



March 20, 2017

Hold FCC Accountable for Diverse and Independent Media

Dear Member, Senate Commerce Committee:

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 thank you for your vigilant exercise of oversight over the Federal Communications Commission (FCC). Your oversight hearing questions and letter to Federal Communications Commission Chairman Pai are crucial to ensuring that Americans will benefit from a robust and independent media, essential to our country's democratic process. We urge you to continue to hold the FCC accountable so that the American people are not left with a consolidated, monopolistic, non-representative media.

A vibrant marketplace of ideas stands upon two mutually-reinforcing pillars: freedom from government censorship *and* a competitive multifaceted marketplace that represents a wide range of viewpoints. A competitive and diverse media is a strong hedge against censorship and freedom from censorship helps generate a diversity of views. But the current state of media ownership in no way represents the full diversity of our nation. The country is now debating questions with life and death consequences in the communities The Leadership Conference represents, and yet people from these communities control almost none of the media outlets where the political debates are taking place. We believe that Chairman Pai should commit to a careful consideration of the media ownership rules and forthcoming media mergers over which the FCC exercises jurisdiction.

The structural media ownership rules established by the FCC are a content-neutral, pro-competitive, First Amendment-friendly means to ensure that a wide range of viewpoints and perspectives are heard. Chairman Pai has indicated to a U.S. Court of Appeals that he intends to take up petitions that, if granted, would reverse FCC decisions from last year and permit massive media consolidation on the local and national level.¹ Such a result would create precisely the wrong result, further restricting diversity and heightening the likelihood that even fewer voices reach the public.

While Chairman Pai agreed at the recent Senate oversight hearing that adequate media ownership data is a predicate to informed FCC decisionmaking, we believe he must do more. The Chairman should also commit to a fact-based consideration of the FCC's media ownership rules and to prepare, publish and seek comment on an analysis of any proposed

Officers

Chair

Judith L. Lichtman
National Partnership for
Women & Families

Vice Chairs

Jacqueline Pata
National Congress of American Indians
Thomas A. Saenz

Mexican American Legal
Defense and Educational Fund
Hillary Shelton

Secretary

Jo Ann Jenkins

Treasurer

Lee A. Saunders
American Federation of State,
County & Municipal Employees

Board of Directors

Helena Berger
American Association of
People with Disabilities

Cornell William Brooks

NAACP

Kristen Clarke

Lawyers' Committee for
Civil Rights Under Law

Lily Eskelsen Garcia

National Education Association

Marcia D. Greenberger

National Women's Law Center

Chad Griffin

Human Rights Campaign

Wylecia Wiggs Harris

League of Women Voters of the

United States

Mary Kay Henry

Service Employees International Union

Mark Hopkins

AAUW

Sherilyn Ifill

NAACP Legal Defense and

Educational Fund, Inc.

Michael B. Keegan

People for the American Way

Samer E. Khalaf

American-Arab

Anti-Discrimination Committee

Marc Morial

National Urban League

Mee Moua

Asian Americans Advancing Justice |

AAJC

Janet Murguía

National Council of La Raza

Debra Ness

National Partnership for

Women & Families

Terry O'Neill

National Organization for Women

Rabbi Jonah Pesner

Religious Action Center

Of Reform Judaism

Anthony Romero

American Civil Liberties Union

Shanna Smith

National Fair Housing Alliance

Richard L. Trumka

AFL-CIO

Randi Weingarten

American Federation of Teachers

Dennis Williams

International Union, UAW

William Yoshino

Japanese American Citizens League

Policy and Enforcement

Committee Chair

Michael Lieberman

Anti-Defamation League

President & CEO

Wade J. Henderson

Executive Vice President & COO

Karen McGill Lawson



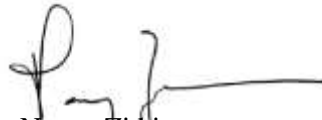
change's impact on media diversity *before* a decision is made. Failure to take these steps has led the federal courts to invalidate the FCC's previous media ownership decisions multiple times.²

We commend your leadership in standing up for the First Amendment and preserving the freedom of journalists and broadcasters from government pressure. We urge you to hold the FCC accountable for ensuring our nation continues to benefit from a media environment that provides an example to the world. If you have any questions, please feel free to contact Leadership Conference Media/Telecommunications Task Force Co-Chairs Cheryl Leanza, United Church of Christ, Office of Communication, Inc., at 202-904-2168 or cleanza@alhmail.com, or Michael Macleod-Ball, American Civil Liberties Union, at (202) 675-2309 or mmacleod@aclu.org or Corrine Yu, Leadership Conference Managing Policy Director at 202-466-5670 or yu@civilrights.org.

Sincerely,



Wade Henderson
President & CEO



Nancy Zirkin
Executive Vice President

¹ FCC Motion to Hold in Abeyance, *Prometheus Radio Project v. FCC*, 3d Cir. Nos. 17-1107, *et al.* (Feb. 15, 2017) at 1, 3.

² *Prometheus Radio Project v. FCC*, 373 F.3d 372 (3d Cir. 2004); *Prometheus Radio Project v. FCC*, 652 F.3d 431 (3d Cir. 2011); *Prometheus Radio Project v. FCC*, 824 F.3d 33 (2016).