

**STATEMENT OF
COMMISSIONER BRENDAN CARR**

Re: *Amendment of Section 73.3556 of the Commission's Rules Regarding Duplication of Programming on Commonly Owned Radio Stations*, MB Docket No. 19-310; *Modernization of Media Regulation Initiative*, MB Docket No. 17-105.

Today, we clear away even more of the regulatory underbrush that imposed outdated burdens on America's radio broadcasters. We do so by eliminating a rule the FCC adopted nearly 30 years ago when the Commission tended to micromanage a market for news and information that faced far less competition than it does now.

As the record shows, there are clearly circumstances in which some measure of program duplication in the same market is beneficial. It can help AM broadcasters overcome technical and operational difficulties and potentially spur their transition to digital broadcasting. While FM stations do not have the same limitations as those in the AM band, they still face increased competition for advertising revenue and will benefit from the flexibility to rebroadcast locally oriented programming that is often expensive to produce but is of particular interest to local listeners. And the current pandemic has shown that increased flexibility to rebroadcast programming can help ensure continuity of operations, promote employee safety, and provide emergency information to residents throughout a station group's service area. When time is of the essence, the last thing broadcasters need to worry about is begging the FCC for permission to serve their local markets.

At the same time, there aren't always going to be compelling reasons to rebroadcast 100% of another station's programming. But there is no indication that this will happen as a result of our action today. And in any event, these programming decisions should be determined in the market by the listening public and not by the FCC.

So I want to thank my colleagues for agreeing to my request that we extend the relief provided here to the FM band, rather than limiting it to AM as proposed in the draft released three weeks ago. Competition has eroded the original justification for this rule and that is equally true for AM and FM broadcasters. First Amendment considerations also counsel in favor of our decision today, as there is no basis in the record for retaining this type of speech regulation.

Ultimately, the media marketplace is changing rapidly, and broadcasters need the freedom and flexibility to change with it. This is particularly true in the smallest markets, where we need to do everything we can to incentivize investment in local news and public interest programming. This decision is another step in the right direction, so I want to thank the Media Bureau for its work on the item. It has my support.