

United States Senate

WASHINGTON, DC 20510-4904

May 19, 2003

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Powell:

I write concerning recent press reports of the Federal Communications Commission's proposed changes in the media ownership rules. I am deeply concerned that the Commission will relax the rules for media ownership before the public has an adequate opportunity to review and comment on them, and before the implications of these changes are fully analyzed. The proposed rules will have long-term effects on the nature of music, information and entertainment that every person in every community in this nation receives. I request that the Commission delay the vote on the proposed rule changes now scheduled for June 2, 2003, and open a formal public comment period on the proposal.

Because the details of this proposal are only now being released, less than a month before the Commission's self-imposed deadline for action, it is critical that more time be taken to allow the public and the Congress to assess the impact of the ownership rule revisions as a whole and provide input to the Commission. In particular, the Commission must take note of what happened when Congress removed ownership caps for radio stations in the Telecommunications Act of 1996.

As reported in the press, the current proposal consistently undermines localism, competition, and diversity in favor of economically more efficient national structures that are not connected to the communities they claim to serve. The rules would allow large media corporations the almost unfettered ability to completely dominate local media markets.

The proposed rules would lift the ban against newspaper and broadcast cross ownership that has been in place for over 25 years. In addition, the current proposal would dramatically change the rules regarding local TV ownership. The new rules would allow a single company to own two TV stations in a single market, or even three stations in the largest markets. It would permit a single

company to own stations reaching 45% of the country, which actually means up to 90% if the company owns only UHF stations. While the current limits on local radio ownership would be retained, the proposal would allow for significantly increased radio and TV cross-ownership. Taken together, these changes would move this country closer to a time when the media is dominated by a small number of national companies that are completely out of the reach of local ownership and control. This would be a significant and I believe largely negative development, given our nation's history of local access and local control of the media that has served us so well until now.

The Telecommunications Act of 1996 lifted the cap on how many radio stations a company can own nationwide. Before the Act, a radio station could only own up to 40 stations throughout the entire country. After the Act's enactment, there has been a sustained period of consolidation in the radio industry resulting in one company, Clear Channel, now owning more than 1,200 radio stations and a few other companies owning hundreds and hundreds of stations.

While allowing one company to own many radio stations has improved the bottom-line of the radio business for some investors, radio listeners are suffering. With just a few companies setting national play lists, the vast choice once available to radio listeners no longer exists. Driving across the country, a listener is now struck by the uniform nature of music play lists, not the diversity of sound and local creativity that once inhabited our airwaves.

In the area of local news and information, as large corporations have consolidated local newsrooms in favor of a few national news centers, the people who used to listen to the radio to learn about the issues and news in their own neighborhood have lost a crucial source of information. In addition, the market power of large radio companies has been used to increase prices, and decrease choices, in complimentary entertainment ventures such as concert venues, promotion, and merchandise.

The rules that the Commission has proposed would undermine our citizens' ability to obtain news and information that they need to fully participate in our democratic society. The Commission must provide a full description of all of the proposed changes and the basis for each of them. The Commission must then take the time to fully consider the far-reaching impact of the proposed rules and allow for vigorous comment and debate.

The Honorable Michael Powell

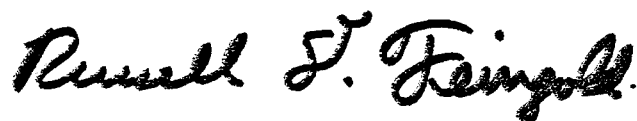
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The lesson of radio over the last seven years is a critical one for this debate, and we ignore it at great risk to the country. In the current environment, it is very easy to move forward and to change the media ownership rules without a full appreciation of the consequences and without full disclosure and debate. It will be a much harder task to turn back the clock if these new rules do to newspapers and television what the Telecommunications Act of 1996 has done to radio.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Russell D. Feingold". The signature is written in a cursive, slightly slanted style.

Russell D. Feingold
UNITED STATES SENATOR

cc:

Kathleen Q. Abernathy

Michael Copps

Kevin Martin

Johnathan Adelstein