

**STATEMENT OF
COMMISSIONER JESSICA ROSENWORCEL**

Re: *Elimination of Obligation to File Broadcast Mid-Term Report (Form 397) Under Section 73.2080(f)(2)* (MB Docket No. 18-23); *Modernization of Media Regulation Initiative*, (MB Docket No. 17-105)

For decades, at the direction of Congress, the Federal Communications Commission has been responsible for policies that prohibit discrimination in hiring at broadcast stations. On the surface, today's decision is just about Form 397, known as the Broadcast Mid-Term Report. This report has been used for the review of station compliance with equal employment opportunity policies at the mid-point of a station's license cycle. However, the bulk of the information gathered on this form is already available in the public file. As a result, today the agency determines that with these facts available elsewhere, it will modernize our process and eliminate Form 397.

However, context matters. During the past two years the FCC has issued more than a dozen rulemakings to modernize its media policies. It has issued ten orders doing the same. As for efforts to modernize diversity policies—well, we're told to wait. Now I think good things come to those who wait. And I think patience is a virtue. But I think we've waited long enough.

Under the Communications Act, this agency has a duty to develop policies to support the diversity of broadcast ownership. To this end, it has a responsibility to develop rules to support the review of the equal employment opportunity practices of broadcast licensees. A proceeding to address data related to this effort has been kicking around these halls for a decade and a half. Recognizing this fact, in the rulemaking that led up to today's decision regarding Form 397, my former colleague and I asked for it to seek comment on compliance and enforcement of the agency's equal employment opportunity obligations. Simple enough.

But today's decision takes a pass. We are told this is not the right time to address these matters. Only at my request—along with that of my current colleague Commissioner Starks—do we have a promise to do this another day. Down the road. In yet another rulemaking, three months hence.

I'm an optimist. But I'm also impatient. So while I appreciate the practical decision to eliminate Form 397, I am disappointed that we put the broader effort to address discriminatory practices related to media ownership off for the future. Because media ownership matters. What we see and hear says so much about who we are as individuals, as a community, and as a nation. And I want this agency's policies to reflect our diversity—and our obligations under the law.

For these reasons, I choose to concur.