

110TH CONGRESS
1ST SESSION

S. 2332

To promote transparency in the adoption of new media ownership rules by the Federal Communications Commission, and to establish an independent panel to make recommendations on how to increase the representation of women and minorities in broadcast media ownership.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 2007

Mr. DORGAN (for himself, Mr. LOTT, Mr. OBAMA, Ms. SNOWE, Mr. KERRY, Mr. NELSON of Florida, Ms. CANTWELL, Mrs. FEINSTEIN, Mr. BIDEN, Mrs. CLINTON, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To promote transparency in the adoption of new media ownership rules by the Federal Communications Commission, and to establish an independent panel to make recommendations on how to increase the representation of women and minorities in broadcast media ownership.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Media Ownership Act
5 of 2007”.

1 **SEC. 2. MEDIA OWNERSHIP REFORMS.**

2 Section 202 of the Telecommunications Act of 1996
3 (Public Law 104–104; 110 Stat. 110) is amended by—

4 (1) redesignating subsection (i) as subsection
5 (l); and

6 (2) by inserting after subsection (h) the fol-
7 lowing:

8 “(i) NOTICE AND PUBLIC COMMENT REQUIRE-
9 MENT.—

10 “(1) IN GENERAL.—In modifying, revising, or
11 amending any of its regulations related to broadcast
12 ownership, including any ownership rule or limita-
13 tion set forth under sections 73.3555, 73.658(g), or
14 76.501 of its regulations (47 C.F.R. 73.3555,
15 73.658(g), 76.501), the Commission shall—

16 “(A) not later than 90 days prior to any
17 vote by the Commission on the adoption of such
18 modification, revision, or amendment publish
19 such prospective modification, revision, or
20 amendment in the Federal Register;

21 “(B) after such publication provide the
22 public at least 60 days on which to comment on
23 the prospective modification, revision, or
24 amendment; and

25 “(C) upon the expiration of the 60-day
26 comment period described under paragraph (2),

1 have not less than 30 days in which to reply to
2 any such comments.

3 “(2) EFFECTIVE DATE.—

4 “(A) IN GENERAL.—The notice and public
5 requirements under paragraph (1) shall apply
6 to any attempt by the Commission to modify,
7 revise, or amend its regulations related to
8 broadcast and newspaper ownership made after
9 October 1, 2007.

10 “(B) FAILURE TO COMPLY.—If the Com-
11 mission fails to comply with the notice and pub-
12 lic requirements under paragraph (1) with re-
13 spect to any modification, revision, or amend-
14 ment to which such requirements apply, then
15 such modification, revision, or amendment shall
16 be vitiated and shall be of no force and effect.

17 “(j) PROMOTION OF LOCAL CONTENT IN MEDIA.—
18 Before voting on any change in the broadcast and news-
19 paper ownership rules, the Commission shall initiate, con-
20 duct, and complete a separate rulemaking proceeding to
21 promote the broadcast of local programming and content
22 by broadcasters, including radio and television broadcast
23 stations, and newspapers. Before issuing a final rule, the
24 Commission shall—

1 “(1) conduct a study to determine the overall
2 impact of television station duopolies and news-
3 paper-broadcast cross-ownership on the quantity and
4 quality of local news, public affairs, local news media
5 jobs, and local cultural programming at the market
6 level;

7 “(2) publish a proposed final rule in the Fed-
8 eral Register not later than 90 days prior to any
9 vote by the Commission on the adoption of the rule;

10 “(3) after such publication provide the public at
11 least 60 days on which to comment on the prospec-
12 tive rule; and

13 “(4) upon the expiration of the 60-day com-
14 ment period described in paragraph (3), have not
15 less than 30 days in which to reply to any such com-
16 ments.

17 “(k) INDEPENDENT PANEL ON WOMEN AND MINOR-
18 ITY OWNERSHIP OF BROADCAST MEDIA.—

19 “(1) ESTABLISHMENT.—The Commission shall
20 establish and convene an independent panel on
21 women and minority ownership of broadcast media
22 to make recommendations to the Commission for
23 specific Commission rules to increase the representa-
24 tion of women and minorities in the ownership of
25 broadcast media.

1 “(2) CENSUS.—The Commission shall—

2 “(A) conduct a full and accurate census of
3 the race and gender of individuals holding a
4 controlling interest in broadcast station li-
5 censee;

6 “(B) provide the results of the census to
7 the panel for its consideration before it makes
8 any recommendation to the Commission; and

9 “(C) study the impact of media market
10 concentration on the representation of women
11 and minorities in the ownership of broadcast
12 media based on the data in the census and re-
13 port the results of that study to the panel for
14 its consideration before it makes any rec-
15 ommendation to the Commission.

16 “(3) CONSIDERATION OF PANEL’S REC-
17 OMMENDATIONS.—The Commission shall act on the
18 panel’s recommendations before voting on any
19 changes to its broadcast and newspaper ownership
20 rules.”.

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