

May 25, 2011

re: RM-11332 - Proposed rulemaking to abolish FCC Public File

By international treaty the broadcast spectrum has been apportioned across the countries of the world. That part of the spectrum that is assigned to the United States is held in trust by the United States government for the benefit of its citizens. This means that while broadcast frequencies may be allocated for the use of citizens and corporate business "entities", their transfer from one putative "owner" to another is subject to the consent of the citizenry.

Broadcast station operators are obligated to use their facilities for the benefit of the citizenry, meaning they must operate in such a manner, and provide programming, to serve the public good. For citizens to be able to make informed decisions as to the appropriateness of any transfer of ownership they must have access to that information that shows how any given station operator is fulfilling these obligations.

Over the last thirty years, the Federal Communications Commission (FCC) has progressively divested itself of its regulatory role of insuring that broadcast stations fulfill their obligations of serving the public interest. The abolishment of the Fairness Doctrine, the abolishment of limits on media ownership and control within discrete communities and across the nation, and now the threat of the abolishment of the Public File, are threats to the Constitutionally protected right of freedom of speech. The public airwaves are the "property" of the citizens of the United States. The FCC does not have the authority to give this property away to the highest (and most powerful) corporate bidders. For the FCC to abandon its obligation of regulating the fair use of this public property is tantamount to impinging upon and denying any given citizen's right to utilize this service for freedom of expression.

I strongly object to the proposed modification or abolishment of FCC Public File requirements. The requirements must be maintained in order to assure that citizens are able to review a broadcast operator's performance of their duties under the law, and determine whether that operator should be allowed continued utilization of the frequency held in trust.

While it may be desirable to make Public File reports and records available electronically, and via the internet, much of America still does not have even moderately functional internet service. In communities that lack easily accessible broadband service, the Public File must be maintained for both hard copy and electronic access.

Sincerely,

Charles Reinsch