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November 3, 2015

The Honorable Roy Blunt
United States Senate
Washington DC 20510

The Honorable Barbara Mikulski
United States Senate
Washington DC 20510

The Honorable Tim Scott
United States Senate
Washington DC 20510

The Honorable Richard J. Durbin
United States Senate
Washington DC 20510

The Honorable Chuck Schumer
United States Senate
Washington DC 20510

**Support Media Diversity: Oppose Attempts to Exempt Application of the Joint Sales
Agreements (JSA) Attribution Rule to Existing Agreements**

Dear Senators Blunt, Durbin, Mikulski, Schumer, and Scott:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the rights of all persons in the United States, we write to express our opposition to any efforts to exempt application of the Joint Sales Agreements (JSA) attribution rule in existing agreements, including any attempts to achieve the same ends through the appropriations process. Media diversity has long been a top priority of The Leadership Conference and our members because we understand that meaningful protection of civil rights and advancement of key policy objectives rely in great measure on an accurate, independent, and diverse media. We are writing to you because you are a co-sponsor of S. 1182, which would undermine a March 2014 Federal Communications Commission (FCC) decision on JSAs, by grandfathering JSA agreements among broadcasters that otherwise violate media ownership limits. The FCC's March action on JSAs led to the first meaningful increase in female and minority ownership in years, resulting in ten new diverse ownership arrangements, in communities from Odessa, Texas to Charleston, South Carolina.¹ S.1182 and efforts like it would have an adverse impact on media diversity.

The National Association of Broadcast Employees and Technicians-CWA (NABET-CWA) has documented how JSAs and other arrangements such as shared services agreements (SSAs) lead to job loss. For example, a sharing arrangement between Barrington Broadcasting (now Nexstar) and Granite Broadcasting led to 40 workers in Syracuse, NY and 30 workers in Peoria, IL losing their jobs.² Fewer newsroom employees means less

¹ See *Making Good on the Promise of Independent Minority Ownership of Television Stations* at <https://www.fcc.gov/blog/making-good-promise-independent-minority-ownership-television-stations> (December 4, 2014).

² See NABET-CWA *ex parte* (FCC MB Docket 09-182) (filed March 12, 2014) (attached).



competition in the marketplace of ideas. Homogenized content harms the community and results in less-informed civic discourse and voting.

Media concentration leads to fewer owners and fewer entrepreneurial opportunities, while actions to tighten the media ownership rules will lead to more owners and more such opportunities for people of color, people with disabilities, and women. JSA and SSA agreements that mimic joint ownership but do not offer true operational independence circumvent those rules and lead to the same negative outcomes as media consolidation.

For that reason, we supported the FCC's decision to count JSAs toward ownership determinations for full power television stations. The FCC has made clear that waivers of these rules are available should they promote the public interest.

We oppose S. 1182 or attempts to achieve the same ends through appropriations riders. Please contact Leadership Conference Media/Telecommunications Task Force Co-Chairs Cheryl Leanza, United Church of Christ, OC Inc., at 202-904-2168 and Gabe Rottman, ACLU, at 202-675-2325, or Corrine Yu, Leadership Conference Managing Policy Director, at 202-466-5670, if you would like to discuss the above issues.

Sincerely,

American Civil Liberties Union
Common Cause
Communications Workers of America
The Leadership Conference on Civil and Human Rights
NAACP
National Consumer Law Center, on behalf of its low-income clients
National Disability Rights Network
National Hispanic Media Coalition
OCA – Asian Pacific American Advocates
United Church of Christ, OC Inc.