inquisitr: FCC Planning Government Monitoring Of American Newsrooms
FCC government monitoring

<http://www.inquisitr.com/1139997/fcc-planning-government-monitoring-of-news-regulations/#ARqmar8Roulz5lsp.99>

Freedom of the press may soon be a thing of the past in America. The Federal Communication Commission (FCC) is launching a pilot program which involves government monitoring of what goes on in newsrooms around the nation. If the apparent attempt to control and intimidate journalists is successful, 2014 will be forever known as the year the First Amendment died. The FCC controls the broadcasting licenses of all television and radio media outlets.

The FCC is also now attempting to expand its regulatory bounds to include newspapers, according to ACLJ. Print media does not broadcast and has never in the history of the United States been overseen in any way by the Federal Communications Commission – until now. Newspapers may also be included in the new government monitoring of news program.

The stated purpose of the government news monitoring program is to unearth information from radio, newspaper, and television broadcasters about the “process by which stories are selected and how often stations cover critical information needs,” according to the FCC. The federal government agency will also be reviewing “perceived station bias” and “perceived responsiveness to underserved” populations.

The FCC has also reportedly already selected eight specific categories of “critical information” that the governmental entity believes local news organizations should cover. Yes, you absolutely read that last startling and infuriating sentence correctly, the federal government via the Obama administration has taken upon itself to put its boot on the neck of the free press and dictate what news should be shared with the public.

FCC Commissioner Ajit Pai acknowledged that the latest Obama administration initiative could be used to “pressure media organizations into covering certain stories.” Pai had this to say about the freedom of the press issue during an interview with the Wall Street Journal:

“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 government monitoring program, if initiated as written, stomps on the constitutionally protected freedom of the press and free speech rights. As Thomas Jefferson once aptly stated, “Our liberty depends on the freedom of the press, and that cannot be limited without being lost.” America, the nation founded upon individual freedoms, currently ranks on 46th (out of 180) on the World Press Freedom Index.

Mediate: FCC Commissioner Warns of Agency's Plan to Monitor Newsrooms

by Josh Feldman | 8:44 pm, February 19th, 2014

<http://www.mediaite.com/online/fcc-commissioner-warns-of-agency%E2%80%99s-plan-to-monitor-newsrooms/>

An FCC commissioner is warning people about an agency study that would bring government monitors into newsrooms and inspect issues like the amount of time spent on the "critical information needs" of Americans in news content.

FCC Commissioner Ajit Pai wrote an op-ed in the Wall Street Journal bringing people's attention to this study, saying "the government has no place pressuring media organizations into covering certain stories." And while participation is technically voluntary, ignoring them would not be a wise decision for any news outlet that wants an FCC license.

The study itself, laid out last year [PDF], is meant to "understand the critical information needs (CINs) of the American public). One of the issues addressed in the study is how these CINs are framed, and whether said framing does enough to give viewers the full context of the story.

There are also a number of questions that they pose in the study to news managers and staffers, including the following:

What is the news philosophy of the station?

How do you define critical information that the community needs?

Who decides which stories are covered?

Have you ever suggested coverage of what you consider a story with critical information for your customers (viewers, listeners, readers) that was rejected by management?

OTHER TWEETS

ACLI @ACLI : The Obama Admin is seeking to put monitors in every major media outlet in US

<http://bit.ly/1kXiywQ> Sign petition: stop #Obama #FCC monitors

PewResearch Journo @pewjournalism :NBC bringing Bode Miller to tears and the FCC revamping TV newsroom study. More in today's Daily Briefing: <http://pewrsr.ch/1jNMewi>

The Internet @Based_ :The US government is now placing "FCC monitors" in every newsroom, radio talk show, etc. to make sure that... http://tumblr.co/Z_WFyw17_Vfnj

WRKO @WRKO680: AUDIO: Government monitors in the newsroom? <http://dlvr.it/4zKYn0>

aussie @BELIMBLA4 :FCC Plan For Newsroom Monitors Sparks Constitutional Concern - Wake Up America - America's Newsroom <http://pinterest.com/pin/506021708103961143/> ...

I am John Galt!! @dhrxsol1234: [Before #Election2014] The FCC Wades Into the Newsroom <http://on.wsj.com/1eOSKio> #tcot #tgd / and per IRS Censorship on Free Speech...

Shannon Bream @ShannonBream : FCC: "no intention of regulating political or other speech of journalists" via proposed plan w newsroom investigators <http://ow.ly/tPiL>

Larry Elder @larryelder : "The FCC Wades Into the Newsroom--Why Is Agency Studying 'Perceived Station

Bias, ' Asking About Coverage Choices?'"

[http://online.wsj.com/news/articles/SB10001424052702304680904579366903828260732 ...](http://online.wsj.com/news/articles/SB10001424052702304680904579366903828260732)

Chuck Nellis @ChuckNellis : We own rights of freedom of the press & freedom of speech! Stand against this America! ** FCC Wades Into the Newsroom <http://on.wsj.com/1eOSKio>

Michael Graham @IAMMGraham : I'd like to welcome everyone in the media just discovering the "#FCC in the newsroom" story we covered last week: <http://michaelgraham.com/dear-fcc-its-none-of-your-god-business/> ...

Brian Ahier @ahier : The FCC Wades Into the Newsroom <http://on.wsj.com/1l08uDh> Alarming editorial from @AjitPaiFCC

Steven Laboe @slaboe: @FCC Wants to SPY on NEWSROOMS! @KatiePavlich on #KellyFile [VID] @megynkelly #tcot #teaparty #fw #1A <http://>

John Nolte @NolteNC: If Bush Admin suggested FCC newsroom monitors, media would abuse Godwin's Law like a step-child. Obama gets a pass in order to protect him.

From: [Lori Maarbjerg](#)
To: [Joy Medley](#)
Cc: [Connie Chapman](#); [Alethea Lewis](#)
Subject: CIN Letter Response - Upton
Date: Friday, February 21, 2014 12:13:45 PM

We need to post the CIN Letter response from 2.14.14 on OLA's webpage so we can provide a link to OMR when they issue a press statement. ^{(b) (5)}

A large black rectangular redaction box covers the majority of the text in the email body, starting from the end of the first sentence and extending across the width of the page.

From: [Lori Maarbjerg](#)
To: ["carol.berger@mail.house.gov"](mailto:carol.berger@mail.house.gov)
Subject: Critical Information Needs Study Letter
Date: Thursday, February 20, 2014 2:55:55 PM
Attachments: [CIN Study Response - Upton.pdf](#)

Carol: As discussed, here is a copy of the letter Chairman Wheeler sent to Chairman Upton (and other Republican members of the House Energy and Commerce CT Subcommittee). Please let me know if you have any questions.

Lori



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 14, 2014

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Upton:

Thank you for writing with your views regarding the field test of the Research Design for the Commission's Office of Communications Business Opportunities (OCBO) Multi-Market Study of Critical Information Needs (Research Design). I understand this is a matter of importance to you, as it is to me, and appreciate the opportunity to provide additional information about the development and conduct of the Research Design.

The Commission has no intention of regulating political or other speech of journalists or broadcasters by way of this Research Design, any resulting study, or through any other means. The development of the Research Design was intended to aid the Commission in meeting its obligations under Section 257 of the Communications Act. Section 257 directs the Commission to identify and eliminate "market entry barriers for entrepreneurs and other small businesses in the provision and ownership of telecommunications services and information services." The statutory provision expressly links our obligation to identify market barriers with the responsibility to "promote the policies and purposes of this chapter favoring diversity of media voices." Finally, Section 257 requires the Commission to review and report to Congress on "any regulations prescribed to eliminate barriers within its jurisdiction ... that can be prescribed consistent with the public interest, convenience, and necessity."

Under the statutory reporting requirement of Section 257, the Commission studies market conditions to understand the scope and extent of market entry barriers. Past studies by the Commission pursuant to Section 257, include *History of the Broadcast Licensee Application Process; Utilization Rates, Win Rates, and Disparity Ratios for Broadcast Licenses Awarded by the FCC; Logistic Regression Models of the Broadcast Licensee Award Process for Licenses Awarded by the FCC*; and the *FCC Econometric Analysis of Potential Discrimination Utilization Ratios for Minority and Women-Owned Companies in FCC Wireless Spectrum Auctions*. The Research Design is a precursor to any formal study. If used in any way, its goal would be similar to those of past reports – seeking to identify whether potential market barriers exist and, if so, whether those barriers affect diversity of media voices.

After the selection of the contractor for the Research Design, the Commission put the design out for comment, inviting input from all stakeholders. Your letter and the opportunity for public review surfaced a number of issues and modification of the Research Design may be necessary. My staff has engaged in a careful and thorough review of the Research Design with the contractor to ensure that the inquiries closely hew to the mandate of Section 257. While the Research Design is a tool intended to help the Commission consider effective, pro-competitive policies that would encourage new entrants, its direction need not go beyond our responsibilities. We continue to work with the contractor to adapt the study in response to these concerns and expect to complete this work in the next few weeks. As the revisions that we may implement likely will require cost reassessments, we will provide you with further details regarding cost and methodology as soon as they are available.

Again, thank you for providing me with your views on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Wheeler". The signature is fluid and cursive, with a prominent initial "T" and "W".

Tom Wheeler

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O'Rielly, Commissioner

From: [Lori Maarbjerg](#)
To: [Sandgren, Matthew \(Judiciary-Rep\) \(Matthew_Sandgren@judiciary-rep.senate.gov\)](mailto:Matthew_Sandgren@judiciary-rep.senate.gov)
Subject: Critical Information Needs Study Letter
Date: Thursday, February 20, 2014 4:41:55 PM
Attachments: [CIN Study Response - Upton.pdf](#)

As discussed, here is a copy of the letter Chairman Wheeler sent to Chairman Upton (and other Republican members of the House Energy and Commerce CT Subcommittee). Please let me know if you have any questions.

Lori



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 14, 2014

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Upton:

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Again, thank you for providing me with your views on this matter.

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Tom Wheeler

cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael O'Rielly, Commissioner

From: [Lori Maarbjerg](#)
To: [Joy Medley](#)
Subject: FCC OLA NEWS: Statement on CIN Study
Date: Friday, February 21, 2014 1:59:57 PM

Today FCC Spokesperson Shannon Gilson released a statement regarding the Study of Critical Information Needs (CIN Study). Link: http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-325722A1.pdf

Please let me know if you have any questions.

Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "megan.o'donnell@mail.house.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
Date: Friday, February 21, 2014 1:59:56 PM

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Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "olivia.trusty@mail.house.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
Date: Friday, February 21, 2014 1:59:41 PM

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Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["david.grossman@mail.house.gov"](mailto:david.grossman@mail.house.gov)
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Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["margaret.mccarthy@mail.house.gov"](mailto:margaret.mccarthy@mail.house.gov)
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Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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Office of Legislative Affairs
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Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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Office of Legislative Affairs
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
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From: [Lori Maarbjerg](#)
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E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["mark.ratner@mail.house.gov"](mailto:mark.ratner@mail.house.gov)
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Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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From: [Lori Maarbjerg](#)
To: ["emily_sharp@apro.senate.gov"](mailto:emily_sharp@apro.senate.gov)
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E-mail: lori.maarbjerger@fcc.gov

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From: [Lori Maarbjerg](#)
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From: [Lori Maarbjerg](#)
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From: [Lori Maarbjerg](#)
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E-mail: lori.maarbjerger@fcc.gov

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Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["emmanuel.guillory@mail.house.gov"](mailto:emmanuel.guillory@mail.house.gov)
Subject: FCC OLA NEWS: Statement on CIN Study
Date: Friday, February 21, 2014 1:59:36 PM

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Please let me know if you have any questions.

Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["kevin_cummins@tomudall.senate.gov"](mailto:kevin_cummins@tomudall.senate.gov)
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Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "bruce.miller@mail.house.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "joe.eannello@mail.house.gov"
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Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["corey.inglee@mail.house.gov"](mailto:corey.inglee@mail.house.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["matthew.alpert@mail.house.gov"](mailto:matthew.alpert@mail.house.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "angela.ohm@mail.house.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["jesse.feinberg@mail.house.gov"](mailto:jesse.feinberg@mail.house.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "joseph.bushong@mail.house.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["mike.berman@mail.house.gov"](mailto:mike.berman@mail.house.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["mark_colwell@moran.senate.gov"](mailto:mark_colwell@moran.senate.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["jason.lawrence@mail.house.gov"](mailto:jason.lawrence@mail.house.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["ryan.canfield@mail.house.gov"](mailto:ryan.canfield@mail.house.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "kelly.hitchcock@mail.house.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "jennifer.debes@mail.house.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "nicole_barrett@kirk.senate.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "trevor_reuschel@durbin.senate.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["dale_cabaniss@apro.senate.gov"](mailto:dale_cabaniss@apro.senate.gov)
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Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "patrick_lehman@johanns.senate.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "ted_schroeder@coons.senate.gov"
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Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: [Timothy Strachan](#)
Subject: FCC OLA NEWS: Statement on CIN Study
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Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "darren_achord@rubio.senate.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["Greg.Orlando@commerce.senate.gov"](mailto:Greg.Orlando@commerce.senate.gov)
Subject: FCC OLA NEWS: Statement on CIN Study
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Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "hap_rigby@commerce.senate.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "neeta_bidwai@warner.senate.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "spencer_gray@walsh.senate.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "jeffrey_farrah@commerce.senate.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "david_quinalty@commerce.senate.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "jon_abdnor@thune.senate.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "jason_vanbeek@commerce.senate.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: [Jill Pender](#)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["david_schwietert@commerce.senate.gov"](mailto:david_schwietert@commerce.senate.gov)
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Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "robin_colwell@scott.senate.gov"
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Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "[Jessica Nagasako@schatz.senate.gov](mailto:Jessica_Nagasako@schatz.senate.gov)"
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E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["arun_revana@schatz.senate.gov"](mailto:arun_revana@schatz.senate.gov)
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From: [Lori Maarbjerg](#)
To: ["travis_litman@commerce.senate.gov"](mailto:travis_litman@commerce.senate.gov)
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From: [Lori Maarbjerg](#)
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Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "Sydney_Paul@commerce.senate.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
Date: Friday, February 21, 2014 1:59:51 PM

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Please let me know if you have any questions.

Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "ellen_doneski@commerce.senate.gov"
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Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "shawn_bone@commerce.senate.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: [Lori Maarbjerg](#)
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Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "christopher_day@billnelson.senate.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "nick_choate@mccaskill.senate.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "hannah_green@mccaskill.senate.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "kristin_marshall@mccaskill.senate.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["joseph_wender@markey.senate.gov"](mailto:joseph_wender@markey.senate.gov)
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Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "brooke_ericson@ronjohnson.senate.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "brett.layson@isakson.senate.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "josh_finestone@heller.senate.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "sharon_warren@fischer.senate.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "Larissa_Martinez@fischer.senate.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Office of Legislative Affairs
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Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "[Josh Lynch@fischer.senate.gov](mailto:Josh.Lynch@fischer.senate.gov)"
Subject: FCC OLA NEWS: Statement on CIN Study
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["pete_modaff@cantwell.senate.gov"](mailto:pete_modaff@cantwell.senate.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "kaye_meier@boxer.senate.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["matt_klapper@booker.senate.gov"](mailto:matt_klapper@booker.senate.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["rob_seidman@ayotte.senate.gov"](mailto:rob_seidman@ayotte.senate.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "kate_geldaker@klobuchar.senate.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["Jeff_Murray@cruz.senate.gov"](mailto:Jeff_Murray@cruz.senate.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["anna_yu@blumenthal.senate.gov"](mailto:anna_yu@blumenthal.senate.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["hank_kilgore@pryor.senate.gov"](mailto:hank_kilgore@pryor.senate.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["reed_moody@pryor.senate.gov"](mailto:reed_moody@pryor.senate.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["sam_blevins@coats.senate.gov"](mailto:sam_blevins@coats.senate.gov)
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Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "viraj_mirani@coats.senate.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["sean_farrell@commerce.senate.gov"](mailto:sean_farrell@commerce.senate.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["andrea_sanders@begich.senate.gov"](mailto:andrea_sanders@begich.senate.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "taylor.booth@mail.house.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["raymond.omara@mail.house.gov"](mailto:raymond.omara@mail.house.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["carson.middleton@mail.house.gov"](mailto:carson.middleton@mail.house.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "Shilpa.rajan@mail.house.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["corinne.anderson@mail.house.gov"](mailto:corinne.anderson@mail.house.gov)
Subject: FCC OLA NEWS: Statement on CIN Study
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "jeffrey.eagleson@mail.house.gov"
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Office of Legislative Affairs
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E-mail: lori.maarbjerger@fcc.gov

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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["karen.summar@mail.house.gov"](mailto:karen.summar@mail.house.gov)
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Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "cory.toth@mail.house.gov"
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Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
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Today FCC Spokesperson Shannon Gilson released a statement regarding the Study of Critical Information Needs (CIN Study). Link: http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-325722A1.pdf

Please let me know if you have any questions.

Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["ashlee.cannatella@mail.house.gov"](mailto:ashlee.cannatella@mail.house.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["aaron.shapiro@mail.house.gov"](mailto:aaron.shapiro@mail.house.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["richard.hoar@mail.house.gov"](mailto:richard.hoar@mail.house.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "jonathan.arogeti@mail.house.gov"
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "brendan.larkin@mail.house.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: [Chris Moore](#)
Subject: FCC OLA NEWS: Statement on CIN Study
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Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "jean.fruci@mail.house.gov"
Subject: FCC OLA NEWS: Statement on CIN Study
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Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["brian.laughlin@mail.house.gov"](mailto:brian.laughlin@mail.house.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: ["sarah.whiting@mail.house.gov"](mailto:sarah.whiting@mail.house.gov)
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Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct: 202-418-1908
E-mail: lori.maarbjerger@fcc.gov

From: [Lori Maarbjerg](#)
To: "dain.pascocello@mail.house.gov"
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