

Congress of the United States
Washington, DC 20515

December 13, 2016

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Dear Chairman Wheeler:

We write to urge the Commission to focus its resources in the coming weeks on items and matters that *must* be addressed, including those with statutory or regulatory deadlines. One such issue is the extension – until December 15, 2016 – that the Commission’s Consumer and Governmental Affairs Bureau granted last year to small businesses, which exempted those entities from the enhanced transparency requirements of the 2015 *Open Internet Order*. Without Commission action, small businesses soon face regulatory uncertainty and will potentially be subject to burdensome requirements.

When the Commission adopted this exemption, it acknowledged that requiring small businesses with limited resources to comply with the complex disclosure requirements would have been particularly burdensome. Before the current extension expires, the Commission should extend the enhanced transparency exemption and begin the process of considering whether the exemption should be made permanent and whether the definition of the small business entities to which the exemption applies should be modified.

Congress has expressed its position on this issue. Both S. 2283, which has been reported out of the Senate Committee on Commerce, Science, and Transportation and the House counterpart, H.R. 4596, which passed the House with no opposition, would extend the exemption and expand the definition of small business. We therefore urge the Commission to follow the direction that Congress expressed and take action soon, before the current extension expires.

We appreciate your consideration of this important issue.

Sincerely,



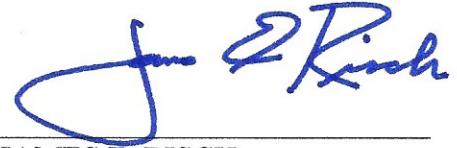
STEVE DAINES
United States Senator



JOE MANCHIN, III
United States Senator



HEIDI HEITKAMP
United States Senator



JAMES E. RISCH
United States Senator



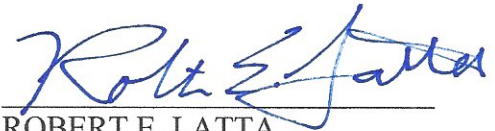
DAN SULLIVAN
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DAVE LOEBSACK
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Member of Congress