

**STATEMENT OF  
COMMISSIONER JESSICA ROSENWORCEL,  
CONCURRING IN PART, DISSENTING IN PART**

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.

It was not that long ago that families would gather at night to bask in the glow of a single screen to watch together during the early days of television. Some time before that, the same ritual played out each evening in our homes with radio. Of course, more recent innovations in video and audio technologies have forever altered how and what we watch and hear.

Yet we are still drawn to the broadcast medium, especially radio. Because there is still something special about a voice in the air. That's because there is something powerful when a community has a station that delivers a connection to who they are and where they live.

So we need to consider how these local broadcast licensees using public airwaves can thrive. In so many ways, the economic models that sustained traditional media have been turned upside down by digitization. What happens when advertising migrates and listening practices change? What happens to locally-originated programming when stations consolidate? What happens to journalism? And what does this mean now, in a health care crisis, when we all need essential information to make decisions about our lives, our communities, and our country?

These questions are complicated. But I believe the answers lie in our most basic principles. For decades the Federal Communications Commission has built its media policies around the values of localism, competition, and diversity. These values may not be trendy, but they are the best guideposts we have for communications policymaking. In recent years, we haven't always honored these principles. In fact, we've chipped away at them, bit by bit. You see it in our misguided decision to roll back the main studio rule, freeing stations from the obligation to maintain facilities in the communities they are supposed to serve. You see it with more and more concentration. You see it in how this agency manages to look the other way when station ownership year after year grows less and less diverse.

It doesn't have to be this way. We can modernize our policies and honor our principles. In fact, today's decision was an opportunity to prove this point.

When this report and order was first shared with us, it simply eliminated the radio duplication rule in the AM band. As a result, AM stations would no longer be subject to the restriction limiting programming duplication to no more than 25 percent of time during a typical week. The reason for relaxing this policy this way was clear. There are persistent interference issues that are unique to the AM band that are not going away. These technical challenges are real and we see them in declining listenership and increasing costs. Plus, some AM stations have gone silent, shutting service in this pandemic.

As originally drafted, this decision would help alleviate some of the strain on these stations and experiment with rolling back this rule in the AM band. It would be a smart test bed to see how localism, competition, and diversity in the band fared when this rule was set aside.

But sometime in the last 36 hours, the agency threw this approach away. It decided instead it would eliminate the policy in the AM band and FM band in one fell swoop. But the signal quality issues in these bands are totally different. The economic issues are not identical and the impact of content duplication is not the same.

So what we have is yet another small chip in our principles. Because we have another decision that rushes ahead without doing the due diligence needed to consider the impact on localism, competition, and diversity. Radio has a storied past. It can have a bright future. But we need more thoughtful change than this if we want the medium to do more than survive and truly thrive. For these reasons, I concur with respect to this decision on the AM band, and dissent in all other respects.