STATEMENT OF
CHAIRMAN BRENDAN CARR

Re: *Amendment of Section 73.3555(e) of the Commission's Rules, National Television Multiple Ownership Rule*, MB Docket No. 17-318, Report and Order (August 6, 2026).

Last month, the editor of the New York Times, A.G. Sulzberger, wrote in an op-ed that "A healthy democracy depends on an informed public, which, in turn, depends on the flow of information and accountability provided by independent reporters." "This is true," he said, "not just at the national level, but in each of the communities — each town, each city, each county, each capital — that comprise these United States."

For those of us here at the FCC, we can probably hear echoes in his language of the agency's longstanding localism policy. For decades, our media regulations have focused on empowering broadcasters to air programming that responds to the specific needs, interests, and issues of their own communities.

Localism matters. In my view, it is vital as a country that our future include local reporters working in local newsrooms producing stories that matter to the communities those journalists live in. After all, Americans trust their local journalists a whole lot more than the national mass media personalities.

The very foundation of our broadcast industry is built on this idea—that local TV stations licensed to local communities air programming responsive to their needs. Congress never envisioned that local broadcast TV stations would become nothing more than undifferentiated passthroughs of national programming produced in Hollywood and New York. But if the FCC does not change course, this could become the reality in many towns and cities and counties.

We have seen this dynamic play out before. Just look at local newspapers. Years ago, the FCC adopted a rule that limited investment in local newspapers. The rule may have made sense in the 1970s—it might have even preserved some local newspapers given the market structure at the time. But while the industry changed quickly, the agency stood still. Newspapers started to see increased competition. Cable. The Internet. Craigslist. Social media. Digital advertising.

For decades, the FCC debated whether to change its rule—to allow increased investment in local newspapers. But it took no action. It then started to talk a lot about tough choices and tradeoffs and changing conditions—all while continuing to do nothing.

The market moved on—the agency's talking notwithstanding. Newspapers started to lay off reporters. They decreased the number of days in print. Then they started to close down all together. Printing presses removed. Offices emptied out. A few at first. Then by the dozen. Today, one closes every three days. Nearly 3,500 newspapers have shuttered over the past years alone.

When the FCC finally eliminated its outdated restriction on investment in local newspapers, a step it did not take until the first Trump Administration—the damage from agency inaction was all but complete. A daily local newspaper is hard to come by these days. The industry is largely dominated by a handful of effectively national papers. That is not an outcome consistent with localism. It does not promote a diversity of views. And there is far less competition between papers now, not more.

The lesson is clear. The FCC kept a rule on the books in the name of localism that contributed to the gutting of local newspapers. Maybe the FCC was slow to see the forest for the trees. Or maybe it just thought the politics were too fraught. It is always easier to say something must be done while doing nothing. The courts contributed too. Entertaining activist lawsuits to overturn FCC efforts at reform. But the outcome is the same either way.

I don't want local broadcast TV to go the way of local newspapers. And yet the risk is real. To be sure, big city stations will be fine—the way big city newspapers are fine today. But that will not be the case everywhere.

Sulzberger in his op-ed named the statistics. Over the last two decades, he said, "more than 80% of local journalism jobs have vanished." More than 80%. Gone. What is the FCC's policy response? To do nothing? To just hope? To take a wait and see approach just like we did with local newspapers?

In my view, if you care about trusted sources of local news and information, you have to care about the future of local TV stations. They are the economic engines that produce the paychecks for so many of the local journalists that remain in the business.

So how can the FCC maximize the odds that those institutions continue to survive and hopefully thrive into the future? To start, we should stop hamstringing this one segment of the broader market with outdated restrictions.

National programmers today are free to reach 100% of their relevant markets by distributing their programming direct to consumers or through deals they cut with virtual cable companies. Cable channels can reach 100% of the country. Social media sites can reach 100% too. Same with Netflix, podcasts, and all other forms of digital content. Even the old newspaper has no limit on marketing itself to 100% of households.

But not so with the owners of local broadcasters. The FCC has had a bright line rule that generally prevented the agency from even considering the merits of certain deals. Maybe a deal that exceeds the 39% cap is a good one. Maybe it is a bad one. Today's decision lets the parties make their case, allows all stakeholders to be heard, and ensures that the agency will then decide, consistent with our public interest review. We are replacing a blunt instrument with a much more granular, case-by-case approach.

The FCC's legal authority to modify the national cap is also clear. Indeed, the D.C. Circuit has already rejected the argument that Congress's decision to pass a statute directing the FCC to set the cap at a specific percentage prevents the FCC from later modifying the cap. The court stated that Congress's statutory instruction to the Commission to set the cap at a specific percentage determined "only the starting point from which the Commission was to assess the need for further change."

The D.C. Circuit is not alone in expressing this view. An unbroken line of FCC Chairs going back more than a dozen years all agreed that the FCC has the authority to modify the cap. Under President Obama's FCC Chair, the agency determined that "the Commission has the authority to modify the national audience reach cap[.]" Continuing, the agency found in that decision that "no statute bars the Commission from revisiting the cap." Congress did not, according to that FCC, "impose a statutory national audience reach cap or prohibit the Commission from evaluating the elements of this rule." President Biden's FCC Chair voted to approve of that same decision and those same conclusions. President Trump's first FCC Chair also took the same position. He wrote that the agency "rightly rejects" the argument that Congress took away the Commission's authority to modify the cap, writing "that the Commission has the authority to 'modify both the national audience reach restriction and the UHF discount."

I agree with President Biden's FCC Chair. I agree with President Trump's first FCC Chair. And I agree with President Obama's FCC Chair. At least on this issue. The FCC has the authority to modify the cap as we do today, and it is the right policy answer too if you care about the future of trusted, local news.

It is time to restore balance to the broadcast airwaves. Repealing the national cap will provide essential relief for local broadcasters by restoring a healthy counterbalance to the growing leverage of national programmers. Increased scale will enable broadcasters to attract the capital and advertising revenue needed to sustain and produce trusted and community-focused news and programming. We should learn from our mistakes with the local newspaper industry, and we should not let the same thing happen to the local broadcast TV industry. Trusted sources of local reporting, broadcast over the public airwaves, are worth protecting and worth fighting for.

This item has my full support and would not be possible without the tremendous work staff put into this item. I would like to thank Julie Salovaara, Chad Guo, Bill Durdach, Ty Bream, Lori Maarbjerg, Erin Boone, Susan Aaron, Jin Lee, David Konczal, Scott Bouboulis, Andrew Wise, Kim Makuch, and Joycelyn James.