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Consumer Federation of America



September 14, 2006

Commissioner Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Martin:

We are extremely concerned about revelations this week that an important Federal Communications Commission study regarding the impact of media ownership on local news coverage may have been intentionally suppressed during the Commission's consideration of the localism proceeding during the term of your predecessor, former Chairman Michael Powell. We urge you to immediately seek an independent investigation, through the Office of the Inspector General, to determine the circumstances under which the public was denied access to this important, taxpayer-funded research, the parties involved and the processes that may have allowed any record of the report's existence to be destroyed.

The allegations are particularly troubling given that the Commission has stressed the importance of openness and transparency during its current consideration of media ownership rules. Of greatest concern are recent press reports that the study was not only suppressed, but also that the report itself and evidence relating to it were ordered destroyed. If those allegations are accurate, evidence of the report would not have been available even through a Freedom of Information Act request. Publicly funded research—so vital to determining the rules that directly impact public discourse and democracy in this nation—should be fully available to the public even if it does not support FCC policy proposals.

In addition, to allow the public to evaluate the implications of this study in the context of the current ownership and localism proceedings, we urge you to immediately make this study publicly available. As reported in the media, the study suggests that further media consolidation could reduce local news coverage, in direct conflict with the Commission's long-standing goals to foster localism through media ownership rules. Specifically, the study's finding that locally owned television stations produce and deliver over 20% more local news than stations owned by national networks or other non-local owners supports the argument that

limits on ownership are critical to maintaining local news coverage. This point is the very opposite of what former Chairman Powell sought to establish in going forward with revised rules allowing greater consolidation. In addition, the report's analysis of the importance of local news coverage to public discourse and political and economic outcomes reinforces the need to ensure that any changes to media ownership rules do not further reduce local news. Therefore, the information is vital to the Commission's current review of media ownership rules and should be made part of the official record, giving the public an opportunity to comment on the results and their importance to local communities.

With release of the *Further Report on the Packaging and Sale of Video Programming Services to the Public*, you demonstrated your willingness to correct past Commission efforts to force the facts to fit a pre-ordained policy conclusion. We therefore urge you to immediately request an independent investigation on how and why this localism report was suppressed and to make the report publicly available as part of the media ownership proceeding record.

Thank you for your consideration.

Sincerely,

Gene Kimmelman
Vice President, Federal & International Affairs
Consumers Union

Mark Cooper
Director, Consumer Research
Consumer Federation of America

Harold Feld
Senior Vice President
Media Access Project

Ben Scott
Director, Public Policy
Free Press

cc: FCC Commissioner Michael J. Copps
FCC Commissioner Jonathan S. Adelstein
FCC Commissioner Deborah Taylor Tate
FCC Commissioner Robert M. McDowell