

For Immediate Release
January 27, 2005



**Statement of Andrew Jay Schwartzman Concerning Supreme Court
Review of Media Ownership Deregulation Case**

We are reliably informed that the Solicitor General of the United States and the FCC have decided not to join large media companies seeking Supreme Court review of the June, 2004 court decision which had reversed the FCC's efforts to allow increased concentration of media ownership in the United States.

This is one more indication that the broad and bipartisan public opposition to media concentration has become too powerful to be ignored.

Without support from the government, it is very unlikely that the Supreme Court agree to review last June's appeals court decision throwing out the FCC's media ownership deregulation policies. That is why the major TV networks and largest newspaper publishers in the country aggressively lobbied the Administration to join in seeking Supreme Court.

A few years ago, the same lobbying campaign would have almost certainly been successful, even though the arguments for appeal are weak. But now, after more than two million American citizens made their views known, the Administration was able to stand up to Big Media, the most special of special interests.

It is, of course, impossible to know exactly why the Justice Department and FCC have decided not to join the appeal. However, my guess is that the Administration paid heed to groups from both the left and the right who argued that a successful appeal would undermine the entire framework of broadcast regulation. There is massive public support for rules to improve children's television, to ban payola, to give equal time to political candidates, and to limit commercialization, among many other things. If the appeal were to succeed all those policies would be invalidated.

Andrew Jay Schwartzman is President and CEO of Media Access Project, which served as lead counsel in the successful appeal of the FCC's June, 2003 media ownership deregulation decision. The TV networks and newspaper publishers are asking the Supreme Court to hear their appeal of that case, Prometheus Radio Project v. FCC, which was issued by the U.S Court of Appeals for the Third Circuit on June 24, 2004.

Media Access Project is a thirty-one year-old non-profit public interest telecommunications law firm.

More information on the Prometheus case is available at <http://mediaaccess.org>.

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