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Congress of the United States
House of Representatives
Washington, DC 20515-4709

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JAN 15 2008
Federal Communications Commission
Office of the Secretary

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ASIA, THE PACIFIC, AND
THE GLOBAL ENVIRONMENT
AFRICA AND GLOBAL HEALTH
VICE CHAIR,
NEW DEMOCRAT COALITION

U.S. Representative Adam Smith (9th District, Washington)
Public Hearing on the 2006 Quadrennial Broadcast Media Ownership Review
Statement for the Record

Seattle, Washington
November 9, 2007

06-121

I thank Chairman Kevin Martin, Commissioner Capps, Commissioner Adelstein, Commissioner McDowell, as well as the other FCC officials and staff for holding this hearing. As one of the nation's top television and radio markets, and with many newspapers in the region, the communities that make up the Seattle and Tacoma metropolitan areas will sit front row to the impacts of any revisions to the FCC's media ownership rules, and make Seattle an ideal venue for today's hearing.

The current media ownership regulations were intended to foster competition, diversity of voices, and localism in media. They set limits on the cross-ownership and total number of television, radio, and newspaper media outlets in a market that any one organization can control. Though it is appropriate to periodically review, and if necessary, make revisions to the FCC's media ownership rules, it is critical that any changes continue the tradition of supporting competition and a diversity of voices in news and media, do not result in further consolidation, preserve a sufficient number of local media outlets, and are developed and implemented in a transparent, inclusive, and thoughtful manner.

Unfortunately, in the past several months, I have grown increasingly concerned with the process that the FCC has been following with regard to the revision of media ownership regulations. The FCC's actions have not been adequately open or reflective of the concerns of the public and needs of communities.

The series of public hearings that conclude with today's meeting have been poorly publicized and have been held with too little notice, including today's that was only announced seven days ago. This places a troublesome burden on citizens, businesses, and other stakeholders to be able to offer their commentary, and gives the unfortunate impression that the FCC does not highly value stakeholder input or, even worse, is actively discouraging public participation in this process. Additionally, there is news circulating that the FCC may already be proceeding with the development of proposed new ownership rules, and that these rules may be issued very soon and in time for a vote to take place in the next several weeks. If true, this only serves to fuel further concerns that the FCC's process does not allow for thorough consideration of the views and concerns of residents, community leaders, businesses, and organizations.

Following the experience of three years ago when the FCC's previous attempt to revise media ownership regulations resulted in the intervention of the Third Circuit Court of Appeals, I am troubled that this current hasty process will yield policy that does not adequately balance arguments for further consolidation with the public's need for healthy, open, and diverse media in their communities.

I sincerely hope that the FCC will adopt a more methodical and inclusive approach to the revision of its ownership regulations, and more importantly, that this process yield rules that do not lead to further consolidation or the silencing of local voices in broadcast and news media. It is of paramount importance that Americans can rely upon a variety of diverse and local media outlets to keep them well informed and connected with the communities in which they reside.

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FCC Hearing, Seattle
9 Nov 2007
Public Comment

First, it is appalling that the FCC announced this hearing just a week ago. If the FCC is serious about asking for (and listening to) public comment, they should provide more reasonable advance notice of public hearings.

Allowing further media consolidation DOES NOT benefit the public—it only benefits large media corporations. The FCC should be making it HARDER for these large media corporations to get more power—instead they appear to be doing just the opposite.

The quality and amount of coverage of local news and issues has already declined significantly in the Seattle area over the last 20 years. Fewer radio and television stations devote time to local news reporting and the time that is dedicated to local issues has declined as well (many of the “local news” broadcasts include feeds from national networks).
• Almost Live

Changes that the FCC allowed in the 1990’s have allowed large media conglomerates to further increase their control of print, radio, television, and internet outlets. This has led to bland, generic, watered down newscasting, that contains increasingly more national news.

What the FCC SHOULD BE working on:

- Guarantee NET NEUTRALITY. With more and more communication and business being conducted on the Internet, it is imperative that Internet Service Providers NOT be allowed to slow down or restrict content or traffic.
- Maintain regulations that ensure that a single entity does not control different media (print, radio, tv, cable) in the same local market.
- Ensure that large media organizations provide local news & information.

The FCC should be working for THE PEOPLE of the United States, not the giant national and international media conglomerations that are attempting to expand their stranglehold on the media.

Submitted by:



Rebecca Slivka
P.O. Box 9069
Seattle, WA 98109

FCC Hearing, Seattle
9 Nov 2007
Public Comment

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Almost live ←

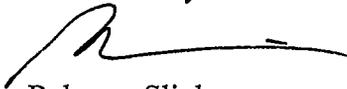
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Submitted by:



Rebecca Slivka
P.O. Box 9069
Seattle, WA 98109

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Statement of Senator Richard J. Durbin
Broadcast Media Ownership Public Hearing
September 20, 2007
Chicago, Illinois

JAN 15 2008

Federal Communications Commission
Office of the Secretary

06-121
06-121

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Mr. Chairman: I regret I could not be with you for this important hearing, and I commend your decision to hold the hearing in Chicago. Please let this letter serve as part of the record for today's Federal Communications Commission (FCC) media ownership hearing.

Media outlets, and the policies and practices of those who own them, shape the way we see the world. Newspapers, television, radio, and the internet are the portals through which we form our opinions about the war in Iraq, poverty, health care, political campaigns, and what's happening in our communities.

Today's hearing is an important step in the FCC's process of reviewing media ownership rules to determine whether a change in the rules is appropriate and necessary. The FCC is right to solicit public comment on this issue, and I appreciate the Commission's decision to hold today's hearing in our diverse, vibrant city.

In the summer of 2003, the FCC voted 3-2 in favor of a media ownership rule that would have weakened important protections against media consolidation. The rule was criticized roundly for its potential to decrease local coverage and hasten a trend toward fewer minority and female owners of media outlets.

The United States Senate responded by voting 55-40 in favor of S.J. Res. 17, a resolution to disapprove the rule and discourage the FCC from implementing it. I was an original cosponsor of that measure and joined a bipartisan group of my Senate colleagues in voting against the FCC rule.

I continue to be concerned by the possibility that the FCC will weaken our media ownership rules. It is my opinion that Congress and the American people will accept nothing less than strong, credible rules that encourage local coverage, diverse programming, and minority, female, and local ownership of media outlets.

Thank you for being here today.

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Federal Communications Commission
Office of the Secretary

06-121

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September 26, 2007

The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street SW, Room: 8-B201
Washington, DC 20554

Dear Chairman Martin:

I first want to thank the FCC for holding its September 20th hearing at the Rainbow PUSH Coalition headquarters in Chicago. The hearing was a rare opportunity to hear from a segment of our population seldom asked for their opinion on media policy issues, even though they are greatly impacted by your decisions.

During the hearing, Commissioner Jonathan Adelstein called for the creation of an independent minority ownership task force before moving forward with any effort to change our nation's broadcast ownership rules. Many who testified also supported Adelstein's call. And in recent days, Sen. Robert Menendez (D-N.J.), Rep. John Conyers (D-Mich.) and Rep. Hilda Solis (D-Calif.) have endorsed the idea.

I would like to add my voice to the growing chorus of support for Commissioner Adelstein's proposal.

Media consolidation is a civil rights issue that the FCC can no longer neglect. People of color understand the importance of media ownership in ensuring that our communities receive the news and information they need.

In 1827, the founders of *Freedom's Journal*, the first African-American newspaper, wrote: "We wish to plead our own cause. Too long have others spoken for us. ... From the press and the pulpit we have suffered much by being incorrectly represented."

These words are as true today as they were 180 years ago.

People of color still do not have equal access to our public airwaves because of a legacy of discrimination and media consolidation.

Rev. Jesse L. Jackson, Sr., *Founder & President*
Martin L. King, *Chairman*
www.rainbowpush.org

File # 06-121-0

According to research by Free Press, people of color constitute just 7 percent of all full-power broadcast TV and radio owners in the United States but they make up 35 percent of the population. This level of inequality is disgraceful.

I support Commissioner Jonathan Adelstein's call for the creation of an independent task force. And I agree with the commissioner that the FCC should not move forward with any rule changes until the work of the task force is completed. I am willing to serve on such a panel and help ensure its success.

The lack of minority broadcast owners is one of the most important civil rights issues of our time. For too long others have spoke for us, and for too long the FCC has neglected to address how to increase minority ownership.

We can not afford to wait any longer. I look forward to your response.

Sincerely,

A handwritten signature in cursive script that reads "Jesse L. Jackson, Sr." The signature is written in dark ink and is positioned above the typed name.

Reverend Jesse L. Jackson, Sr.
Founder and President

Cc: Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Commissioner Deborah Taylor Tate
Commissioner Robert M. McDowell



National Association
of Hispanic Journalists

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JAN 15 2008

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06-121

Federal Communications Commission
Office of the Secretary

October 10, 2007

2007 OCT 17 P 3:00

The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Martin:

The National Association of Hispanic Journalists supports FCC Commissioner Jonathan Adelstein's call for the creation of an independent minority broadcast ownership task force that examines policies to increase minority ownership. The NAHJ Board of Directors unanimously approved a resolution that also calls on the FCC to refrain from issuing new broadcast ownership rules until the work of the task force is complete and minority ownership opportunities are addressed.

NAHJ has for years expressed its concern about the future of minority ownership. We have stated that we believe the future of minority ownership continues to be in peril unless the FCC begins to address the issue. It is time to act now.

Last year, we were surprised to learn that accurate data on minority owners did not exist. NAHJ sent a letter of inquiry to the National Telecommunications and Information Administration in April 2006 asking whether the agency planned to conduct another minority broadcast ownership study. The agency had conducted a study on minority ownership every two years since 1990. However, the last report the agency released was in December 2000.

The NTIA responded to NAHJ's inquiry, stating that the agency had no plans to conduct another study. Instead, it directed the group to the FCC's Web site to examine summaries of the commission's Form 323, which provides data on the race, gender and ethnicity of each broadcast license holder. Despite the NTIA's dire warning and findings, the FCC continued to move forward with its plan to relax ownership rules without dealing with the issue of minority ownership.

After NTIA's response to our letter, the nonprofit, nonpartisan group Free Press decided to conduct its own study on the state of minority ownership. Free Press fact-checked the accuracy of FCC data for all 1,300-plus full-power TV stations and the 10,000-plus radio stations in the country to determine the current state of minority ownership. The gathering process and the accuracy of the FCC data were found to be lacking.

Free Press' study on television released in September 2006 and its radio study released in June 2007 found that while people of color make up 35 percent of the U.S. population, they own just 3 percent of all local TV stations and 8 percent of all local radio stations. These studies also found that minority owners were less likely to own stations in concentrated media markets. In addition, they also found that women owned just 5 percent of all local TV stations and 6 percent of radio stations.

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**National Association
of Hispanic Journalists**

Kevin Martin, Chairman
Federal Communications Commission
Page Two
October 10, 2007

These studies have played a critical role in educating the public about the crisis in minority ownership, while placing a spotlight on the FCC's neglect of the issue of minority ownership. This issue can no longer be ignored.

During the Federal Communications Commission's Sept. 20 hearing in Chicago, Commissioner Jonathan Adelstein called for the creation of an independent Minority Ownership Task Force to examine proposals to increase the number of minority broadcast owners. Since then, Sen. Robert Menendez (D-N.J.), Rep. John Conyers (D-Mich.) and Rep. Hilda Solis (D-Calif.), as well as the Rev. Jesse Jackson, have urged the creation of such a task force.

NAHJ would like to add its support for the creation of this independent minority ownership task force. The FCC must first resolve the crisis in minority ownership before it can move forward with any plans to adopt new ownership rules that could further media consolidation and force minority ownership in decline.

We look forward to your response.

Sincerely,

Rafael Olmeda
NAHJ President

RAFAEL OLMEDA
President

Assistant City Editor
South Florida Sun-Sentinel

MANUEL DE LA ROSA
Vice-President, Broadcast
Reporter
KRCV-TV, Westco, TX

CINDY RODRIGUEZ
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Region 3 Director
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GERALDINE BERNOS
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ROBERTO BAZOS
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Univision Oklahoma

MARGARITA BAUZA
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Work Life Reporter
Detroit Free Press

ELIZABETH AGUILERA
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VERONICA GARCIA
Region 8 Director
Copy Editor, National Desk
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VERÓNICA VILLAFANE
Ex-Officio
Anchor/Reporter
San Jose Mercury News

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2007 OCT 29 P 2:53



October 22, 2007

National
Religious
Broadcasters

The Honorable Kevin Martin, Chairman
Office of the Commissioners
Federal Communications Commission
445-12th Street, SW, Room 8B201
Washington, DC 20554

FILED/ACCEPTED 06-121

JAN 15 2007

Federal Communications
Office of the Secretary

9510 Technology Drive
Manassas, Virginia 20110
Phone: 703-330-7000
Fax: 703-330-7100

Dear Chairman Martin:

I write today to commend you and other Commissioners for the tireless work you have done on the complex and contentious subject of media ownership. The eight separate hearings conducted around the nation, as well as the numerous studies completed on the issue of media concentration are a testament to that effort. As you will recall, I enjoyed the privilege of testifying on this subject at the field hearing held in El Segundo, California in October 2006.

Capitol Hill Office:
201 Maryland Ave., NE
Washington, DC 20002
Phone: 202-543-0073

I would also like to take this opportunity to both reiterate the previously stated position of the National Religious Broadcasters, and to also address our concern about one argument that has surfaced in the broader public and political debate regarding media ownership. In terms of NRB's stance, we still remain committed to the idea that responsibly limited media ownership is a good policy, because it ensures the widest access to media outlets, it creates an atmosphere for positive programming content, and it also preserves local control.

www.nrb.org
info@nrb.org

Recently, however, at least one Senator on the Commerce, Science and Transportation Committee has raised a strenuous voice against the intended F.C.C. schedule for disposing of the media ownership issue, and is calling for hearings before that Committee. More to the point, other voices are suggesting that media ownership rules should be modified so as to facilitate more media control by women and minorities. On the surface, each suggestion seems benign. But there is a very serious problem if the artificial increase of media ownership into the hands of those demographic groups is accomplished, directly or indirectly, for the purpose of effectuating a decrease in "conservative" or traditional values radio content, and an increase in liberal or "progressive" programming.

Christian
Communicators
Impacting
the World

Last June, a "progressive" think tank released a study on the supposed "structural imbalance" of talk radio, and concluded that such programming is overwhelmingly dominated by "conservative" content. That study recommended that moving more media ownership into the hands of women and minorities could *correct* what it saw as a negative imbalance which presently disfavors liberal talk radio. However, from NRB's standpoint, restructuring media ownership in this way is simply the imposition of the "Fairness Doctrine" by other means.

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Mr. Chairman, we therefore would strenuously oppose any effort to effectuate a change in the political, moral, or religious content of the broadcast media through regulatory manipulation, including, but not limited to, changes in media ownership rules. Concerns regarding how media is owned, and by whom, should not be influenced by the objections that some have to the opinions and beliefs expressed in so-called "conservative talk radio."

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Wright", with a long horizontal flourish extending to the right.

Frank Wright, Ph.D.
President & CEO

JOHN EDWARDS 08

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2007 OCT 26 12:03

October 26, 2007

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JAN 15 2008

Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Federal Communications Commission
Office of the Secretary

Dear Chairman Martin,

I urge you to cease your efforts to radically rewrite the rules preventing excessive media consolidation. You and your fellow commissioners have the responsibility to ensure that our nation's media is open, democratic and as diverse as the American people, and not – like too much of our economy and our political system today – dominated by the wealthiest Americans, large corporations and their lobbyists. Rewriting the ownership rules in the manner you propose is contrary to that responsibility.

For decades, administrations of both parties and the FCC have tolerated and even encouraged the extreme consolidation of our media. In just the two years after telecommunications deregulation in 1996, the ownership of nearly half of America's radio stations changed, and by 2000, one media company had acquired over 1,100 radio stations. Eight business conglomerates now control the majority of media content in America, and two-thirds of all independently owned newspapers have shut down since 1975.

Any benefits to consumers from vertical integration have been overwhelmed by the threats to competition, fair pricing and journalistic independence. The result of all this over-concentration, Mr. Chairman, is a poorer democracy, with a few loud corporate voices drowning out independent perspectives and local participation.

High levels of media consolidation threaten free speech, they tilt the public dialogue towards corporate priorities and away from local concerns, and they make it increasingly difficult for women and people of color to own meaningful stakes in our nation's media. Rather than further weakening efforts to ensure a diverse media, as you now propose, the FCC should instead be strengthening

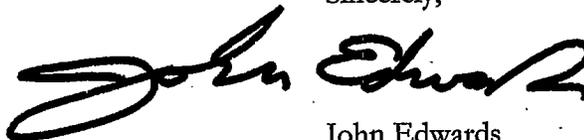
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media ownership and concentration limits so that a few huge multinational corporations are not in charge of shaping our democracy.

When your predecessor Chairman Powell made a similar attempt, nearly 3 million highly diverse Americans wrote to the FCC to express their grave concerns. I hope that you and your fellow commissioners can find the will to continue to deny the ambitions of a small number of media executives and their lobbyists, in the interest of advancing a fuller, fairer democracy.

Sincerely,

A handwritten signature in black ink that reads "John Edwards". The signature is fluid and cursive, with the first name "John" being larger and more prominent than the last name "Edwards".

John Edwards

Cc: Commissioner Jonathan S. Adelstein
Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Commissioner Deborah Taylor Tate



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Rob McKenna
ATTORNEY GENERAL OF WASHINGTON

1125 Washington Street SE • PO Box 40100 • Olympia WA 98504-0100

November 9, 2007

Commissioner Kevin Martin, Chair
Commissioner Deborah Tate
Commissioner Robert McDowell
Commissioner Michael Copps
Commissioner Jonathan Adelstein
Federal Communications Commission
445-12th Street SW
Washington, DC 20554

06-12 FILED/ACCEPTED

JAN 15 2008

Federal Communications Commission
Office of the Secretary

Dear Commissioners:

Thank you for the opportunity to testify before the Federal Communications Commission regarding media consolidation. As Attorney General for the State of Washington, I have a keen interest in competition and a fair and open marketplace. I am also a strong believer in the First Amendment and the importance of robust and diverse media in our democratic society. With this in mind, I have a number of concerns about this hearings process and the underlying policy proposals. I understand I am not alone in these concerns.

The Process

A. The Further Notice of Proposed Rule-Making is arguably improper. It does not clearly set forth specific rules, but outlines the history of the prior rules and asks a series of questions regarding what steps should be taken next. Rather than pose specific questions designed to determine the facts, the questions are generally philosophical. Therefore, it is extremely difficult for consumers to assess exactly what the FCC is proposing. I am concerned that any rules that come out of this process will be challenged in court again—and likely successfully.

B. The Seattle hearing itself was announced with very little warning. While there were rumors of a potential hearing, they were vague at best. Sen. Maria Cantwell and Rep. Jay Inslee were correct in asking for at least one month's time so that testimony could be adequately prepared in an informed manner. Yesterday, Sens. Byron Dorgan, D-N.D., and Trent Lott, R-Miss. proposed the Media Ownership Act of 2007, which would require the localism study be completed, formal policies be proposed and the public be given 90 days to comment, before other media-ownership issues are considered.¹ I agree with that proposal.

¹ See November 9, 2007 Seattle Times editorial "FCC in Seattle: Time to Listen".

File # _____ 0



ATTORNEY GENERAL OF WASHINGTON

Federal Communications Commission

November 9, 2007

Page 2

C. The hearings have been segregated into separate topics. The Commission should have invited input on all topics because the issues of local ownership and media consolidation are intertwined and cannot be segregated. In its holding, the *Prometheus* court explained how issues of localism and cross ownership intertwine. Part of the FCC's justification for lifting the ban on cross-ownership was that the ban might actually undermine localism. It claimed it had evidence indicating that:

- 1) newspaper-owned broadcast stations (grandfathered by the rule) were producing higher quantity and quality of local news;
- 2) commonly owned newspapers and broadcast stations do not necessarily speak with a single voice; and
- 3) there are diverse viewpoints from other media sources in local markets (cable, internet) to compensate for lost viewpoints due to newspaper/broadcast combinations.

Based on this, the Court asked that localism and cross-ownership be considered together so that the FCC's arguments can be explored. Continuing to segregate the topics prevents that from happening.

Media Consolidation

A. Changing the cross-media limits may have an impact on local ownership, which may reduce the amount of local news available: Driving the point home further that localism and cross-ownership are intertwined, and contrary to what the FCC studies apparently found, the group Reclaim the Media cites the following statistics:

- Locally owned broadcast companies devote, on average, an additional 20 to 25 percent of their newscasts to local news stories - approximately five more minutes per half hour broadcast than nationally owned stations.
- When ownership is transferred from a local family to a national chain, local issues get less coverage.
- Newsrooms owned by big chains rely more on syndicated feeds and are more likely to air national stories with no local connection.

Furthermore, Derek Turner, research director of Free Press, a media-overhaul group, said its analysis of FCC data found markets where companies had waivers to own newspapers and TV stations had less local news than markets that didn't.²

B. More complete, rigorously peer-reviewed and corrected economic studies are needed, especially if such studies are going to be relied upon to allow a loss of business competition: From an antitrust enforcement standpoint, the Attorney General's Office is concerned that lifting the ban on cross-ownership will result in market power far above anything allowed under antitrust laws.

Allowing unchecked acquisitions could concentrate market power into too few competitors. The FCC claims that it has conducted 10 studies in this area, yet critics say those

² See November 1, 2007 Seattle Times "Media Ownership Action May Stall"

ATTORNEY GENERAL OF WASHINGTON

Federal Communications Commission

November 9, 2007

Page 3

studies are biased and flawed. The disagreement between what the FCC is saying and what groups such as Consumers Union, Reclaim the Media and Free Press are saying about the economic literature indicates that there is room for more complete study.

Additionally, the lack of competition in the media could adversely impact small businesses. Small, local businesses need to be able to advertise via local media outlets such as radio. If national conglomerates own both national and local stations, and prefer to do business with national advertisers, or their own related companies, will small local businesses still be able to buy advertising time at a reasonable cost?

C. The FCC should use standard antitrust analysis: The Third Circuit repeatedly instructed the FCC to use the DOJ/FTC enforcement guidelines to measure market power and industry concentration. The Third Circuit repeatedly told the FCC to use real world data such as actual market share, instead of inadequate proxies. As directed by the courts, the FCC should use the standard measures of market share used by the DOJ and FTC to measure markets and should analyze the markets in the same way.

D. More complete studies should be conducted to assess the impact of the new rules on current and potential minority and small business owners: Ironically, while the FCC has expressed concern about maintaining viable ownership by women and minorities, their new rules allowing huge conglomerates to capitalize expansion into cross-ownership makes it impossible for small businesses, especially those owned by women and minorities, to compete for those licenses. The Third Circuit made note of this in the *Prometheus* decision. Cmmr. Copps says that people of color make up 30 percent of our population, yet own only 4.2 percent of our radio stations and 1.5 percent of our TV stations. Here in Washington we have a growing minority community and would like to protect those communities' ability to compete for licenses against huge conglomerates.

Clearly, there are many thorny issues the Commission must address before moving forward in this rule-making process. I respect your position and the difficult balancing act you face in protecting access to the media while ensuring a competitive marketplace. That is why it is all the more important that you provide complete, trusted, independent and peer-reviewed analysis of these issues—and why it is vital all interested parties have adequate time to read this analysis, review your proposals and provide informed input before any changes to FCC rules are adopted.

Sincerely,



ROB MCKENNA
Attorney General

RMM:rab

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SUNSHINE PERIOD

Federal Communications Commission
Office of the Secretary

TOL-O-MATIC, INC. P 2:47

William Toles
President

October 5, 2007

06-121

Chairman Kevin Martin
Federal Communications Commission
445 12th Street SW, Room 8-B201
Washington, DC 20554

FILED/ACCEPTED
OCT 15 2008

Federal Communications Commission
Office of the Secretary

Dear Chairman Martin,

I am writing to you concerning the FCC consolidation of the American media. You need to look at the unfortunate results that have occurred as a result of this consolidation and how difficult it is for consumers to get accurate news.

It is necessary for all communities to have independently owned and operated news agencies. It is at the heart of our democracy! Twenty years ago, there were over 5000 independent news agencies, today there are 5 news conglomerates controlling the news we see. This makes it very easy for government to tell the news agencies what the government wants us to know while suppressing important facts. Without the ability to report the news openly, our great-grandchildren will not know what true FREEDOM is.

Please consider having you or one of your staff watch the PBS television show "Moyers on America" that aired on October 18, 2006. This truly brings the facts to the surface.

I encourage you to vote supporting less consolidation. I look forward to hearing from you soon.

Very Truly Yours,


Bill Toles

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06-121

Federal Communications Commission
Office of the Secretary

There is forward thinking necessary to include people with disabilities in the broadcast industry as employees and as owners. I recognize limitations that Congress has imposed on the FCC with regard to this issue. At the same time, there are numerous ways for the Commission to help.

I cannot for a moment imagine the FCC being willing to accept a 0% ownership of broadcast facilities by any other minority group. That is what we have here. I have tried hard to work with David Hoenig of the MMTTC, but he feels his hands are tied.

With the Bush Administration winding down, you have the opportunity to make this important issue part of the legacy of your tenure at the FCC. I would hope you would seize upon this as an issue to bring before the full body of the FCC.

As for the RCPD, on behalf of our Board and myself, we stand ready to provide whatever support we can to help you in this process.

Please feel free to contact me at any time to further discuss this issue.

I hope my comments here have more impact than the ones that were heard by so few at the Chicago meeting on September 24.

With Deepest Respect,

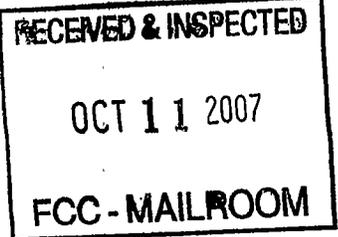
Brad Saul, Executive Director
Radio Center For People With Disabilities

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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON



March 24, 1999

Mr. Brad Saul
Media AdVentures
The Radio Center for People with Disabilities
680 North Lake Shore Drive, Suite 1230
Chicago, IL 60611

Dear Brad:

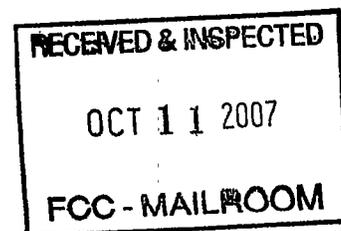
I am thrilled by the launch of the Radio Center for People with Disabilities. As you well know from my previous speeches, equal employment opportunities in broadcasting have long been a concern of mine. People with disabilities are America's largest minority group, and your concept would help improve radio's service in the public interest by including and employing a minority group that cuts across race and gender.

The Radio Center for People with Disabilities' mission to identify and train people with disabilities for productive careers in radio is just the kind of step that the industry needs to be taking.

I am also pleased to learn of your affiliation with the radio program "On A Roll" and have confidence that groups supporting the Radio Center for People with Disabilities will use that show to help the Center recruit people with disabilities with an interest in radio. I wish you well in this important work, look forward to hearing progress reports as to what groups participate, and stand ready to provide whatever support we possibly can.

Sincerely,

William E. Kennard
Chairman



October 3, 2007

Mr. Kevin Martin
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Martin:

I attended the recent meeting at Operation PUSH in Chicago on Ownership Diversity in the Broadcast Industry. I carefully and dutifully listened to nearly two hours of prepared commentary from the chosen guests seated on stage.

I was one of the first people from the audience to be able to speak for the allotted two minutes following the prepared remarks of the people on stage. It was very disappointing to see that everyone on stage, including most of the FCC Commissioners departed the stage almost immediately upon the conclusion of the remarks from those people on stage.

I recognized that the prepared comments of the chosen people lasted more than 2 hours. I sat attentively in the audience listening to each and every one of them. It was very disconcerting to find that my remarks, and most of others that followed me, were heard by less than a full en banc of both the FCC Commissioners and the community leaders chosen to speak.



It gives one pause to wonder as to whether any of these events are actually meant to provide substantive discussion, or whether they are meant simply to provide an opportunity for chosen community leaders to espouse their points of view. As it happens, I knew many of the speakers, and largely agree with many of their statements. However, audience participation was supposed to be a core element of this event.

It is with deep regret that I note at, as I did in my remarks, that none of these people on stage addressed any of the diversity issues other than those reflecting their specific interests. We heard with great detail about the dramatic decline in broadcast ownership of African-Americans, women, and Hispanics. We never heard a single comment about other minority groups, be they Asian, Alaskan, Native American, or the nation's largest minority group, people with disabilities.

To the best of my knowledge, the number of broadcast facilities-either radio or television-owned by people with disabilities is nearly nil. Yet, we represent some 60 million people in this country. That is larger than African-Americans and Hispanics combined. How is it possible that we could go through an entire evening, with such important community leaders, and not have a single mention of this group?

As it happens, I have been a broadcaster for more than 30 years. I continue to operate my for profit business, Matrix Media. I started this nonprofit in 1999 with the help of former Chairman William Kennard, who wrote in a letter that we use in all of our fundraising materials, "Please let me know which group broadcasters support you and which ones don't." We call that our Santa Clause. That language in combination with the fact that former President Clinton changed the law before leaving office such that people with disabilities could earn more than \$25,000.00 a year and maintain their



Medicare and Medicaid benefits, rather than being paid to stay at home. His letter helped us not only raise the consciousness of the broadcast community, but also helped us attract a Blue Ribbon Board of Directors. They include such industry leaders as Jeff Smulyan, Pierre Bouvard, John Gehron, Erica Farber, and many more. These people have given not only of their time and money, but of their crowd to help us be able to place 14 people with disabilities in off air radio jobs.

As I continue to operate my for profit business, I have also taken the opportunity to use my disability wherever possible as a tool to not only assist the disability community, but to earn money. In the past eight years we have started the first on demand Para transit service in Chicago, and are about to launch the first fully accessible on online bank for people with disabilities.

I have yet to see any clear statement from the Commissioner as to what the FCC intends to do to try to include people with disabilities both as employees and owners in the broadcast industry. I have heard rumors that the FCC will adopt the same standards as section 8(a) of the SBA. That would be great because it includes people with disabilities. I recognize that for purposes of governmental definition, there are inconsistencies as to whether people with disabilities are or are not a minority. In some states, such as Illinois, people with disabilities are recognized as a minority group. In fact, by law 1-2% of all state agency contracts must be awarded to certified disabled-owned businesses. The city of Chicago however, despite the fact that the Mayor of the City had a child that died of Spina bifida, did not. We fought for 4.5 years to create the opportunity to have an even playing field for disabled-owned businesses. In 2006, the Business Enterprise Program for people with disabilities was created to certify disabled-owned businesses and encourage city agencies to work with them.



Marshall N. Morton
President
Chief Executive Officer

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JAN 15 2008

Federal Communications Commission
Office of the Secretary

SUNSHINE PERIOD

06-221

September 26, 2007

BY HAND

The Honorable Kevin J. Martin, Chairman
Federal Communications Commission
445 12th Street SW, Room 8-B201
Washington, DC 20554

Dear Chairman Martin:

As the FCC once again evaluates its 1975 newspaper/broadcast cross-ownership regulation, we believe it is critically important that the Commission either eliminate this anachronistic ban altogether or devise a substitute rule that will have the greatest chance of ensuring continued increases in the amount and quality of local news and information that common ownership already has brought, and can continue to bring, to communities of all sizes.

The Commission addresses this issue at a time when television stations and newspapers are facing new competition and shrinking audiences for their legacy platforms, while local consumers have gained direct access to worlds of new information. The economics and operations of our industries are changing rapidly. But, new technology and the internet also create increasing opportunities for newspapers especially to deliver video directly to readers, by-passing television.

By adopting regulations applicable to markets of all sizes, the FCC can affect in a positive fashion publishers' and broadcasters' abilities to deliver high-quality local news and information to consumers however, whenever, and wherever they want it. We believe it is important to both industries that any action short of total repeal of the present rule include a mechanism that takes account of broadcasters' service to their local communities and the public interest.

Sincerely,

Marshall N. Morton

MNM/bc

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