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Congress of the United States  
House of Representatives  
Washington, DC 20515-0517

May 7, 2008

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Federal Communications Commission  
Office of the Secretary

MB  
Localism  
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The Honorable Kevin J. Martin, Chairman  
The Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Suite 844  
Washington, DC 20554

RE: *Report on Broadcast Localism and Notice of Proposed Rulemaking,*  
MB Docket No. 04-233

Dear Chairman Martin,

I am writing today regarding the proposed rule changes to our nation's broadcast system in the pending "localism" proceeding.

When considering the proposed rules changes I encourage the Commission to use its expertise to ensure that local needs are met, yet to do so in a way that does not impose onerous restrictions on local broadcasters. I do believe there is a difference between making sure local news and events are regularly, consistently and fully covered and proscribing an individual station's programming. Where the proposed rule changes attempt to ensure the former, I hope they do not end up dictating the latter. If so, we would simply move from one form of unsatisfactory broadcasting to another.

Perhaps the Commission should look at what works (as opposed to what doesn't work) to use as a model when considering these proposed rule changes and setting standards thereby. As a model for other local broadcasting stations, I would like to bring my local broadcasting station, KSBW, to your attention. I am proud to say that KSBW has 31 hours of live local news a week, offering both a 10 p.m. and 11 p.m. news program for viewer convenience. The station also provides the Central Coast of California with Saturday and Sunday morning local broadcasts.

The heartbeat of local communities often resides in high school football games, and KSBW recognizes this by having a camera and crew at every high school football game in the Central Coast region. In addition, KSBW honors our local teachers and the important roles they play in the lives of our students by presenting nine teachers with the "KSBW Crystal Apple Award." Nominations for this award are submitted by KSBW viewers, with one teacher honored on-air every month from September through May. "Operation Football" and the "KSBW Crystal Apple Award" are only two of the many projects at KSBW that demonstrate their commitment to strengthening local broadcasting and building relationships with members of the community.

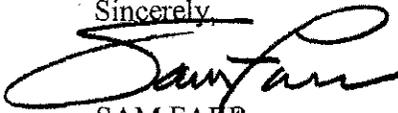
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According to the recently released *Report on Broadcast Localism and Notice of Proposed Rulemaking*, "During the Commission's 2002 review of its structural broadcast ownership rules, the agency received public comments indicating that many broadcasters may be failing to meet the needs of their local communities." I believe that the FCC is right to be concerned about any weakening of local programming, and I laude the collaboration between the FCC, networks, local affiliates and the community to refocus the licensing rules to encourage localism. They just need to be implemented in a manner that, while encouraging localism, does not discourage broadcasters' creativity or unduly infringe on their latitude to program.

Local issues will always have a large impact on the community. Any restraint in local programming is cause for concern for both civic and safety reasons, and I hope the new rules will push other local stations to follow KSBW's excellent example.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Farr", written in a cursive style.

SAM FARR  
Member of Congress

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My Mail Granted Approval by Another User -- 14 Record(s)

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| 1 | 10064698 | 4/23/2008 | E-Mail    | Mark Farrell | Approved | Mr. and Mrs. Leo and Kristy Noyes<br>snknoyes@gci.net | 13750-Broadcasting | US Mail    | (Customized mark buck const v.1) |       | 04/25/2008 10:09 AM | 1011542     |

**E-Mail Subj:** Communications

I submit the following comments in response to the Localism Notice of Proposed Rulemaking (the "NPRM"), released Jan. 24, 2008, in MB Docket No. 04-233.

Any new FCC rules, policies or procedures must not violate First Amendment rights. A number of proposals discussed in the NPRM, if enacted, would do so and must not be adopted.

(1) The FCC must not force radio stations, especially religious broadcasters, to take advice from people who do not share their values. The NPRM's proposed advisory board proposals would impose such unconstitutional mandates. Religious broadcasters who resist advice from those who don't share their values could face increased harassment, complaints and even loss of license for choosing to follow their own consciences, rather than allowing incompatible viewpoints to shape their programming. The First Amendment prohibits government, including the FCC, from dictating what viewpoints a broadcaster, particularly a religious broadcaster, must present.

(2) The FCC must not turn every radio station into a public forum where anyone and everyone has rights to air time. Proposed public access requirements would do so even if a religious broadcaster conscientiously objects to the message. The First Amendment forbids imposition of message delivery mandates on any religion.

(3) The FCC must not force revelation of specific editorial decision-making information. The choice of programming, especially religious programming, is not properly dictated by any government agency and proposals to force reporting on such things as who produced what programs would intrude on constitutionally-protected editorial choices.

(4) The FCC must not establish a two-tiered renewal system in which certain licensees would be automatically barred from routine renewal application processing. The proposed mandatory special renewal review of certain classes of applicants by the Commissioners themselves would amount to coercion of religious broadcasters. Those who stay true to their consciences and present only the messages they correspond to their beliefs could face long, expensive and potentially ruinous renewal proceedings.

(5) Many Christian broadcasters operate on tight budgets, as do many smaller market secular stations. Keeping the electricity flowing is often a challenge. Yet, the Commission proposes to further squeeze niche and smaller market broadcasters, by substantially raising costs in two ways: (a) by requiring staff presence whenever a station is on the air and, (b) by further restricting main studio location choices. Raising costs with these proposals would force service cutbacks and curtailed service is contrary to the public interest.

We urge the FCC not to adopt rules, procedures or policies discussed above.

Please help save Christian Radio! Thanks so much for your time and attention.

**Response:** Customized mark buck const v.1

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# United States Senate

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WASHINGTON, DC 20510-1501

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

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Federal Communications Commission  
Office of the Secretary

*MB*  
*Robert J. ...*  
*9/04*

Dear Chairman Martin:

As you know, the Federal Communications Commission (FCC) issued a Notice of Proposed Rulemaking on January 24, 2008 regarding Localism Proposals to Ensure Programming is Responsive to Needs of Local Communities, MB Docket Number 04-233. I have heard from a number of constituents in Iowa about their concerns regarding the consequences of this proposed rulemaking. I would like to share their concerns and urge you to give them all due consideration as you write the final rule.

My constituents are concerned about the rule mandating permanent community advisory boards. Religious broadcasters are concerned that their First Amendment rights and the integrity of their message could potentially be compromised by an advisory board that does not share their values. Along this same line, Iowans are concerned about a potential rule that would take into account a broadcaster's playlist during the license renewal process. It would seem to me that this could lead to a potential infringement on the First Amendment rights of the broadcasters.

Several of my constituents are also concerned about a new rule that would increase the operating costs of small local radio stations. The new proposed rule would require the physical radio studio to be located within the station's community of license. This requirement would be a throwback to before the rules were originally liberalized to allow for studios to be located 25 miles or more from the city of license. Changing this provision would impose additional financial burden, especially on small broadcasters that may share a location with another similarly minded organization or business.

Thank you for your interest and attention to this matter. I look forward to the FCC's timely, full and fair consideration as the reply comment deadline approaches on June 11. I appreciate you taking the time to respond to the concerns I have raised.

Sincerely,

*Chuck Grassley*  
Charles E. Grassley  
United States Senator

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