

## Chairman Dingell at the Subcommittee on Telecommunications and the Internet hearing entitled, "Oversight of the Federal Communications Commission: Media Ownership"

Statement of Congressman John D. Dingell, Chairman  
Committee on Energy and Commerce

SUBCOMMITTEE ON  
TELECOMMUNICATIONS AND THE INTERNET  
HEARING ENTITLED, "OVERSIGHT OF THE FEDERAL COMMUNICATIONS COMMISSION: MEDIA OWNERSHIP"  
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I commend the Chairman for holding this timely hearing on media ownership. I also want to welcome back to the Committee my good friend Andy Levin. Andy served this Committee well for many years as Democratic Counsel. And while we may not see eye to eye on the matter of radio consolidation, I am pleased that he is here today.

In recent months, we have heard about many FCC agenda meetings postponed all day while closed-door negotiations on important public matters are conducted. We have witnessed too much sniping among the five Commissioners, and we have heard too many tales of a short-circuited decision-making process. In sum, the FCC appears to be broken.

The victim in this breakdown at the agency is a fair, open, and transparent regulatory process. The real loser, of course, is the public interest and the American consumer.

When the process breaks down, reasoned analysis and debate suffer, and public confidence in the agency is shaken. This Committee is responsible for overseeing the Commission, and we cannot let this situation continue. This is why I have asked the Subcommittee on Oversight and Investigations of this Committee to review how the agency is conducting its business.

Chairman Martin is ultimately responsible for the conduct of the FCC. But each Commissioner, including those on the Democratic side, is also responsible for ensuring that the agency works effectively for the American people. This means good faith efforts to discuss differences and seek common ground. It will require honest efforts to work together and negotiate. I remind the Commissioners that they are appointed to faithfully interpret the laws. Agency proceedings should not be a forum to pursue personal agendas.

As Chairman Stupak commences his investigation into the FCC process, I encourage him to take a broad view and examine the role that all Commissioners play in ensuring that the agency serves the public interest. I hope we can work together to remedy this problem.

With respect to media ownership, Congress has for decades deliberately acted to protect localism, enhance diversity, and promote competition in local media markets. In 2003, then-FCC Chairman Powell issued an order that eviscerated several long-standing rules that protected the local media marketplace. The process employed by Chairman Powell was so poor, and the results so legally untenable, that the Third Circuit remanded the order back to the Commission.

Today, we will hear about the Commission's latest proposal. I continue to have grave concerns about the lack of time to review comments on the proposed rule. If there is anyone who believes that one week provides sufficient time to review the thousands of pages of comments which will surely be received, then I have a bridge in Michigan that I'd like to sell you.

My initial reaction to any proposal designed to permit greater consolidation of the media is not positive. Still, I am willing to consider Chairman Martin's arguments and those of his colleagues and to give them all fair consideration. I recognize that the marketplace has changed.

Thank you all for being here, and I look forward to your testimony.

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