

United States Senate
WASHINGTON, DC 20510-2402

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COMMITTEE ON
APPROPRIATIONS
CHAIRMAN

COMMITTEE ON
AGRICULTURE, NUTRITION,
AND FORESTRY

COMMITTEE ON
RULES AND
ADMINISTRATION

March 29, 2018

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Pai:

I am writing regarding "national audience reach limitation" policy and my understanding of the Congressional intent of that rule when the Senate Committee on Appropriations addressed this issue during the 108th Congress.

As you know, Congress set the national television ownership cap at 39 percent in the Consolidated Appropriations Act of 2004 (Public Law 108-199), rather than accept the 45 percent proposed by the Federal Communications Commission (FCC). Further, Sec. 629 paragraph 3 of the Consolidated Appropriations Act of 2004 prohibits the FCC from modifying the 39 percent national audience reach limitation.

The Consolidated Appropriations Act of 2004 did not address the UHF discount. In 2003 and 2004, the broadcasting industry had not completed the digital transition and UHF signals remained inferior to VHF signals. If the Commission determines that UHF signals are no longer technologically inferior to VHF signals, it should sunset the discount accordingly. The Appropriations Committee did not intend for the UHF discount to be used as a loophole to the 39 percent national audience reach limitation.

Because the national audience reach limitation issue is an important factor in pending mergers and acquisitions, the Commission should resolve this issue before approving any non-routine broadcast television license transfers. I hope this background will help inform your rulemaking on this important issue.

Thank you for your attention to this issue and for your service to our country.

Sincerely,



THAD COCHRAN
United States Senator

TC/eh