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Congress of the United States
House of Representatives
Washington, DC 20515-1009

COMMITTEE ON
JUDICIARY
VICE CHAIRMAN OF COURTS,
INTELLECTUAL PROPERTY AND THE
INTERNET
REGULATORY REFORM, COMMERCIAL
AND ANTITRUST LAW
COMMITTEE ON RULES
CO-CHAIRMAN OF THE
CREATIVE RIGHTS CAUCUS

April 22, 2016

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

Dear Chairman Wheeler,

As Members of Congress with an interest in copyright issues, we are carefully following the debate surrounding the Federal Communications Commission's (FCC) proposed rules to reform the cable set-top box marketplace. The market for video and television programming is one of the most competitive sectors in the creative economy, and we encourage continued innovation in that arena. However, we are concerned about the potential unintended impact that regulations inconsistent with our copyright licensing system could have on the existing ecosystem. Specifically, we urge the FCC to take into account the important contributions made by the creative community.

There are many creators and skilled workers that make up the television programming universe. On any given set you will see directors, writers, actors, costumers, cameramen, set designers, and grips working to produce a program. Further behind the scenes, the songwriters, composers, and recording artists ensure that music is a part of the storytelling process. These are some of the countless creators whose livelihoods depend on the elaborate copyright licensing and compensation regime underpinning the creation of television programming. They depend on direct payments (residuals or participations) generated by licensing of television programming, contributions to their health and pension plans, and the revenue earned through licensing the rights to "sync" their music with television shows.

In order to keep this ecosystem intact and ensure that creators are able to make a fair living from their trade, we urge you to prevent third party competitors in the set-top box market from making commercial use of or modifying copyrighted programming without acquiring a direct license from the owner of the content.

Instead, appropriate measures would maintain incentives for entities to directly license copyrighted programming with copyright owners and preserve the value of existing licensed programming. They would also ensure that programmers are compensated for the use of their content in the new markets envisioned by the FCC's proposal.

We urge you to give full and careful consideration to these potential impacts. The FCC must take great care to ensure that this rulemaking does not result in harm to millions of creators in our country.

Thank you for your consideration.

Sincerely,



Doug Collins
Member of Congress



Theodore E. Deutch
Member of Congress



Tom Marino
Member of Congress



Hakeem S. Jeffries
Member of Congress



Marsha Blackburn
Member of Congress



Lamar Smith
Member of Congress



Tony Cardenas
Member of Congress



Ted Lieu
Member of Congress



Lois Frankel
Member of Congress



Cedric L. Richmond
Member of Congress



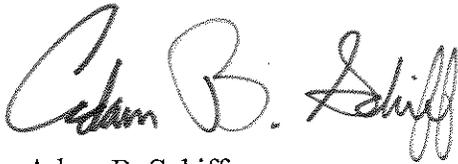
Julia Brownley
Member of Congress



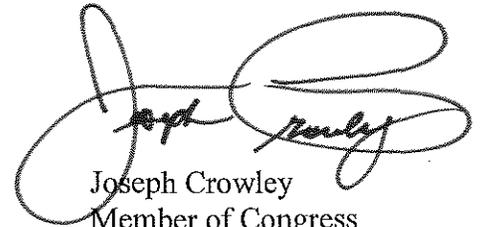
Mimi Walters
Member of Congress



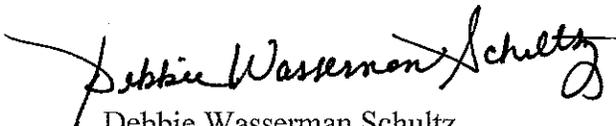
Danny K. Davis
Member of Congress



Adam B. Schiff
Member of Congress



Joseph Crowley
Member of Congress



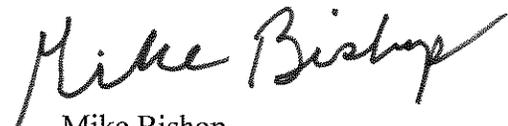
Debbie Wasserman Schultz
Member of Congress



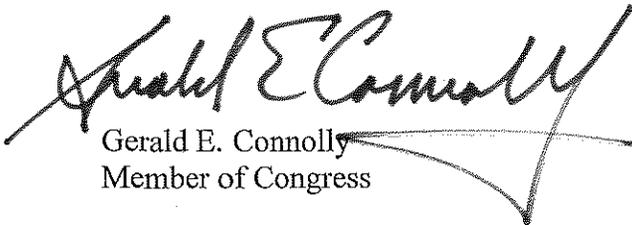
Steve Israel
Member of Congress



Alan S. Lowenthal
Member of Congress



Mike Bishop
Member of Congress



Gerald E. Connolly
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Brad Sherman
Member of Congress



Dave Trott
Member of Congress



Karen Bass
Member of Congress

cc: FCC Commissioners Clyburn, Rosenworcel, O'Rielly, and Pai