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April 30, 2008

The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Mr. Chairman:

I write today regarding the broadcast "localism" regulations that the Federal Communications Commission is currently considering. While increasing local programming and ensuring broadcasters are responsive to their communities are laudable goals, I have concerns with some of the proposals put forth in the Commission's Report on Broadcast Localism and Notice of Proposed Rulemaking (the Report). Today's media marketplace is extremely dynamic, and I do not believe new government mandates that unnecessarily burden broadcasters are the best means of achieving those goals.

In the 1980's, the Commission did away with many localism regulations on broadcasters after determining that there was sufficient media diversity. Since then, the number of broadcast stations has doubled and competition from new sources like satellite, cable, and the Internet have only served to increase diversity in the marketplace. Broadcasters today often focus on local programming in order to distinguish themselves from their numerous competitors. Failure to provide worthwhile local content would result in a loss of audience for many broadcasters. These market pressures do more to ensure broadcasters are meeting the needs of their communities than re-regulating the industry ever will.

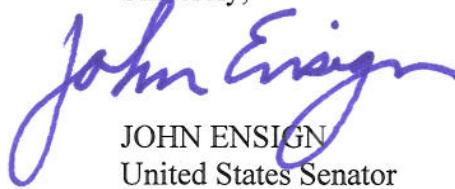
To help the stations determine the programming needs of their markets, the Report tentatively concludes that stations must establish permanent community advisory boards. It also suggests imposing quantitative standards for programming that mandate how much and what type of local content must be aired. The Report even proposes to dictate the geographic location of a broadcaster's main studio, ignoring the success of two decades' worth of technological advances in remote broadcasting.

These proposals all represent a step backward toward the government re-regulation of our nation's airwaves. The Report urges members of the public to become actively involved and communicate with their local broadcasters as to how their stations can better offer local programming. The Report's proposals, however, would add a bureaucratic layer separating broadcasters from their customers and replace the determinations of the free market with

government mandates. At a time when many stations face significant financial pressures, the Report's suggestions would require broadcasters to expend even more of their limited resources complying with new regulations rather than on the actual provision of local content.

Before taking any further action on the Report, I hope the Commission will look closely at how additional competition in the broadcasting industry and increased media diversity have benefited consumers since the Commission removed its earlier localism regulations. I urge the Commission to proceed cautiously and be forward-looking as it considers new localism requirements on broadcasters. Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in blue ink that reads "John Ensign". The signature is fluid and cursive, with the first name "John" being larger and more prominent than the last name "Ensign".

JOHN ENSIGN
United States Senator