

**DISSENTING STATEMENT OF  
COMMISSIONER JESSICA ROSENWORCEL**

Re: *Amendment of Section 73.355(e) of the Commission's Rules, National Television Multiple Ownership Rule*, MB Docket No. 17-318

For decades, the FCC has built its media policies around the idea that localism, diversity, and competition matter. These values have their origin in the Communications Act. They may not be trendy, but they have stood the test of time. They continue to support journalism and jobs. They play a critical role in helping advance the mix of facts we all need to make decisions about our lives, our communities, and our country.

Today the FCC seeks to dismantle these values. At a time when real facts get casually derided as fake news, algorithms are ascendant, and what is viral is often not verifiable, this is neither prudent nor wise.

It is also unlawful. At the direction of Congress in the Consolidated Appropriations Act of 2004, the FCC is statutorily prohibited from allowing a single company from acquiring stations that reach more than 39 percent of the national television audience. The FCC lacks authority to change this law. Doing so is the exclusive province of Congress.

But somehow, somehow, we have this rulemaking anyway. And somehow, we are still talking about the UHF discount—a concept that should have been retired nearly a decade ago when the introduction of digital television rendered it technically outdated and scientifically obsolete. Still, here we are. This effort, on the heels of this agency's repeal of the Main Studio Rule, elimination of the eight voices test, and giving the green light for waivers of common ownership of the top four stations in a market, is ultimately destructive. We are destroying our most basic values and tearing apart the rules that have helped keep our media markets local, diverse, and competitive. I dissent.