

United States Senate

WASHINGTON, DC 20510

March 26, 2014

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

Dear Chairman Wheeler:

We write to express our deep concern regarding your proposal to change media ownership policy in the discrete matter of attributing joint sales agreements (JSAs) between TV broadcasters. We are further troubled that the Commission plans to move forward on this ownership matter at its March Open Meeting when the agency has not started the 2014 Quadrennial Review of all its media ownership rules as required by law, and has failed to complete the 2010 Quadrennial Review.

As you noted in your March 6 posting on the Commission's blog, "it's been six years since the Commission last completed a quadrennial review, so it goes without saying that the video marketplace has changed dramatically since the FCC last updated these rules." We agree with this assessment, and call upon the Commission to work quickly to fulfill its long-overdue statutory obligation. We are nevertheless surprised by and disagree with your suggestion that, before attending to its statutory obligation, the Commission should act to change attribution rules for TV station joint sales agreements in isolation.

The quadrennial review requirement is designed to ensure that the Commission has a timely and relevant understanding of the competitive landscape to inform its review of the media ownership rules in their entirety, avoiding a piecemeal approach. It is difficult to understand the sudden urgency to carve out one specific facet of the rules for modification when the intended, statutorily-required process for measured, comprehensive consideration has been neglected for so long.

Moreover, your proposed action on attribution of joint sales agreements may have the practical effect of undermining the values of competition, localism, and diversity you contend to promote. The number of minority-owned TV stations has dropped significantly within the past ten years. Several such stations today, including the only three stations owned by African-Americans, operate with joint sales agreements. Competition, localism, and diversity would likely be significant casualties of your proposed action to force the undoing of such agreements.

We strongly urge the Commission to carry out its review of media ownership rules in a comprehensive manner, following the quadrennial review process envisioned and enacted by Congress to facilitate a broad, well-informed perspective on these rules and the complicated ecosystem they govern. However, should you consider changing the rules governing joint sales agreements in isolation, the Commission must bear in mind the potential negative impact of this change to minority television ownership.

Sincerely,



Timothy E. Scott
U.S. Senator



Roger Wicker
U.S. Senator



Roy Blunt
U.S. Senator



Ron Johnson
U.S. Senator



Dan Coats
U.S. Senator



Pat Toomey
U.S. Senator