

United States Senate

WASHINGTON, DC 20510-1804

April 24, 2008

The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Media Bureau Docket Number 04-233

Dear Chairman Martin:

Because of my desire to be responsive to all inquiries and communications from my constituents, I respectfully request your attention to the enclosed correspondence regarding the Federal Communications Commission's (FCC) proposed rulemaking on broadcast localism.

Local broadcasters serve a vital role in communities across Louisiana, and their contributions have been even more apparent in the years following hurricanes Katrina and Rita and the failure of the federal levee system. Our broadcasters are integral members of the communities they serve, providing critical disaster information to the people of our state and often casting competitive business interests aside to better serve their viewers and listeners.

The Commission should take care so as to not overburden local broadcasters with punitive regulation prompted by the failures of a few. Indeed, broadcasters must be active in their communities and solicitous of their input. Voluntary advisory boards are a commendable approach to doing so when practical, and should most certainly be encouraged. However, a new federal mandate may be unnecessarily excessive. Web sites and other technologies also make it possible for the FCC to better advise citizens of pending license renewals, and broadcasters are today afforded new avenues by which to solicit and appreciate community feedback. I commend the Commission for the steps it has already taken in this regard.

Small, independently-owned stations, so common in Louisiana, would feel the brunt of new, localized federal regulation. With staffs of just a few people, the additional paperwork and other proposed burdens could be devastating to small stations already struggling to compete against larger companies in a crowded marketplace. These stations are often locally or family-owned and routinely provide the best examples of community involvement – without any federal mandate compelling them to do so. Where stations do not meet community standards, the market and other existing regulatory avenues already exist to hold them to account.

I also draw your attention to the Commission's proposal to reinstate rules regarding unattended station operation and the location of stations' "Main Studios." As you know, similar

rules were previously relaxed as technology was developed to allow remote and automated management of broadcast facilities. These technologies allowed stations in Louisiana to better serve their communities by dramatically expanding their available programming. It also allowed several small broadcast businesses to remain viable despite rising costs, thereby keeping an important voice on the air in their communities.

But perhaps most importantly, this technology provides the capability for broadcasters to remain on the air when station facilities are destroyed or station personnel are forced to evacuate ahead of a disaster. As a Senator from a hurricane-prone state and the Chairman of the Senate Homeland Security and Governmental Affairs Committee Disaster Recovery Subcommittee, I believe we should promote such technical investment, not inhibit it. As such, I am concerned that the rules being considered would unduly stall these advances, and as a result, limit the tools available for broadcasters to continue serving their communities in times of peril.

I appreciate that the FCC's intended goals for this measure include ensuring personnel are on-site to act on alerts from local emergency management officials, and commend the Commission for its attention to our disaster warning infrastructure. Maintaining this communications chain is essential, and that is why I am supportive of efforts by the Federal Emergency Management Agency (FEMA) to expand its warning systems and provide more coordination with state and local officials. Through such coordination and technical advancement, I believe the FCC's goals for this measure can be achieved without handicapping stations' capabilities when their viewers and listeners need them the most.

Thank you for giving my constituents' concerns every appropriate consideration, within applicable guidelines, during your review. I look forward to working with you to craft policies that rightly encourage community engagement without inhibiting disaster communications or further burdening already-strained Louisiana business owners. Your point of contact in my office should be Adam Sharp, my Deputy Chief of Staff, at adam_sharp@landrieu.senate.gov or (202) 224-0098.

With warmest regards, I remain

Sincerely,


Mary L. Landrieu
United States Senator