

Resolution of Disapproval

Sen. Byron Dorgan (D.-N.D.) introduced bipartisan legislation in early March to overturn the Federal Communications Commission's move to lift the 30-year ban on one company owning a newspaper and a broadcast station in the same market. The resolution has strong support from both sides of the aisle, including Sens. Ted Stevens (R-Alaska); Olympia Snowe (R-Maine.); John Kerry (D-Mass.) and Barbara Boxer (D-Calif.).

The legislation must pass the Senate within 60 days that Congress is in session. In 2003, the Senate passed a similar resolution of disapproval to overturn the FCC's last attempt to dismantle our nation's broadcast ownership rules.

Last year, the Senate tried to prevent the FCC from moving too hastily on new rules without listening to public input or conducting independent research. Senators Dorgan and Lott introduced bipartisan legislation in December to bring greater transparency to the FCC's rulemaking process.. They also called on the FCC to first deal with the crisis in female and minority ownership as well as the lack of local programming on broadcast stations before considering new rules. The two senators were joined by dozens of colleagues from both parties in calling for Chairman Martin to postpone voting on new rules until he addressed these issues.

But the chairman did not heed their call. Instead, the FCC approved sweeping new rule changes with giant loopholes that would open the door for further consolidation to occur in nearly every market. What's more, at the last minute the FCC granted five new permanent waivers to cross-owned properties owned by Gannett and Media General, a subject Martin never discussed publicly before the vote. In this one action, the FCC granted more permanent waivers than it did during the entire 30-year cross-ownership ban.

The new rules will place the future of minority ownership in greater jeopardy. People of color own just 3 percent of all TV stations. Nearly 90 percent of those stations are ranked outside the top four in their markets, making them a prime targets for acquisition under the FCC's new rules.

The FCC's lack of transparency in conducting the media ownership proceeding is one reason why the bi-partisan leadership in the Oversight subcommittee of the House Commerce Committee is currently conducting an investigation of the FCC. One week after the Senate introduced its resolution of disapproval, Reps. Jay Inslee (D-Wash.) and Dave Reichert (R-Wash.) introduced companion legislation in the House.

The Congressional Review Act provides specific procedures under which Congress can, by joint resolution, disapprove an agency rule. The Resolution of Disapproval currently being considered by both the House and the Senate would nullify the FCC's new rules and send the agency back to the drawing board. This is a chance for Congress to take a stand for more competition, more local news, and a more diverse media across America.