

SEPTEMBER 17, 2003 SCHAKOWSKY: BUSH ADMINISTRATION'S MISSTATEMENT OF THE DAY -

MEDIA CONSOLIDATION WASHINGTON, D.C. - U.S. Representative Jan Schakowsky (D-IL), Chief Deputy Whip, issued today's ["Bush Administration's Misstatement of the Day"](#) on media consolidation: □ □

□ In a statement following the Senate 55-40 vote to roll back the Federal Communications Commission (FCC) media consolidation and ownership rules, Chairman Michael K. Powell said: □

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"This resolution, if passed by the House and signed by the president, would only muddy the media regulatory waters. It would bring no clarity to media regulation, only chaos. What is most important is to have the best policies for the American people. I hope the House will take a more considered view of the public interest." (Chairman Powell, Statement, 9/16/03)

□ Schakowsky said, "Consumers won a major victory in the Senate today and the House leadership should stand up and take notice. Republicans and Democrats agreed in the Senate that consolidating the media in the hands of a few multinational conglomerates is irresponsible and that diversity and localism in the press are essential to our democracy. □ House Republicans now have to choose a side: They're either with the public or with the well-connected media moguls."

Read Today's Story from The New York Times Below:

September 17, 2003

F.C.C. Plan to Ease Curbs on Big Media Hits Senate Snag

By STEPHEN LABATON

WASHINGTON, Sept. 16 - The Senate approved a resolution today to repeal all of the new regulations that would make it easier for the nation's largest media companies to grow bigger.

By a vote of 55 to 40, the Republican-controlled Senate defied the White House and issued a stinging political rebuke of Michael K. Powell, the Republican chairman of the Federal Communications Commission and architect of the rules.

Administration officials had spoken to several lawmakers before the vote in an unsuccessful effort to turn it around, Congressional officials said today. Administration officials expressed relief that the vote indicated the measure would not be able to withstand a presidential veto, which the White House has threatened.

The sponsors of the Senate resolution acknowledged that it still faced long political odds before becoming law in its current form, although they said they had better chances of

repealing significant pieces of the new rules rather than the entire package. House leaders who oppose the resolution have refused to allow it to reach the floor of that chamber.□

Still, the Senate vote demonstrated broad bipartisan hostility to the new rules and, as one lawmaker said today, a symbolically important vote of no confidence in Mr. Powell. Twelve Republicans and one independent joined 42 Democrats in voting for the resolution. It was opposed by 38 Republicans and 2 Democrats, Zell Miller of Georgia and John Breaux of Louisiana.

Speaking of Mr. Powell, Senator Byron L. Dorgan, the North Dakota Democrat and chief sponsor of the resolution, said: "I think he has made a horrible mistake. His leadership at the commission has led the commission to cave in to the special interests as quickly and as thoroughly as I've ever seen."

The vote was only the second time in history that the Senate has used a parliamentary procedure known as a resolution of disapproval to, in effect, veto an action by a regulator. It also had broader support than the final tally - four of the five senators absent from the chamber, including three presidential candidates, have said they would have voted for it.□

Mr. Dorgan and a large group of other senators, ranging from Tom Daschle of South Dakota, the minority leader, to Trent Lott of Mississippi, the former Republican leader, vowed to continue to take steps to repeal the media rules by attaching amendments to other measures headed for floor action.□

One such amendment, which would repeal the new rule that gives the largest television networks the ability to buy more local stations, has already been approved by a wide margin on a spending bill in the House and is expected to reach the floor of the Senate before it leaves for its recess this fall.

That amendment, unlike today's resolution, had strong support from the National Association of Broadcasters, a powerful lobbying group made up of local television and radio stations that is often at odds with the television networks.

Both the amendment and the resolution have been strongly supported by an unusual alliance of liberal and conservative organizations, civil rights groups, labor unions and religious organizations.

In an unusual political twist, the Senate action was made possible by the Congressional Review Act, a little-known law adopted seven years ago at the urging of Republicans who thought the administration issued too many burdensome regulations and wanted to make it easier for Congress to repeal them. It has only been used once before, in 2001, to repeal the ergonomics regulations adopted under the Clinton administration. Today the measure was being used by both liberals and conservatives to try to undo one of the most deregulatory packages completed under the Bush administration.

Mr. Powell had testified throughout the earlier part of his tenure that the Senate and House were always free to set policy that he would follow. But recently he has become more combative with the Senate.

In recent days, he has declined repeated requests to be interviewed, including one today. In an article today in Roll Call, a newspaper on Capitol Hill, he called the pending Congressional action "bordering on the absurd."

Soon after the vote, he issued a statement saying the resolution would "create perverse results" and was not in the public interest.

"This resolution, if passed by the House and signed by the president, would only muddy the media regulatory waters," Mr. Powell said in the statement. "It would bring no clarity to media regulation, only chaos."

"What is most important is to have the best policies for the American people," he added. "I hope the House will take a more considered view of the public interest."

The vote was the second setback for Mr. Powell in two days, and the latest in a string of defeats since the rules were issued in June.

On Monday, a federal appeals court in Philadelphia rejected a request by lawyers from the F.C.C. to move a case challenging the rules to a court in Washington. Earlier this month, the court in Philadelphia blocked the commission from imposing the rules and is viewed by lawyers involved in the case as being less sympathetic to the commission than the court in Washington.

The appeals court in Philadelphia will hear the case, brought against the commission by a group of small radio stations, in November.

The rules that the Senate voted to overturn would permit one company to own both a broadcast station and a newspaper in most cities. They would also permit a company to own up to eight radio and three TV stations, as well as a cable company, in the biggest markets. And they would enable the broadcast networks to acquire television stations that reach as much as 45 percent of the nation's viewers, up from 35 percent now.□

The networks have lobbied vigorously for relaxing the station ownership rule and have come up against aggressive lobbying from the affiliates. Many large newspaper companies, including The New York Times Company, have sought to repeal the restrictions prohibiting one company from owning both a newspaper and a broadcast station in the same city.