



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON DC

December 21, 2017

Mike O'Rielly  
Commissioner

The Honorable Anna Eshoo  
U.S. House of Representatives  
241 Cannon Office Building  
Washington, D.C. 20515

Dear Representative Eshoo:

Thank you for your letter regarding comments made by the President of the United States concerning broadcast licenses. Please accept my deepest apology for taking so long to respond.

In your letter, you stated that "Silence is not an option when it comes to your oath or mine." I generally agree, and make it a practice to answer questions and make my viewpoints publicly known.

The comments you raise in your letter were delivered on October 11, 2017. On that day I was in Brussels, attending the International Institute of Communications, Communications Policy & Regulation Week. I returned to Washington, DC, on the evening of Thursday, October 12, 2017, and had my first public event the next morning where I spoke at the 6<sup>th</sup> Annual Americans Spectrum Conference. After my speech regarding millimeter wave bands, mid-band spectrum, and unlicensed spectrum, I was asked by *TR Daily* about the Trump tweets. My response was covered, at length, in that night's *TR Daily* edition:

*FCC Commissioner Mike O'Rielly said today that "politics" shouldn't play a role in FCC licensing decisions.*

*Mr. O'Reilly answered a question at a spectrum management conference (see separate stories) about his views of tweets by President Trump this week suggesting that licenses of TV broadcasters be challenged or revoked because of inaccurate news coverage of him (TR Daily, Oct. 11 and 12).*

*"I'm pretty consistent on licensing and would not want politics to influence our decision-making," Mr. O'Rielly said. "I believe in the independence of the agency."*

*But Mr. O'Rielly also criticized the news media's coverage of Mr. Trump.*

*"I think that the president is rightfully venting his experiences and disappointment with how the coverage has been occurring regarding his administration. I've been surprised how vitriolic that the coverage has been," the Republican Commissioner said. "I think that President Clinton got better coverage during the middle of impeachment than President Trump is getting these days."*

Following this article, my staff confirmed with several other news outlets that this accurately portrayed my position. On October 16, 2017, Politico reported:

*Republican FCC Commissioner Mike O'Rielly's office declined to give an official statement, but pointed to his comments about the Trump tweets at a spectrum conference on Friday. "I'm pretty consistent on licensing and would not want politics to influence our decision-making," O'Rielly said, according to a report in TR Daily. "I believe in the independence of the agency." But O'Rielly also criticized the media's coverage of Trump. "I think that the president is rightfully venting his experiences and disappointment with how the coverage has been occurring regarding his administration," he said. "I've been surprised how vitriolic that the coverage has been. I think that President Clinton got better coverage during the middle of impeachment than President Trump is getting these days."*

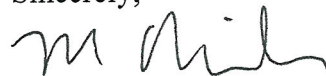
Beyond this statement, I addressed the President's tweets in front of you during my oral testimony at a Communications and Technology Subcommittee FCC Oversight Hearing on October 25, 2017. There I stated:

*Before I discuss certain policy and other matters, I would like to address the recent tweets by the President of the United States raising matters within the purview of the FCC. Let me be clear, I do not speak for the President and have never met him. I think it is fair to say that the new President and his Administration have received what can most kindly be called unbalanced coverage from various media sources. But, you don't have to take my word for it or corresponding studies showing the same. Former President Carter stated over the weekend, "I think the media have been harder on Trump than any other president certainly that I've known about."*

*With that said, I do not believe that the Commission's licensing decisions should be influenced or decided by politics. Similarly, like my objections to the cozy relationship between the past Administration and the Commission, I continue to support the FCC as an independent agency. Moreover, I strongly believe in the Constitution of the United States, which includes the First Amendment, and have sworn to support and defend it as part of my oath of office. But this is somewhat immaterial because the beauty of the Constitution is it is the highest law of the land and the rights it affirms and provides supersede my beliefs or any action of the Commission. It serves to protect all of us -- even the unwitting bystanders or actively hostile.*

I am hopeful that this information provides a fuller picture of my views and the timing of my responses on the topic. Please do not hesitate to contact me if I can be of any assistance on this matter or any other within the Commission's authority.

Sincerely,



Michael O'Rielly  
Commissioner