



United States Senate
WASHINGTON, DC 20510-0905

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September 29, 2017

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th St., SW
Washington, D.C. 20554

Dear Chairman Pai:

We write today regarding concerns with your actions to weaken or eliminate the Federal Communications Commission's (FCC) long-standing media ownership limits. The steps you have taken since you were elevated to chair of the agency, in concert with your reported plans to act on additional media ownership issues this fall, undercut – and threaten to do permanent damage to – the American tradition of local broadcasting. Taken as a whole, these actions will take a wrecking ball to the pillars of localism and diversity in local broadcasting. Moreover, these steps have been – and likely will be – adopted without the FCC engaging in a detailed, substantive evaluation of the current broadcast media landscape. We strongly believe that your agency should not take any further actions to relax its media ownership limits without a thorough public review of the state of the broadcast marketplace today.

For decades, Congress has imposed, and the FCC has maintained, limits on the number of broadcast stations one company can own nationwide. In addition, the FCC has retained its own limits on the number of stations a company can own in a single media market. These limits recognize the unique role and obligations of local broadcasters and ensure that consumers benefit from diverse viewpoints and perspectives on the nation's airwaves. They also respect the fact that broadcasters are stewards of the nation's airwaves and should take that responsibility seriously by maintaining close relationships with the communities that they serve. Moves to change these rules could sever that relationship and fundamentally change the nature of broadcasting in the United States. That is why we have grave concerns about your efforts to weaken those rules.

In April, you resurrected the now technologically-outdated and illogical UHF discount, which was recently repealed by the FCC based upon a substantial and extensive record. Reinstating this historical relic directly contradicts Congress' intent in adopting a statutory national media ownership cap. And this action has directly facilitated the largest proposed broadcast television merger in history, which would give one company ownership of enough stations to reach over 70 percent of the American population.

The same company at the heart of that unprecedented broadcast consolidation also is known for using joint sales agreements and other arrangements to exert operational control over other stations around the country that they do not own. And earlier this year, you revoked previous guidance stating that the FCC would take a hard look at those agreements in any merger to ensure that they are not being used to skirt the media ownership limits. In effect, this change suggests that the FCC will take a blind eye towards agreements that allow functional operational control of a station by another – creating even more *de facto* consolidation without FCC oversight.

Many find the timing of your media ownership actions troubling and question whether they were taken knowing that they were essential to the business plans of a single company. It is obvious that without your change to the UHF discount, this proposed merger would not have been initiated. Whether or not one believes your reinstatement of the discount to be suspect, that action raises serious doubts about whether the FCC is acting impartially in these matters. In any event, your action does not conform to the justification for the national ownership cap adopted by Congress as part of the Telecommunications Act of 1996.

Reports now suggest that you intend to eliminate or seriously weaken many of the FCC's remaining media ownership limits sometime this fall. Those reports indicate that you are considering removing many of the limits on ownership of multiple stations by a single company in a single market and repealing the FCC's ban on co-ownership of TV stations and newspapers in the same market. The sum total of such moves would be nothing less than a declaration by you, as the nation's sole broadcast regulator, that further consolidation in the broadcast media marketplace is warranted and welcome. For decades, Congress and the FCC have maintained that reasonable limits on the number of stations a single company can own both nationally and in a particular market materially benefit the public interest. If in fact you repeal these rules, it would fly in the face of this long history and the belief that these rules are warranted because of the unique role of broadcasters in this nation (a role not replicated by any other media entity).

Americans continue to have faith in their local broadcast stations. Moves to repeal the media ownership rules threatens to create a world of corporatized, nationalized content being force fed to consumers under the guise of local news and public affairs programming. This is not the broadcast media that Americans deserve.

Your dismissive approach to the need for and longstanding history of the nation's media ownership rules is quite concerning. At a minimum, the FCC should not take any further action to relax the media ownership rules until it has completed another full quadrennial media ownership review. In fact, this is why Congress created the quadrennial media ownership review – to ensure that any changes to the media ownership rules are based on a fulsome review of the current broadcast landscape. It was just a year ago, at the end of the most recent quadrennial review, that the FCC concluded that its existing media ownership rules were essential. And if anything, the rapid technological and practical changes in the broadcast space since that decision suggest that the FCC must build a new thorough record about the state of broadcasting today.

The nation's media ownership limits have directly contributed to the trust that Americans have placed in their local broadcasters. Eliminating these rules and creating massive broadcast conglomerates directly contravenes the will of Congress and the public interest.

Sincerely,



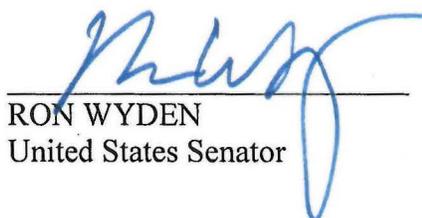
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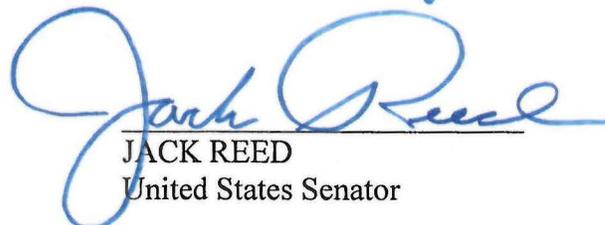
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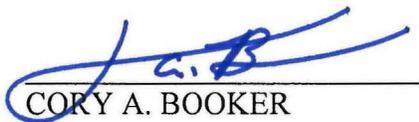
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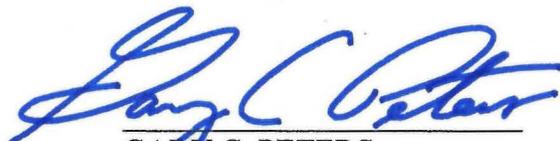
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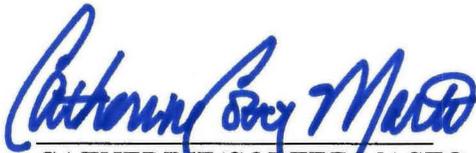
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