



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

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July 23, 2008

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

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Federal Communications Commission
Office of the Secretary

Dear Chairman Martin:

I write to you, regarding the proposed merger of Sirius Satellite Radio Inc. and XM Satellite Radio Holdings Inc., which is before the Commission. As it has been stated by many of my colleagues previously, I stand with them and support the premise that the Sirius-XM merger provides a real opportunity for minority ownership and participation in the satellite marketplace. It is therefore my distinct pleasure to support the conditions that Commissioner Jonathan Adelstein recently proposed to you and the other Commissioners to win his approval of the merger.

I was very concerned that if the merger was approved as proposed, Sirius-XM would control over 25 MHz – enough to transmit over 300 channels of radio and some video into every local market in the country. This would be an unprecedented amount of spectrum in the hands of a single company – more than the entire spectrum allocated to FM and AM radio combined. Commissioner Adelstein is proposing that 15% of the spectrum be allocated to minority controlled programming. This percentage of channel capacity would clearly assure the public, and more specifically our minority population, of viable minority media ownership and diverse programming. The other conditions proposed include a price freeze, open access, an HD chip requirement and a compliance regime, all of which I feel will go a long way toward ensuring that this merger is truly in the public interest.

I commend Commissioner Adelstein for his abilities to work with you and his fellow Commissioners to bring forth a plan that is clearly in the best interest of consumers.

Sincerely,

Yvette D. Clarke
Member of Congress

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