

13-86

MAY 10 '13 PM 12:27

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

EB
Indecency
0462

April 29, 2013

The Honorable Julius Genachowski
Chairman of the Federal Communications Commission
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Genachowski,

We are deeply troubled by the April 1, 2013 notice that the Federal Communication Commission (FCC) is considering relaxing current broadcast decency standards that ban explicit profanity and non-sexual nudity.

The Supreme Court of the United States has sanctioned the FCC's current policy in *FCC v. Fox Television Stations, Inc.*, policies which we feel are strong and function properly to protect our nation's citizens. It is imperative that the FCC maintain current decency standards during hours when children are undoubtedly watching or listening to programming. It is inappropriate to expose individuals to profanity and nudity, even if such exposure is limited or brief. It is incumbent on the FCC to maintain policies that help to prevent such exposure.

Your unilateral instruction to the Enforcement Bureau to target its indecency enforcement efforts on egregious cases in order to reduce the backlog of complaints has effectively already implemented the changes you are proposing, skirting the proper process for implementing such a sweeping change. Furthermore, the fact that the FCC has not been able to keep pace with the number of legitimate complaints is an insufficient reason to dismiss those complaints on the grounds of staleness. They are stale because the FCC has left them unattended.

Streamlining the complaint process to achieve efficiency, should not come at the expense of the most vulnerable and impressionable among us. It is unacceptable to relax a constructive standard and expose individuals to profanity and nudity, no matter how fleeting, simply because the standard generates too many complaints. Standards are in place to hold the line, and not to be used as an excuse to push the line back. As Chief Justice Roberts noted in his concurring opinion to the Supreme Court's dismissal of *FCC v. CBS*, with regard to "fleeting" images, "the brevity of an indecent broadcast—be it word or image—cannot immunize it from FCC Censure."

We urge you to reject any and all proposals that would relax current policies to only target so called egregious offenses. Thank you for your consideration, and we look forward to hearing from you on this matter.

Sincerely,

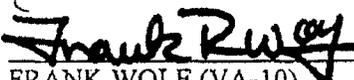


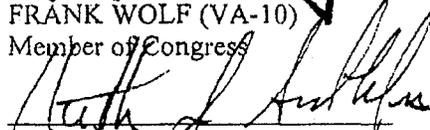
J. RANDY FORBES
Member of Congress


KEVIN CRAMER (ND)
Member of Congress

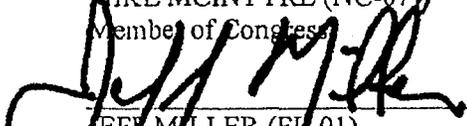

TRENT FRANKS (AZ-08)
Member of Congress


JAMES LANKFORD (OK-05)
Member of Congress


FRANK WOLF (VA-10)
Member of Congress


KEITH ROTHFUS (PA-12)
Member of Congress

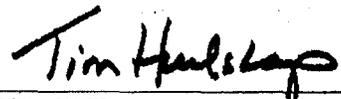

MIKE MCINTYRE (NC-07)
Member of Congress


JEFF MILLER (FL-01)
Member of Congress

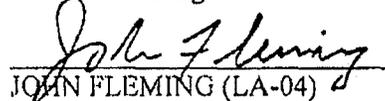

GREGG HARPER (MS-03)
Member of Congress


STEVE PEARCE (NM-02)
Member of Congress


VICKY HARTZLER (MO-04)
Member of Congress

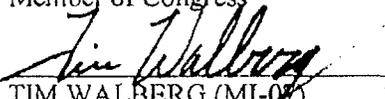

TIM HUELSKAMP (KS-01)
Member of Congress

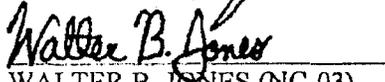

ALAN NUNNELEE (MS-01)
Member of Congress

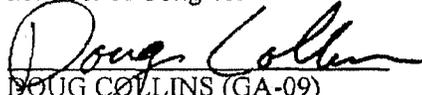

JOHN FLEMING (LA-04)
Member of Congress

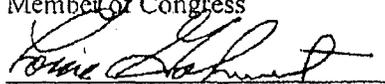

MARKWAYNE MULLIN (OK-12)
Member of Congress


KERRY BENTIVOLIO (MI-11)
Member of Congress


TIM WALBERG (MI-07)
Member of Congress


WALTER B. JONES (NC-03)
Member of Congress


DOUG COLLINS (GA-09)
Member of Congress


LOUIE GOHMERT (TX-01)
Member of Congress