FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Jon Tester
United States Senate
311 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Tester:

Thank you for your letter expressing your views regarding recent reforms of the FCC's broadcast ownership rules. As you know, federal law requires the Commission to reexamine many of these rules every four years. Unfortunately, the prior Commission failed to complete its 2010 review in a timely manner and instead decided to incorporate that review into its 2014 review. When the Commission in 2016 finally issued an order purporting to resolve the 2010 and 2014 reviews, it failed to modify the broadcast ownership rules to match the modern media marketplace. For example, it declined to eliminate the decades-old newspaper-broadcast cross-ownership rule, which President Clinton's first FCC Chairman called perverse back in 2013.

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In light of this history, I must respectfully decline your request not to implement any changes made to the media ownership rules in our 2017 Order on Reconsideration. The FCC has a statutory duty to ensure that our broadcast ownership rules keep up with changes in the media marketplace, and there is no reason to further delay the implementation of 2017 reforms that were themselves unreasonably delayed. Moreover, I would point out that the United States Court of Appeals for the Third Circuit was asked to stop the FCC from implementing these changes and earlier this year declined to do so. On the other hand, I can assure you that no further changes will be made to the rules covered by quadrennial review mandate until the Commission completes another quadrennial review. We are required to commence such a review in 2018, and I anticipate that the FCC will take that step later this year.

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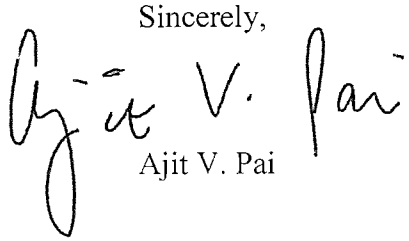

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Bill Nelson
United States Senate
716 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Nelson:

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Ajit V. Pai

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Patty Murray
United States Senate
154 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Murray:

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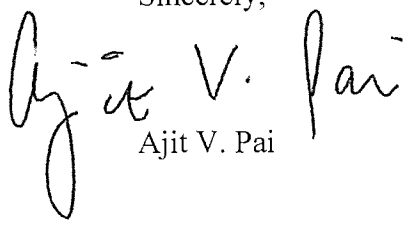

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Richard J. Durbin
United States Senate
711 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Durbin:

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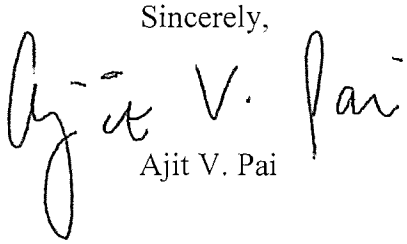

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Maria Cantwell
United States Senate
511 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Cantwell:

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Bernard Sanders
United States Senate
332 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Sanders:

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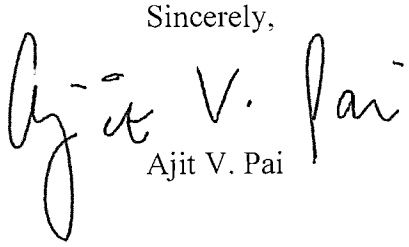

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Sheldon Whitehouse
United States Senate
530 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Whitehouse:

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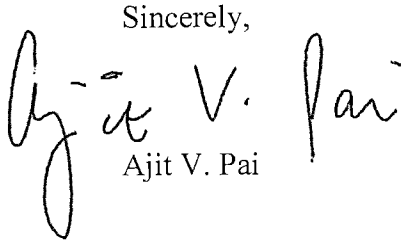

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
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OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Brian Schatz
United States Senate
722 Hart Senate Office Building
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Dear Senator Schatz:

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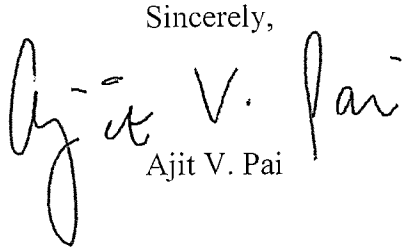

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United States Senate
221 Dirksen Senate Office Building
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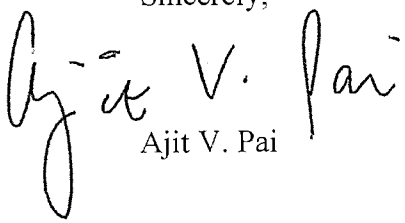

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Jack Reed
United States Senate
728 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Reed:

Thank you for your letters expressing your views regarding recent reforms of the FCC's broadcast ownership rules. As you know, federal law requires the Commission to reexamine many of these rules every four years. Unfortunately, the prior Commission failed to complete its 2010 review in a timely manner and instead decided to incorporate that review into its 2014 review. When the Commission in 2016 finally issued an order purporting to resolve the 2010 and 2014 reviews, it failed to modify the broadcast ownership rules to match the modern media marketplace. For example, it declined to eliminate the decades-old newspaper-broadcast cross-ownership rule, which President Clinton's first FCC Chairman called perverse back in 2013.

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I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

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Ajit V. Pai

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Tom Udall
United States Senate
531 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Udall:

Thank you for your letters expressing your views regarding recent reforms of the FCC's broadcast ownership rules. As you know, federal law requires the Commission to reexamine many of these rules every four years. Unfortunately, the prior Commission failed to complete its 2010 review in a timely manner and instead decided to incorporate that review into its 2014 review. When the Commission in 2016 finally issued an order purporting to resolve the 2010 and 2014 reviews, it failed to modify the broadcast ownership rules to match the modern media marketplace. For example, it declined to eliminate the decades-old newspaper-broadcast cross-ownership rule, which President Clinton's first FCC Chairman called perverse back in 2013.

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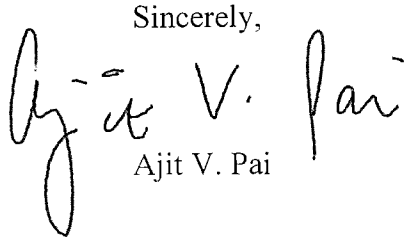

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Jeanne Shaheen
United States Senate
506 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Shaheen:

Thank you for your letters expressing your views regarding recent reforms of the FCC's broadcast ownership rules. As you know, federal law requires the Commission to reexamine many of these rules every four years. Unfortunately, the prior Commission failed to complete its 2010 review in a timely manner and instead decided to incorporate that review into its 2014 review. When the Commission in 2016 finally issued an order purporting to resolve the 2010 and 2014 reviews, it failed to modify the broadcast ownership rules to match the modern media marketplace. For example, it declined to eliminate the decades-old newspaper-broadcast cross-ownership rule, which President Clinton's first FCC Chairman called perverse back in 2013.

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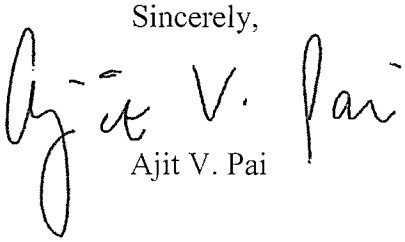

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Tammy Baldwin
United States Senate
717 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Baldwin:

Thank you for your letters expressing your views regarding recent reforms of the FCC's broadcast ownership rules. As you know, federal law requires the Commission to reexamine many of these rules every four years. Unfortunately, the prior Commission failed to complete its 2010 review in a timely manner and instead decided to incorporate that review into its 2014 review. When the Commission in 2016 finally issued an order purporting to resolve the 2010 and 2014 reviews, it failed to modify the broadcast ownership rules to match the modern media marketplace. For example, it declined to eliminate the decades-old newspaper-broadcast cross-ownership rule, which President Clinton's first FCC Chairman called perverse back in 2013.

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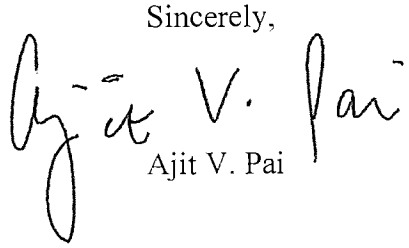

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Cory Booker
United States Senate
359 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Booker:

Thank you for your letters expressing your views regarding recent reforms of the FCC's broadcast ownership rules. As you know, federal law requires the Commission to reexamine many of these rules every four years. Unfortunately, the prior Commission failed to complete its 2010 review in a timely manner and instead decided to incorporate that review into its 2014 review. When the Commission in 2016 finally issued an order purporting to resolve the 2010 and 2014 reviews, it failed to modify the broadcast ownership rules to match the modern media marketplace. For example, it declined to eliminate the decades-old newspaper-broadcast cross-ownership rule, which President Clinton's first FCC Chairman called perverse back in 2013.

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Ajit V. Pai

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Maggie Hassan
United States Senate
B85 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Hassan:

Thank you for your letters expressing your views regarding recent reforms of the FCC's broadcast ownership rules. As you know, federal law requires the Commission to reexamine many of these rules every four years. Unfortunately, the prior Commission failed to complete its 2010 review in a timely manner and instead decided to incorporate that review into its 2014 review. When the Commission in 2016 finally issued an order purporting to resolve the 2010 and 2014 reviews, it failed to modify the broadcast ownership rules to match the modern media marketplace. For example, it declined to eliminate the decades-old newspaper-broadcast cross-ownership rule, which President Clinton's first FCC Chairman called perverse back in 2013.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Catherine Cortez Masto
United States Senate
B40A Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Cortez Masto:

Thank you for your letters expressing your views regarding recent reforms of the FCC's broadcast ownership rules. As you know, federal law requires the Commission to reexamine many of these rules every four years. Unfortunately, the prior Commission failed to complete its 2010 review in a timely manner and instead decided to incorporate that review into its 2014 review. When the Commission in 2016 finally issued an order purporting to resolve the 2010 and 2014 reviews, it failed to modify the broadcast ownership rules to match the modern media marketplace. For example, it declined to eliminate the decades-old newspaper-broadcast cross-ownership rule, which President Clinton's first FCC Chairman called perverse back in 2013.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Jeff Merkley
United States Senate
313 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Merkley:

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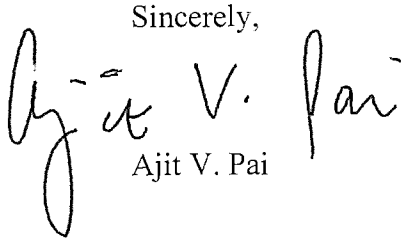

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Richard Blumenthal
United States Senate
706 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Blumenthal:

Thank you for your letters expressing your views regarding recent reforms of the FCC's broadcast ownership rules. As you know, federal law requires the Commission to reexamine many of these rules every four years. Unfortunately, the prior Commission failed to complete its 2010 review in a timely manner and instead decided to incorporate that review into its 2014 review. When the Commission in 2016 finally issued an order purporting to resolve the 2010 and 2014 reviews, it failed to modify the broadcast ownership rules to match the modern media marketplace. For example, it declined to eliminate the decades-old newspaper-broadcast cross-ownership rule, which President Clinton's first FCC Chairman called perverse back in 2013.

When I became Chairman in January 2017, there were several pending petitions asking for reconsideration of the Commission's 2016 Order. Last year, the FCC resolved those petitions by making appropriate and balanced reforms to the Commission's broadcast ownership rules. For example, while broadcasters generally asked the Commission to remove any restriction on one company owning two of the top-four television stations in any local market, the FCC instead only provided broadcasters with the opportunity to obtain an exception on a case-by-case basis to the so-called "top four" prohibition.

In light of this history, I must respectfully decline your request not to implement any changes made to the media ownership rules in our 2017 Order on Reconsideration. The FCC has a statutory duty to ensure that our broadcast ownership rules keep up with changes in the media marketplace, and there is no reason to further delay the implementation of 2017 reforms that were themselves unreasonably delayed. Moreover, I would point out that the United States Court of Appeals for the Third Circuit was asked to stop the FCC from implementing these changes and earlier this year declined to do so. On the other hand, I can assure you that no further changes will be made to the rules covered by quadrennial review mandate until the Commission completes another quadrennial review. We are required to commence such a review in 2018, and I anticipate that the FCC will take that step later this year.

Turning to the national ownership cap, the Commission is currently in the midst of a holistic review of that regulation. In addition to asking whether we should eliminate the UHF Discount, we have sought comment on whether the 39 percent cap should be maintained, raised, lowered, or eliminated. I called on the Commission to launch such a holistic review back in 2013 and am pleased that we were able to finally take that step last December. This, in my view,

is the right way to review the national ownership cap as opposed to looking on an ad hoc basis at only one aspect of the cap, the UHF Discount.

The comment cycle on the national ownership cap Notice of Proposed Rulemaking has now closed, and we are now in the process of reviewing the record. In my view, it is important for the Commission to complete this holistic review of the national ownership cap, and I therefore must respectfully decline your request to stop work on it.

You also request that the Commission stop approving any broadcast mergers or acquisitions on a blanket basis. Your letter doesn't reference any statutory authority for taking such a drastic step, and I am not aware of any. Rather, I believe that the proper course of action is to continue to evaluate applications on a case-by-case basis.

With respect to the Sinclair transaction that is specifically mentioned in your letter, however, I would point out that the FCC's informal 180-day clock has now been stopped for over four months because of the parties' failure to supply the Commission with the information necessary for us to assess the proposed merger.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

Ajit V. Pai

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Edward J. Markey
United States Senate
255 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Markey:

Thank you for your letters expressing your views regarding recent reforms of the FCC's broadcast ownership rules. As you know, federal law requires the Commission to reexamine many of these rules every four years. Unfortunately, the prior Commission failed to complete its 2010 review in a timely manner and instead decided to incorporate that review into its 2014 review. When the Commission in 2016 finally issued an order purporting to resolve the 2010 and 2014 reviews, it failed to modify the broadcast ownership rules to match the modern media marketplace. For example, it declined to eliminate the decades-old newspaper-broadcast cross-ownership rule, which President Clinton's first FCC Chairman called perverse back in 2013.

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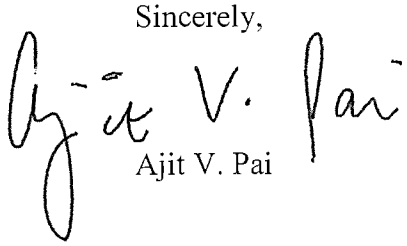

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Tammy Duckworth
United States Senate
G12 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Duckworth:

Thank you for your letters expressing your views regarding recent reforms of the FCC's broadcast ownership rules. As you know, federal law requires the Commission to reexamine many of these rules every four years. Unfortunately, the prior Commission failed to complete its 2010 review in a timely manner and instead decided to incorporate that review into its 2014 review. When the Commission in 2016 finally issued an order purporting to resolve the 2010 and 2014 reviews, it failed to modify the broadcast ownership rules to match the modern media marketplace. For example, it declined to eliminate the decades-old newspaper-broadcast cross-ownership rule, which President Clinton's first FCC Chairman called perverse back in 2013.

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With respect to the Sinclair transaction that is specifically mentioned in your letter, however, I would point out that the FCC's informal 180-day clock has now been stopped for over four months because of the parties' failure to supply the Commission with the information necessary for us to assess the proposed merger.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Gary Peters
United States Senate
724 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Peters:

Thank you for your letters expressing your views regarding recent reforms of the FCC's broadcast ownership rules. As you know, federal law requires the Commission to reexamine many of these rules every four years. Unfortunately, the prior Commission failed to complete its 2010 review in a timely manner and instead decided to incorporate that review into its 2014 review. When the Commission in 2016 finally issued an order purporting to resolve the 2010 and 2014 reviews, it failed to modify the broadcast ownership rules to match the modern media marketplace. For example, it declined to eliminate the decades-old newspaper-broadcast cross-ownership rule, which President Clinton's first FCC Chairman called perverse back in 2013.

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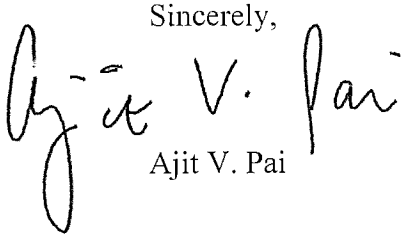

Ajit V. Pai

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 14, 2018

The Honorable Amy Klobuchar
United States Senate
302 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Klobuchar:

Thank you for your letters expressing your views regarding recent reforms of the FCC's broadcast ownership rules. As you know, federal law requires the Commission to reexamine many of these rules every four years. Unfortunately, the prior Commission failed to complete its 2010 review in a timely manner and instead decided to incorporate that review into its 2014 review. When the Commission in 2016 finally issued an order purporting to resolve the 2010 and 2014 reviews, it failed to modify the broadcast ownership rules to match the modern media marketplace. For example, it declined to eliminate the decades-old newspaper-broadcast cross-ownership rule, which President Clinton's first FCC Chairman called perverse back in 2013.

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Ajit V. Pai

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