

American Federation of Musicians (AFM)
American Federation of Television
and Radio Artists (AFTRA)
Free Press
Future of Music Coalition

International Music Managers' Forum
Louisiana Music Commission
Recording Academy
Recording Artists Coalition

The Honorable Michael Powell
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Media Ownership Proceeding 02-277

April 30, 2003

Dear Chairman Powell:

We are writing to insist that Congress and the public have a full opportunity to review and comment on any specific changes that the Commission intends to make in the biennial review of media ownership rules before such rules are issued in final form.

As musicians, recording artists, citizens and small business owners we are uniquely qualified to comment on the increased consolidation of the radio dial since the passage of the 1996 Telecommunications Act. We write to you today to emphasize that this period of consolidation has had far-reaching negative repercussions on our ability to gain access to the public airwaves and to make a living.

We are therefore rightfully cautious and extremely concerned as American citizens that increased concentration of media ownership will have a negative impact on access to diverse viewpoints and will impede the functioning of our democracy.

We understand that a ruling by the US Court of Appeals for the DC Circuit has required the FCC to show "empirical evidence" that the rules are necessary, or they must be revoked.

We believe there is ample empirical evidence that these rules are necessary and, more importantly, overwhelming proof that the public would like the limits to be held in place.

Empirical Evidence

1. "Radio Deregulation: Has It Served Citizens and Musicians?"

<http://www.futureofmusic.org/research/radiostudy.cfm>

In November 2002, the Future of Music Coalition released a well-researched and data-driven study of the effects of radio consolidation on citizens and musicians. This 150-page document presents compelling evidence that radio consolidation has resulted in:

- 1) Reduced marketplace competition
- 2) Reduced programming diversity and the homogenization of playlists
- 3) Reduced public access to the airwaves for local programming
- 4) Reduced public satisfaction with listening options

2. “Democracy Unhinged: More Media Concentration Means Less Public Discourse”

http://www.dpeaflcio.org/pdf/FCC_Critique.pdf

In December 2002, the Center for Economic and Policy Research and the Department for Professional Employees/AFL-CIO released a critique of the twelve FCC studies which, according to an FCC press release, purported to have “examined the current state of the media market place.” The Center for Economic and Policy Research used the same data sets to raise serious questions about the impact of concentration to date on diversity of news and entertainment. The report indicates that there is little basis for believing that substitution between types of media will offset any negative effects from concentration in a specific medium. The FCC studies also neglected to consider the extent to which ownership concentration may affect the ability of various interest or political groups to reach a wider public with their views. This is an extremely important issue in a democracy.

3. Project for Excellence in Journalism News Ownership Study

<http://www.journalism.org/resources/research/reports/ownership/default.asp>

In February 2002, the Project for Excellence in Journalism released the results of the largest examination ever undertaken of local television news in the United States to deconstruct what local TV news offers citizens and to examine what kind of content viewers preferred. The analysis was an examination of the tendencies of ownership structures. The findings – an analysis of 172 newscasts, some 23,000 stories, over five years – suggest that ownership type does make a difference. Among the findings:

- 1) Smaller station groups overall tended to produce higher quality local newscasts than stations owned by larger companies-by a significant margin.
- 2) Network affiliated stations tended to produce higher quality newscasts than network owned and operated stations-also by a large margin.
- 3) Local ownership offered some protection against newscasts being very poor, but did not encourage superior quality.

4. Project for Excellence in Journalism/Pew Survey

<http://www.journalism.org/resources/research/reports/fccsurvey/default.asp>

In February 2003, the Project For Excellence in Journalism, in collaboration with the Pew Research Center for the People & the Press, released the results of a poll documenting the frightening fact that the great majority of Americans, 72 percent, have heard “nothing at all” about the current FCC media cross-ownership debate and that only 4 percent of Americans had heard “a lot about the issue.”

In a recent speech you referred to your critics as “noisemakers” using the “usual alarmist political attacks designed just to prevent change.” With all due respect, we may be

sounding an alarm but we are not alarmist noisemakers. We are the concerned citizens and small business owners whose welfare you are charged to protect. We ask for your respect and protection.

We believe the record demonstrates both the value of existing media ownership rules and the dangers in permitting widespread consolidation of ownership. We also believe the FCC has been negligent in listening to important stakeholder groups, like musicians, recording artists and radio professionals, to ensure their testimony is on the record. The *de facto* boycott of field hearings by you and Commissioners Abernathy and Martin makes us question how interested some commissioners are in understanding the public's interest in these matters. Finally, a refusal to allow Congress and the public to view and debate your specific proposal would be a tremendous disservice to the American public and the citizens who depend on these media structures for their livelihoods.

We strongly urge you to give the public a true voice in these policies, which will forever alter the way citizens receive their news, information and entertainment.

Sincerely,

Jackson Browne
Jimmy Buffett
David Crosby
Neil Diamond
John Doe
Don Henley
Indigo Girls (Amy Ray & Emily Saliers)
Billy Joel
Lenny Kaye
Toby Keith
Ian MacKaye
Ray Manzarek
Ellis L. Marsalis, Jr.
Mya
Tim McGraw
Paul D. Miller a.k.a. DJ Spooky
Sam Moore

Thurston Moore
Stevie Nicks
Joan Osborne
Van Dyke Parks
Pearl Jam
Sandy Pearlman
Tom Petty
Bonnie Raitt
Kevin Richardson
Patti Smith
Stephan Smith
Michael Stipe
Tom Waits
Jennifer Warnes
Saul Williams
Nancy Wilson