

COMMITTEES:

APPROPRIATIONS

COMMERCE, SCIENCE, AND  
TRANSPORTATION

ENVIRONMENT AND  
PUBLIC WORKS

United States Senate

WASHINGTON, DC 20510

December 10, 2012

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

Dear Chairman Genachowski:

It is my understanding that the Federal Communications Commission (FCC) is considering relaxing its media cross-ownership rules. I am concerned this change could result in a steep reduction in the availability of local and diverse programming and I urge the FCC to carefully review, in an open and transparent manner, the full impact of any such revisions before enacting them.

The FCC has long said that its mission in the broadcast area is to promote competition, localism, and diversity. However, the media marketplace has become increasingly consolidated, leading to a decline in localism and diversity of ownership and views expressed. Localism in particular is a critically important part of broadcast regulation—broadcasters get access to the public airwaves in return for being responsive to the interests and needs of their communities of license. Recognizing the threat of media consolidation to localism and diversity, the FCC's longstanding newspaper/television cross-ownership rule prevents one company from owning both daily newspapers and television stations in any television media markets.

I have often said that New Jersey is the poster child for why localism is important. As you know, New Jersey does not have its own media market but instead must share two out-of-state markets—New York and Philadelphia. That means that New Jersey's nearly nine million residents must tune in to out-of-state stations for the programs and information they rely on. New Jersey does have one commercial high-power television station—WWOR-TV—but even that station, which is required by the FCC to operate for the benefit of the people of New Jersey, has not lived up to its obligations to serve the people of New Jersey. Instead, that station's coverage of New Jersey news has actually decreased in recent years. Nonetheless, WWOR-TV has been able to continue to operate under an expired license since 2007 due to FCC inaction on its renewal.

Unfortunately, a lack of diversity in media ownership has contributed to the dearth of local coverage in New Jersey. WWOR-TV is owned by Fox Television, a division of News Corporation that also owns WNYW in New York City. In addition to owning the two television stations, News Corporation owns New York City-based newspaper the New York Post. News Corporation has received waivers of the current media ownership rules in order to

simultaneously own the Post and the two televisions stations. This consolidation of ownership has not served New Jersey well. Since purchasing WWOR-TV in 2001, News Corporations has repeatedly refused to acknowledge that this is a New Jersey—not a New York—station. In fact, in 2004, News Corporation tried to move WWOR-TV's news operations to WNYW's studios in New York. Although, with my intervention, we were able to avoid that move, News Corporation has continued to combine operations between the two stations, which has contributed to WWOR-TV's failure to live up to its obligations to New Jersey residents.

Given New Jersey's unfortunate experience with media consolidation, I am particularly disappointed to learn that the FCC is considering modifying its media ownership rules to the benefit of major media companies and to the detriment of local news coverage. It is no secret that I have been frustrated by the FCC's pace of its review of WWOR-TV's license, which has prevented New Jerseyans from seeing the improved local news coverage they deserve. It is troubling that amidst this inaction on a license that expired in 2007, the FCC is acting to further consolidate media ownership and risk a decline in local news coverage.

Given the localism, diversity, and consolidation issues at hand, I urge the FCC to carefully consider, through a public process, the impact of relaxing cross-ownership rules before it acts.

Thank you for your attention to this matter.

Sincerely,



cc: Commissioner Robert McDowell  
Commissioner Mignon Clyburn  
Commissioner Ajit Pai  
Commissioner Jessica Rosenworcel