

Congress of the United States

Washington, DC 20515

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Federal Communications Commission
Office of the Secretary

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XM/Sirius
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The Honorable Kevin J. Martin
Chairman
The Federal Communications Commission
445 12th St., SW
Room 8B201
Washington, DC 20554

Dear Chairman Martin,

We followed with great interest your recent public comments regarding the license transfer application of XM Satellite Radio Holdings Inc. and Sirius Satellite Radio Inc., but we remain concerned. An eight percent set aside for non-commercial, minority owned and emergency programming could result in fewer non-commercial channels for satellite radio customers than they currently enjoy.

Because of the clear public interest at stake, we ask that if the FCC were to approve the merger, you set aside 25 percent of the total satellite radio spectrum (SDARS) for non-commercial public service channels, minority broadcasters and emergency services. This would follow FCC precedent, which set aside 20 percent of the FM band (88-108 MHz) for non-commercial educational use (88-92 MHz).

Another condition of the merger should require the resulting XM-Sirius combined company to provide HD Radio technology in all new satellite radio receivers. This would encourage competition in the digital terrestrial market and would leverage the millions of federal dollars already invested in the conversion of non-commercial stations to HD Radio technology.

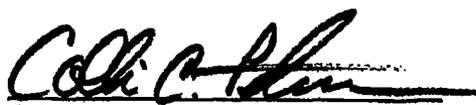
Were the FCC to approve the XM-Sirius application without conditions, a national satellite radio monopoly would be granted to the detriment of the public interest. Total financial and editorial control over this important medium would rest in the hands of one company. Surely the price of granting a monopoly includes a certainty of independent thought and diverse opinions.

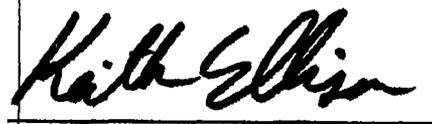
The principle of open dialogue in our free society requires no less than a significant portion of satellite radio be set aside for independent views. We ask that you keep this principle in mind as you review the XM-Sirius application. Please consider placing conditions on the merger that will protect the public interest.

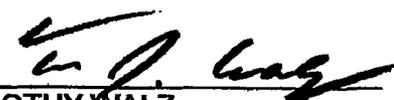
Sincerely,


BETTY McCOLLUM
Member of Congress


JAMES OBERSTAR
Member of Congress


COLLIN PETERSON
Member of Congress


KEITH ELLISON
Member of Congress


TIMOTHY WALZ
Member of Congress

cc:

The Honorable Jonathan Steven Adelstein
Commissioner
The Federal Communications Commission

The Honorable Michael J. Copps
Commissioner
The Federal Communications Commission

The Honorable Robert M. McDowell
Commissioner
The Federal Communications Commission

The Honorable Deborah Taylor Tate
Commissioner
The Federal Communications Commission

Marlene H. Dortch, Secretary
The Federal Communications Commission