

Aug. 4, 2025

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: MB Docket No. 17-318, National Television Multiple Ownership Rule Proceeding

To whom it concerns:

We 16 press freedom groups, civil liberties organizations and labor unions are writing in response to the Federal Communication Commission's request for comments on whether to modify, retain, or eliminate the 39 percent national audience reach cap that has governed the size of broadcast media conglomerates in the United States. Our chief concern regards the impact further consolidation of media ownership will have on the independence of the nation's press and the vitality of its local journalism.

In our experience, the past 30 years of media consolidation have not fostered a better environment for local news and information. The Telecommunications Act of 1996 radically changed the radio and television broadcasting marketplace, causing rapid consolidation of radio station ownership. In 1997, 4,000 of the country's 11,000 radio stations changed hands.¹ Between 1996 and 2002, the number of radio owners in the U.S. decreased by 34 percent.² Since the 1996 Act, lawmakers and regulators have further relaxed television ownership limits, spurring further waves of station consolidation, the full harms of which are being felt by local newsrooms and the communities they serve.

The 1996 Act led to broadcast industry consolidation; this in turn has spurred consolidation across the entire news media ecosystem, including newspapers, online news outlets and even online platforms. Media owners argue that increased mergers and acquisitions are necessary for their companies to compete in a dynamic and increasingly online media ecosystem. They say mergers create so-called "synergies" and "economies of scale" that allow them to reach a broader

¹ Jeff Leeds, *Clear Channel's Dominance Obscures Promotion Conduit*, Los Angeles Times, Aug. 3, 2001, at C4.

² George Williams & Scott Roberts, *Radio Industry Review 2002: Trends In Ownership, Format, and Finance* at 3 (FCC Media Ownership Working Group (Sept. 2002)).

audience with more efficiency. In practice, however, this rhetoric has translated to newsroom layoffs and closures and the related spread of “news deserts” across the country.³

There have been tens of thousands of newsroom job losses since the passage of the Telecommunications Act. According to a 2025 survey by Muck Rack and Rebuild Local News, at the beginning of this century, the United States had on average 40 journalists per 100,000 residents. Today, the equivalent number is 8.2 journalists, or about a 75 percent decline. “Stunningly, more than 1,000 counties — one out of three — do not have the equivalent of even one full-time local journalist,” according to the survey’s authors.⁴ A 2023 report by Northwestern University’s “State of Local News Project” counts 2,900 newspaper closures since 2005 — with 43,000 newspaper journalists (or almost two-thirds of the total number) losing their jobs.⁵

Over a similar period, the economic model for news production has been undercut by technology platforms owned by the likes of Alphabet, Amazon and Meta, which have offered an advertising model for better targeting readers, listeners and viewers, and attracted much of the advertising revenue that once funded local journalism.

Lobbyists working for large news media companies argue that further consolidation is the economic answer, giving them the size necessary to compete with Big Tech. In a July 2025 filing to the FCC, the National Association of Broadcasters urged the agency to loosen and even eliminate ownership rules, in the belief it would allow them to be more viable in the digital age.⁶ But there’s no evidence to suggest that the creation of massive news- and broadcast-media cartels will improve journalism or safeguard a free press. In fact, the opposite appears to be true.

Recent Free Press analysis of the 35 largest media companies in the United States finds a pervasive pattern of editorial compromise and capitulation as owners of massive media conglomerates seek to curry favor with political leadership. According to the analysis, the

³ Penelope Muse Abernathy, *US News Deserts*, UNC Hussman Sch. of Journalism & Media, <https://www.usnewsdeserts.com> (last visited July 14, 2025).

⁴ Muck Rack & Rebuild Local News, *Local Journalist Index 2025*, <https://muckrack.com/research/local-journalist-index> (last visited July 24, 2025).

⁵ Penelope Muse Abernathy & Sarah Stonbely, *The State of Local News: 2023 Report*, Medill Local News Initiative, Northwestern Univ., https://localnewsinitiative.northwestern.edu/assets/slmp/the_state_of_local_news_2023.pdf (last visited July 24, 2025).

⁶ Dak Dillon, *NAB urges FCC to Update Broadcast Ownership Rules, Accelerate ATSC 3.0 Transition*, NCS (Newscast Studio) (July 17, 2025), <https://www.newscaststudio.com/2025/07/17/nab-urges-fcc-to-modernize-broadcast-ownership-rules-accelerate-atsc-3-0-transition>.

interests of wealthy media owners have become so inextricably entangled with government officials that they've limited their news operations' ability to act as checks against abuses of political power. Journalists and editors within their own newsrooms have criticized their owners for putting the corporations' financial interests (in winning government approval of mergers, agency deregulation of ownership rules, lax antitrust enforcement, and federal contracts for services) before their civic obligation to hold power to account, and defend a free press' essential role in a democracy.⁷

While the history detailed above strongly indicates the threat media consolidation poses to a vibrant and independent media in the United States, we also believe the FCC lacks the authority to change the national audience reach cap.⁸ In 2004, Congress set the current cap, removed the cap from the quadrennial review process, and prohibited the Commission from using its forbearance authority on the national cap.⁹ Congress did not intend that the Commission would be able to change the national cap. Broadcast companies have argued that the statute only required the Commission to make a "one-time modification to the rule" which could later be "amended" or "repealed."¹⁰ If Congress had intended its statutory directive to require only a "one-time modification to the rule," it would have stated such. Reading the statute to require only a temporary change would lead to absurd results, granting the Commission undue authority to rewrite statute and rendering the statute meaningless. The FCC cannot override decision-making authority which Congress retained for itself.

The FCC should not move forward with any plans to loosen media ownership limits. Instead, it must fully assess the negative impacts media consolidation has had and will have on independent media in the United States. We, the undersigned, urge the agency to uphold its obligation to promote competition, localism and diversity in the U.S. media. Allowing for even more media consolidation poses too great a risk to our democracy, and to the free press on which it depends.

Signed,

⁷ Timothy Karr, *A More Perfect Media: Saving America's Fourth Estate from Billionaires, Broligarchy and Trump*, Free Press (July 29, 2025).

⁸ Comments of the Leadership Conference on Civil and Human Rights, *Amendment of Section 73.3555(e) of the Commission's Rules, National Television Multiple Ownership Rule*, MB Docket No. 17-318 (filed Mar. 19, 2018), <https://www.fcc.gov/ecfs/document/10320161268449/1>.

⁹ Consolidated Appropriations Act of 2004, Pub. L. 108-199, § 629(1), 118 Stat. 3 (2004) (setting the cap at 39% and removing the national cap from the quadrennial review and from the forbearance provision).

¹⁰ Comments of Nexstar Media, GN Docket No. 25-133, at 12 (filed Apr. 10, 2025).

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