APPENDIX A

Questioning Media Access:
Analysis of FCC Women and Minority Ownership Data

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Abstract
We analyzed women's and minority ownership in the United States using Federal Communication Commission reporting data for the years 2004 and 2005, deriving frequencies describing media formats, location, and sizes of community served by women and minority-owned broadcast. Data show that both women and minority broadcasters serve mainly small-town and rural areas, and that the most commonly owned medium is radio (both AM and FM). FCC data indicate that in 2005, women owned only 3.4% and minorities owned only 3.6% of the 12,844 stations filing reports. These numbers are troubling in their miniscule representations, in relation to White male ownership of the remainder. We also pointed out numerous problems with the FCC database, which excludes reports of non-commercial stations and which appears to be incomplete in its incorporation of all women and minority-owned stations filing reports. We believe that ownership may be somewhat higher than these single-digit percentages, but still so low as to beg for federal policy that enables more females and racial minorities to own stations. We also request the FCC improve administration of the reporting system to assure databases are accurate and complete.

Introduction

Access to mainstream channels of communication is widely understood to be a prerequisite for participation in political and social processes. Thus, mass communication theorists have placed the media central to the democratic public sphere, where matters of common interest can be articulated and debated, and the agendas for public and political agendas can be set. But access to the mainstream media –newspapers, television, and radio – has been an historical challenge for women and racial minorities. Ownership of the electronic media particularly has raised serious concerns for these marginalized (female and minority) segments of American society in that radio and television transmit their content via the public's airwaves. Thus, both ownership and the content it spawns have also been concerns in the legislative and legal realms, with regard to assuring access. The Communications Act of 1934 required broadcasters to serve the "public interest, convenience and necessity," and both subsequent laws and the Courts' interpretation of them have upheld this essential principle (Einstein 2004). Women's and civil rights' movements since the mid twentieth century have pushed for ways to increase access through ownership by their respective constituents, and to expand gender and racial equality in broadcast content.

But the going has been slow and uneven on these fronts, particularly through several decades of corporate conglomeration that has seen media industries concentrated in the hands of only a few mega-industries whose boards, executives, and managers are primarily wealthy, white and male (Byerly 2004, Hunt 2005). A large, diverse literature, which we will explore in more depth in other sections of this report, assumes that there is a relationship between ownership and content.

Goals of the research

Here we ask where women and minority ownership stands in relation to the bigger field of media conglomerates today. We have tried to assess this through an analysis of ownership reports filed by broadcast licensees and submitted to the Federal Communication Commission

(FCC). The FCC requires commercial and noncommercial educational AM, FM and television broadcast stations to file ownership reports at two-year intervals, or when a station changes owners.[1]. Exempted from biennial reporting are sole proprietors (where the station is licensed to an individual or individuals), and licensees which are partnerships composed" entirely of natural persons"[2] Licensees filing reports do so electronically using Forms 323 and 323-E[3] which request basic information about names of owners, stations owned, formats (i.e., kind of service), gender and race/ethnicity of owners, percentage of vote that each owner holds, and a number of other details. The FCC reports that 12,844 stations filed FCC Forms 323/E for calendar years 2004-05[4]. Stations whose owners include women and/or racial/ethnic minorities with a greater than 50% voting interest are designated as "female" or "minority" owned companies. We note at the outset, however, that only the commercial licensees' reports are included in the FCC databases for women and minority ownership, since non-commercial and educational licensees are not required to identify the gender and ethnic identities of their ownership structures. This omission will be discussed below, but readers should be aware that both the database and this analysis based on it are affected by this omission.

The FCC's website in July 2006 reported that there were 438 female-owned and 460 minority-owned broadcast stations filing Form 323 for 2004-05, out of a comprehensive pool of broadcast licensees filing ownership reports for those years. Women own 3.4% and minorities own 3.6% of the 12,844 stations that filed reports, respectively, in the United States and in the U.S. territories of American Samoa, Guam, Puerto Rico and the Virgin Islands.

The present report provides an analysis of these women and minority-owned broadcast companies, for the years 2004-05, using data derived from reports made available on the FCC's website. While the most "official" collection of such information available to us, we found the reports to be lacking in several ways, suggesting flaws in the reporting system. Our analysis, therefore, is accompanied by numerous questions, concerns and recommendations related to the women and minority ownership reports.
The federal agency in which the public has entrusted the authority and responsibility to oversee licensing and monitoring of broadcast operations has made information available to the public which has its own staff say has not been monitored for completeness or accuracy[5]. However, the absence of other independent baseline analyses of such ownership compelled us to undertake the present research. Our report should be read as a first, if imperfect, start to fill a gap in such a literature. As mentioned, the broadcast media are mandated by law to serve the public's interest, and to meet the needs of the local communities in which they operate. Our research was undertaken with the hope of helping to provide information useful in assessing whether this is happening.

Our analysis sought to discern patterns in ownership with respect to the type of media formats (i.e., kind of service), size of community where broadcast media are located (and serve), gender and ethnicity of owners, and percentage of control (i.e., voting percentage) by women and

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[1] Reporting occurred in 2001, 2003, and 2005, pursuant to the Commission's rules at 47 C.F.R 3615. Reports will be due again in 2007.
[2] FCC 323, Instructions for Ownership Report, June 2002.
[3] We will refer to these together in shorthand as Form 323/E. Form 323 is filed by commercial broadcast stations, while Form 323-E is filed by noncommercial broadcast stations.
[4] We will refer to these together in shorthand as 2005.
[5] Jim Brown and Hossein Hashemzadeh, FCC staff, personal communication, August 25, 2006.

minorities. In addition, we were concerned with learning to what extent of overlap between the two sets of reports (i.e., how many stations appeared in both sets of reports). Last, we compare the 2005 ownership data to that of 2003 (which we analyzed in a similar way at an earlier time) in order to discern changes and consistency. We compare and contrast findings from the women's and minorities' companies throughout the report.

Problems in the Forms 323/E reporting

We noted at the outset that there are certain flaws and discrepancies imbedded in the findings we report here. These appear to derive from problems inherent in the Form 323/E reporting process, and the subsequent data bases for women and minority ownership that these create and which are made available to the public by the FCC on its Internet website (www.fcc.gov).

Incomplete reporting and/or compilation. First, it appears that there may be more women and minority-owned media than represented in the reports. For instance, the FCC's data do not include reports from the Radio One, the largest minority-owned commercial broadcast company, and the seventh largest broadcast station in the U.S., with 70+ stations. FCC staff indicate that Radio One, whose principal owner is female, was not included in either the women's or minority reports because the company did not complete the page on ownership demographics; instead, they attached a pdf file containing a company report. Staff also indicate that this problem will be corrected in the next round of reporting, 2006-07, when completion of the demographic page will have to be completed before the electronic system accepts the report[6].

Second, as we noted earlier, the reports provided on the FCC website for 2005 include *only commercial full-powered broadcast stations*. Missing are any data from non-commercial educational broadcast stations, whose reporting Form 323-E does not include reporting categories for gender and minority ownership composition. We have not been able to learn the rationale behind this omission. As a result, however, ownership reports for both women and minorities lack information about this significant category of broadcast, which includes, for example several prominent minority-owned non-commercial stations in the Washington, DC, area, including WHUT-TV (a public television station) and WHUR-FM (both at Howard University), or WPFW-FM (non-commercial, and part of the Pacifica group). In addition, requiring only the full-powered broadcast stations to report obviously leaves out several thousand low-powered stations, both radio and television.

The total picture of broadcast ownership available through the Form 323 reports would seem to beg the question of what exactly women and minorities own. The FCC announced that by March 31, 2006, it had licensed a total of 27,556 broadcast stations, including commercial and non-commercial radio, television, FM translator, and low-power television and radio stations.[7] It becomes critical, therefore, to have an accurate understanding of what portion of these enterprises are women- and minority-owned, particularly in the full-powered stations which reaches the largest audiences. Radio has been the medium with greatest ownership by women and minorities historically, and changes in ownership patterns can only be discerned with complete, accurate data.

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[6] Ibid.

[7] "Broadcast station totals as of March 31, 2006," FCC news release, May 26, 2006.

There is beginning to emerge some important complementary research to our own, presented in this report. The Washington DC-based media advocacy organization Free Press's recent analysis of television ownership for women and minorities, which derived its data for TV ownership by culling the CDBS, searching for individual Form 323/E filings, indicates that approximately twice as many women and minorities own TV stations than FCC's own data for these two groups show.[8] We do not know whether the findings would be similar if such research were extended to radio and other broadcast formats. However, Free Press's work underscores the importance of having complete and reliable ownership information for females, racial and ethnic minority groups, which have been historically marginalized economically, socially, and politically. Ownership data will tell us a great deal of what we need to know about these groups' access to and control of messages that circulate through the public airwaves.

Duplicate reporting and other count problems. Some stations filed more than one report, with both reports apparently being counted by the Commission. This happened several times in both the women and minority groups; our adjustments to eliminate duplication resulted in a slight change to the overall count of stations in the women ownership data, from 438 (reported by FCC), to 436. In addition to duplicate reporting, we found reports for stations in the minority data base that did not appear to have been included in the FCC's count of 460 stations; our adjustments to the minority figures resulted in a slightly larger number of 461.

Questions about percent of vote. We found eight instances of reports for minority-owned stations indicating that minorities control far more than 100% of the vote, e.g., WMFA, Raeford, NC, the minority vote is stated to be 200%; WUFO, in Amherst, NY, minority vote is stated to be 196%, etc. We were unable to learn whether these are data-entry errors, or whether is another explanation. We did not note similar problems for the women's data.

Inconsistencies in services filing reports. Low power and translator stations were reported by companies owning these in addition to other types of services; however, FCC does not require uniform reporting by owners who own only low power and translator stations and so we lack a complete picture of how women and minority ownership figures into the totality of broadcast service.

These problems – gross omissions of reports, possible data-entry errors, duplicate filing, etc. – mean that the data bases provided by the FCC on its website represent a greatly inadequate source of public information on women-and-minority media ownership in the United States at the present time. The extent and magnitude of these flaws suggest a troubling level of ineptitude and/or irresponsibility on the part of a federal agency entrusted with authority and responsibility for both collecting these data and then making them available to the citizenry. We believe that the Commission must take immediate action to resolve these problems. We request that the Federal Communications Commission act:

> (1) to refine its administrative procedures to assure that all Form 323/E reports are submitted on time and that those relevant to women and minority ownership be accurately and completely assigned to their respective data bases, and

[8] Information obtained from S. Derek Turner, Free Press, through personal communication, August 8, 2006.

(2) to institute a research component to its activities which would provide the kind of routine data analysis, such as we provide here, on a biannual basis, subsequent to receipt of licensee reports.

Method

We took a statistical approach in analyzing the data contained in the 2005 Form 323 reports for women and minority-owned media companies. We also used supplementary reference materials to obtain additional facts about size of communities where these companies are located, and, in a few cases, to complete missing data (e.g., type of format a given company's service represented). Details about station location, kind of media owned, gender and voting percents of owners, and a range of other things were entered into a standard spreadsheet, with correlations for tables derived from the spreadsheet data. These tables, which are included in the Appendix of this report, supplement and illustrate the narrative analysis provided here.

Report of findings

Media formats owned

The 2005 FCC reports indicate that women hold a majority voting interest in 436 broadcast stations in 46 states and 3 territories – roughly 3.4% of the total 12,844 stations that filed Form 323 reports (www.fcc.org). Those include 202 (46%) FM stations, 187 (43%) AM stations, 38 (9%) TV stations, with the remaining 9 (2%) being TX (translator), low-power radio or other formats. **Table 1** in the Appendix provides a listing of media formats by state for women-owned companies.

Minorities own broadcast stations in 38 states and 4 territories, according to FCC data contained in the Form 323/E reports for 2005. More than half (52%) of these minority-owned media are AM stations, with about a third (36%) being FM stations; the remainder are divided equally between television (6%) and other (6%) kinds of stations (e.g., translator or low-power). **Table 2** in the Appendix provides a listing of media formats by state for minority-owned companies.

Sizes of communities with women- and minority-owned stations

Nearly all broadcast stations with majority women and minority ownership in the FCC reports for 2005 are located in rural areas and small towns. More than half (52%) of the women-owned stations, and well over a third (38%) of minority-owned stations are in rural communities with less than 10,000 inhabitants. Similarly, about a third of women-owned (35%) and exactly a third (33%) of minority-owned stations are in small towns. By contrast, many fewer women-owned (11%) and minority-owned (17%) stations are located in urban settings. We did not conduct research on stations located in U.S. territories. **Tables 3 and 4** in the Appendix show size of communities where women- and minority-owned media are located. We note, however, that if the 71 stations owned by Radio One were included, the percentage of urban stations would have increased noticeably for both women and minorities.

Patterns in gender and ethnicity in ownership

Three-fourths (75%) of women-owned stations in the FCC's 2005 reports are actually owned by both men and women. We found that more than 50 (13%) of those stations have women holding less than 60% of the vote, and in many cases women's controlling interest is as low as 50.25% -- barely a "woman-owned station." In fact, many "women-owned companies" appear to be family corporations in which the female owner(s) are greatly outnumbered by the male owners. In terms of ethnic composition, nearly all (83%) of the owners in women-owned

stations, according to FCC reports, are white, not of Hispanic descent. The very few stations with all minority owners include Hispanics, 5%; Asians 5%; and Blacks 4%. The remaining 3% are stations whose owners are of multiple ethnicities. **Table 5** in the Appendix shows ethnic breakdowns in women-owned media.

Just over half (54%) of all minority-owned media who are listed in the 2005 Form 323 summary have both male and female owners, with nearly half (42%) having male owners only. The remaining 4% is composed of stations with all women owners. **Table 6** in the Appendix shows the distribution of gender in ownership by state, among minority-owned stations. Hispanics (45%) account for nearly half of all minority broadcast owners, with Blacks (30%) about a third, Asians (7%), American Indians (4%), and Native Hawaiians (3%) comprising most of the remainder. A few (11%) of minority-owned stations have owners with varied ethnicities. **Table 7** in the Appendix shows the range of ethnicities, by media format.

Comparison to 2003 ownership data[9]

Out of the total 11,609 stations that filed ownership reports with the FCC in 2003, only 412 media companies (3.5%) were identified as having an ownership structure in which females controlled a greater than 50% voting interest. This figure is slightly higher than the more current 2005 ownership of 3.4%. This slight decline is important in that it appears to represent a continuing (and troubling) five-year trend. Again, we emphasize the difficulty of making an accurate assessment of slight decline given the apparent incompleteness of the databases on which they are based. However, even the extent to which we can follow the scant information available, we would register concerns. Women's broadcast ownership was at 4.3% in 2001, meaning that the present (2005) percentage of 3.4% is almost a full percentage point drop in half a decade.

Our analysis of the 2003 data showed that two-thirds of the woman-owned stations were concentrated in about a dozen states, with Texas, Pennsylvania, Florida, and North Carolina having the greatest numbers. As the current 2005 data also show, women in 2003 owned mostly AM and FM radio stations, with very few (7%) being TV stations. In 2003, as in the current 2005 data, women-owned companies were remarkably white (90%) in their ethnicity, though the more recent data show a slight improvement with a drop in white female ownership from 90 to a present 83%. Troubling, however, is that some of the minority-owned women's stations in 2003 have disappeared in the more current 2005 reports. These include, for example, WFLI-AM, in Lookout Mountain, Tennessee, owned by two Asian women; WYNS-AM in Le Heighton, Pennsylvania, two of whose owners are African-American women; WGLI-FM, in Hancock, Michigan, and its sister station WCUP-FM in nearby L'anse, Michigan, an all American Indian-owned station serving the Keweenaw Bay Indian Community. These owners did apparently file Form 323 reports (as the FCC's more complete CDBS database reveals); however, these were not subsequently included in the FCC's data for women-owned stations. Such examples illustrate the extent of the "reliable data problem" in the FCC's collection and processing of the ownership reports, and compel us, again, to call for an immediate improvement to the situation.

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[9] The author appreciates the assistance of L. Simone Byrd in the compilation and analysis of 2003 ownership data.

In 2003, the FCC registered Form 323 reports from 389 minority-owned broadcast stations. That year, more than 20% of those stations were located in Puerto Rico. The remainder was concentrated in 13 states, with California, Texas, North Carolina, Alabama and Georgia having between 20 and 43 stations each. Well over half (58%) of the minority-owned stations in 2003 were AM radio stations, with another 38% being FM radio stations. The few remaining (4%) were TV stations. These percentages are almost identical to the more recent 2005 data for minority ownership, in which 52% were AM-owned radio stations, 36% were FM stations, and only 7% TV stations.

In minority-owned stations, 2003 reports showed the largest ethnic group to be black (38%), with Hispanic (28%) second, Asian (12%) third, American Indian (4%), and the remaining stations with ownerships of multiple ethnicities.

Both 2003 and 2005 data for minority-owned stations reveal trouble spots. For example, the state of Pennsylvania, with large African-American populations in Philadelphia and other urban areas, showed only one minority-owned Am station in 2003 and only three in 2005. Illinois showed only 5 minority-owned stations, including 1 black-owned AM station; 1 Asian-owned AM, 2 Asian-owned FM, and 1 Hispanic-owned FM station), even though Illinois has large African-American and Hispanic populations, particularly around Chicago. In 2005, only one minority-owned AM station is reported in FCC data. Similarly, Hawaii, which has large Japanese and other Asian populations, listed only one FM and 1 TV station, both Asian owned, in 2003; the 2005 FCC data for Hawaii lists 1 AM, 1TV and 3 FM Asian-owned stations. The greatest concern raised by these data, however, is their apparent incompleteness, due to FCC's failure in administrative monitoring of the Form 323/E reporting and the subsequent posting of the data for public consumption.

Analysis and Discussion

We have observed in earlier research (Byerly 2004) that most analysis of media ownership is accomplished through a gender- and race-neutral lens, making it difficult to situate women and minorities' interests in the bigger picture. The reopening of a public commentary period on media ownership, by the FCC, pursuant to the Prometheus ruling in 2003, provided a context for this to be addressed.[10]

The foregoing analysis of media ownership data filed by companies in which women and minorities hold a greater than 50% began with an acknowledgment of the inadequacies of the data base for these companies, and provided both a critique of the problems and recommendations for remediating them. We recognize that these problems are not new but that they likely characterize reports of women and minority-owned companies for earlier reporting years 2003 and 2001, as well. What meaning can then be derived from an analysis of such a flawed data, one might ask?

There are several significant points to be taken from the foregoing analysis, which covers two reporting years (2003 and 2005, the latter in more detail). The first is that both women and minority broadcasters appear to serve primarily rural areas and small towns, and, in some cases,

[10] "FCC Opens Media ownership Proceeding for Public Comment," (press release), Federal Communication Commission, June 21, 2006.

they may be the only local-based media that residents have available to them. These media thus find themselves in a unique position to provide information and cultural programming specifically relevant to audiences that would otherwise not be available. It also affords them an opportunity to provide a wide range of views with respect to public affairs issues affecting women and minorities. Further research is needed to learn the extent to which such diversity in program content exists.

A second and related point is that most of the media owned by women and minority broadcasters are AM or FM radio, the medium that is most affordable, available, and convenient to audiences. Radio is recognized by media scholars as the "intimate medium," in that it is used in private spaces of car, bedroom, home, and often by people when they are alone. Thus, radio has the chance to communicate in intimate times and places with listeners in ways that television does not. Radio historian Susan J. Douglas (1999) says that the radio, more than any other technology,

> . . . has worked most powerfully inside our heads, helping us create internal maps of the world and our place in it, urging us to construct imagined communities to which do, or do not, belong. (Douglas 1999, p. 5).

Douglas also acknowledges that the radio, more than other medium, has emphasized the country's ethnic, racial, geographic, and gendered divisions by being able to shape its content to the segmented audience along demographic and interest lines. This point was demonstrated some years ago during a time of crisis, when in the mid 1960s, it was black radio that residents of inner cities turned to for information and opinion about the rioting taking place in many major U.S. cities. Mainstream (White-oriented) news, minority city residents told researchers, was untrustworthy, because it carried a White bias. Indeed, these views were supported by government-funded research funded, commissioned by President Johnson's Commission on Civil Disturbances. The Commission concluded that the news media had contributed to underlying causes of the riots by failing to convey to the broader society the misery and frustration of those living in Black urban communities. The Commission subsequently recommended that mainstream news organizations expand hiring of minority reporters, work more closely with black leaders and the editors of black newspapers, and establish contacts (for use as news sources) in minority communities, among other things (Kerner Report 1968).

Some sources suggest that progress has been made. The *Broadcasting & Cable 2005 Yearbook* (2004) identifies approximately 80 different "radio formats," with more than a third of them named by the ethnic audiences they serve – Albanian, Arabic, Black, Hebrew, Spanish, etc. In addition, "talk radio," defined as "topical programs on subjects including health, finance, and community issues," emerged on both broadcast and cable radio stations in the 1990s as an increasingly popular format in local communities, small and large (*Broadcasting & Cable 2005 Yearbook*, p. D-696). Indeed, such assumptions are grounded in historical events, such as the founding of the nation's first Black newspaper, *Freedom's Journal*, in 1927, by Russworm and Cornish, who wanted a forum for abolitionist views that white-owned newspapers would not carry (Folkerts & Teeter, 1998). Feminists have also championed women's ownership of their own media through the years as a way to better assure the circulation of progressive women's views (Byerly & Ross 2006).

At the present time, the FCC also continues to assume that connection. And yet the strong irony we must note is that women and minorities' ability to own more media outlets remains thwarted. Recognizing that a lack of capital was a great factor, the civil rights organization Minority Media Telecommunications Council (MMTC), which represents more than 50 minority media organizations, has sponsored an annual Access to Capital conference in Washington, DC, for several years. The event, which strives to bring both women and men concerned about ownership together, is aimed at expanding their access to financiers and policy makers (http://www.mmtconline.org/access). Since 1997, MMTC has also sponsored the only minority-owned full service media brokerage in the United States in order to promote minority ownership (ibid.)

Radio, which is less expensive than television to finance and operate, makes it more accessible to those historically marginalized economically – females, racial minorities, low-income persons. While such accessibility is a positive thing on the one hand, it also signals a serious problem on the other. Television, the most watched medium and the one where millions living in the U.S. prefer to get their news and information, is presently dominated by powerful, elite and nearly all white male owners, as the present report has suggested. Is this, however, a problem for the audience and its search for diversity in programming? Some research (Cass 1981) suggests that the steady growth of cable television signals audiences' quest for choice is being met. But the fact that other research suggests that television content, both public affairs and entertainment, remains marked by a white conservative male bias is troubling. Hunt (2005) notes that race permeates television content in one way or another. He says that:

> [T]he black-white binary is particularly powerful because it is so efficient and effective in exaggerating racial difference, in helping to establish order – *a racial order*, if you will. To be sure, those who have a "possessive investment in whiteness"[11] have a fundamental need for blackness. (Hunt, 2005, p. 3)

Research must continue to examine the critical junctures and inter-relatedness among race and gender in ownership, employment and content so as to better inform public policy with respect to ownership and messages contained in broadcast news and programming, particularly in an era when demographics are dramatically shifting on the American landscape. Within a few years, the dominance of white media ownership will be an anachronism in a nation soon expected to have a majority non-white population. In addition, the enduring patterns of social marginalization for women and ethnic minorities must be understood as having a relationship to lack of access to channels of communication, and the ability to participate fully in public discourse, political debate, and the articulation of diverse perspectives and social policies that come with such access. The Federal Communications Commission has a present and urgent task in addressing these inequities through regulation that enables women and minorities to expand their ownership in broadcast media.

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[11] George Lipsitz, *The Possessive Investment in Whiteness: How White People Benefit from Identity Politics* (Philadelphia: Temple University Press, 1998).

References

Broadcasting & Cable Yearbook 2005. (2004). New York: Broadcasting & Cable.

Byerly, C. M. (2004). Women and the Concentration of Media Ownership. In R.R. Rush, C. E. Oukrop, and P. J. Creedon (Eds.), *Seeking Equity for Women in Journalism & Mass Communication Education: A 30-year Update*, pp. 245-262. Mahwah, NJ: Erlbaum Associates.

Byerly, C. M. (2002). Gender and the Political Economy of Newsmaking: A Case Study of Human Rights Coverage. In E. R. Meehan and E. Riordan (Eds.), *Sex & Money: Feminism and Political Economy in the Media*, pp. 130-146. Minneapolis & London: University of Minnesota Press.

Byerly, C.M. and Ross, K. (2006). *Women and Media: A Critical Introduction*. Malden, MA: Blackwell Publications.

Campbell, C. P. (2005). A Myth of Assimilation: Enlightened Racism and the News. In D. M. Hunt (Ed.), *Channeling Blackness: Studies on Television and Race in America*, pp. 137-174. New York & Oxford: Oxford University Press.

Cass, R. A. (1981). *Revolution in the wasteland: Value and diversity in television*. Charlottesville: University Press of Virginia.

Douglas, S. J. (1999). *Listening: Radio and the American Imagination*. Minneapolis: University of Minnesota Press.

Einstein, M. (2004). *Media Diversity: Economics, Ownership, and the FCC*. Mahwah, NJ: Lawrence Erlbaum Associates.

Federal Communications Commission (FCC) website, www.fcc.gov, accessed numerous times since June 2006.

Folkerts, J. and Teeter, Dwight L., Jr. (1998). *Voices of a Nation: A History of Mass Media in the United States*. Boston: Allyn and Bacon.

Hunt, D. M. (Ed.). (2005). *Channeling Blackness: Studies on Television and Race in America*. New York & Oxford: Oxford University Press,.

Kerner Commission. (1968). *Report of the National Advisory Commission on Civil Disorders*. New York: E.P. Dutton.

Minority Media and Telecommunication Council (MMTC) website, www.mmtconline.org, accessed August 26, 2006.

Siegelman, P. and Waldfogel, J. (2001). Race and Radio: Preference Externalities, Minority Ownership, and the Provision of Programming to Minorities. *Advertising and Differentiated Products 10*, pp. 73-107.

APPENDIX

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Table 2: Media format by state for minority-owned stations.

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Table 4: Size of community where minority-owned media stations are located, by media format.

Table 5: Ethnicity of owners in women-owned stations, by media format.

Table 6: Gender of minority-owned media by state.

Table 7: Ethnicity of owners in minority-owned media by media format.

STATE	MEDIA FORMAT				
	AM	FM	TV	TX/ OTHER	Grand Total
AK	1	2			**3**
AL	5	2			**7**
AR	2	2	4		**8**
AZ	3	4	2	1	**10**
CA	8	10	1		**19**
CO	1	2			**3**
CT		3			**3**
FL	13	7	1		**21**
GA	6	6			**12**
GU		1			**1**
HI	1	1	1		**3**
IA	2	2	1		**5**
ID	5	7			**12**
IL	7	7			**14**
IN	1	2			**3**
KS	2	6			**8**
KY	7	9	1		**17**
LA	2	3	3		**8**
MA	2	2			**4**
MD	2	3			**5**
MI	5	10			**15**
MN	2	5	2	2	**11**
MO		4	2		**6**
MS	3	1	2	2	**8**
MT	2	3			**5**
NC	7	4			**11**
ND	1				**1**
NE	3	2			**5**
NH	3	1			**4**
NM	5	8	1		**14**
NV	1	1			**2**
NY	7	4	6	2	**19**
OH	3	4	2		**9**
OK	1	4			**5**
OR	8	11	3		**22**
PA	9	8	1		**18**
PR	5	2			**7**
RI	1				**1**
SC	3				**3**
TN	6	3			**9**
TX	17	17	3	1	**38**
UT	2	1			**3**
VA	7	8		1	**16**
VI		1			**1**
VT	2	2			**4**

WA	9	9			**18**
WI	1	2	1		**4**
WV	4	4			**8**
WY		2	1		**3**
Grand Total	**187**	**202**	**38**	**9**	**436**

Table 1: Media format by state for women-owned broadcast stations.
(Byerly analysis of 2005 FCC reports)

STATE OR TERRITORY	MEDIA FORMAT				
	AM	FM	TV	TX & OTHER	**Grand Total**
AL	15	6		1	**22**
AR	5	9	1		**15**
AS	1				**1**
AZ	4	5	1	1	**11**
CA	25	37	2	11	**75**
CO	4				**4**
CT	5				**5**
FL	14	1		5	**20**
GA	13	6	1		**20**
GU		1			**1**
HI	3	1	1		**5**
IA			1		**1**
IL	1				**1**
IN	1		1		**2**
KS		2	1		**3**
LA	7	3			**10**
MA	1	1			**2**
MD	3	3			**6**
MI		6			**6**
MO	1	1			**2**
MS	10	10			**20**
MT			1	1	**2**
NC	17	4			**21**
NE	3	2			**5**
NJ			1		**1**
NM	5	6	1	1	**13**
NV	1				**1**
NY	3		2		**5**
OH	2	1			**3**
OK	6	8	1		**15**
PA	3				**3**
PR	28	13	8	6	**55**
RI	1				**1**
SC	5	6			**11**
TN	3				**3**
TX	37	27	2	1	**67**
UT	2				**2**
VA	6	1			**7**
VI		3		1	**4**
WA	4	3	1		**8**
WI			1		**1**
WY			1		**1**
Grand Total	**239**	**166**	**28**	**28**	**461**

Table 2: Media format by state for minority-owned stations.
(Byerly analysis of 2005 FCC reports)

SIZE OF COMMUNITY	MEDIA FORMAT					
	AM	FM	TV	TX & OTHER	Grand Totals	Percentage (N=436)
Rural (<10,000)	93	129	4	2	**228**	**52%**
Small town (11,000-99,000)	65	62	22	5	**154**	**35%**
Urban (>100,000)	24	7	12	2	**45**	**11%**
U.S. territories (community size undetermined)	5	4	0	0	**9**	**2%**
Grand Total	**187**	**202**	**38**	**9**	**436**	**100%**

Table 3: Size of community where women-owned stations located, by media format.
(Byerly analysis of 2005 FCC reports)

SIZE OF COMMUNITY	MEDIA FORMAT					
	AM	FM	TV	TX & OTHER	**Grand Totals**	Percentage (N=461)
RURAL (<10,000)	65	98	2	11	**176**	**38%**
SMLTWN (11,000-99,000)	90	46	10	7	**153**	**33%**
URBAN (>100,000)	55	6	8	3	**72**	**17%**
U.S. territories (community size undetermined)	29	16	8	7	**60**	**12%**
Grand Total	**239**	**166**	**28**	**28**	**461**	**100%**

Table 4: Size of community where minority-owned media stations are located, by media format.
(Byerly analysis of 2005 FCC reports)

ETHNICITY OF OWNERS	MEDIA FORMAT					
	AM	FM	TV	TX & OTHER	**Grand Totals**	Percentage (N=436)
Asian	10	5	4	1	**20**	**5%**
Black	12	6	Unk.		**18**	**4%**
Hispanic	15	8	1		**24**	**5%**
Multiple ethnicities	4	4	4	0	**12**	**3%**
White	146	179	29	8	**361**	**83%**
Grand Total	**187**	**202**	**38**	**9**	**436**	**100%**

Table 5: Ethnicity of owners in women-owned stations, by media format.
(Byerly analysis of 2005 FCC reports)

STATE OR TERRITORY	GENDER OF OWNER(S)				
	MEN & WOMEN	WOMEN ONLY	MEN ONLY	GENDER UNK..	GRAND TOTALS
AL	8		14		**22**
AR	10		5		**15**
AS			1		**1**
AZ	10		1		**11**
CA	29	4	42		**75**
CO			4		**4**
CT	2		3		**5**
FL	9	2	9		**20**
GA	8	1	11		**20**
GU	1				**1**
HI	4		1		**5**
IA	1				**1**
IL	1				**1**
IN	1		1		**2**
KS	2		1		**3**
LA	7	1	2		**10**
MA	1		1		**2**
MD	5		1		**6**
MI		1	5		**6**
MO	2				**2**
MS	15		5		**20**
MT			2		**2**
NC	15	1	5		**21**
NE			5		**5**
NJ			1		**1**
NM	9		4		**13**
NV			1		**1**
NY	3	1	1		**5**
OH	1		2		**3**
OK	14		1		**15**
PA			3		**3**
PR	40		15		**55**
RI			1		**1**
SC	2		9		**11**
TN	2		1		**3**
TX	32	5	30		**67**
UT			1	1	**2**
VA	7				**7**
VI	4				**4**
WA	2	2	4		**8**
WI	1				**1**
WY	1				**1**
Grand Total	**249**	**18**	**193**	**1**	**461**

Table 6: Gender of minority-owned media by state.
(Byerly analysis of 2005 FCC reports).

ETHNICITY	MEDIA FORMATS						
	AM	FM	FX	TV	TX & OTHER	**Grand Totals**	Percentage (N=461)
American Indian	8	9				**17**	**4%**
Asian	19	6		6	1	**32**	**7%**
Black	79	50		5	2	**136**	**30%**
Hispanic	104	71	8	17	10	**210**	**45%**
Multiple races	25	18	1	6		**50**	**11%**
Native Hawaiian	3	13				**16**	**3%**
Grand Total	**238**	**167**	**9**	**34**	**13**	**461**	**100%**

Table 7: Ethnicity of owners in minority-owned media by media format.
(Byerly analysis of 2005 FCC reports)

APPENDIX B

APPENDIX B

Market	Owner	Number Owned in Market	Cap	Above Actual Cap	Hypothetically Lowered by One
Abilene, TX	Clear Channel Communications	6	6	0	1
Albuquerque, NM	American General Media	7	7	0	1
Albuquerque, NM	Clear Channel Communications	7	7	0	1
Amarillo, TX	Cumulus Broadcasting Inc	6	6	0	1
Anchorage, AK	Clear Channel Communications	6	6	0	1
Anchorage, AK	MCC Radio LLC	6	6	0	1
Asheville, NC	Clear Channel Communications	6	6	0	1
Augusta, GA	Clear Channel Communications	7	7	0	1
Austin, TX	Border Media Partners LLC	7	7	0	1
Bakersfield, CA	American General Media	7	7	0	1
Bakersfield, CA	Clear Channel Communications	7	7	0	1
Baton Rouge, LA	Citadel Broadcasting Corp	6	6	0	1
Baton Rouge, LA	Clear Channel Communications	6	6	0	1
Biloxi-Gulfport-Pascagoula, MS	Triad Broadcasting Company	6	6	0	1
Binghamton, NY	Clear Channel Communications	6	6	0	1
Casper, WY	Clear Channel Communications	6	6	0	1
Cedar Rapids, IA	Clear Channel Communications	5	5	0	1
Charleston, SC	Citadel Broadcasting Corp	7	7	0	1
Charlottesville, VA	Clear Channel Communications	6	6	0	1
Cincinnati, OH	Clear Channel Communications	8	8	0	1
Columbia, MO	Zimmer Radio Group	6	6	0	1
Columbus, GA	Davis Broadcasting Inc	6	6	0	1
Decatur, IL	NextMedia Group	5	5	0	1
Denver-Boulder, CO	Clear Channel Communications	8	8	0	1
Des Moines, IA	Clear Channel Communications	7	7	0	1
Duluth-Superior, MN-WI	Midwest Communications Inc.	6	6	0	1
Duluth-Superior, MN-WI	Red Rock Radio Corp	6	6	0	1
Eau Claire, WI	Clear Channel Communications	6	6	0	1
Eau Claire, WI	Maverick Media LLC	6	6	0	1
Elmira-Corning, NY	Pembrook Pines Inc	6	6	0	1
Elmira-Corning, NY	Route 81 Radio LLC	6	6	0	1
Erie, PA	NextMedia Group	6	6	0	1

Evansville, IN	Regent Communications, Inc	6	6	0	1
Fayetteville, NC	Beasley Broadcast Group	6	6	0	1
Flint, MI	Regent Communications, Inc	6	6	0	1
Fresno, CA	Clear Channel Communications	8	8	0	1
Grand Junction, CO	MBC Grand Broadcasting Inc	6	6	0	1
Grand Rapids, MI	Clear Channel Communications	7	7	0	1
Green Bay, WI	Cumulus Broadcasting Inc	6	6	0	1
Greenville-New Bern-Jacksonville, NC	NextMedia Group	8	8	0	1
Greenville-Spartanburg, SC	Entercom	7	7	0	1
Harrisburg-Lebanon-Carlisle, PA	Clear Channel Communications	6	6	0	1
Hilton Head, SC	Triad Broadcasting Company	5	5	0	1
Honolulu, HI	Clear Channel Communications	7	7	0	1
Honolulu, HI	Salem Communications Corp.	7	7	0	1
Houston-Galveston, TX	Clear Channel Communications	8	8	0	1
Houston-Galveston, TX	Liberman Broadcasting Inc	8	8	0	1
Ithaca, NY	Saga Communications Inc	4	4	0	1
Johnstown, PA	Forever Broadcasting Inc.	6	6	0	1
Jonesboro, AR	Clear Channel Communications	5	5	0	1
Joplin, MO	FFD Holdings I Inc	6	6	0	1
Killeen-Temple, TX	Cumulus Broadcasting Inc	5	5	0	1
La Crosse, WI	Family Radio Inc	6	6	0	1
LaSalle-Peru, IL	Mendota Broadcasting Inc.	6	6	0	1
Lafayette, LA	Regent Communications, Inc	7	7	0	1
Lake Charles, LA	Apex Broadcasting Inc (SC)	6	6	0	1
Lake Charles, LA	Cumulus Broadcasting Inc	6	6	0	1
Lansing-East Lansing, MI	Citadel Broadcasting Corp	6	6	0	1
Lexington-Fayette, KY	Clear Channel Communications	7	7	0	1
Lima, OH	Clear Channel Communications	6	6	0	1
Lubbock, TX	Clear Channel Communications	6	6	0	1
Marion-Carbondale, IL	Clear Channel Communications	6	6	0	1
Marion-Carbondale, IL	Max Media LLC	6	6	0	1
Mason City, IA	Clear Channel Communications	6	6	0	1
Medford-Ashland, OR	Mapleton Communications LLC	6	6	0	1
Memphis, TN	Flinn Broadcasting Corporation	8	8	0	1
Merced, CA	Mapleton Communications LLC	6	6	0	1
Mobile, AL	Cumulus Broadcasting Inc	6	6	0	1

Muskegon, MI	Clear Channel Communications	5	5	0	1
New Orleans, LA	Clear Channel Communications	7	7	0	1
New River Valley, VA	Cumulus Broadcasting Inc	6	6	0	1
Odessa-Midland, TX	Cumulus Broadcasting Inc	6	6	0	1
Oklahoma City, OK	Citadel Broadcasting Corp	7	7	0	1
Omaha-Council Bluffs, NE-IA	Journal Communications Inc	7	7	0	1
Orlando, FL	Clear Channel Communications	7	7	0	1
Oxnard-Ventura, CA	Point Broadcasting Company	6	6	0	1
Panama City, FL	Clear Channel Communications	6	6	0	1
Parkersburg-Marietta, WV-OH	Burbach Broadcasting	6	6	0	1
Peoria, IL	Regent Communications, Inc	6	6	0	1
Phoenix, AZ	Clear Channel Communications	8	8	0	1
Pittsburgh, PA	Keymarket of PA/Ohio LLC	8	8	0	1
Portland, OR	Entercom	8	8	0	1
Quad Cities, IA-IL	Clear Channel Communications	6	6	0	1
Rapid City, SD	Triad Broadcasting Company	6	6	0	1
Redding, CA	Regent Communications, Inc.	6	6	0	1
Richland-Kennewick-Pasco, WA	New Northwest Broadcasters, LLC	6	6	0	1
Salt Lake City-Ogden-Provo, UT	Citadel Broadcasting Corp	8	8	0	1
San Diego, CA	Clear Channel Communications	7	7	0	1
San Francisco, CA	Clear Channel Communications	8	8	0	1
Savannah, GA	Clear Channel Communications	6	6	0	1
Sheboygan, WI	Midwest Communications Inc.	4	4	0	1
Shreveport, LA	Access.1 Communications	6	6	0	1
Shreveport, LA	Clear Channel Communications	6	6	0	1
South Bend, IN	Artistic Media Partners Inc	6	6	0	1
Spokane, WA	Citadel Broadcasting Corp	7	7	0	1
Spokane, WA	Spokane Television Inc	7	7	0	1
St. Cloud, MN	Regent Communications, Inc	6	6	0	1
Syracuse, NY	Clear Channel Communications	7	7	0	1
Tampa-St. Petersburg-Clearwater, FL	Clear Channel Communications	8	8	0	1
The Florida Keys, FL	Clear Channel Communications	6	6	0	1
Traverse City-Petoskey, MI	Midwestern Broadcasting Co.	7	7	0	1
Tucson, AZ	Clear Channel Communications	7	7	0	1
Tupelo, MS	Clear Channel Communications	6	6	0	1
Tuscaloosa, AL	Citadel Broadcasting Corp	6	6	0	1

Valdosta, GA	Black Crow Media Group	6	6	0	1
Waco, TX	Clear Channel Communications	5	5	0	1
Washington, DC	Clear Channel Communications	8	8	0	1
Watertown, NY	Clancy-Mance Communications	6	6	0	1
Wausau-Stevens Point, WI	Midwest Communications Inc.	6	6	0	1
Wausau-Stevens Point, WI	NRG Media LLC	6	6	0	1
West Palm Beach-Boca Raton, FL	Clear Channel Communications	7	7	0	1
Wheeling, WV	Clear Channel Communications	6	6	0	1
Wilmington, NC	NextMedia Group	6	6	0	1
Yakima, WA	Clear Channel Communications	6	6	0	1
Yakima, WA	New Northwest Broadcasters, LLC	6	6	0	1
Youngstown-Warren, OH	Clear Channel Communications	6	6	0	1
Albany, GA	Cumulus Broadcasting Inc	8	6	2	3
Albany-Schenectady-Troy, NY	Pamal Broadcasting Ltd	10	8	2	3
Albuquerque, NM	Citadel Broadcasting Corp	8	7	1	2
Altoona, PA	Forever Broadcasting Incorp.	6	5	1	2
Atlantic City-Cape May, NJ	Equity Communications LP	9	7	2	3
Augusta, GA	Beasley Broadcast Group	9	7	2	3
Bangor, ME	Clear Channel Communications	7	6	1	2
Battle Creek, MI	Clear Channel Communications	4	3	1	2
Beckley, WV	Southern Communications Corp	6	5	1	2
Bismarck, ND	Clear Channel Communications	6	5	1	2
Bluefield, WV	Triad Broadcasting Company	9	6	3	4
Brunswick, GA	Qantum Communications Corp	6	5	1	2
Buffalo-Niagara Falls, NY	Entercom	7	6	1	2
Charleston, WV	West Virginia Radio	7	6	1	2
Chicago, IL	NextMedia Group	11	8	3	4
Clarksville-Hopkinsville, TN-KY	Saga Communications, Inc.	6	5	1	2
Columbus, GA	Clear Channel Communications	8	6	2	3
Columbus-Starkville-West Point, MS	Cumulus Broadcasting Inc	7	6	1	2
Concord, NH	Nassau Broadcasting Partners LP	8	6	2	3
Dayton, OH	Clear Channel Communications	8	7	1	2
Elizabeth City-Nags Head, NC	East Carolina Radio Incorporated	8	6	2	3
Fargo-Moorhead, ND-MN	Clear Channel Communications	7	6	1	2
Fayetteville, AR	Cumulus Broadcasting Inc	7	6	1	2
Florence, SC	Cumulus Broadcasting Inc	8	6	2	3

Florence, SC	Qantum Communications Corp	7	6	1	2
Gainesville-Ocala, FL	Jablamo LLC	9	7	2	3
Huntington-Ashland, WV-KY	Clear Channel Communications	9	6	3	4
Kansas City, MO-KS	Entercom	9	7	2	3
Laurel-Hattiesburg, MS	Clear Channel Communications	7	6	1	2
Lebanon-Rutland-White River Junction,	Clear Channel Communications	10	7	3	4
Lebanon-Rutland-White River Junction,	Nassau Broadcasting Partners LP	8	7	1	2
Little Rock, AR	Citadel Broadcasting Corp	10	7	3	4
Los Angeles, CA	Clear Channel Communications	10	8	2	3
Louisville, KY	Clear Channel Communications	10	7	3	4
Macon, GA	Cumulus Broadcasting Inc	8	7	1	2
Madison, WI	Mid-West Family Broadcast Group	8	7	1	2
McAllen-Brownsville-Harlingen, TX	Border Media Partners LLC	7	6	1	2
Meadville-Franklin, PA	Forever Broadcasting Incorp.	10	6	4	5
Montgomery, AL	Cumulus Broadcasting Inc	7	6	1	2
Myrtle Beach, SC	Cumulus Broadcasting Inc	7	6	1	2
Omaha-Council Bluffs, NE-IA	Waitt Radio	8	7	1	2
Palm Springs, CA	MCC Radio LLC	7	6	1	2
Portsmouth-Dover-Rochester, NH	Clear Channel Communications	7	6	1	2
Poughkeepsie, NY	Clear Channel Communications	7	6	1	2
Raleigh-Durham, NC	Curtis Media Group	10	7	3	4
Roanoke-Lynchburg, VA	Clear Channel Communications	9	7	2	3
Salisbury-Ocean City, MD	Clear Channel Communications	8	7	1	2
Salisbury-Ocean City, MD	Delmarva Broadcasting Company	8	7	1	2
Salisbury-Ocean City, MD	Great Scott Broadcasting Inc	10	7	3	4
Santa Barbara, CA	Clear Channel Communications	7	6	1	2
Sarasota-Bradenton, FL	Clear Channel Communications	7	6	1	2
Savannah, GA	Cumulus Broadcasting Inc	7	6	1	2
Sebring, FL	Cohan Radio Group Incorporated	5	3	2	3
Sussex, NJ	Clear Channel Communications	4	2	2	3
Syracuse, NY	Galaxy Communications	9	7	2	3
Toledo, OH	Cumulus Broadcasting Inc	8	7	1	2
Utica-Rome, NY	Clear Channel Communications	9	7	2	3
Victor Valley, CA	KHWY Inc	8	7	1	2
Wilkes Barre-Scranton, PA	Entercom	9	8	1	2
Youngstown-Warren, OH	Cumulus Broadcasting Inc.	8	6	2	3

APPENDIX C

APPENDIX C

CALL SIGN	FACILITY ID	CORPORATEPARENT/OWNER	DMA RANK	DMA
WNYW	22206	Fox	1	New York
WWOR-TV	74197	Fox	1	New York
WNBC	47535	General Electric	1	New York
WNJU	73333	General Electric	1	New York
WFUT-TV	60555	Univision	1	New York
WXTV	74215	Univision	1	New York
KCAL	21422	CBS Corporation	2	Los Angeles
KCBS	9628	CBS Corporation	2	Los Angeles
KCOP-TV	33742	Fox	2	Los Angeles
KTTV	22208	Fox	2	Los Angeles
KNBC	47906	General Electric	2	Los Angeles
KVEA	19783	General Electric	2	Los Angeles
KWHY-TV	26231	General Electric	2	Los Angeles
KVMD	16729	Ronald L. Ulloa	2	Los Angeles
KXLA	55083	Ronald L. Ulloa	2	Los Angeles
KFTR-TV	60549	Univision	2	Los Angeles
KMEX-TV	35123	Univision	2	Los Angeles
WFLD	22211	Fox	3	Chicago
WPWR-TV	48772	Fox	3	Chicago
WMAQ-TV	47905	General Electric	3	Chicago
WSNS-TV	70119	General Electric	3	Chicago
WGBO-TV	12498	Univision	3	Chicago
WXFT-TV	60539	Univision	3	Chicago
KYW-TV	25453	CBS Corporation	4	Philadelphia
WPSG	12499	CBS Corporation	4	Philadelphia
WBZ-TV	25456	CBS Corporation	5	Boston (Manchester)
WSBK-TV	73982	CBS Corporation	5	Boston (Manchester)
WNEU	51864	General Electric	5	Boston (Manchester)
WWDP	23671	General Electric	5	Boston (Manchester)
WLVI-TV	73238	Sunbeam	5	Boston (Manchester)
WHDH-TV	72145	Sunbeam	5	Boston (Manchester)
WUNI	30577	Univision	5	Boston (Manchester)
WUTF-TV	60551	Univision	5	Boston (Manchester)
KBCW	69619	CBS Corporation	6	San Francisco-Oak-San Jose

KPIX-TV	25452	CBS Corporation	6	San Francisco-Oak-San Jose
KICU-TV	34564	Cox	6	San Francisco-Oak-San Jose
KTVU	35703	Cox	6	San Francisco-Oak-San Jose
KNTV	35280	General Electric	6	San Francisco-Oak-San Jose
KSTS	64987	General Electric	6	San Francisco-Oak-San Jose
KDTV	33778	Univision	6	San Francisco-Oak-San Jose
KFSF-TV	51429	Univision	6	San Francisco-Oak-San Jose
KTVT	23422	CBS Corporation	7	Dallas-Ft. Worth
KTXA	51517	CBS Corporation	7	Dallas-Ft. Worth
KDFI	17037	Fox	7	Dallas-Ft. Worth
KDFW	33770	Fox	7	Dallas-Ft. Worth
KXAS-TV	49330	General Electric	7	Dallas-Ft. Worth
KXTX-TV	35994	General Electric	7	Dallas-Ft. Worth
KSTR-TV	60534	Univision	7	Dallas-Ft. Worth
KUVN-TV	35841	Univision	7	Dallas-Ft. Worth
WDCA	51567	Fox	8	Washington, DC (Hagrstwn)
WTTG	22207	Fox	8	Washington, DC (Hagrstwn)
WSBK-TV	73982	CBS Corporation	9	Atlanta
WUPA	6900	CBS Corporation	9	Atlanta
WATL	22819	Gannet	9	Atlanta
WXIA	51163	Gannet	9	Atlanta
KRIV	22204	Fox	10	Houston
KTXH	51569	Fox	10	Houston
WKBD	51570	CBS Corporation	11	Detroit
WWJ-TV	72123	CBS Corporation	11	Detroit
WFTT-TV	60559	Univision	12	Tampa-St. Pete (Sarasota)
WVEA-TV	16788	Univision	12	Tampa-St. Pete (Sarasota)
KING-TV	34847	Belo	13	Seattle-Tacoma
KONG-TV	35396	Belo	13	Seattle-Tacoma
KCPQ	33894	Tribune	13	Seattle-Tacoma
KMYQ	69571	Tribune	13	Seattle-Tacoma
KASW	7143	Belo	14	Phoenix (Prescott)
KTVK	40993	Belo	14	Phoenix (Prescott)
KSAZ	35587	Fox	14	Phoenix (Prescott)
KUTP	68886	Fox	14	Phoenix (Prescott)
KFPH-TV	41517	Univision	14	Phoenix (Prescott)
KTVW-TV	35705	Univision	14	Phoenix (Prescott)
KMSP-TV	68883	Fox	15	Minneapolis-St. Paul

WFTC	11913	Fox	15	Minneapolis-St. Paul
KSTC-TV	35843	Hubbard	15	Minneapolis-St. Paul
KSTP-TV	28010	Hubbard	15	Minneapolis-St. Paul
WOIO	39746	Raycom	16	Cleveland-Akron (Canton)
WUAB	8532	Raycom	16	Cleveland-Akron (Canton)
WEWS-TV	59441	Scripps	16	Cleveland-Akron (Canton)
WOAC	43870	Scripps	16	Cleveland-Akron (Canton)
WFOR-TV	47902	CBS Corporation	17	Miami-Ft. Lauderdale
WBFS-TV	12497	CBS Corporation	17	Miami-Ft. Lauderdale
WSCV	64971	General Electric	17	Miami-Ft. Lauderdale
WTVJ	63154	General Electric	17	Miami-Ft. Lauderdale
WAMI-TV	60536	Univision	17	Miami-Ft. Lauderdale
WLTV	73230	Univision	17	Miami-Ft. Lauderdale
KTVD	68581	Gannet	18	Denver
KUSA-TV	23074	Gannet	18	Denver
KMAX	51499	CBS Corporation	19	Sacramnto-Stkton-Modesto
KOVR	56550	CBS Corporation	19	Sacramnto-Stkton-Modesto
KCRA-TV	33875	Hearst	19	Sacramnto-Stkton-Modesto
KQCA	10242	Hearst	19	Sacramnto-Stkton-Modesto
KTFK-TV	20871	Univision	19	Sacramnto-Stkton-Modesto
KUVS-TV	58609	Univision	19	Sacramnto-Stkton-Modesto
WFTV	72076	Cox	20	Orlando-Daytona Bch-Melbrn
WRDQ	55454	Cox	20	Orlando-Daytona Bch-Melbrn
WOFL	41225	Fox	20	Orlando-Daytona Bch-Melbrn
WRBW	54940	Fox	20	Orlando-Daytona Bch-Melbrn
WOTF-TV	5802	Univision	20	Orlando-Daytona Bch-Melbrn
WVEN-TV	131	Univision	20	Orlando-Daytona Bch-Melbrn
KDKA-TV	25454	CBS Corporation	22	Pittsburgh
WPCW	69880	CBS Corporation	22	Pittsburgh
WPGH-TV	73875	Sinclair	22	Pittsburgh
WPMY	73907	Sinclair	22	Pittsburgh
KPDX	35460	Meridith	23	Portland, OR
KPTV	50633	Meridith	23	Portland, OR
WISH-TV	39269	LIN	25	Indianapolis
WNDY-TV	28462	LIN	25	Indianapolis
WTTV	56523	Tribune	25	Indianapolis
WXIN	146	Tribune	25	Indianapolis
WAXN-TV	12793	Cox	27	Charlotte

WSOC-TV	74070	Cox	27	Charlotte
WJZY	73152	James F. Goodmon	27	Charlotte
WMYT-TV	20624	James F. Goodmon	27	Charlotte
WCTX	33081	LIN	28	Hartford & New Haven
WTNH	74109	LIN	28	Hartford & New Haven
WTIC-TV	147	Tribune	28	Hartford & New Haven
WTXX	14050	Tribune	28	Hartford & New Haven
WRAL-TV	8688	James F. Goodmon	29	Raleigh-Durham (Fayetvlle)
WRAZ	64611	James F. Goodmon	29	Raleigh-Durham (Fayetvlle)
WLFL	73205	Sinclair	29	Raleigh-Durham (Fayetvlle)
WRDC	54963	Sinclair	29	Raleigh-Durham (Fayetvlle)
WUXP-TV	9971	Sinclair	30	Nashville
WZTV	418	Sinclair	30	Nashville
KCWE	64444	Hearst	31	Kansas City
KMBC-TV	65686	Hearst	31	Kansas City
KCTV	41230	Meridith	31	Kansas City
KSMO-TV	33336	Meridith	31	Kansas City
KMCI	42636	Scripps	31	Kansas City
KSHB-TV	59444	Scripps	31	Kansas City
WCGV-TV	71278	Sinclair	33	Milwaukee
WVTV	74174	Sinclair	33	Milwaukee
WYCW	70149	Media General	35	Greenville
WSPA	66391	Media General	35	Greenville
KTVX	68889	Clear Channel	36	Salt Lake City
KUWB	1136	Clear Channel	36	Salt Lake City
KCBU	84277	Equity Broadcasting	36	Salt Lake City
KUTF	69694	Equity Broadcasting	36	Salt Lake City
KABB	56528	Sinclair	37	San Antonio
KMYS	51518	Sinclair	37	San Antonio
WOOD-TV	36838	Lin Television	38	Grand Rapids
WOTV	10212	Lin Television	38	Grand Rapids
WABM	16820	Sinclair	40	Birmingham (Ann, Tusc)
WTTO	74138	Sinclair	40	Birmingham (Ann, Tusc)
WAVY-TV	71127	LIN	42	Norfolk-Portsmth-Newpt Nws
WVBT	65387	LIN	42	Norfolk-Portsmth-Newpt Nws
WGNT	9762	CBS Corporation	43	New Orleans
WUPL	13938	CBS Corporation	43	New Orleans
WGNO	54280	Tribune	43	New Orleans

WNOL	72119	Tribune	43	New Orleans
WLMT	68518	Clear Channel	44	Memphis
WPTY-TV	11907	Clear Channel	44	Memphis
KAUT-TV	50182	New York Times	45	Oklahoma City
KFOR-TV	66222	New York Times	45	Oklahoma City
KOCB	50170	Sinclair	45	Oklahoma City
KOKH-TV	35388	Sinclair	45	Oklahoma City
KTEL-TV	83707	Moran Family	46	Albuquerque-Santa Fe
KTLL-TV	82613	Moran Family	46	Albuquerque-Santa Fe
KLUZ-TV	35084	Univision	46	Albuquerque-Santa Fe
KTFQ-TV	57220	Univision	46	Albuquerque-Santa Fe
KASY-TV	55049	William Egan/Alta/ACME	46	Albuquerque-Santa Fe
KWBQ	76268	William Egan/Alta/ACME	46	Albuquerque-Santa Fe
WMYV	25544	Sinclair	47	Greensboro-H.Point-W.Salem
WXLV-TV	414	Sinclair	47	Greensboro-H.Point-W.Salem
KVCW	10195	Sinclair	48	Las Vegas
KVMY	10179	Sinclair	48	Las Vegas
WIVB-TV	7780	LIN	49	Buffalo
WNLO	71905	LIN	49	Buffalo
WNYO-TV	67784	Sinclair	49	Buffalo
WUTV	415	Sinclair	49	Buffalo
WDRB	28476	Block	50	Louisville
WMYO	34167	Block	50	Louisville
WAWS	11909	Clear Channel	52	Jacksonville
WTEV-TV	35576	Clear Channel	52	Jacksonville
WJXX	11893	Gannet	52	Jacksonville
WTLV	65046	Gannet	52	Jacksonville
WOLF-TV	73375	Pegasus	54	Wilkes Barre-Scranton
WQMY	52075	Pegasus	54	Wilkes Barre-Scranton
KFRE-TV	59013	Pappas	56	Fresno-Visalia
KMPH-TV	51488	Pappas	56	Fresno-Visalia
KFTV	34439	Univision	56	Fresno-Visalia
KTFF-TV	35512	Univision	56	Fresno-Visalia
KASN	41212	Clear Channel	57	Little Rock-Pine Bluff
KLRT-TV	11951	Clear Channel	57	Little Rock-Pine Bluff
KOKI-TV	11910	Clear Channel	61	Tulsa
KTFO	54420	Clear Channel	61	Tulsa
KOTV	35434	Griffin Family	61	Tulsa

KQCW	78322	Griffin Family	61	Tulsa
WJTC	41210	Clear Channel	62	Mobile-Pensacola (Ft Walt)
WPMI-TV	11906	Clear Channel	62	Mobile-Pensacola (Ft Walt)
WALA-TV	4143	LIN	62	Mobile-Pensacola (Ft Walt)
WBPG	83943	LIN	62	Mobile-Pensacola (Ft Walt)
WEAR-TV	71363	Sinclair	62	Mobile-Pensacola (Ft Walt)
WFGX	6554	Sinclair	62	Mobile-Pensacola (Ft Walt)
KMSB-TV	44052	Belo	71	Tucson (Sierra Vista)
KTTU-TV	11908	Belo	71	Tucson (Sierra Vista)
KFTU-TV	81441	Univision	71	Tucson (Sierra Vista)
KUVE-TV	63927	Univision	71	Tucson (Sierra Vista)
KFVE	34445	Raycom	72	Honolulu
WPME	48408	Pegasus	74	Portland-Auburn
WPXT	53065	Pegasus	74	Portland-Auburn
KREM-TV	34868	Belo	78	Spokane
KSKN	35606	Belo	78	Spokane
WCFN	42116	Royce Yudkoff	82	Champaign&Sprngfld-Decatur
WCIA	42124	Royce Yudkoff	82	Champaign&Sprngfld-Decatur
WNTZ	16539	Sheldon Galloway	89	Jackson, MS
WUFX	84253	Sheldon Galloway	89	Jackson, MS
KBTX-TV	6669	Gray	94	Waco-Temple-Bryan
KWTX-TV	35903	Gray	94	Waco-Temple-Bryan
KGCW-TV	7841	Milton Grant	95	Davenport-R.Island-Moline
KLJB-TV	54011	Milton Grant	95	Davenport-R.Island-Moline
KINT-TV	51708	Univision	99	El Paso (Las Cruces)
KTFN	68753	Univision	99	El Paso (Las Cruces)
WFXU	22245	Pegasus	109	Tallahassee-Thomasville
WTLH	23486	Pegasus	109	Tallahassee-Thomasville
WMC-TV	19184	Raycom	116	Montgomery-Selma
WSFA	13993	Raycom	116	Montgomery-Selma
WICU-TV	24970	Lilly Family	142	Erie
WSEE-TV	49711	Lilly Family	142	Erie
KMEG	39665	Pappas	143	Sioux City
KPTH	77451	Pappas	143	Sioux City
KFJX	83992	Edward K. Christian	145	Joplin-Pittsburg
KOAM-TV	58552	Edward K. Christian	145	Joplin-Pittsburg
KFNE	21613	Cohen/Bauer/Gelbard/Capri	198	Casper-Riverton
KFNR	21612	Cohen/Bauer/Gelbard/Capri	198	Casper-Riverton

KAVU-TV	73101	Edward K. Christian	205	Victoria
KVCT	35846	Edward K. Christian	205	Victoria

APPENDIX D

COMMON CAUSE
Holding Power Accountable
www.commoncause.org

October 2006

Citizens Speak:
The Real World Impacts of Media Consolidation

The Federal Communications Commission (FCC) has recently reopened its review of media ownership rules, and is widely expected to approve changes this year that will allow big media companies to get even bigger. In June 2003, the agency passed rules that would have allowed one company to own the local newspaper, up to three local TV stations, up to eight local radio stations and the local cable system in a single media market. The federal courts overturned the FCC decision in 2004, and ordered the Commission to rewrite the rules.

While the ownership rules were being fought out in the courts, the FCC opened a new proceeding to examine how well broadcasters are meeting the needs of local communities and organized a series of town hall hearings to gain citizen input. These "Localism Hearings," which still have not been completed, were flooded by citizens who came to testify before FCC Commissioners about how their interests were not being served by corporate media, and to express their outrage over the rules that would further relax ownership restrictions. Grassroots organizations in a number of cities also organized unofficial localism hearings – many of which featured FCC Commissioners.

Following are some of the stories citizens told about the ways media consolidation impacts their lives, including:

- Fewer jobs for media workers
- More homogenization of music on radio
- Less community-oriented programming
- Loss of local control over programming decisions
- Less independently-produced programming
- Increased censorship of divergent views
- Less political discussion
- Inadequate emergency weather/disaster warnings
- Fewer minority-owned broadcast stations

Media Consolidation Results in:
Job Losses

- ***Testimony of Sean McLaughlin, President and CEO, Akaku: Maui Community Television, 07/21/04***

> **Local TV journalism in Hawaii had its employer base reduced by 25 percent as a result of recent consolidations of ownership.** Allowed to continue, consolidation will inevitably silence independent news organizations in Hawaii's limited marketplace of ideas. The viewing public, and broadcast journalists in Hawaii now suffer due to the withering loss of independent voices.
>
> National networks and the Internet aren't substitutes for local broadcast news. They offer choices in our news and public affairs diet but they don't help us decide how we will vote in Hawaii's local elections. The quality and quantity of the local coverage may be subject to debate, but diversity in the marketplace assures that there will be diversity in coverage of what's going on locally.

- ***Testimony by John Connolly, National President, American Federation of Radio and Television Artists, 07/21/04***

> **One of the most insidious byproducts of media consolidation is the practice of "voice-tracking" entire air shifts.** Clear Channel, the largest group owner of radio stations in the United States, records hundreds of air shifts in remote locations, splices in music, adds generic recorded calls from listeners – often from other markets - and passes the result off as live, local programming. **Up to 70% of Clear Channel's radio broadcasts are voice-tracked**, including many throughout California including some in major markets such as Los Angeles and San Francisco. In smaller markets, which arguably house even fewer outlets, voice-tracking is more prevalent. **The end result – no local flavor, no local input, no local jobs, no local coverage and no local connection.** It is axiomatic that these practices do not serve local communities.
>
> Sinclair Broadcasting Company recently announced a business plan that would eliminate local production of news and weather. As a cost cutting strategy in markets like Dayton, Ohio, and Flint, Michigan, Sinclair has already eliminated locally-produced weather reports. Now, instead of weather reports that originate locally, many Sinclair-owned stations will air weather reports from a weather center at corporate headquarters in Baltimore, Maryland. In the event of a weather emergency, local stations won't have meteorologists on staff who are familiar with local geography or who can respond to inquiries that come into the station - leaving communities without any viable source of information or guidance. Apparently, central casting is soon to be implemented at

Sinclair's KOVR in Sacramento. One can only imagine how the emergency scenario plays out when local news is "covered" similarly.

As group owners like Clear Channel and Sinclair acquire additional stations and apply their "efficient" business models across the country, the damage could prove irreversible. As consolidation of media ownership increases, the local community's access to diverse sources of news and information decreases. Where a community once received its news and public affairs programming from a number of different outlets, media conglomerates now seek ways to reuse, recycle and repurpose the same editorial content for broadcast on all of their radio and television stations, to print in their newspapers and to post on their websites.

In certain cases, various outlets utilize virtually identical content, produced from one assignment desk, under the management of one general manager, one news or program director and with, essentially, one overall editorial viewpoint. For example, Telemundo and NBC now often work from the same assignment desk. They then share content with MS/NBC as well as *Newsweek* and the *Wall Street Journal*.

Notwithstanding the fact that these reports may appear on a number of distinct stations, newspapers or websites, the content and editorial perspective is indistinct. The same outcome is triggered when multiple stations in a single market outsource their news functions to the same entity, which provides generic content, delivered by a number of different individuals, on those multiple stations.

Since there are no hearings scheduled in the Pacific Northwest, it's worth mentioning that in 1998, Viacom dismantled news operations at KSTW, one of its Seattle stations, saying that "there is more than enough news programming" in the market. A little more than a year ago, Viacom announced that KSTW (a UPN affiliate) would begin airing newscasts produced by KIRO-TV, the CBS affiliate in Seattle. Although a separate company owns each station, the affiliated stations' networks are commonly owned. Rather than resume providing its own newscast that would be independent of and compete with other outlets in the market, Viacom has determined to maximize its profit margin by re-broadcasting content that is already available on Seattle airwaves.

Fast Facts on Job Losses Among Media Workers

- Since of June 2000, more than 70,000 media workers have been laid off. For example:
  - The Tribune Company, which owns *The Los Angeles Times*, *The Chicago Tribune*, *Newsday*, *The Baltimore Sun* and other newspapers, cut 900 jobs in 2005.[1]
  - Clear Channel laid off approximately 800 staffers in 2002 due to merger restructurings.[2]
  - Time, Inc. (publisher of *Time* magazine) eliminated 105 jobs in late 2005.[3]

Some of the employment cutbacks were attributed to a slowing economy and advertising market, but many were the direct result of mergers and consolidation.[4]

➢ According to the Bureau of Labor Statistics, more than 16,000 jobs were lost in the radio and television broadcasting sector between 2000 and the first quarter of 2006.[5] According to one industry source, "radio stations have been particularly hammered not just by the recession but by concentration of ownership."[6]

###

Media Consolidation Results in:
Homogenization of Music on Radio

- ***Testimony of Tift Merritt, Major Label Recording Artist, 10/22/03***

In North Carolina I've sold as many records as people like Toby Keith and Alan Jackson. My local country affiliate knew about this. People called in and requested me. And because I'm local, and a lot of them told me about it. And you would think that because I was making such major inroads nationally that the station would have been thrilled to support me. Not once. And, in fact, the people who called in were told by the DJs that the DJs wanted to play me, but management was going to have to change the programming.

And on top of that, when this issue came to light earlier this spring and received some publicity, the station said well, it's because Tift's record company didn't contact us, which was absolutely, probably the truth because my record company, who I have a wonderful relationship with, did make the decision that they were not going to spend a lot of money on an expensive radio campaign. Do you understand what that means? It costs money to get on the radio.

…I think in my instance I don't understand how the airwaves can be a place of healthy competition. For example, radio conglomerates claim that programming is localized, and I don't see how this can be true in this case. And deregulation proponents claim that the airwaves are public. But how, when a station disregarded listeners in the signal range, how can that be true? **I want to make it very clear that I'm a realistic, small businesswoman and that I was locked out of competition and isolated from my main line to my audience. The fewer the radio station owners, the less the concern about content. The more monotony on every play list, the more I will be locked out and thousands, thousands, thousands of people like me will be in that situation.**

And these are people that bring 500 to 2,000 people to your main street on any given night. They fill your restaurants, they use FedEx, they use hotels. These are legitimate people who contribute to the economy. But most importantly, they bring their music and they're going to be silenced. …

And in North Carolina if you want to talk about local musicians, you're talking about John Coltrane, you're talking about Roberta Flack, Doc Watson, Max Roach, Earl Scruggs, people who not only made this state unique, but have shaped the heritage of our country and are renown around the world. If you give young musicians no possibility of making a living, if you give the radio waves to people with no regard for music or localism or content, if you stifle the musical outlets with an unfettered interest in the bottom line, you will scatter not only the next generation of North Carolina talent, but 49

other states worth because they will have to find something more feasible than an instrument to voice their sorrow and their joy.

- ***Testimony of Ray Benson, Co-Founder of the band "Asleep at the Wheel" and Board Member, Texas Chapter of The Recording Academy, 01/28/04***

Just as strip malls with national brand name retailers have homogenized the look and regional flavors of large and small towns across America, so has radio done much the same thing to music in numerous formats, genres and regions.

I recognize that the desires of the American consumer are partially to blame for this change, but ultimately it seems unfortunate that in an era when so much great music is being recorded by talented artists, none of it gets a shot on the airwaves, even in its own hometown.

When I started making records in the early seventies things were a lot different. Stations had larger playlists that were sprinkled with records from independent, small, national and regional labels. People got to hear a variety of music and regional stars were made all over the country. Some of these "regional" artists would break into the mainstream by having success one city at a time. **I can cite numerous hit records that were started by one DJ having success with a record in his market thereby giving other markets the idea that this might work for them.**

Today, because a single company owns so many stations, the access has been limited to the four major record labels and a small handful of consultants and independent promoters. The price of entry into this marketplace has become staggering. A ballpark figure for production and promotion of a single song today is 6 to 7 figures depending on the genre. This money buys the production costs of the CD and video of course as well as access to radio and video play in a number of ways, from "favors" unrelated to airplay such as free concerts for the stations paid for by the labels, to showcases and junkets again paid for by labels. In turn, the labels charge these "marketing" costs to the artist.

…Another aspect that is troubling is the ownership of radio stations, concert venues, concert promotion companies and billboards by the same company. If I am playing a competing venue with a competing promoter in the town that has a radio station and concert venue owned by a conglomerate, chances are I won't be invited up to the station to promote my music or my show. This limits the access that a local musician has to promote the show and his or her music.

If this were any other commodity we might shrug it off as business as usual but this is radio – the public airwaves – they belong to "we the people" and are licensed in the public interest.

➢ ***Testimony of Ray Hair, International Executive Officer, American Federation of Musicians of the United States and Canada, 01/28/04***

We want a music scene where new ideas, new styles and new creativity have a chance to reach audiences, where diverse music is fostered not squashed. That's not just good for the local community, it enhances the whole American cultural experience. Unfortunately, though, the way big radio operates in the contemporary musical environment doesn't help the growth of lively, diverse, local music scenes. Instead it gets in the way. One way this happens is when radio owners also own live entertainment businesses like concert venues and promoters and then leverage their position to control local events and artist choices.

I'll give you an example from my own personal experience in Dallas. For a number of years Local 72147 in Dallas served an important role in booking musical performances for a three-day festival called the Taste of Dallas. Through MTPF [the Music Performance Trust Funds, a nonprofit that sponsors live, admission-free musical programs] co-sponsorships we were able to increase the number of musical performances that were given free to the public during daylight hours, and in booking the evening headliner acts, we were able to place talented artists with local and regional fans into a position of reaching greater audiences.

But that changed in 2001, when the local Clear Channel stations made their radio promotion of the festival contingent upon the festival booking the evening headliner acts exclusively through another Clear Channel business. **The festival told me it had no alternative but to accede to Clear Channel's demand.**

The result was that local musicians lost their role in helping to create that local three-day event. And what's more, **local and regional musicians lost a lot of gigs as Clear Channel brought in the non-local acts they wanted to promote**. **And perhaps what is worst of all, the community lost its chance to hear a more diverse range of music from their own talent base.** When a radio owner also owns live entertainment businesses, it can exert a lot of control over the artist's options and choices.

For example, I once booked a well-known artist for the Ft. Worth Main Street Arts Festival. Less than a week later her agent called to cancel. Clear Channel had insisted that she not come to Ft. Worth in April, but wanted her to appear in an event promoted by Clear Channel in Addison in May. The agent made it clear to me that the artist had no alternative but to do as Clear Channel asked, even though she would earn more money in

Ft. Worth. But because she was dependent upon Clear Channel to broadcast her recordings she declined to perform in Ft. Worth. That kind of control isn't good for music, artists, or communities. In fact, it highlights a huge problem, the fact that **new and local artists are becoming dependent on big radio owners, not just for air play, but for live engagement opportunities**. **Where a national corporation controls the local headliner venues and concert promoters, as well as the radio play list, local artists can find themselves shut out from both ways of reaching an audience.** …

The leveraging of business ownership is not the only problem affecting local communities. My experience is that radio today is more likely to play a homogenous list of nationally aired tunes and much less likely to give air play to local music.

I'll give you another terribly sad example. Back in 1985 we used to help Denton Jazz Fest, a local music event, and by 1987 attendance at that event was around 2,000 people. And a local radio program director at KKDA-FM was sufficiently intrigued to come in and do a live eight-hour broadcast of the festival. KKDA continued to do that until 1992 or so. By that time the festival grew to 10,000 attendees and hundreds of wonderful talented artists were able to perform and reach thousands of people. But it went off the air and I don't know of anything like it in Texas anymore. There just isn't that kind of local programming commitment.

Our Tejano musicians in Texas, and especially here in San Antonio have experienced the way in which an important local genre can be marginalized. Tejano music exploded in the early 1990s, but radio stations do not foster or encourage Tejano music with much air play. At most they'll only give it Mexican regional format that focuses on Latino urban hip—hop selections. **Radio stations can foster or strangle a strong diverse musical culture.**

- ***Testimony of T.C. Smythe, Singer/Songwriter, 01/28/04***

Seven years ago I joined my local songwriters association, and they taught me how to write, record, sing and pitch my songs to publishers, record labels and radio stations. I worked hard, and I won several regional and national awards for my songwriting. Since then I've sold thousands of CDs from the edge of the stage, but I've learned that if I don't write a song that can make people want to drink beer, or buy insurance, commercial radio won't play it.

This has nothing to do with my ability as a performer or a writer. My performance and protection values can compete with any project here or in Nashville. I'm not unique or alone. …

I've sent press releases and CDs to every major FM station in Texas on behalf of myself and [other] artists, and when I called to confirm receipt I was asked who my major label was and if I would be willing to buy advertising. The custodians of the airwaves need to be reminded that all radio is public radio, and they are required to reflect the communities from which they derive their vast wealth.

- ***Matthew Gonzalez, Musician and Owner of Bonetree Records, 01/28/04***

I'm a musician and owner of Bonetree Records, an independent record label in San Antonio. A few years ago I decided to produce a CD of my band's music, in the process, started the label, and unlike a lot of musicians, I did not overtake this endeavor with visions of overnight success and platinum albums and all the other rock-star excesses.

My goal was simple: To make a living — a modest living, doing something that I love. The CD was recorded and mastered and packaged as professionally as anything on the market.

I contacted radio stations large and small across the country in the hopes, that like in the past, there'd be a few DJs or program directors who would like it enough to give it a spin or two.

Well, while I did find a few college and public radio stations accommodating, **I was almost unilaterally rejected by the corporate stations. And I was told, basically, it wasn't that they didn't like it, but that their play lists were too tight for a lone DJ to play a song simply because he or she liked it.**

Many of them said their play lists were predetermined in board meetings, weekly staff meetings and conference calls from corporate headquarters. I just want to say, how do corporately—controlled play lists give any democracy to the people? How does this level the playing field for independent record labels who do not have a multi-million dollar promotional machine to buy air time with comp tickets and hundreds of thousands of dollars worth of free goods?

Fast Facts on Music Diversity on Radio

- The 1996 Telecommunications Act lifted the cap on the number of radio stations any one company could own. The cap had previously been set at 40 stations – but the new rules allowed Clear Channel to acquire more than 1,200 radio stations.[7]

- Ten parent companies currently dominate the radio spectrum, controlling two-thirds of both listeners and revenue nationwide. Two companies – Clear Channel and Viacom – control 42 percent of listeners and 45 percent of industry revenues.[8]

- In nearly every local market, four firms or fewer control 70 percent or more of the market share. In most cases, these oligopolies include one or more of the dominant national players.[9]

- 2005 investigations by the New York Attorney General's office have implicated nearly 190 stations in illicit "payola" deals with recording giants Sony BMG and Warner Music Group. When labels pay big radio to play their most mainstream acts, independent music suffers and radio choice turns into a mind-numbing race to the bottom. Most of the stations involved are owned by the biggest corporate radio conglomerates.[10]

###

Media Consolidation Results in:
Less Community-Oriented Programming

➢ ***Testimony of David Croteau, Professor of Sociology and Anthropology, Virginia Commonwealth University, 02/27/03***

> The removal of the national cap on radio ownership in 1996 resulted in the dramatic concentration of ownership in that industry. In six years, the number of radio stations increased over 5 percent, but the number of radio owners decreased by more than one third. A single corporation, Clear Channel Communications, went from owning 40 stations before the rule changes to owning over 1,200 stations today, five times as many as its nearest competitor.
>
> Here, in Richmond, this translated into Clear Channel owning six local stations, resulting in a loss of competition and the loss of local content in favor of homogenized national programming. For example, **WRVA, a Richmond institution, long known for its emphasis on local news and talk, was gutted after the Clear Channel takeover. Nearly every on-air personality was fired or resigned and public outcry filled local newspaper columns.**

➢ ***Testimony of Unnamed Audience Member, 01/28/04***

> We have a radio station, KTSA, here in San Antonio, that's our community station. We all tune in to find out everything we need to know, including about animals. **It's a public service program with Dr. Dan Kirby, a veterinarian here in town that does this for the sake of animals. This past week, and this is why I'm here, sir, he was removed from KTSA. He was taken off the air because of an infomercial that paid $2,000 for that particular hour.** We no longer have him on our air to listen to, and we want him back.

Fast Facts on Community-Oriented Programming

➢ On average, television stations devote less than one of half of one percent of total programming time to local public affairs.[11]

➢ Four out of ten commercial TV stations surveyed in 2003 aired **no** local public affairs programs.[12]

➢ The percentage of stories without reporters on local TV newscasts has increased throughout the past decade, as has the use of so-called feed material. There is much greater reliance on "daybook" stories

(that is, stories about pre-scheduled events such as hearings, trials and press conferences, usually kept in a file known as the daybook) rather than live, breaking news.[13]

➢ In 2006, most news stories on local radio were less than a minute in length and were often no more than headlines read from wires or provided by the national networks. Such reporting typically lacked details, multiple angles, and sufficient sources.[14]

###

Media Consolidation Results in:

Less Local Control and More Network Control Over Programming Decisions

- ***Testimony of Deborah McDermott, Executive Vice President, Young Broadcasting, Inc., 02/27/03***

The interests of local viewers is the essence of localism. Localism has meant that the citizens of Springfield, Missouri were spared an episode of NBC's *Fear Factor* when the local station determined the program would be offensive to local viewers. No NBC station rejected, to my knowledge, a single episode of that show.

Localism has meant that viewers in North Dakota, Virginia, South Dakota, South Carolina and other states have been able to watch Billy Graham on their local stations. That, of course, would not have occurred if these stations had been owned by a network. Localism has meant a Fox affiliate in Raleigh, North Carolina was able to reject Fox's *Temptation Island* because it refused in its words to support a program that could potentially break up the parents of a young child. To my knowledge, none of the Fox owned stations rejected *Temptation Island*.

Localism has also meant that NBC affiliates collectively were able to persuade NBC to allow them to carry a presidential debate rather than a major league baseball playoff game scheduled by the NBC network. None of that, of course, would have occurred had NBC owned their affiliate.

For 20 years, our company's Louisiana station has aired a live broadcast of the rosary in a very Catholic area, early each morning. When we wanted to expand our local news and move the start time of the rosary program, our network vehemently objected because the rosary program would encroach on the network's early national news. If our station were owned by the network, the rosary would not be on the air.

An increase in the national cap will reduce the number of television stations to which independent program producers can sell programming and in turn will eventually reduce the already small number of independent program companies. This is, of course, of great concern to our company. Right now, 70 to 80 percent of our programming comes from the network and with some companies, 100 percent of our syndicated programming is coming from one syndicated company.

The balance of power in the program market has already shifted to the networks. If you raise the cap, you will nationalize the nation's local broadcast system.

- ***Testimony of John Rustin, Director of Government Relations, North Carolina Family Policy Council 10/22/03***

While families across North Carolina and the nation have an ever-increasing number of radio and television programming options, this growth in choice does not necessarily translate into higher levels of local consumer satisfaction. In fact, we are hearing more concerns from both parents and children about the offensive and indecent content that pervades much of television and radio programming and advertising today.

In North Carolina we are fortunate to have the leadership of individuals like Jim Goodmon, whose CBS and Fox affiliates preempted a number of …programs because they demean marriage and family and run counter to local community standards. If these stations were not locally owned and operated, there is little doubt that these programs would have been aired in the Raleigh-Durham area.

For this reason the North Carolina Family Policy Council testified at an FCC field hearing on media concentration in March in opposition to the proposed increase in the national media ownership cap. **We believe that a station owner who resides in his or her own local community is more likely to understand and respond to local standards than someone making programming decisions from hundreds or thousands of miles away.**

…Localism at its core requires the involvement of the local citizens. Providing a system of local programming that is respectful of community standards, as well as a realistic and responsive enforcement mechanism for addressing indecency violations, will encourage citizens to become more involved in local broadcasting and will help to ensure the quality programming we all desire.

- ***Testimony of Ray Rossman, San Antonio Chapter Director, Parents Television Council, 01/28/04***

Today I represent individuals like myself, parents, and grandparents, who are convinced that our voices are not being heard by those who have the privilege – not the right, the privilege – of broadcasting into our homes on a nightly basis. We're convinced that **our community standards have been pushed by the wayside, and instead the broadcasters uphold the standards of network programmers** in Hollywood or New York, who have no regard for the impact or influence that their programming has on San Antonio children.

They admonish us to change the channel if we don't like what we're hearing or seeing, but turning off offensive or indecent programming should not be our only option. **These are our airwaves. When is the last time that programmers considered what their community wants?** When have they surveyed our views on what should come into our homes or over our airwaves on a nightly basis?

A recent Parent's Television Council survey asked Texans their thoughts about television programming. An overwhelming margin opposes profane, violent, and graphic sexual content on the public airwaves. They do not believe …that local broadcasters consider community values when making their programming decisions. **Local broadcasters have entirely subordinated their duty to serve the public interest by yielding entirely to the national broadcast networks. It's unclear at this point whether the subservient behavior of local broadcasters is deliberate or whether it's being forced upon them by the networks through intense commercial pressure.**

In a PTC survey of network owned and operated affiliates, not a one has told us that it preempted network programming on the basis of community standards. Independently owned affiliates told us that because of network contractual obligations they could not preempt network programming. In fact, some Fox and CBS affiliates said they weren't allowed to see advance copies of reality programming. …**We've heard that many independent affiliates are afraid to preempt programming because the networks threaten to take away their affiliation during the next round of contract talks.**

…Broadcasters can start by listening to the needs and the wants of their local communities. We are voting with our remotes, but the networks aren't listening. The networks repeatedly use the excuse that they have to compete with cable programming, programming that is full of sex, violence, and foul language. Hogwash. Hollywood isn't interested in what America wants, so our local broadcasters need to be.

- ***Testimony of Harry Pappas, Chairman and CEO, Pappas Telecasting Companies, 07/21/04***

Today, local affiliates have been virtually stripped of any right to receive network programming in advance and to evaluate its content. An affiliate is now asked to pay compensation, and even risks losing its affiliation, if it preempts more than a specified number of hours of Big Four network programming. And as the result of unduly relaxed federal oversight, the Big Four networks are in a position to effectively deny local stations the ability to reject network programs that may simply be unsuitable for their markets, or to substitute programs of greater local interest or importance.

Fast Facts on Local vs. Network Control Over Programming Decisions

- During the 2004 campaign season, the right to control local programming became a major point of controversy when Sinclair Broadcasting ordered the 62 local stations it owns to preempt their regularly scheduled programming in order to run an overtly political documentary.[15]

- The Network Affiliated Stations Alliance (a trade association representing more than 600 network-affiliated television stations) filed a "Petition for Inquiry into Network Practices" with the FCC in 2001.

The group claimed that "the balance of power between networks and affiliates has shifted overwhelmingly in the direction of the networks," and catalogued numerous examples of network interference with local programming decisions.[16]

###

Media Consolidation Results in:
Less Independently-Produced Programming

➢ ***Testimony of DeeDee Hallick, Co-author, Public Broadcasting and the Public Interest and Past President, Association of Independent Video and Film Makers, 02/27/03***

I would just like to right now address the problem of getting independent documentaries on any kind of public or commercial television in the United States if your name isn't Ken Burns**.**

There are many, many independent producers who do work, who want to work in documentaries and who cannot -- or are completely locked out of the commercial and the public television system.

I refer to my colleague Lee Lu Lee who is also on the Board of Directors of the AIVF, the Association of Independent Video and Film Makers. He's half Chinese and half African-American. A number of years ago he did a documentary on the history of the Black Panthers in the United States. It was a work he worked on for seven years, had incredible archival footage, was a very in-depth look at the Panthers and often quite critical of the leadership. **His program was shown on 37 national systems around the world in Japan, in Holland, in England, in many, many -- Brazil even. And his program could not get on one channel in the United States, not one.**

Finally, Black Entertainment Network did put it on two and a half years after he had finished making it. Where was the place for people to put on these kinds of programming? If you talk about the History Channel, you should ask Gore Vidal about his history with working with the History Channel. Here is an eminent intellectual, very important – he was originally hired by them. He completely was disgusted with the way they wanted to portray history.

➢ ***Testimony of Victoria Riskin, President, Writers Guild of America, 02/27/03***

The Commission and the courts have asked for data about diversity in entertainment programming. As President of the Writers Guild, I can tell you that over the past decade, **diversity of production sources in the marketplace has been eroded to the point of near extinction**.

In 1992, only 15 percent of new series were produced for a network by a company it controlled. Last year, the percentage of shows produced by controlled companies more than quintupled to 77 percent.

In 1992, 16 new series were produced independently of conglomerate control. Last year, there was one.

The opportunity for access for a broad range of voices has been cut dramatically. The claim has been made that because we now have hundreds of channels on cable, choices abound. But more channels does not really mean more choices.

The creative community has seen in recent years how increasingly difficult it is to bring innovative shows to the air. All too often, indeed virtually invariably, to get their work on television, writers and producers must cede ownership and creative control to the network or cable companies. Most have no choice, none at all. They must accept the network or cable company as a partner and surrender their independence with the result that if their show does not make the schedule, they are now prohibited from taking it elsewhere.

Nearly 100 small and medium size businesses, each with its unique point of view have disappeared in the last 10 years. Why is the disappearance of a small independent producer and writer an issue for public concern? Because with them have gone stories from hundreds of writers and producers who care deeply about original drama, comedy, history, culture and not just, for example, just ratings, ratings, all the time, ratings.

- ***Testimony of Milton Lee, 05/26/04***

I'm an enrolled member of the Cheyenne River Sioux Tribe, and more surprising than anything else, I'm an actual live, independent producer. That's right. I produce public radio shows. The shows that we've produced have been played all over the world, literally all over the world: Australian Broadcasting, Radio for Peace International, Costa Rica has picked it up. We've had shows played in Belarus. But we haven't had them played much in South Dakota except for KILI radio. The reason for that – well, let me just tell you some of the titles of the things that we've produced. *A Song for Wounded Knee*; *The Black Hills, a Lakota Vision*; *Does Mother Earth Have AIDS*; In *His Name: The Carving of Crazy Horse*. Now it would be easy to blame racism for why they are not being played in Rapid City. But you know, that really isn't the answer.

The answer is what Commissioner Copps said. **There is no diversity in Rapid City radio. Absolutely none. It does not exist.** There's no community radio stations around except KILI radio and that comes from Porcupine. I mean, it's a great, wonderful, amazing station. They play all kinds of phenomenal things. But it's not a Rapid City station. There's not a Rapid City broadcaster who's broadcasting any of this type of programming.

> **The reality is we get news, weather, sports, top 40, top 30, top 20 music. That's it. There's no arts programming, ethnic programming, cultural programming, documentary programming, radio drama, interview shows, travel shows, health shows. None of that in Rapid City.**
>
> You go to Minneapolis, we could listen to KFAI. You know, their motto is, "A new radio station every hour. Our programming is so varied even we don't like half of it." The reality is we need true diversity in radio programming right here in Rapid City. That's what localism is all about.
>
> It is unbelievable that there's not a window open right now for people to even apply to open a community station here in Rapid City. Shame on the government.

Fast Facts about Independently-Produced Programming:

- Six media conglomerates produce the vast majority of programming for television.[17]

- In 2005, just 10 of the 81 hours per week of prime-time programming on the four major television networks were independently produced.[18] FCC Commissioner Michael Copps and others have called for a set-aside of 25 percent or more of prime-time hours for independent producers and creators in order to promote diversity, localism and competition.[19]

###

Media Consolidation Results in:
Increased Censorship of Divergent Views

- ***Testimony of Glen Best, Sierra Club, 02/27/03***

Before the FCC considers any change that would further consolidate media ownership, it needs to investigate instances of censorship by owners such as those recently experienced by the Sierra Club. In the past eight months, **the Sierra Club has had two radio campaign ads rejected by stations**, **a radio ad produced by the Club last June urging Bill Ford, CEO of Ford Motor Company to produce more fuel efficient vehicles was rejected by Detroit stations, but later aired by a station in neighboring Canada. We shouldn't have to go to Windsor to have our ads run.**

In September, another ad, critical of pollution from large dairy operations in Twin Falls and Jerome, Idaho was pulled by station owners, Clear Channel Communications one week after the station started getting a lot of calls in an orchestrated effort by advertisers complaining about the Sierra Club ad.

Now this isn't directly related to the FCC, but it involves Clear Channel. In October of last year, Clear Channel Communications and Viacom which own billboards in New Mexico rejected billboard ads by the Sierra Club in support of the Zuni Native American Tribe and critical of plans for an 18,000 acre strip coal mine that would harm the Zuni salt lake in western New Mexico.

I ask you this question in my closing remarks here, **how can the marketplace of ideas – which you're so concerned about – legitimately operate in an environment where access to public airwaves is owned by fewer and fewer corporations that view public discourse as a threat to their bottom line?**

- ***Testimony of Raymond Boone, Editor and Publisher, Richmond Free Press, 02/27/03***

To give you an idea of the conditions that an independent newspaper like the Free Press faces it is not only the monopoly, but the kind of influence that it has entrenched in the environment.

An example, the main library tossed out our three volumes, original volumes, simply because we expressed the view that was not consistent with that of the monopoly publication. **Just two or three weeks ago, our photographer was restricted …from photographically covering a historical swearing in ceremony of the Chief Justice while the monopoly press was allowed to do that**.

Fast Facts on Censorship of Divergent Views:

➢ Corporate radio owner Cumulus Media banned the Dixie Chicks, a country music band, from their station's playlists after the group's singer made a disparaging remark about President Bush during a concert.[20] Hundreds of Clear Channel stations also refused to play Dixie Chicks songs (Clear Channel Vice Chairman Tom Hicks has strong ties to the Republican Party, and George W. Bush in particular).[21] Clear Channel maintains that it does not influence what music gets played on its stations, but it did distribute a list of more than 150 songs it considered "inappropriate" after the 9/11 attacks, and strongly recommended that stations refrain from playing them.[22]

➢ In late 2004, CBS and NBC rejected an ad created by the United Church of Christ for being "too controversial." The ad showed the church welcoming all people, including minorities, gay and lesbian couples, and persons with disabilities. Rev. John H. Thomas, general minister and president of UCC, said it was "ironic that after a political season awash in commercials based on fear and deception by both parties seen on all the major networks, an ad with a message of welcome and inclusion would be deemed too controversial."[23] With some limited exceptions on broadcast political advertising, media outlets possess the right to reject any commercial advertising material they do not wish to carry.

➢ The "Reasonable Access Rule" gives legally qualified federal candidates the right to purchase commercial advertising time from radio and television stations during their political campaigns. State and local candidates, as well as independent political organizations, have no such statutory rights.[24]

➢ The "Fairness Doctrine," which required broadcast stations to afford reasonable opportunities for discussions of contrasting points of view on controversial issues of public importance, was repealed in 1987.[25]

###

Media Consolidation Results in:
Less Political Discussion

- ***Testimony of Mary Klenz, Co-President, League of Women Voters of North Carolina, 10/22/03***

> **Meaningful political coverage has declined over the last thirty years. Citizens get a majority of their news from TV and radio, and that main source of information is available only through political ads. That really does our democracy a disservice.** It becomes a self-perpetuating spiral downward. Less information, less voting, less information.
>
> …Broadcasters have an abundance of talent and creativity at their disposal. The weather is interesting, commercials are effective in getting a message out, and they make outstanding use of graphics, color and design. Why can't all that talent be directed to programming that informs the public on issues, voting, elections and who is running for office? Let me cite a few examples of how effective TV can be when it becomes involved in these issues.
>
> **The League used to be invited to answer viewer questions on local TV stations during election time. I was astonished at the number of calls we received; many times over 200 calls within a two-hour period. Without exception we couldn't begin to take all the calls. Regrettably that practice was discontinued.**
>
> WTVI is our local PBS station and it is known for its local programming. The League has partnered with them on candidate debates for elections of city council, mayor, county commission, school board and the three U.S. house districts represented in our area. I don't know of any other time when all local candidates on the ballot in these local elections answered questions before an area-wide TV audience. This is done with volunteers working with WTVI and we continue to receive positive feedback from both voters and candidates.
>
> We are concerned that business concerns seem to have overtaken -- seems to have taken precedence over the public interest. You Commissioners have the job of figuring out how to balance these concerns with the obligations that broadcasters have to provide meaningful information to the public about voting and elections. From everything lay members report to us, they are not getting that now.

- ***Testimony of Bob Newland, Freelance Publisher, 05/26/04***

Ten years ago …the first libertarian, the first alternative party was on the ballot for governor in South Dakota in 60 years.

Nathan Barton had been granted appearances with the other candidates in other forums across the state, but a local TV station arranged a debate and would not allow Nathan Barton to be in it.

So I called the anchorwoman, and I asked her why. And she said that, "We found that when we allow alternative candidates in these debates, the debates degenerate into an exchange of ideas."

➢ ***Testimony of Martin Kaplan, Associate Dean, Annenberg School for Communication at the University of Southern California, 07/21/04***

My colleagues and I have been studying the political coverage on local television news since 1998. …In our most recent study, we collected top-rated early- and late-evening half-hours of news from a scientific sample of 122 stations in the top 50 U.S. markets. **We analyzed more than 10,000 news broadcasts that aired during the last seven weeks of the 2002 campaign.**

Here is some of what we found:

Only 44 percent of those broadcasts contained any campaign coverage at all. In other words, almost six out of ten top-rated news broadcasts contained no campaign coverage whatsoever. Most of the campaign stories that did air were broadcast during the last two weeks of the campaign. **Nearly half of the stories were about horserace or strategy, and not about issues.** The average campaign story lasted less than 90 seconds. **Fewer than three out of ten campaign stories that aired included candidates speaking**, and when they did speak, the average candidate sound bite was 12 seconds long. Campaign ads outnumbered campaign stories by nearly four to one.

Of the campaign stories that did air, what kinds of races were covered? The answer is state-wide races, not local campaigns. Most of the coverage – 38 percent of the stories – focused on gubernatorial races, and 20 percent on U.S. Senate races. Potentially high profile statewide races, such as secretary of state or attorney-general, were the focus of just two percent of the stories All told, 60 percent of the campaign stories on local news were about state-wide races.

By contrast, races for the U.S. House of Representatives made up only seven percent of the stories. Races for the state senate or assembly accounted for only three percent of the stories. Stories focused on regional, county or city offices made up only four percent of

the stories. So even if you count a House race as a local election, only 15 percent of all the campaign stories in our national sample focused on local races.

…**Size of station ownership group appears to make a difference. The 45 stations in our sample that are owned by large owners (with over 20 percent audience reach) carried a lower percentage of local campaign news than the national average, while stations owned by small- and mid-sized owners beat the national average.** We were able to make head-to-head comparisons between stations with large owners and stations with small- or mid-sized owners in 22 markets; in 16 of them, stations with large owners provided less local campaign news than stations with small- or mid-sized owners.

…The campaign coverage Americans get on the airwaves they own should not depend on good luck or good will. Voluntary standards were proposed by the Gore Commission in 1998. After years of deliberation, it urged stations to air at least five minutes of candidate-centered discourse a night on each night in the month before the election. How well did it work? In the 2000 election, we studied 74 stations in 58 markets. Rather than five minutes of candidate discourse a night, the average station ran 74 seconds.

This year, a number of broadcast companies – including Hearst-Argyle, Belo, New York Times, Scripps, and Granite – have pledged to provide airtime for candidates in the fall campaign. But even if they all live up to that promise, they represent only six percent of the nation's television stations.

Fast Facts on Declining Political News

➢ In 2006, news about politics and government accounted for about 10 percent of stories on local television news. By contrast, crime and traffic comprised nearly 50% of the coverage.[26]

➢ During the last round of midterm congressional elections, there were 174 major candidate debates in 10 states, but the majority (100 debates, or 58 percent) were not televised. Only 57 debates (33 percent) were carried live.[27]

➢ In the month leading up to Election Day 2004, local television broadcasts contained eight times more coverage of accidental injuries, and 12 times more coverage of sports and weather, than coverage of all local races combined. Ninety-two percent of local news broadcasts contained no stories at all about local candidate races, which include campaigns for the U.S. House, state senate or assembly, mayor or city council, law enforcement posts, judgeships, education-related offices and regional and county offices.[28]

➢ Ninety-two percent of the election coverage aired by the national networks (ABC, CBS, NBC and Fox) in the two weeks before Election Day 2004 was devoted to the presidential contest. Slightly less than two percent of stories were devoted to U.S. House or U.S. Senate races, and an additional two

percent examined ballot initiatives or referenda,. The remaining stories were devoted to voting issues (like absentee ballots or voting machines) not specific to any particular race.[29]

###

Media Consolidation Results in:
Inadequate Emergency/Disaster Warnings

- ***Testimony of Jonathan Adelstein, FCC Commissioner, 05/26/04***

Many of you might have heard this story about Minot, North Dakota where **there was a derailment of a train which was carrying toxic fertilizer. When it derailed this cloud moved towards the city, a toxic cloud. And they tried to contact the broadcasters.** The sheriff was there on the spot, almost immediately tried to contact the broadcasters.

The Emergency Alert System failed on both ends. They called the broadcasters. **It turned out that most of the stations, I think six of the seven, were owned by one company, Clear Channel, out of state, and there was nobody there to answer the phone at night.** So for quite a period of time, the public wasn't alerted to the presence of this cloud. There was a siren that went off. **Everybody turned on their radio to try to hear what was going on, and there was nothing on the radio** but oldies or country music. Nothing about what was happening, the threat that was coming to their community.

- ***Testimony of Phil Bravin, Technology Research and Development Officer, Communication Service for the Deaf, 05/26/04***

First of all, I would like to represent the deaf and hard of hearing community here in South Dakota. First and foremost of importance is to realize that deaf people do not have access to the radio at all. Our only access is to the television stations.

Our local stations are making an effort to try and communicate information to us, but it is not perfected as of yet. The best they can do is with sometime real time captioning. Other times they have scrawls, crawls, which are very useful until it happens five minutes before the tornado hits. Then until that five minutes before the tornado hits, that information is simply not enough. And we don't know exactly where the tornado is. All we see is a weather map. And they expect us to read those crawls without having access to the voice overtones. Now, those things can be corrected with real time captioning.

Another time **a chemical explosion happened a few months ago in Sioux Falls. That information was not captioned. So my wife was babysitting my granddaughter and was completely unaware of what had happened** because the voice-overs were telling people stay inside, do not go outside to play, do not go outside until the chemical is out of the air.

…We also do not have information to the public issues such as the political debates, the political addresses. Most of those are not real time captioned.

- ***Testimony of Gerry Trombolt, Self Help for Hard of Hearing People, 01/28/04***

In July of 2002, this area of Texas experienced a terrible life-threatening flood. The deaf and hard-of-hearing population soon discovered that San Antonio broadcasters did not have emergency weather captioning in place. We began an immediate war with phone calls, e-mails, text messaging and complaints to the FCC.

We sent in close to 200 formal complaint forms to your agency. We met with local television personalities and executives to explain what we needed. **We find that, still, as of this date, full captioning, real time captioning, is not available for weather and other emergency news.**

We find that stations are reluctant to secure appropriate equipment and negotiate with providers to give us what the law has already mandated.

Let me emphasize, Mr. Chairman, Commissioners, that which you already know, to the rest of this audience, that Texas broadcasters refuse to recognize our right to equal access, the necessity of compliance and that they are flirting with danger every day. **The result of this neglect on their part can and may result in senseless tragedy when a deaf or hard-of-hearing person loses his life because there was no captions.** *[sic]* Please take our plea to heart — there are thousands of deaf and hard-of-hearing people in this particular community who need, and without question deserve what is already in place in law. Hear us though we can't hear for ourselves and be the voice of humanity in the communications and broadcast world.

- ***Testimony of Charles Estes, 01/28/04***

I'm …representing the deaf and hard-of-hearing people, 1.8 million strong in the state of Texas, almost one-tenth of the Texas population, and when we consider the fact that the older we become the more hearing loss we have, when you get to retirement age, about one-third of the population has a hearing loss of some kind. I submit that our needs are not being attended to very carefully or inadequately.

For example, at the set-up today, the deaf and hard-of-hearing people are grouped here in the front, the close captioning is way over there. It is not accessible.

> **At 7:28 this evening when I was standing there in line, the captioning disappeared, for a good two minutes or more before it reappeared. That happens all the time on the local as well as the national broadcasting**, captioning when it's absent from a critical part of local programming.
>
> For example, if you turn on the television at 7:00 in the morning, usually you get national programming. Every 15 or 30 minutes, the program reverts to local weather and news. It's ironic that that part is not captioned, and **I know more about your weather in Washington, D.C., than …about my own weather in Denton where I reside, which affects me.**

Fast Facts on Emergency/Disaster Warnings

➢ As of January 1, 2006 all new English-language programming must be closed captioned, with only a few exceptions.[30]

➢ All television broadcasters, cable operators, satellite television services that provide local emergency news are currently required by the Federal Communications Commission to caption all essential emergency information, or provide it visually.[31]

###

Media Consolidation Results in:
Fewer Minority-Owned Broadcast Stations

➢ ***Testimony of Alfred Liggins, Chief Executive Officer and President, Radio One, Incorporated, 02/27/03***

Today, in Richmond, Virginia, Radio One is the only minority owned broadcaster. Prior to deregulation there were numerous other minority owners. **The significant decrease in the number of minority owned television and radio stations is an illustration of how federal rules and policy making can dramatically change the landscape of equal opportunity and diversity**. …

Studies have shown that there are significant disparities in the treatment of African-Americans in local and national news. In addition, African-Americans still face a lack of quality programming in the media focused on their needs, interests and perspectives.

I strongly believe that minority owned radio stations provide more minority focused content and a greater focus on the concerns of the minority community. Likewise, our listeners take great comfort in knowing that the information and opinions presented are derived from a shared perspective that there is a collective stake in the issues being discussed.

Perhaps the best way to illustrate this is to point out a few examples of how Radio One uniquely serves the needs of its listeners. Our stations regularly provide important health care information that is relevant to African-Americans, including information concerning the disparity and the quality of health care, the significantly higher mortality rate and the increased risk of heart disease. We also provide information on college admissions, sponsor college scholarship opportunities and help raise funds in support for historically black colleges and universities. We've raised cash and other donations for Princeville, North Carolina, the oldest town in America incorporated by freed slaves which was devastated by flood.

On a regular basis, we sponsor job fairs and other events in the African-American community and promote voting and other civic participation. These are just a few of the ways in which we attempt to serve the needs of our listeners.

Obviously, I cannot state with certainty that these issues are not of important concern to our non-minority owned companies, however, I can assure you that as an African-American owner, I am committed to ensuring that Radio One continues to focus on the African-American community and to present that viewpoint to the American public.

➢ ***Testimony of Lydia Camarillo, Vice President, Southwest Voter Registration Education Project, 01/28/04***

The Latino population is the fastest growing electorate in the country. Only a generation ago, Latinos were a politically powerless people. Our interests were disregarded, our views dismissed, our cultures disrespected, our participation discounted. Today the Latino community is participating in the American democracy process like never before. Allow me to emphasize that our numbers continue to grow, and as a matter of fact, we are the youngest electorate in the nation. Interestingly, Latino voter registration has grown from 2.7 million Latino voters to 8.3 million nationwide, a phenomenal growth of 163 percent.

It is why we are convinced that the Latinos stand at a crossroads in American politics. A crossroads that holds many historical implications. The overall decline of the participation levels amongst the American electorate, combined with a record growth of Latino participation promises to change the values of America's democracy.

Also, the rising numbers of Latinos and Latinas being elected to political office promises to change the face of our government. But in spite of the record growth of Latino electorate, mainstream America and Latino communities have not yet understood the impressive gains made by Latinos politically for many reasons. One being that **the newsrooms of America are not telling the complete story**, or if our stories are being told, they are not being told by Latinos, and even more rarely are they reported by Latinos. Rarely is the complete and accurate Latino story reported.

The use of the public airwaves should also mean that the widest possible dissemination of news and information from diverse voices, perspectives and communities must be part of the American culture, and the FCC therefore has the responsibility to protect the public interest. It is why we feel it is necessary that this interest must be extended to Latinos and communities of color.

The number of television stations owned by minorities has declined in the last three years from 33 to 20. In San Antonio, the top ten radio stations are owned by the three conglomerate companies, Clear Channel, Fox and Univision.

This issue is not whether broadcasters are being local to a greater or lesser degree, but rather whether the lax ownership rules hinder the democratic process and excludes community interest and representation. **Television and radio owned and controlled by Latinos and communities of color ensure that the Latino story is told completely and with accuracy.** Furthermore, it ensures the Latinos report the Latino perspective in

America.

Diversity of ownership breeds competition and competition breeds better journalism and diversity of perspective in the news. It is why ownership guarantees diversity of news reporting, reporting by reporters that reflect the growing ethnic communities of color. In other words, news reported by local communities ensure the public interest of those communities.

- ***Testimony of Harvey White Woman, Member, Oglala Sioux Tribe, 05/26/04***

The Federal Communications Commission is gathered here to listen and possibly learn from common people who share one goal in mind: Diversity in the airwaves. Today we see the use of the airwaves and who controls that use of airwaves can also control how people perceive other cultures.

For years the Native Americans have been viewed by the media and television in South Dakota as second class citizens whose only purpose is to draw people to this area in its tourist seasons and are perceived that all Indians wear orange jumpsuits.

Non-Indians have been in control of how we are seen from the days of watching Indians surround the wagon trains in the television western shows to the takeover of the Bureau of Indian Affairs building in Washington, D.C. All very stereotypical in showing that the Indian is nothing but a heathen savage and radical that requires total ignorance on the part of mainstream America. This is what has been shown throughout the years in front of our children who we try to raise to be proud of their Lakota heritage.

The similarities between the Lakota and Muslim people is not a coincidence in a sense that both have been portrayed in movies that are replayed on television and mainstream media as cultures to be afraid of because of our views and the color of our skin. …

The FCC must realize the importance of diversity in the airwaves whether through radio or television, to prevent false images of a proud people, and a balance must be found. …

Supreme Court canons of treaty construction support the Oglala Lakota assertion of our sovereign right to an intangible property that could be used to benefit our people and to further the education of our culture, to insure the survival of a people whose ancestors pledged their honor to maintain peaceful relations between two nations, a relationship based on a solemn trust that requires the building of bridges and understanding between two cultures who remain steadfast in their beliefs to life, liberty, and the pursuit of happiness and the other who believes in a supreme law and of sovereignty whereas

diversity within the airwaves spectrum via radio and television can enhance that understanding (speaking in native language).

➢ ***Testimony of Oscar Moran, Senior Advisor to the Executive Board and Former President, League of United Latin American Citizens, 01/28/04***

We believe that [the FCC's decision last summer to deregulate media ownership rules] will not serve the minority communities as they continue to be underserved by the growing trend of corporate centralization of broadcasting formats and homogenized media coverage of local news.

We continue to see a lack of coverage on voter registration drives, health issues and cultural initiatives due to a trend towards corporate centralization of news and information which is sometimes considered more mainstream.

…There are presently numerous red flags on the broadcast media horizon, but among the most visible is **a glaring lack of minorities in the executive branch as well as the governing board members of these corporations**.

As ordinary citizens, we must stand ready to evaluate and assist broadcast media entities from succumbing to the pitfalls of corporate in-breeding which results when viable diversity is not present, as well as the practice of recycling minority board of directors' members, an abuse which was recently high — highlighted in major newspapers and business journals where they cited an example of one person who serves — serves on 12 to 14 boards of Fortune 50 companies, and who publicly stated that he spends most of his time traveling from meeting to meeting, which begs the question how can such a board member, such a person, honestly look after the interest of the consumers and shareholders of these entities.

We must pay strict attention to the direct correlation between the lack of diverse input and viable government and the demise — in the demise of the recent giants in energy, security, healthcare, to name a few, in the adverse domino effect on ordinary citizens. To this end we will be working with members of Congress on legislation to curtail the abuse of board of directors recycling in publicly traded and regulated industries.

Fast Facts on Minority-Owned Broadcasters and Minority Journalists:

➢ Approximately 12,844 stations filed Ownership Reports (form 323 or 323-E) with the Federal Communications Commission in calendar years 2004 and 2005. Of those stations which filed reports, just

438 stations – or 3.4 percent – identify one or more females which, in the aggregate, have a greater than 50% voting interest in the broadcast licensee entity. Additionally, 460 stations – or 3.6 percent – identify one or more minorities which, in the aggregate, have a greater than 50% voting interest in the broadcast licensee entity. These figures stand in sharp contrast to the population figures as a whole, in which females represent one half of the total U.S. population, and minorities represent nearly one-third.[32]

- Although constituting 14% of the total population, African-Americans own approximately 2% of all commercial broadcast licenses in the United States.[33]

- Minority-owned radio stations are more likely to provide news and public affairs programming on events or issues of particular concern to minorities. Of radio stations that report tailoring national news stories to the local community, minority-owned stations are far more likely than majority-owned stations to tailor the story to minority community concerns.[34]

- As of April 2006, minority employment in daily newspapers was at 13.87%. Supervisors and layout/copy editors were over 88 percent white.[35]

- Minority ownership in cable television has traditionally been all but nonexistent, in spite of the fact that minorities consume premium cable services at higher rates than whites. Cable provides minorities with more opportunities to see themselves and their experiences on television than traditional broadcast programming does.

- African-American journalists on average report just 10 percent of stories on the network evening news, and female journalists account for approximately one-quarter of all stories.[36]

[1] Katharine Q. Seelye, "Group Says Tribune's Cuts Hurt the Public," *New York Times*, December 26, 2005.
[2] Justin Oppelaar, "Clear Channel Cuts," *Daily Variety*, August 6, 2002
[3] Keith J. Kelly, "TIME Looks To Trim $100M," *The New York Post*, December 28, 2005.
[4] I Want Media, "Media Layoffs," at http://www.iwantmedia.com/layoffs.html (last visited 10 July 2006).
[5] Bureau of Labor Statistics, U.S. Department of Labor, "Employment, Hours and Earnings from the Current Employment Statistics Survey (National)," database last accessed 06/27/2006.
[6] AFL-CIO Executive Council, "Media Monopolies: A Threat to American Democracy," 26 February 2003.
[7] "Media Regulation Timeline", PBS, http://www.pbs.org/now/politics/mediatimeline.html
[8] "Commercial Radio Station Ownership Consolidation Shown to Harm Artists and the Public, Says FMC Study" http://www.futureofmusic.org/news/PRradiostudy.cfm
[9] Ibid.
[10] "Payola: Big Radio Sells Out", Free Press, http://www.freepress.net/payola/.
[11] "All Politics is Local: But You Wouldn't Know it by Watching Local TV", Alliance for Better Campaigns, October 2003.
[12] Michael Yan (Department of Communication Studies at University of Michigan) and Philip Napoli (Donald McGannon Communication Research Center at Fordham University), "Market Structure, Station Ownership, and Local Public Affairs Programming on Local Broadcast Television," October 2004.
[13] Project for Excellence in Journalism, "Local TV: The State of the News Media 2006" at http://www.stateofthenewsmedia.org/2005/narrative_localtv_contentanalysis.asp?cat=2&media=6 (last visited 10 July 2006).
[14] Project for Excellence in Journalism, "Intro: The State of the News Media 2006," at http://www.stateofthenewsmedia.com/2006/narrative_daymedia_radio.asp (last visited 10 July 2006).
[15] Jim Rutenberg, "62 TV stations will air anti-Kerry film," *International Herald Tribune*, October 12, 2004.
[16] Neil Hickey, "Unshackling Big Media," Columbia Journalism Review, July/August 2001.
[17] Center for Creative Voices in Media, "Key Issues: Media Concentration," at http://www.creativevoices.us/key.php (last visited 10 July 2006).
[18] Jim Benson, "Outsourcing the Fall Schedule," Broadcasting & Cable, 5/29/2006.
[19] Michael J. Copps, Speech to the National Association of Television Program Executives in Las Vegas, Nevada, Jan. 26, 2005.
[20] Brian Mansfield, "Dixie Chicks' chart wings get clipped", USA Today, March 19, 2003.
[21] Paul Krugman, "Channels Of Influence", New York Times, March 25, 2003.
[22] Sam McDonald, "Clear Channel Issues Restricted Playlist", Daily Press (Newport News, VA), September 20, 2001
[23] J. Bennett Guess, "CBS, NBC refuse to air church's television advertisement," United Church News, Nov. 30, 2004.
[24] "Campaign Media Guide," Campaign Legal Center, 2004.
[25] Museum of Broadcast Communications, "Fairness Doctrine" at http://www.museum.tv/archives/etv/F/htmlF/fairnessdoct/fairnessdoct.htm (last visited 10 July 2006).
[26] Project for Excellence in Journalism, "Content Analysis: The State of the News Media 2006," at http://www.stateofthenewsmedia.org/2006/narrative_localtv_contentanalysis.asp?cat=2&media=7 (last visited 10 July 2006).
[27] Committee for the Study of the American Electorate, cited by Alliance for Better Campaigns, "If a Political Debate is Held in Plain View, But A Television Camera Isn't There, Does It Make a Sound?," *The Political Standard*, June 2002.
[28] The Lear Center Local News Archive, "Local TV News Largely Ignores Local Political Races," at http://www.localnewsarchive.org/pdf/LCLNARelease2005.pdf (last visited 10 July 2006).
[29] Alliance for Better Campaigns, "Local, Network News Tune Out Non-Presidential Candidates," *The Political Standard*, December 2004.

[30] Federal Communications Commission, "FCC Consumer Facts: Closed Captioning," at http://www.fcc.gov/cgb/consumerfacts/closedcaption.html (last visited 10 July 2006).
[31] Gallaudet University's Technology Access Program, "Emergency Warnings: Notification of Deaf or Hard of Hearing People," at http://tap.gallaudet.edu/EmergencyReports/NADEmergency.doc (last visited 10 July 2006).
[32] Federal Communications Commission, "Female/Minority Broadcast Ownership Data 2004-2005," at http://www.fcc.gov/ownership/data.html (last visited 10 July 2006).
[33] National Association of Black Owned Broadcasters, "NABOB's Mission," at http://www.nabob.org/mission.html (last visited 10 July 2006).
[34] Federal Communications Commission, "Studies Indicate Need to Promote Wireless and Broadcast License Ownership by Small, Women- and Minority-owned Businesses," at http://ftp.fcc.gov/Bureaus/Enforcement/News_Releases/2000/nren0034.html (last visited 10 July 2006).
[35] American Society of Newspaper Editors, "Newsroom Employment Census," Tables A and C, 25 April 2006.
[36] Center for Media and Public Affairs, "2004 Year in Review," *Media Monitor*, January/February 2005.

APPENDIX E

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A Tale of Five Cities:
Why the Newspaper-Broadcast Cross-Ownership Ban Should be Preserved

For more than 30 years, the Federal Communications Commission has had a rule in place that prevents one company from owning both the local newspaper and the local TV station in one community. [1] The reasons behind the ban on newspaper-broadcast cross-ownership are clear: A single owner deprives a community of important diverse sources of news, information and opinion.

As journalism professor Douglas Gomery wrote in 2002, there are even better reasons to keep the newspaper-broadcaster cross-ownership ban in place today than there were in 1975. A handful of media giants now owns most of the major sources of our information: newspapers, television stations, radio stations, and cable systems. The media behemoths are more concerned about pleasing shareholders and increasing profits than serving their respective communities. The number of layoffs at the New York Times Co.[2] and Tribune Company [3] attests to the power of Wall Street, not Main Street, to dictate the resources that are available to cover news, particularly local news.

The very reason that merging newspapers and broadcast outlets under one owner makes economic sense – the ability to maximize the productivity of news staffs by sharing resources, reducing competition, and cutting costs – often fails to serve the public interest by reducing the amount of independently produced news and information available in a local community.[4]

A cross-owned media offers the following dangers:

- Giving the community inadequate coverage of the media business itself
- Ignoring diverse voices, particularly critics
- Avoiding enterprise reporting
- Confusing promotion with substantive journalism
- Choosing synergy over a quality product
- Compromising editorial values for business reasons
- Sharing resources and staff in ways that dilute, rather than enhance the quality of the cross-owned news staffs

Media outlets that are not cross-owned can be guilty of the same sins, but in media markets with diverse owners, those sins are more likely to come to light and less likely to harm viewers, readers and listeners, who have other sources of news and information about local events and issues.

Comments submitted in 2002 to the Federal Communications Commission by Consumers Union, the Consumer Federation of America, the Media Access Project, the Center for Digital Democracy, and the Civil Rights Forum provided invaluable help in the preparation of this report.

Going easy on a media outlet that shares a common owner: **The Tampa Story**

If newspapers and TV stations share the same parent in one market, it is likely that each media outlet will go easy on the other when it is criticized.

Consider, for example, what happened when NBC affiliate WFLA-TV was excoriated by journalists across the country for its practice of charging guests on its morning magazine show, *Daytime*, $2,500 for a four-to-six-minute segment with the program's hosts.

Washington Post media columnist Howard Kurtz wrote three stories about the incident. His first story was published on Oct. 16, 2003, and was headlined, "Florida TV Station Cashes in on Interview 'Guests.'" Kurtz ultimately returned to the subject three times, and the *Post* also published an editorial calling the practice of posing advertising content as stories on the magazine format show as a "descent to pay-for-play journalism."[5]

But the *Tampa Tribune*, which shares the same parent, Media General Corp., with WFLA, took a kinder, gentler approach in its story, which was published on Oct. 18, two days after Kurtz aimed his first critical salvo.

The *Tribune's* 590-word story, which ran on page two of its metro section, describes *Daytime* as an "advertiser-driven talk show," and quotes only WFLA executives who countered Kurtz's criticism by asserting that *Daytime* was not a news show. "[H]e (Kurtz) inaccurately characterized *Daytime* as being journalism," WFLA's president and general manager told the *Tribune*. "*Daytime* is an entertainment program with no journalism elements," Land added.[6]

The *Tribune's* coverage so riled Elizabeth Rose, a former public affairs officer for the Federal Communications Commission (FCC), that she penned an op-ed for *Broadcasting and Cable*, in which she charged that the "co-owned newspaper did not break this legitimate media story unfolding right in its own building. When the paper did get around to reporting it, its version read like a corporate press release. This is a case study of why TV/newspaper cross-ownership is bad for democracy," Rose concluded.[7]

It was only after Senator John McCain (R-AZ) asked the FCC to examine the practice of selling airtime to advertisers that the *Tribune* gave any substantive coverage of the scandal at WFLA.[8]

Shutting out diverse voices: The Atlanta Story

On March 25, 2002, a contingent of African-American civic and religious leaders staged a protest rally outside the entrance of the *Atlanta Journal-Constitution* to complain about the newspaper's coverage of the city's African-American political leaders. The protestors included the head of the

Atlanta Economic Development Corporation, the president of 100 Black Men of America, and The Concerned Black Clergy. [9]

But the *Journal* did not cover the protest demonstration. Neither did WSB-TV, although, according to an African-American newsweekly, the *Atlanta Inquirer*, a WSB-TV cameraman taped the entire event. Both the *Journal-Constitution*, Atlanta's only daily newspaper, and WSB-TV, the ratings leader for local news, are owned by Cox Enterprises. Cox also owns WSB-AM, its leading news/talk radio station.[10]

Atlanta's major media also ignored another major story in its own backyard. When Federal Communications Commissioners Michael Copps and Jonathan Adelstein held a hearing in Atlanta on the FCC's proposed media consolidation rules in May 2003, *Salon.com* covered the event, which drew 600 people.

But neither the *Atlanta Journal Constitution* nor WSB radio or television alerted its readers or listeners that a meeting was going to be held, nor did a story on the event, according to *Salon*. The only way the crowd found out about it was by reading the city's alternative weekly, or tuning in to two community radio stations, WRFG or WRAS.[11]

Confusing promotion with substantive journalism: The Phoenix Story

Sometimes when a newspaper and a television station join forces on a community news/public service project, the reporting does not go deep enough. That seems to have been the case in Phoenix, Arizona, where Gannett owns the state's largest newspaper, the *Arizona Republic*, and television outlet, KPNX-TV. The co-owned media outlets teamed up to push a special effort on swimming pool safety.

The newspaper's promotion and the TV station's outreach both took the same approach: warning parents to watch their children around pools, particularly during the summer months. On Labor Day in 2002, the *Republic* pronounced victory, and declared a 50 percent drop in drowning deaths.[12]

But a thoughtful investigative story, the result of one year of research, by the alternative weekly in town, the *Phoenix New Times*, offered a different point of view. The *New Times* contended that the safety campaign's results were more tenuous, and that drownings did not end with the formal end of the summer season. Indeed, the total number of childhood drownings in Phoenix in 2002 was down by 3, from 15 to 12, a 20 percent decline. Further, a careful read of the statistics and historical record seemed to indicate that drownings were clustered in a number of neighborhoods in decline in West Phoenix, and that the lack of a proper fence around pools, rather than inadequate parental supervision during pool time, was a major cause of the deaths and near-deaths from drowning. [13]

Ironically, the same story extolling the promotion effort buried a much more troubling fact: Efforts by Phoenix firefighters to supply disadvantaged Phoenix families with free pool fences had fallen far short of their goal. Of the 500 requests for pool fences the firefighters received, they were able to help only one in 20 families. The firefighters resorted to a lottery to choose the recipients. In a more competitive news market, one of these leading news outlets may have seized on this disturbing fact.

Two years later, *The Republic* came to understand the importance of pool fences. While still championing the success of efforts by the newspaper and its co-owned TV news operation, 12 News, for its pool public awareness programs, the *Republic* cited statistics from the Arizona Child Fatality Review Team that found that from 1995 to 1999, "only four of 81 drowning deaths by children younger than 5 occurred in backyard pools that had an adequate pool fence and a properly functioning, locked gate."[14]

Substituting synergy for a better product: The Hartford Story

Meteorologist Dr. Mel Goldstein had all the professional credentials to write a daily column on the weather for the *Hartford Courant*, something he did for 17 years. A longtime member of the faculty of Western Connecticut State University, and director emeritus of its weather center, Goldstein had a TV weather gig at WTNH-TV, and in 1999 authored "The Idiot's Guide to the Weather." Nominated for an Emmy for an educational series on the weather, he was described by a Courant staff writer as "an icon of Connecticut weather forecasting."[15]

But when the Tribune Company merged with Times Mirror in 2000, it acquired the *Hartford Courant*, which had been a Times Mirror paper. And that marked the end of Dr. Mel's days as a daily weather columnist.

The media giant brought in Justin Kiefer of its Tribune-owned station and Fox affiliate, WTIC. Kiefer's column, adorned with a Fox 61 logo, was a part of Tribune's branding efforts, according to Hartford Courant columnist Roger Catlin. "Dr. Mel may have written a better column, but Kiefer took over because he's part of the Tribune family, like us," Catlin wrote in a column criticizing the FCC's proposed approval of newspaper-broadcast cross ownership in one market.[16]

"Since the summer of 2000, when Tribune bought Times Mirror, readers and the newsroom have been adjusting to - sometimes struggling with - the new brand and affiliations, including those with WTIC, Channel 61," wrote Courant reader representative Karen Hunter in 2004. "The replacement of weather columnist Mel Goldstein with Channel 61's Justin Kiefer on the weather page was another Tribune cooperative effort that readers didn't care for but eventually stopped complaining about. Synergy is here to stay," Hunter concluded. "Now, if only the tastes of Courant readers could be figured into the equation."[17]

Ignoring conflicts of interest: The Milwaukee Story

The worst part about the huge conflict of interest scandal at the *Milwaukee Journal Sentinel* is that it was barely covered in Milwaukee. The state's largest newspaper failed to run any stories about the serious allegations concerning Robert Kahlor, the CEO and chairman of Journal Communications, which owned the *Milwaukee Journal* and *Milwaukee Sentinel* (which merged in 1995), as well as WTMJ-TV and WTMJ-AM, both ratings leaders for local news.[18]

In 1994, Kahlor took on the high-profile and controversial position of chairman of the Milwaukee Stadium Commission, working to secure private and public financing for a baseball stadium. Kahlor was also one of four registered lobbyists working to promote the stadium on behalf of Journal Communications.

For Kahlor, who essentially controlled a huge chunk of Milwaukee's media outlets, to take this position on would have posed substantial questions about the ability of the Journal outlets to cover the stadium issue fairly. What made the issue even worse was the fact that WTMJ broadcast the games of the Milwaukee Brewers. So Journal Communications had a direct financial interest in saving baseball in Milwaukee.[19]

Kahlor's actions were troubling to many Journal reporters. "We were totally compromised at that point," Sue Ryon, deputy editor of the *Milwaukee Journal*'s editorial page, told *The Washington Post*. "We have no credibility. Anything we said, it was, 'Well, who can believe them? Look at the position they're in?' We felt as a newspaper, as an editorial board, handcuffed, and that was pretty much from the beginning."[20]

But no Journal Communications outlets explored the conflict of interest question, or questioned the tenor of their coverage. Indeed, when Madison, Wisconsin's *Capital Times* dared to ask Kahlor about his media outlets' objectivity on the issue, he responded: "Quite frankly, this is the first time anyone's raised the question," conceding, however that coverage has "been positive. But it's been positive for the right reasons – because our reporters and editors understand that [a new stadium] is good for Wisconsin."[21]

But the newspaper and its TV and radio outlets turned out to be more than handcuffed. "All four Journal media lost almost all objectivity," David Berkman, a retired mass communications professor and media columnist for Milwaukee's alternative weekly, told *Broadcasting and Cable* in 2001.[22] "The Journal Company's newspaper, TV-news shows and news-talk radio station all marched in lock-step supporting the public financing position," Beckman observed.[23]

University of Wisconsin professor David Pritchard agreed. "We had two daily newspapers then, both owned by Journal Communications, one liberal, one conservative. They both ran front page

editorials supporting the plan. The TV station fell in line. Even the very conservative talk show hosts on their radio station fell in line for a huge public subsidy."[24]

There were virtually no dissenting voices in this debate. The other two TV stations largely supported the public financing argument. "[T]his case is a classic example of how a media monolith defeats the purposes of free and open debate…" [25]

[1] Douglas Gomery, "The FCC's Newspaper-Broadcast Cross-Ownership Rule: An Analysis," Economic Policy Institute, 2002:1.
[2] David B. Wilkerson "New York Times Co. To Cut 500 Jobs, or 4% of Staff," MarketWatch, 20 Sept 2005.
[3] "Tribune Plans 900 Job Cuts in 2005, CEO Says," Associated Press, 7 Dec 2005.
[4] Douglas Gomery, "The FCC's Newspaper-Broadcast Cross-Ownership Rule: An Analysis," Economic Policy Institute, 2002:2.
[5] Howard Kurtz, "Florida TV Station Cashes In on Interview 'Guests,'" *The Washington Post*, 16 Oct. 2003.
[6] "Daytime Is Not A News Show, WFLA Explains," *Tampa Tribune*, 18 Oct. 2003.
[7] Elizabeth Rose, "The Story Local Media Ignored," *Broadcasting & Cable*, 10 Nov. 2003.
[8] Keith Epstein, "Senator Seeks A Review of Paid TV Spots," Tampa Tribune, 5 Nov. 2003.
[9] Charles Black, "Community Groups Blast AJC," *Atlanta Inquirer*, 30 Mar. 2002.
[10] Charles Black, "AJC Ignores Protest of 'Biased' Coverage," *Atlanta Inquirer*, 6 Apr. 2002.
[11] Meredith Hobbs, "Just Say No to Supersized Media," *Salon.com*, 29 May 2003.
[12] Judi Villa, "Summer Drownings in Valley Pools Cut in Half," *The Arizona Republic*, 3 Sept. 2005
[13] Quetta Carpenter, "Kid Drownings: After decades of failure, the well-intentioned still don't get it," *Phoenix New Times*, 26 Dec. 2002.
[14] "Anti-Drowning Campaign Paying Off in Lives Saved," *The Arizona Republic*, 8 Aug. 2005.
[15] Steve Grant, "Weather, By The Book," *Hartford Courant*, 6 Aug. 1999.
[16] Roger Catlin, "FCC Decision Opens All the Wrong Doors," *Hartford Courant*, 4 Jun. 2003.
[17] Karen Hunter, "If It's Not Broke …," *Hartford Courant*, 1 Feb. 2004.
[18] Eilien Davis Hudson, "Milwaukee," Mediaweek.com, 5 Sept. 2005.
[19] Steve Fainaru, "Selig Plays Hardball on Stadium Deals," Washington Post, 27 Jun 2004.
[20] Steve Fainaru, "Selig Plays Hardball on Stadium Deals," Washington Post, 27 Jun 2004
[21] Rob Zaleski, "Paper's Ties to New Stadium Raise Eyebrows," Capital Times, 1 Apr. 1995.
[22] Bill McConnell, "The National Acquirers; Whether For Better News Or Fatter Profit, Media Companies Want In On TV/Newspaper Crossownership," *Broadcasting & Cable*, 10 Dec. 2001.
[23] Before the Federal Communications Commission, In the Matter of Cross-Ownership of Broadcast Stations and Newspaper and Newspaper/Radio Cross-Ownership Waiver Policy, Reply Comments of Consumers Union, Consumer Federation of America, Media Access Project, Center for Digital Democracy, and The Civil Rights Forum, 15 Feb. 2002:65.
[24] "McCain Sounds Off on FCC's Upcoming Vote on Media," Anderson Cooper, anchor, CNN Live Sunday, 1 Jun. 2003.
[25] Ibid.