

HOUSE BILL REPORT

HJM 4028

As Reported by House Committee On:
Technology, Energy & Communications

Brief Description: Requesting that the United States Congress pass the Media Ownership Act.

Sponsors: Representatives Wallace and Hasegawa.

Brief History:

Committee Activity:

Technology, Energy & Communications: 1/30/08 [DP].

Brief Summary of Bill

- Condemns the Federal Communications Commission's (FCC) decision on December 18, 2007, to expand newspaper-broadcast cross-ownership and the process that the FCC followed in delivering their decision.
- Asks the U.S. Congress to work in a nonpartisan manner to pass the Media Ownership Act.

HOUSE COMMITTEE ON TECHNOLOGY, ENERGY & COMMUNICATIONS

Majority Report: Do pass. Signed by 12 members: Representatives McCoy, Chair; Eddy, Vice Chair; Crouse, Ranking Minority Member; McCune, Assistant Ranking Minority Member; Ericksen, Hankins, Herrera, Hudgins, Hurst, Kelley, Morris and Van De Wege.

Staff: Scott Richards (786-7156).

Background:

Federal Communications Commission

The Federal Communications Commission (FCC) is an independent United States government agency charged with regulating interstate and international communications by radio, television, wire, satellite, and cable. The FCC has jurisdiction over the 50 states, the District of Columbia, and United States possessions.

The FCC Regulation of Newspaper and Broadcast Cross-Ownership

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In 2007 the FCC held 12 hearings around the country to receive public input from individuals, broadcasters, and corporations regarding media ownership and localism. On December 18, 2007 the FCC delivered a decision amending newspaper-broadcast cross-ownership rules to allow a newspaper to own one television station or one radio station in the 20 largest markets in the United States.

Media Ownership Act of 2007: House of Representatives (H.R.) 4835 and Senate (S.) 2332

During the fall of 2007, H.R. 4835 and S. 2332 were introduced by members of the U.S. Congress. Both congressional bills seek to amend the Telecommunications Act of 1996 to require the FCC, in changing any of its regulations related to broadcast ownership, to publish notice in the Federal Register for at least 90 days, followed by at least 60 days for public comment, followed by at least 30 days to reply to comments. Both bills apply those requirements to any changes related to broadcast and newspaper ownership made after October 1, 2007.

Both H.R. 4835 and S. 2332 require the FCC, before voting on any change in broadcast and newspaper ownership rules, to complete a separate rulemaking to promote the broadcast of local programming and content by broadcasters, including radio and television broadcast stations, and newspapers. Both bills require the FCC, before issuing a final rule, to: (1) conduct a study on the overall impact of television station duopolies and newspaper-broadcast cross-ownership on the quantity and quality of local news, public affairs, local news media jobs, and local cultural programming at the market level; and (2) publish a proposed final rule at least 90 days before a vote, followed by at least 60 days for public comment, followed by at least 30 days to reply to comments.

Both H.R. 4835 and S. 2332 require the FCC to establish an independent panel on increasing the representation of women and minorities in broadcast media ownership, and to act on the panel's recommendations before voting on any changes to its broadcast and newspaper ownership rules.

Summary of Bill:

The Washington Legislature recognizes that the FCC ignored repeated pleas of the American people and their representatives in the U.S. Congress to defer their newspaper-broadcast cross-ownership decision and conduct a more inclusive process before amending the rules.

The Washington Legislature condemns the FCC decision to expand newspaper-broadcast cross-ownership and the process that the FCC followed in delivering their decision.

The Washington Legislature prays that the U.S. Congress work in a nonpartisan manner to pass the Media Ownership Act that overturns FCC decisions after October 1, 2007, ensures that future FCC regulatory processes are open to and inclusive of the American people, and provides improved opportunities for people of color and women to participate as media outlet owners.

Appropriation: None.

Fiscal Note: Not requested.

Staff Summary of Public Testimony:

(In support) The FCC decision to allow expanded cross-ownership of media in 20 major markets is an affront to the basis of our democratic society. Further media consolidation would disallow a broad range of information to citizens. The FCC's actions were taken after a great number of people from around the country had urged the FCC in public hearings not to amend the cross-ownership rules. On November 9, 2007, the Governor, state legislators, the Attorney General and more than a thousand citizens implored the FCC not to de-regulate media ownership rules. The Media Ownership Act of 2007 is supported by both parties in the U.S. Congress.

(Opposed) Seattle is the only market where this rule would apply and there are no TV stations that could qualify for this rule. There is no opportunity for the FCC rule to have an effect in Washington. Certain studies suggest that cross-ownership improves local television news.

Persons Testifying: (In support) Representative Wallace, prime sponsor; and Gavin Dahl, KAOS Radio and Reclaim the Media.

(Opposed) Mark Allen, Washington State Association of Broadcasters.

Persons Signed In To Testify But Not Testifying: None.