

REGIONAL DEMOCRATIC WHIP
COMMITTEE ON
ENERGY AND COMMERCE
SUBCOMMITTEES:
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TELECOMMUNICATIONS AND THE INTERNET
CO-CHAIR, CONGRESSIONAL BIOTECHNOLOGY
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1ST DISTRICT, ILLINOIS
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07-57

DATE: 5/17/08
ATTENTION: Chairman Kevin Martin
ORGANIZATION: FCC
FAX NUMBER: (202) 418-2801
NUMBER OF PAGES: 5 (INCLUDING COVER)

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(Names are in Alphabetical Order)

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* * * COMMUNICATION RESULT REPORT (MAY. 6. 2008 6.00PM) * * *

FAX HEADER 1:
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TRANSMITTED/STORED : MAY. 6. 2008 5.59PM
FILE MODE OPTION

ADDRESS

RESULT

PAGE

9294 MEMORY TX

63 : FCC OLIA

OK

3/3

REASON FOR ERROR
(1-1) HANG UP OR LINE FAIL
(1-2) NO ANSWER
(1-3) MAIL SIZE OVER

(E-2) EASY NO FACSIMILE CONNECTION

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May 6, 2008

The Honorable Kevin Martin
 Chairman
 Federal Communications Commission
 445 12th Street, SW
 Washington, DC 20554

Dear Chairman Martin:

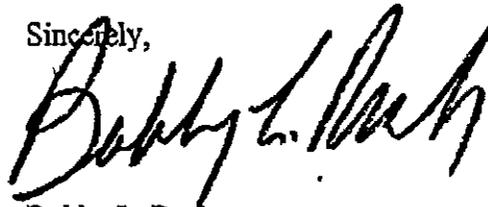
On Oct. 25, 2007, I along with several of my congressional colleagues wrote to you expressing strong support for the consolidated transfer applications of XM Satellite Radio Holdings, Inc. ("XM") and Sirius Satellite Radio, Inc. ("Sirius"). I noted how, during the past decade, the overwhelming consolidation of the radio industry led to decreased diversity in programming. Within this context, I continue to believe the merger of XM and Sirius will create new opportunities for diverse programming that has been overlooked by terrestrial-radio broadcasters.

However, I wish to disassociate myself from a letter to you, dated May 5, 2008 signed by Congressman Towns (D-NY) and me, which stated that I fully supported "XM's and Sirius' voluntary commitments, [that] the combined company will agree to provide under long-term leases eight channels on the combined system (four on each system) to minority owners." While I certainly believe it's important to dedicate channels for minority ownership, I do not believe a mere eight dedicated channels out of 300 total in the combined entity represents an "important and realistic effort to address the dearth of minority ownership, and, if successful, could be a creative model toward resolving this significant problem in the long term."

Unfortunately, there was miscommunication between my office and Mr. Towns' that led to this error. In reality, I firmly believe that XM and Sirius can designate far more channels than eight for minority ownership. Given that people of color make up almost 35% of the American population, I see no reason why a combined XM-Sirius satellite radio company should not dedicate a number of channels for minority ownership that is more reflective of the general population. As a senior member of the House Energy and Commerce Committee and the Subcommittee on Telecommunications and the Internet, I have always voiced my strong support for aggressive policies to promote diversity. Unfortunately, the voluntary agreement reached by XM and Sirius to dedicate only eight channels - or less than 3% of total channel capacity - for minority ownership does not satisfy my advocacy for a more aggressive policy that emulates the real diversity of the American public.

Thank you for your attention to this letter, and I apologize for the confusion and misunderstanding stemming from the May 5th letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Bobby L. Rush". The signature is written in a cursive, flowing style with a large initial "B".

Bobby L. Rush
Member of Congress

BLR: