

Congress of the United States

House of Representatives

Washington, DC 20515

June 3, 2003

PROTECT LOCALISM, DIVERSITY AND COMPETITION IN THE BROADCAST MARKETPLACE

COSPONSOR H.R. 2052

Dear Colleague:

Yesterday, the Federal Communications Commission (FCC), acting with arrogant disregard for public opinion and long-standing judicial precedent, raised the national television broadcast ownership cap from 35 to 45 percent. Ever since the initial formation of the commercial broadcast industry, Congress and the FCC have acted carefully and deliberately to preserve localism, promote diversity, and ensure competition in our national broadcast system. The decision to weaken the cap flies in the face of that tradition and only serves to undermine, among other things, the ability of local stations to reflect the values and tastes of their local viewers. It is important that Congress act quickly to reverse this serious mistake.

Over time, and particularly in recent years, the four major networks have developed larger and larger national footprints and, taken together, the companies which own these networks have gained a dangerous level of power in the broadcast marketplace. The growing size and strength of the networks affords them a competitive edge over non-network owned stations in attracting advertising dollars and in acquiring popular syndicated programming. In addition, the expansion of the networks' power has directly and negatively affected the ability of the non-network owned stations to effectively negotiate affiliate agreements, which, among other things, is beginning to hinder the ability of the non-network owned stations to reject network programming. Changing the competitive landscape to favor the networks will only further disadvantage the non-network owned stations and further jeopardize the ability of such stations to compete and offer diverse and local viewpoints to their communities.

At the same time that the national networks have acquired more local television stations, the content of certain network programming has generated significant controversy. As a result, many local, non-network owned stations have refused to run certain network television programs -- including the *Victoria's Secret Fashion Show*, *Temptation Island*, *NYPD Blue*, and *God, the Devil, and Bob* -- because the content of these shows did not meet local community standards. By contrast, we understand that the national networks have not provided a single instance where a network-owned station rejected a network program because it did not meet community standards.

Just as our Founding Fathers thought it was a bad idea to *nationalize* our system of government, Congress thought it was a bad idea to *nationalize* the country's burgeoning broadcast system and, therefore, deliberately refrained from authorizing a small number of high-powered stations that could blanket the Nation and be owned and controlled by a handful of companies. Instead, Congress oversaw the creation of thousands of local stations throughout the Nation whose owners are legally required to respond to *local* needs and interests. H.R. 2052 seeks to protect that vision and protect localism, diversity, and competition in the broadcasting marketplace by codifying the television ownership cap at 35 percent. We encourage you to join us in this effort and cosponsor this important legislation.

For additional information or to cosponsor H.R. 2052, please contact Kimrey Rhinehardt with Representative Burr's office at 5-2071 or Gregg Rothschild with the Committee on Energy and Commerce Democratic staff at 6-3400.

Sincerely,



Richard Burr



John D. Dingell