

# United States Senate

WASHINGTON, DC 20510

November 30, 2012

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Dear Chairman Genachowski,

We strongly believe that maintaining robust diversity of media ownership is fundamental to preserving the strength of our democracy. Broadcast media continues to be the primary source, by far, for local news in communities across the nation. When ownership of local television and radio stations is concentrated in too few hands, diversity is threatened, and when programming decisions are made by large media companies from hundreds of miles away, coverage of local news can become either diluted or neglected.

Congress tasked you with a mandate to promote localism and diversity in America's broadcast system. While the current media ownership rules have not completely achieved these goals, they nonetheless remain a bulwark against mass consolidation and stand to preserve local voices.

The data that the Federal Communications Commission released this week in its first full assessment of ownership of commercial broadcast radio and television stations indicates that ownership by women and minorities remains at abysmally low levels. Women own just under seven percent of all full-power commercial radio and television broadcast stations, while racial and ethnic minorities control only five percent of these TV stations and eight percent of these radio stations.

While the Internet has matured significantly in recent years, it does not yet solve this problem. Importantly, we still have many constituents in our states who rely solely on TV and radio broadcast media for news and information. According to a recent Pew study, 74 percent of adults get their local news information from their local TV news station, 51 percent from radio broadcasts, and 50 percent from local newspapers. Even when citizens have the opportunity to consume news over the Internet, they continue to rely on the websites of their local broadcasters and newspapers for information about their communities. The vast majority of respondents reported sampling multiple local news sources – an activity that would be impossible if their community had only one media owner. Furthermore, female and minority owners have been historically underrepresented in the ownership of radio and television stations.

For these reasons and others, in 2008, the Senate passed Senate Joint Resolution 28 disapproving the rule submitted by the FCC which would have allowed additional consolidation of broadcast media ownership. The resolution had 27 cosponsors, including a number of us as well as the current President and Vice-President. In 2011, the U.S. Court of Appeals for the Third Circuit rejected the FCC's move to relax ownership rules and instructed the FCC to evaluate the impact of any rule changes on female and minority owners before making any changes.

Despite the extremely low levels of female and minority ownership, we understand that the FCC is again considering relaxation of its cross-ownership rules, which include limits on ownership of television stations and newspapers in the same market. These changes appear to be very similar to the rule changes that former FCC Chairman Kevin Martin proposed in 2007 and that the public, the Senate and a federal appeals court resoundingly rejected. It is our understanding that a vote on this latest round of proposed ownership rules can be expected before the end of the year.

The recently released FCC data requires further study, but it is a welcome assessment of media ownership levels. While it speaks to the current realities of this industry, it unfortunately does not address the impact of the proposed rule changes on broadcast ownership diversity. We are concerned that this lack of impact analysis fails to meet the requirements of the Third Circuit's order, and moreover that diversity of ownership will be negatively impacted by the proposed rule changes. Past research shows that minority communities are the ones harmed most by further consolidation, and in particular by loosening the prohibitions on cross-ownership.

We respectfully request that the FCC not proceed with its proposed rule changes without providing a clear, evidence-based response to these concerns, not only because it is required by the Third Circuit's ruling, but also in light of the significant public objection that has accompanied past attempts to change this rule. Thank you for your attention to this matter.

Sincerely,



Bernard Sanders  
U.S. Senator



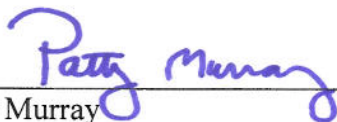
Patrick Leahy  
U.S. Senator



Tom Harkin  
U.S. Senator



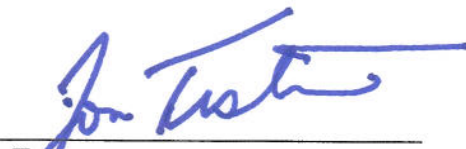
Barbara Boxer  
U.S. Senator



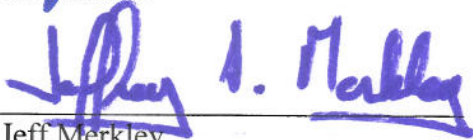
Patty Murray  
U.S. Senator



Ron Wyden  
U.S. Senator

  
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Jon Tester  
U.S. Senator

  
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Al Franken  
U.S. Senator

  
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Jeff Merkley  
U.S. Senator

- cc: Commissioner McDowell  
Commissioner Clyburn  
Commissioner Rosenworcel  
Commissioner Pai