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April 29, 2016

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street, NW
Washington, D.C. 20554

Dear Chairman Wheeler:

We are writing regarding the FCC's recent set-top box proposal, and we wish to express concern that the proposal could lead to an expansion in the unauthorized distribution of copyrighted works.

As Members of the House Judiciary Committee, which oversees our nation's copyright laws, we recognize the harm to the American economy caused by the theft of copyrighted works. Creators have shared concerns that under the FCC's proposed rule, future set-top boxes or their replacements could purposely be designed to distribute pirated content obtained from sources that primarily offer stolen content. For example, apps such as Popcorn Time that focus on providing access to piratical content have tried to match the format and ease of use of legitimate apps to mask the theft of copyrighted content. Creators are legitimately worried about the prospect that future set top boxes, or their functional equivalents, could incorporate apps such as Popcorn Time or its functionality, or otherwise lead to the unauthorized distribution of copyrighted works.

If the FCC decides to continue to pursue this rulemaking, we urge it to ensure that the marketplace of legal copyrighted works is not harmed by such actions. In addition, the video marketplace has evolved significantly over the past ten years with new entrants and innovation. We will continue to remain watchful to ensure that any proposed FCC regulations are appropriate and promote, rather than inhibit, future innovation and competition in this important marketplace, and that any proposed regulations do not impose a disproportionate burden on smaller or rural providers.

Thank you for your attention to these important issues to American creators, consumers, and our nation's economy.

Sincerely,



Bob Goodlatte
Chairman



John Conyers
Ranking Member