



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

January 25, 2018

The Honorable Ajit V. Pai
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Pai:

I write to urge the Federal Communications Commission (FCC) to require that its online public files¹ be made machine-readable before it takes any action to repeal or otherwise modify the rules that require broadcast stations to file their contracts and related documents with the FCC.²

Keeping data in a machine-readable form has been a best practice in the private sector for decades.³ And when it comes to the federal government, the Obama Administration made keeping data in machine-readable formats a priority in 2013.⁴ Yet despite its commitment to transparency in other areas, the FCC still keeps some of its data, including the online public files, in an ancient and opaque format, virtually inaccessible to the public.

To help bring the FCC into the modern era, I introduced the FCC Transparency Act to ensure the public has access to important information held by the FCC in broadcasters' online public files.⁵ But bringing the Commission up to date should not require Congressional action. You should act now to bring the Commission into the twenty-first century. With the Commission proposing to roll back requirements for broadcasters to file paper documents with

¹ 47 C.F.R. § 73.3526.

² 47 C.F.R. § 73.3613.

³ Joan Knutson, *Project Management for Business Professionals, A Comprehensive Guide* (2002) ("It should also be obvious that physical, hard-copy documentation is kept to a minimum, with the official versions of program documents (for example, plans, specifications, issues logs, and so on) being maintained in machine readable form.").

⁴ Exec. Order No. 13642, 78 Fed. Reg. 28111 (May 9, 2013).

⁵ H.R. 1440.



the FCC,⁶ you have an opportunity to finally upgrade the public file and make it machine-readable.

The Commission has an obligation to take this chance to advance transparency and the efficiencies of its processes. Before taking steps that could make it harder for Americans to understand how the public's airwaves are used, the Commission should first make sure information in the online public file is kept in a machine-readable format.

I appreciate your attention to this important matter. Please contact Graham Mason in my office at 202-225-6190 should you have any questions about this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Ray Lujan", with a large, sweeping flourish extending to the right.

Ben Ray Lujan
Member of Congress

⁶ Federal Communications Commission, *Amendment of Section 73.3613 of the Commission's Rules Regarding Filing of Contracts*, Notice of Proposed Rulemaking, MB Docket No. 18-4, FCC Circ 1801-05, at ¶ 1 (rel. Jan. 9, 2018).



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 26, 2018

The Honorable Ben Ray Luján
U.S. House of Representatives
2231 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Luján:

Thank you for your letter regarding the Federal Communications Commission's online public inspection file. As you know, the FCC has been steadily working towards completing the transition to an online public inspection file for broadcasters and multichannel video program distributors (MVPDs). I am happy to note that March 1 was the deadline for radio stations and cable operators to fully transition to the online system.

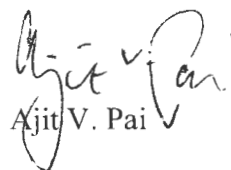
When the Commission first created the online public file system for TV broadcasters, it made the decision to provide stations some flexibility with respect to format in order to facilitate the transition to the new system. That same logic applied to the more recent conversion to the online public file system for radio stations and MVPDs.

The decision to not pursue full machine-readability at this time does not mean that the online public file is inaccessible. To the contrary, Commission staff has worked to improve the search functions within the system. The more recent changes include the introduction of new filters that can help to narrow search results for consumers. We will continue to look for ways to improve the system for its users.

The Commission voted on January 30 to seek comment on repealing the requirement that broadcast stations file paper copies of certain contracts and other documents at the FCC. And in your letter, you suggest that the Commission not move forward with changing this rule until the online public file, where these contracts are also stored, is made machine-readable. However, I am skeptical that these two issues are properly intertwined; among other things, the current online public file is much more accessible to the American public than paper copies of contracts located in the FCC's headquarters or at broadcast stations.

I appreciate your interest in this matter, and your letter will be made part of the record in this proceeding. Please let me know if I can be of any further assistance.

Sincerely,


Ajit V. Pai