

**STATEMENT OF  
COMMISSIONER MIGNON L. CLYBURN**

Re: *2014 Quadrennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*, MB Docket No. 14-50; *2010 Quadrennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*, MB Docket No. 09-182; *Promoting Diversification of Ownership in the Broadcasting Services*, MB Docket No. 07-294; *Rules and Policies Concerning Attribution of Joint Sales Agreements in Local Television Markets*, MB Docket No. 04-256.

Last month, in the wake of the horrific shootings in Dallas, Texas, Washington, D.C. Police Chief Cathy Lanier held a press conference to reassure the citizens in our nation’s capital that her department would continue to build strong community relationships while it protects and serves. Who covered this press conference? Local broadcast television outlets, area radio stations, and the city’s daily and weekly newspapers... the ones that have been on the scene, covering these types of events for decades.<sup>1</sup>

This was not an anomaly. Broadcasters and newspapers have been and continue to play a uniquely relevant role in our society when it comes to covering news and events. In fact, a 2010 Pew Research Center study of 98 major metropolitan cities found that nearly 89 percent of news and information about local government came from area newspapers and local broadcast television stations.<sup>2</sup> More to the point, this study found that over half of the 928 local stories it examined came from daily and weekly newspapers.<sup>3</sup> Even more telling is what the National Association of Broadcasters (NAB) stated earlier this year: “*nobody* wants to do what we do – live and vital localism.”<sup>4</sup> Couple that statement with a 2015 study published in the Journal of Politics which found a diminished local news environment depresses citizen engagement.<sup>5</sup> It then becomes real clear, that any rule which threatens or jeopardizes “live and vital localism” should never see the light of day.

There is no question that our media landscape looks very different than it did thirty years ago. The Internet and cable news networks and other portals, have given birth to a host of options when it comes to news and information dissemination. Popular outlets like BuzzFeed, Huffington Post, Twitter and hyperlocal blogs found in communities across the country, allow Americans to consume great quantities of information from multiple sources. But make no mistake, more options do not necessarily translate into access to original local news gathering, reporting or sourcing. Using data from Nielsen, Pew Research Center in 2011 found that legacy news organizations, meaning those attached to another platform such as television or print, represent about two-thirds of the top 25 news websites.<sup>6</sup>

And yes, as the former publisher and general manager of a small Charleston-based weekly newspaper for 14 years, I am very much aware that the newspaper business is not what it used to be.

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<sup>1</sup> See, e.g., WTOP, *Lanier Talks Community Relations after Dallas Sniper Shootings* (July 8, 2016); WJLA, *D.C. Police to Change Protocol after Officer Shootings in Dallas* (July 8, 2016); The Washington Post, *Police Nationwide Order Officers to Ride in Pairs after Dallas Police Ambush* (July 8, 2016).

<sup>2</sup> Pew Research Center, *Media Coverage of City Governments* (last visited August 16, 2016).

<sup>3</sup> *Id.*

<sup>4</sup> National Association of Broadcasters (NAB), *Gordon Smith Keynote at 2016 NAB Show* (April 18, 2016).

<sup>5</sup> The Journal of Politics, *As Local News Goes, So Goes Citizen Engagement: Media, Knowledge, and Participation in US House Elections* (February 4, 2015).

<sup>6</sup> Pew Research Center, *The Top 25* (last visited August 16, 2016).

Nationally, the number of daily newspapers over the past 40 years has decreased by nearly 25 percent.<sup>7</sup> Circulation has fallen from 60.7 million in 1975 to 40.4 million in 2014.<sup>8</sup> But if the real fear is that a failed or failing newspaper or broadcast station will jeopardize the number of local voices in a given market, the Commission has adopted an exception to its newspaper/broadcast cross-ownership rule that can actually prevent these voices from vanishing by allowing for an injection of new investment capital into the particular news outlet.

Further, with the broadcast incentive auction well underway, we are on the cusp of seeing major changes to the television landscape. While it is not publicly known which stations will participate, one thing is certain: there will be fewer broadcast television stations on the air post-auction. Relaxing the Commission's media ownership rules at this time, will neither increase the number of diverse stations nor will it create additional local voices.

What is extremely troubling to me is that despite comprising nearly 13 percent of the U.S. population, African Americans held a majority interest in just nine of the nearly 1,400 full power commercial television stations, according to data from 2013.<sup>9</sup> While the Order tees up for further consideration five proposals offered by the Multicultural Media, Telecom and Internet Council (MMTC), which I applaud, more proactive steps must be taken. To satisfy judicial scrutiny and demonstrate the Commission's commitment to ownership diversity that is so desperately wanting, we need a robust record of data that paints a comprehensive picture of today's media landscape. Today, this simply does not exist.

Commenters in the record point to six categories of research that could be a starting point for a more comprehensive set of data examining the impact of ownership diversity.<sup>10</sup> Some of the ideas put forward include looking at the impact of existing FCC policies on ownership by women and people of color; examining local news sharing agreements and how they affect the production of diverse and competitive local news; and undertaking additional research necessary to support Congressional action on the minority tax certificate. If we are serious about our commitment to implementing informed and forward-looking policies that are in the public interest, these ideas should be considered.

Everyone should stop making excuses. The Third Circuit, in its most recent decision was crystal clear: if more data is needed, we "must get it." I stand ready to work with the Commission and interested researchers to fulfill this goal so that the Commission has the information it needs to ensure that the right policies are in place to promote a vibrant and diverse media landscape. Without "it" ... well let me simply say, "the proof of the pudding is in the eating."

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<sup>7</sup> Newspaper Association of America, *Newspaper Circulation Volume* (last visited August 16, 2016).

<sup>8</sup> *Id.*

<sup>9</sup> See *2014 Quadrennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996 et al.*, Report on Ownership of Commercial Broadcast Stations, 29 FCC Rcd 7835 (MB 2014) (*2014 323 Report*).

<sup>10</sup> Letter from Cheryl A. Leanza, Policy Advisor, UCC, to Marlene H. Dortch, Secretary, FCC, at 2 (filed July 7, 2016).