

**Media Access Project's Andrew Jay Schwartzman to
Argue Pivotal Media Ownership Court Case**



February 9, 2004

The U.S. Court of Appeals for the Third Circuit, in Philadelphia, PA, will hear oral argument regarding the FCC's newly relaxed media ownership rules on Wednesday February 11, 2004. This challenge was brought by public interest advocates who believe that the media deregulation adopted by the FCC last June will substantially undermine civic discourse on the nation's media. The public interest advocates scored a significant victory last September, when the court temporarily stopped enforcement of the rules.

On Wednesday, Media Access Project's President & CEO, Andrew Jay Schwartzman, one of the nation's leading communications attorneys, will head the public interest case before the Third Circuit.

Problems with the Media Ownership Rules

The FCC engaged in its most fundamental rewrite of the nation's media regulations since they have been in place. In its rush to judgment, the Commission ignored the truth about the sources of local news and information in the U.S. today, and developed its rules based on those fundamental misunderstandings.

A significant problem with the new rules is that they will reduce the number of reporters competing to cover stories. The number of reporters dedicated to covering local news is shrinking every day, just as the resources dedicated to covering international events has drastically decreased. When media outlets merge, fewer reporters are competing to cover a story. This loss is most dramatic on a local level, where there are very few reporters to begin with. This is particularly dramatic because in most cities, a single newspaper is often responsible for virtually all of the in-depth local news coverage. With less competition between the local newspaper and local television stations, because they will be allowed to merge in most markets in this country, citizens will be poorly served. Civic participation and democracy depend on citizens' ability to find out what is going on in their home towns and cities. The FCC's order will diminish the quality of news essential to democracy.

In its briefs and in oral argument, the public interest organizations will show that the FCC misread the legal standard, presuming a preference for deregulation that does not exist, and that the rules are based on patently false conclusions. For example, the FCC's data concluded that, in New York, the Dutchess County Community College television station is 50% more valuable for media diversity than the New York Times and equal weight with and just as valuable as the local ABC television affiliate. Moreover, the FCC concluded completely without foundation that the Internet is a significant *original* news source when the evidence before it showed that most Internet sources are repetitive of existing news sources.

Mr. Schwartzman is available for interviews. Directly after the oral argument, he will be offering his comments at the Hilton Garden Inn, 1100 Arch Street, Philadelphia, PA.

Media Contact: Harold J. Feld
202-454-5684?