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HENRY A. WAXMAN, CALIFORNIA
RANKING MEMBER

ONE HUNDRED THIRTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115
Majority (202) 225-2927
Minority (202) 225-3641

August 1, 2014

Mr. William Lake
Chief
Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Mr. Lake:

Thank you for appearing before the Subcommittee on Communications and Technology on June 11, 2014, to testify at the hearing entitled "Media Ownership in the 21st Century."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Friday, August 15, 2014. Your responses should be mailed to Charlotte Savercool, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515 and e-mailed in Word format to Charlotte.Savercool@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Greg Walden
Chairman
Subcommittee on Communications and Technology

cc: Anna Eshoo, Ranking Member, Subcommittee on Communications and Technology

Attachment

Attachment —Additional Questions for the Record

The Honorable Greg Walden

1. The GAO issued a study concluding that the FCC did not have sufficient information on broadcaster sharing agreements to assess how they impact its policy goals and media ownership rules. (GAO 14-558) Would you agree that the FCC's actions on JSAs were premature? If not, how do you explain how the FCC's actions on JSAs benefit the public interest, when the FCC has little to no information on the impact of JSAs and other sharing agreements?

The Honorable Anna Eshoo

1. Ms. Mago stated in her testimony that the FCC's refusal to act on pending transactions involving sharing or financial arrangements has forced the parties to completely restructure their deals, which in turn will lead to reduced news coverage and fewer stations. How do you respond?

The Honorable Henry Waxman

1. The FCC's Quadrennial Review assesses rules one-by-one in considering whether a given rule needs to be altered given changes in media ecosystem. What efforts will the FCC make, however, in ensuring that changing or undoing one rule does not alter the effects of another?

2. When the FCC last reported its broadcast ownership data, much of it was incomplete. For example, nearly 1 in 6 Class A television stations, 2 out of 5 LPTV stations, and 1 in 6 AM and FM commercial radio stations did not report ownership data. The large quantity of missing data makes it very difficult to assess the state of minority and female ownership in the broadcast industry. Is the FCC making efforts to improve its ownership data collection so we can make better judgments about whether revisions should be made to existing media ownership rules?

3. The FCC's Form 395-B, which once required broadcast stations to report on employment diversity, has remained dormant for a number of years as the FCC has attempted to respond to a number of legal and statutory challenges. In the past, Form 395 data has allowed the public to hold broadcasters accountable when their employment practices failed to reflect the diversity of their communities of license. Where is the FCC in the process of reinstating that form and using the data that it provides to identify employment trends within the industry?

4. When the Commission evaluates the local radio ownership rule in the context of its media ownership review, how, if at all, does the market definition used by the Commission differ from that used by the Department of Justice in its antitrust review of broadcast radio station mergers?

5. We hear a lot about how stations with JSAs are concerned that the new attribution rules will adversely impact their ability to continue to provide news or receive the efficiencies from sharing agreements – or even require the station to go dark. Commissioners Ajit Pai and Michael O'Rielly raised just such allegation in a joint press release on June 24, 2014. Are these fears accurate?

6. What types of stations do you normally find are part of JSAs?