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TV Issues May Shift With Vote

Democratic Victories Would Bring Changes

By [Ira Teinowitz](#)

A tightening race for control of Congress in the November elections has the television business bracing for change.

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A shift in control of the House of Representatives away from the Republican Party would bring more scrutiny of the Federal Communications Commission and the agenda set by its chairman, Kevin Martin. A Democrat-led House also would likely hamper any attempt to let media conglomerates own more TV stations and portend more efforts to curb prescription drug advertising and advertising aimed at children.

"The major change would be oversight," predicted Andy Schwartzman, president and CEO of the Media Access Project, a public interest law firm that works on FCC matters. "I would expect the FCC members to be on the Hill early and often."

Handicapping the House and Senate races is complicated by factors ranging from a sex scandal involving former House Republican Thomas Foley to the war in Iraq. The health of the economy and the threat of terrorism are also tilting races. Democrats must gain 15 seats in the House of Representatives and six slots in the Senate to take control after the Nov. 7 election.

As many as 16 House elections are toss-ups and four Senate contests are too close to call, according to The New York Times.

The number of tight races puts Democrats tantalizingly close to reclaiming the control of the House they lost in 1994. Seizing the House would give at least four Democrats who have been outspoken on media issues access to leadership positions.

Under GOP leadership, the House has tilted toward easing media ownership rules, blocking so-called net neutrality legislation and largely taking a hands-off approach to the FCC. Republicans have also increased fines for broadcast indecency, but on indecency issues and some other media issues, such as whether cable should offer a la carte choices, the party line divisions have been less clearly defined.

Democrats have been more vocal in supporting ad curbs, whether limiting drug advertising or calling for limits on junk food and alcohol ads, but there, too, some Republicans have been aggressive. Political observers suggest the biggest differences will likely be in the priority Democrats place on dealing with some of the media issues.

Rep. John Dingell, D-Mich., would likely head the House Energy and Commerce Committee. Rep. Ed Markey, D-Mass. might lead that committee's telecommunications subcommittee. Rep. Henry Waxman, D-Calif., would probably head the House Government Reform Committee, and Rep. John Conyers, D-Mich., would be in line to lead the House Judiciary Committee.

The Democrats have called for legislation on to prevent Internet service providers from forcing some content providers to pay more for faster service, and have blasted the FCC for moving to ease media ownership rules.

Dynamics in the Senate, which some political analysts say is less vulnerable to a Democratic takeover, could change even if the Republicans retain control. An increase in Democratic power may bring changes to the body's stance on media and advertising issues, said Dick O'Brien, executive VP of the American Association of Advertising Agencies.