

BYRON L. DORGAN
NORTH DAKOTA
322 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510-3405
202-224-2551
202-224-9378 TDD

COMMITTEES:
APPROPRIATIONS
COMMERCE, SCIENCE & TRANSPORTATION
ENERGY & NATURAL RESOURCES
CHAIRMAN, INDIAN AFFAIRS

CHAIRMAN, DEMOCRATIC POLICY COMMITTEE

United States Senate

WASHINGTON, DC 20510-3405

August 3, 2007

STATE OFFICES:

312 FEDERAL BUILDING
THIRD AND ROSSER AVENUE
P.O. BOX 2579
BISMARCK, ND 58502
701-250-4618
1-800-666-4482 TOLL-FREE

1802 32ND AVENUE S., SUITE B
P.O. BOX 9060
FARGO, ND 58106
701-239-5389

102 NORTH 4TH STREET, ROOM 108
GRAND FORKS, ND 58201
701-746-8972

100 1ST STREET, S.W., ROOM 105
MINOT, ND 58701
701-852-0703

Chairman Kevin J. Martin
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Dear Chairman Martin:

As you are aware, News Corporation (News Corp.) has reached an agreement to acquire Dow Jones & Company (Dow Jones) for \$5 billion. Given that Dow Jones publishes the *Wall Street Journal*, one of our country's few newspapers with a national circulation, I am concerned about potential concentration in our national media sector as a result of this sale, and other recent mergers and acquisitions in our nation's media sector.

To date, News Corp. has rapidly expanded its media empire by developing the cable channel Fox News and 20th Century Fox, and acquiring the *New York Post*, *TV Guide*, and MySpace, among numerous other media outlets. Dow Jones owns *Barron's*, MarketWatch, Factiva, Dow Jones Newswires and local newspapers in a number of states. If approved, the proposed merger between News Corp. and Dow Jones would result in one single company controlling one of the three national newspapers with circulations above one million, one of the five national broadcast networks, and one of the country's few cable news networks. Furthermore, apart from this proposed transaction, our nation's media outlets with a national reach – be it print, broadcast, or cable – are already heavily concentrated.

The current FCC rules attempt to prevent concentration and cross-ownership in local markets. I recognize that there are issues of local diversity affected by this agreement and I expect the Commission will address such issues through existing processes. But the Commission's media ownership rules state, "diversification of mass media ownership serves the public interest by promoting diversity of program and service viewpoints, as well as by preventing undue concentration of economic power."¹

The proposed merger between News Corp. and Dow Jones raises the serious question of whether a single company's concentration on a national scale should continue to be unfettered and unchecked. I believe the FCC should consider studying whether the public interest would be served if media cross-ownership rules existed at the national level.

I urge the Commission to initiate a proceeding to examine whether the current unregulated state of media cross-ownership at the national level may necessitate new

¹ *FCC v. Nat'l Citizens Comm. For Broad.*, 436 U.S. 775, 780 (1978).

rules to retain the diversity of viewpoints and democratic voices in our media. In the spirit of the Commission's long-standing media ownership rules, the proceeding should include an inquiry into the proposed merger between News Corp. and Dow Jones and its impact on media concentration at the national level.

Thank you for your attention to this matter.

Sincerely,



Byron L. Dorgan
U.S. Senator

Cc:
Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Commissioner Deborah T. Tate
Commissioner Robert M. McDowell