

July 9, 2013

Dear Senator,

We are writing to ask that you oppose Tom Wheeler, President Obama's nominee to chair the Federal Communications Commission, unless he agrees to lead a vigorous effort to enforce the federal decency law, 18 U. S. C. 1464, which prohibits indecency and profanity on broadcast TV and on radio.

Mr. Wheeler was given the opportunity to take a stand on decency enforcement during his nomination hearing but instead sidestepped the issue. Senator Tim Scott (R-SC) asked Mr. Wheeler, "Where would you take the broadcast decency policy?" In response, Mr. Wheeler's recognized that indecency is a problem, referencing concern for his grandchildren, but did not discuss enforcement. Mr. Wheeler can't just say there is a problem; he needs to say how he will use his enforcement authority as FCC chairman to fix it.

The American public has a right to decency at home. No network or shock jock has any right to invade that sacred space with indecent programming. Yet, the immediate past chairman of the FCC, Julius Genachowski, refused to bring even one enforcement action on indecency during his four years in office.

The FCC is the guardian of decency on broadcast TV and radio. The next FCC chair needs to show leadership on the issue and enforce the law, which he is free to do after the U. S. Supreme Court decision in *FCC V. Fox* of last June. It is time for the Commission to do its job and ensure the public airwaves are not filled with nudity and profanity.

There is no question that broadcast decency is a critical issue with the American public. More than 100,000 people submitted comments recently to the FCC in opposition to a proposed weakening of decency enforcement standards. Only the networks and a handful of their supporters were for the proposal.

The American people have had enough. We will be patient no longer. We will not sit by while the public airwaves are filled with pornographic images and profane speech.

Senator, you have an opportunity to clarify Mr. Wheeler's views on the enforcement of the Federal decency law before the U. S. Senate votes on his confirmation and we ask you to do so now.

Sincerely,

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