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## Public Interest Groups Tell Congress: Keep Close Eye On FCC Media Review

By David Hatch

*(Tuesday, November 1)* The FCC early next year plans to conduct a court-ordered review of its rules that limit media ownership -- and public interest groups are seeking strong congressional oversight of the effort.

"This is going to be a big fight," said Andrew Schwartzman, president and chief executive officer of the Media Access Project. "Congress and the public are going to have to weigh in as heavily as they did [in 2003] to make a difference in an FCC that is going to be dominated by three Republicans."

Schwartzman spoke during a panel discussion on minority media issues sponsored by the Leadership Conference on Civil Rights Education Fund.

FCC Chairman Kevin Martin, a Republican, is expected to initiate the review after the White House names two new GOP commissioners to the agency, giving Martin a 3-2 majority. That would make it easier for Martin to push his deregulatory agenda.

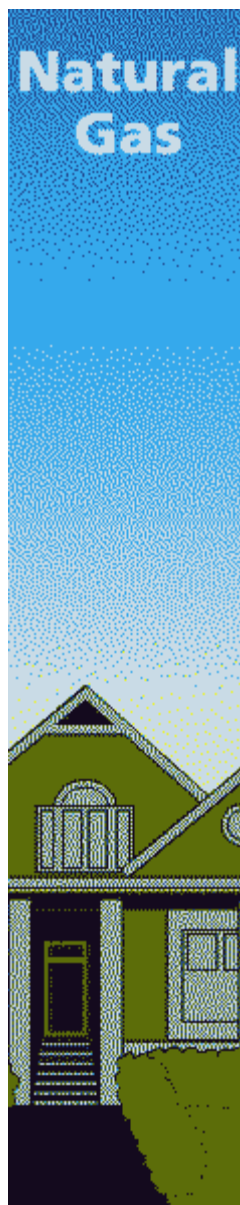
The FCC's reassessment would follow its 2003 relaxation of the media ownership restrictions. That action, spearheaded by then-FCC Chairman Michael Powell, drew considerable fallout from advocacy groups, citizens and lawmakers, including prominent Republicans. In 2004, the 3rd U.S. Circuit Court of Appeals overturned the FCC's rules.

That means the FCC must revisit how many radio or television facilities one company may own in a single community, as well as the right to own radio, television and newspaper properties in the same market.

A key priority of the Media Access Project and other watchdogs is changing the so-called UHF discount. The discount tabulates UHF television stations -- channels 14 to 67 -- as being half the size of VHF stations -- channels 2 to 13 -- when calculating the national cap on the audience reach of network owned-and-operated TV stations.

In early 2004, Congress upped the cap from 35 percent of television households to 39 percent. Schwartzman said the cap will not be part of the FCC's media ownership review because lawmakers have spoken on the issue.

"This is archaic," Schwartzman said of the UHF discount -- noting that UHF



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stations once were difficult to receive via broadcast, but that cable has put them on a par with VHF.

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"This 50 percent discount allows vastly greater ownership than would otherwise be the case," he said. In particular, he noted that the UHF discount benefits Paxson Communications and the Sinclair Broadcast Group. In particular, he noted that the UHF discount benefits Paxson Communications and the Sinclair Broadcast Group.

**Drew Clark: Wired  
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**Who's Lobbying?  
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Schwartzman said changing the UHF discount is important because UHF stations are less expensive to own than VHF ones, creating more opportunities for minorities.

**Who's Donating?**

**Key Players: In  
The Industry**

Watchdog groups, meanwhile, are weighing in with Congress on related concerns.

**Key Players:  
Members Of  
Congress**

On Oct. 12, the U.S. Conference of Catholic Bishops sent a letter to **Senate Commerce Chairman Ted Stevens**, R-Alaska, urging him to mandate public interest obligations for broadcasters as part of pending digital television legislation.

**Key Players:  
Congressional  
Aides**

**Overview: The  
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"The Catholic bishops are concerned that, with the imminent conversion to all-digital broadcasts, the already limited amount of religious programming will decline even further," the letter said.

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