Congress of the United States
Washington, DC 20515

Received & Inspected
JUL 18 2014
FCC Mail Room

July 11, 2014

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The Honorable Thomas E. Wheeler
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Black Television News Channel
Request for Temporary Waiver of Ban on Advertising for
Direct Broadcast Satellite Public Interest Set-Aside Channels

Dear Chairman Wheeler:

We are writing to urge the Commission to approve the above-referenced request filed by the Black Television News Channel (BTNC). In its request, BTNC seeks a limited, three-year temporary waiver of the Commission's rules, which ban noncommercial educational programmers carried on Direct Broadcast Satellite (DBS) service systems from airing commercial advertisements.[1] We believe the Commission should waive its rules in light of BTNC's proposed commitments; their commitments will serve the public interest, convenience and necessity.[2]

Drastic reductions in African American ownership of broadcasting stations and other media outlets have led to a dilution of coverage on topics and figures that are relevant, and of importance to the underserved African-American news market and communities. Instead of complementing the continuing reliance that African Americans have on local and network television news as their primary news and information sources, these troubling reductions in minority ownership limit the infusion of authentic African American perspectives and experiences into the development of news, informational and educational programming.[3] BTNC's thoughtfully-devised plan and enterprise can help counteract the rapid disappearance and displacement of African American-owned commercial broadcasters and cable networks.[4]

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[1] See 47 U.S.C. § 335(b).

[2] BTNC's launch on DBS systems and its commitments – to which they are offering to be bound in the form of enforceable conditions – will provide African American communities with, among other things, a clearer voice; create rewarding jobs for a diverse mix of employment candidates in the TV and cable news industries; and rebut negative imagery offered up by today's mainstream media that all too often stereotypes African Americans. See BTNC Comments at 24.

[3] Almost three out of four Americans (71%) watch local television news, at least once a month, with practically just as many 65%, who watch network television news. Nearly seven out of 10 (69% of) African Americans said they watched television news "yesterday" compared to 56% of on-Hispanic whites, 43% of Hispanics, and 55% of Americans overall. Pew Research Center 2012 News Consumption Survey.

[4] African American ownership of full-power, commercial television broadcasting stations has been effectively gutted. The decline is striking; in 2006, African Americans owned 18 full-power, commercial TV stations, which at the time represented around 1.3 percent of all such stations. Now, there are only four full-power stations owned by African Americans. See *A Sorry Moment in the History of American Media* Torres & Turner (Dec. 20, 2013)(citing to Free Press 2006 report on broadcast ownership)(African American viewers watch more than 7 hours of television on average daily, which is more than any other racial group, and they comprise 11 percent of the adult national television news market).

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BTNC is an African American-owned, national media company whose central news organization will be located in Tallahassee, Florida. As an African American-owned media voice, BTNC will be uniquely able to render richer, more complex and authentic perspectives on African American values, priorities, preferences and culture. Further, because of its mission, BTNC will be inclined to cover and report on subjects and topics that African Americans deem to be important, yet are consistently absent from or underreported on by mainstream media.

This new network will do much to inform and educate the public and to correct misperceptions and distortions about African Americans. To execute its plan, its mission, and in constructing its organization, BTNC states that it will collaborate closely with Florida A&M University's School of Journalism & Graphic Communications (SJ&GC) – and potentially other historically Black colleges and universities. As media and educational partners, BTNC can avail itself of SJ&GC's core competencies and its experiences in training African American, university-level students and recent graduates in a number of areas including broadcast journalism, visual communications, media sales and public relations. In addition, BTNC has committed to produce and show 14 hours per day of original news, informational and educational programming focused on the African American community and to create a minimum of 80 new jobs and 40 internship and mentorship programs related to news and media.[5]

Promoting a diverse mix of news, educational, and public affairs programming is critically important to the public and to our democracy. Ownership of news and educational media outlets by African Americans and other minorities adds diverse perspectives, viewpoints and dimensions. As minority media ownership is an effective influencer on the numbers of minorities employed in television and news industry jobs, BTNC's launch on DBS systems and its entry into the multichannel video programming distribution (MVPD) marketplace benefits not only the targeted African American demographic – but our overall society on four very important levels – informationally, educationally, technically and economically.

We urge the Commission to consider seriously BTNC's innovative proposal to increase minority ownership in media and to grant its request. In its quest to produce intelligent programming that is informative, educational, inspirational and empowering for its African American audience, BTNC will create a television platform for African American newsmakers and BTNC viewers to learn and understand more about the varied issues and topics that are of specific interest to our nation's 42 million African Americans. Thank you for your consideration.

Sincerely,

Bobby L. Rush
Member of Congress

Corrine Brown
Member of Congress

Frederica S. Wilson
Member of Congress

Gwen Moore
Member of Congress

[5] These 80 new job hires will serve as news anchors, journalists, writers, producers, production staff, engineers, broadcast sales people, marketing executives, graphic designers, and virtual reality production specialists, among others. See BTNC Comments at 6; BTNC Reply Comments at 3.

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

July 23, 2014

The Honorable Bobby Rush
U.S. House of Representatives
2268 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Rush:

Thank you for your recent letter regarding the Black Television News Channel's ("BTNC") waiver request. Your views will be taken into consideration, and your letter will be entered into the record for this proceeding.

As you are aware, Congress has imposed certain requirements on Direct Broadcast Satellite (DBS) carriers, including the requirement to reserve a percentage of channel capacity for noncommercial educational or informational programming. Commission rules currently require four percent of a DBS carrier's channel capacity to be reserved exclusively for noncommercial programming of an educational or informational nature.

As you note, BTNC recently filed a request for a three-year waiver from this requirement. On May 15, 2014, the Media Bureau released a Public Notice requesting comments on BTNC's waiver request. The comment periods have closed, and the Media Bureau has started its review of the record.

I hope this information is helpful, and I appreciate your interest in this matter.

Sincerely,

Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

July 23, 2014

The Honorable Corrine Brown
U.S. House of Representatives
2111 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Brown:

Thank you for your recent letter regarding the Black Television News Channel's ("BTNC") waiver request. Your views will be taken into consideration, and your letter will be entered into the record for this proceeding.

As you are aware, Congress has imposed certain requirements on Direct Broadcast Satellite (DBS) carriers, including the requirement to reserve a percentage of channel capacity for noncommercial educational or informational programming. Commission rules currently require four percent of a DBS carrier's channel capacity to be reserved exclusively for noncommercial programming of an educational or informational nature.

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Sincerely,

Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

July 23, 2014

The Honorable Gwen Moore
U.S. House of Representatives
2245 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Moore:

Thank you for your recent letter regarding the Black Television News Channel's ("BTNC") waiver request. Your views will be taken into consideration, and your letter will be entered into the record for this proceeding.

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Sincerely,

Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

July 23, 2014

The Honorable Frederica Wilson
U.S. House of Representatives
208 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Wilson:

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Tom Wheeler