

Congress of the United States

Washington, DC 20515

January 6, 2000

The Honorable William E. Kennard
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Dear Chairman Kennard:

We understand that the FCC, in its infinite wisdom, has decided to begin passing judgment on which religious programming is and isn't "educational" for purposes of acquiring and holding a noncommercial educational television license.

In an order released December 29, 1999 -- in an adjudicatory proceeding, no less -- the Commission took it upon itself to begin dictating programming decisions to religious broadcasters, ordering that traditional religious content be replaced with "educational" content more to the Commission's liking. We assure you that this policy will not stand.

With Congress safely out of session, without the benefit of public comment, the Commission has divined (from what authority, we do not know) that "religious exhortation, proselytizing, or statements of personally-held [sic] religious views and beliefs generally would not qualify as 'general educational' programming.... Thus, church services generally will not qualify as 'general education' programming under our rules." We assure you that we would have commented on this application if we had known that the Commission were considering anything so outrageous. The Commission is neither qualified nor does it have the legal authority to engage in this sort of line drawing.

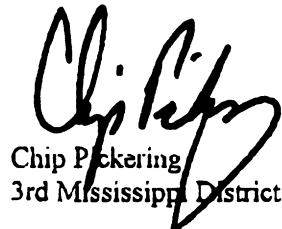
The Commission has no business -- no business whatsoever -- singling out religious programming for special scrutiny. The policy you have instituted amounts to an unconstitutional restriction on religious speech. This type of content regulation and suppression of religious expression is utterly unacceptable.

It was the intent of Congress that noncommercial television serve the educational *and* cultural needs of smaller audiences and under-represented populations. That is what today's religious broadcasters do. A majority of the Commission may not find religious services to be educational, but having traveled outside the Washington Beltway in recent weeks, we can assure you that millions of Americans *do*. We advise you to reverse this ruling, or stand by and see it overturned legislatively or in court.

Yours truly,



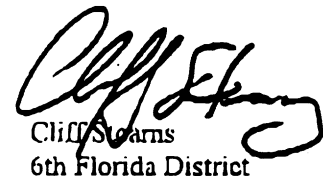
Michael G. Oxley
4th Ohio District



Chip Pickering
3rd Mississippi District



Steve Largent
1st Oklahoma District



Cliff Swarns
6th Florida District

cc: Commissioner Susan Ness
Commissioner Harold Furchtgott-Roth
Commissioner Michael Powell
Commissioner Gloria Tristani