



Florida Legislative Black Caucus

February 27, 2015

BY E-MAIL & FIRST CLASS MAIL

The Honorable Thomas E. Wheeler, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Black Television News Channel
Request for Temporary Waiver of Ban on Advertising for
Direct Broadcast Satellite Public Interest Set-Aside Channels

Dear Chairman Wheeler:

Having access to diverse sources of news and information is vital to maintain a robust democracy. For this reason, the members of Florida's Legislative Black Caucus are writing to urge the Commission to approve MB Docket NO. 14 -77, filed by the Black Television News Channel (BTNC) for a limited, three-year temporary waiver of the Commission's rules banning noncommercial educational programmers carried on Direct Broadcast Satellite (DBS) service systems from airing commercial advertisements.¹

As Members of Florida's Senate and House of Representatives we keenly understand the critical importance to the public of a diverse mix of news, education, and public affairs programming. Far more often than not, the question of who owns a media outlet is determinative of how diverse that outlet's mix of viewpoints and topics is, including the frequency with which that outlet frames, inserts and develops them into broadcast programming and print media.² Media ownership and management is also directly translatable to the numbers of jobs and employment and professional training opportunities that are offered to minority groups.

¹ See 47 U.S.C. § 335(b) (imposing certain public interest obligations on DBS providers, including the reservation of channel capacity for noncommercial educational or informational programming)

² Although African Americans make up nearly 13% of the Nation's population, they currently own just four of the country's approximate 1,350 full power commercial television stations. This meager share yields an infinitesimal seven-thousandths of one percent (.007%) television ownership rate by African Americans. See *Annual Estimates of the Resident Population by Sex, Age, Race, and Hispanic Origin for the United States and States: April 1, 2010 to July 1, 2013* http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=PEP_2013_PEPASR6H&prodType=table (accessed on 6/30/2014) (an estimated 41.624 million African Americans out of an estimated 316.129 million total Americans)



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BTNC, which is a national media company that will be headquartered on the campus of one of the nation's premier Historical Black Colleges, Florida A&M University (FAMU), located in Tallahassee, Florida, and is managed by African American principals, will do much to fill news and informational vacuums, particularly as it relates to characterizations, reports and depictions of African-Americans and other newsworthy and educational topics and events and figures of interest.

The FAMU school of journalism and Graphic design is known throughout the country for its television broadcast and print media training programs. The public-private partnership between FAMU and BTNC will offer aspiring journalists hands-on training in a fully functioning and active newsroom environment complete with state of the art virtual reality production studios and HDTV post production facilities. Florida State University's Center for Economic Forecasting has reported that this partnership will generate \$33.6 million dollars yearly in Florida's capital city. It will also create more than 100 jobs paying 150% of the host city's average MSA.

Over the last few decades, African American and other minority-owned commercial broadcasting stations and cable networks have rapidly disappeared and been displaced by non-minority owners.³ The results of this diminution have negatively impacted the amounts and accessibility of news, education and public information programming consisting of authentic African American perspectives and which meets the needs of the underserved African-American market, African American consumers, and their communities.⁴

The fact that there is not – nor has there been – a 24-hour national news channel or cable network on any multichannel video programming distributor (MVPD) platform dedicated to airing and expressing African-American viewpoints and informational topics of special interest to African Americans speaks for itself. This conspicuous absence suggests that these markets are ignoring and undervaluing African American viewers and consumers.

Televisions in the home remain the primary conduit for news, entertainment, educational and local programming in African American households. Despite increasing use of smartphones and tablets by African Americans to access news, information and educational content, the television is still the dominant screen in African American households.⁵ Compared to non-Hispanic whites and Hispanic Americans, African Americans are more reliant on television news.⁶

³ African American ownership of full-power, commercial television broadcasting stations has been effectively gutted. The decline is striking; in 2006, African Americans owned 18 full-power, commercial TV stations, which at the time represented around 1.3 percent of all such stations. *See A Sorry Moment in the History of American Media* Torres & Turner (Dec. 20, 2013)(citing to first Free Press 2006 report on broadcast ownership)

⁴ A partial list of political and marketplace drivers fueling media consolidation and contributing to worsening declines in minority ownership would include 1996 Telecommunications Act deregulation, migration of advertising to digital and online platforms, reductions in labor costs, proliferation of tax-free exchange and loss-recognition accounting vehicles, speculative acquisition of TV licenses prior to upcoming spectrum incentive auctions, and continuing capital access barriers and challenges exacerbated by the global financial collapse.

⁵ African American ownership of cable systems appears to be similarly depressed. Unlike broadcasters, cable system owners are not asked to submit ownership reports to the Commission. To the best of our knowledge and information, no African Americans have ownership interests in any US-franchised cable system that would be deemed attributable under the Commission's rules.



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African American viewers watch more than 7 hours of television on average daily and they comprise 11 percent of the adult national television news market.⁷

As mentioned above, BTNC's well devised business plan includes an educational component in the academic and professional sense. As public-private partnership collaborators, BTNC can avail itself of SJGC's core competencies and experiences in training African-American university-level students and recent graduates in a number of areas including broadcast journalism, visual communications, media sales and public relations. In addition, BTNC has committed to produce and show 14 hours per day of original news, informational and educational programming focused on the African-American community.⁸

There is clearly *an unfulfilled need and market demand for an African-American oriented news network* like BTNC. African American viewers rely heavily on television news, and from the standpoint of advertisers and MVPD platform providers, the demographics of those most likely to watch news are some of the most commercially desirable viewers around. With the Commission's approval, BTNC will be able to obtain MVPD carriage on DBS platforms based on terms and conditions that will not harm BTNC in its early stages, and to enable the network to honor fully the valuable commitments it is making to FAMU and SJ&GC.

BTNC will make an immediate impact by providing African American communities with a clearer voice; promote the greater engagement of African Americans in the nation's economic, political, and social debates; create a platform for Black newsmakers to reach their audiences and constituents; create well-paying jobs for a diverse mix of employment candidates; and rebut the negative imagery of today's mainstream media that all too often stereotypes African Americans.

We urge the Commission to consider seriously BTNC's innovative proposal to increase minority ownership in media and to produce intelligent programming that is informative, educational, inspirational and empowering for its African American audience. BTNC will create a television platform for African American newsmakers to participate in the mainstream media debate concerning issues of specific interest to our nation's 43 million people of color.

⁶ Almost three out of four Americans (or 71%, in percentage terms) watch local television news, at least once a month, with practically just as many 65%, who watch network television news. According to a May 2012 Pew Research Center survey, nearly seven out of 10 (69% of) African Americans said they watched television news "yesterday" compared to 56% of on-Hispanic whites, 43% of Hispanics, and 55% of Americans overall.

⁷ This is a truly depressing statistic when one further considers that African American businessmen and women will be foreclosed largely, as a class, from capitalizing on a once-in-a-century opportunity that is available to full power TV station owners have the prerogative to reap auction windfalls in exchange for relinquishing their licenses in the reverse phase of the upcoming incentive spectrum auctions.



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Thank you for your recognition and consideration of our views on this matter.

Sincerely,

Dwight Bullard
Senate Member

Arthenia Joyner
Senate Member

Christopher Smith
Senate Member

Audrey Gibson
Senate Member

Oscar Braynon, II
Senate Member

Geraldine Thompson
Senate Member

Darryl Rouson
House Member

Alan Williams
House Member

Bobby DuBose
House Member

Mia Jones
House Member

Daphne Campbell
House Member

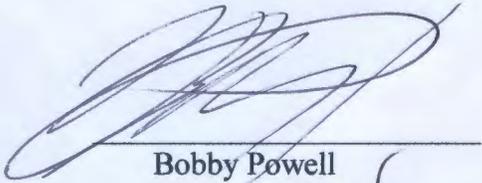
Dwayne Taylor
House Member

Clovis Watson, Jr.
House Member

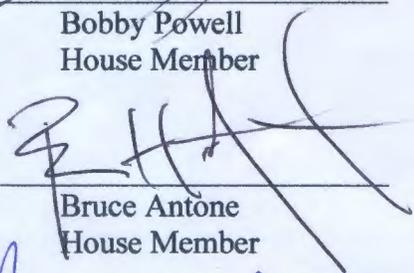
Edwin Narain
House Member



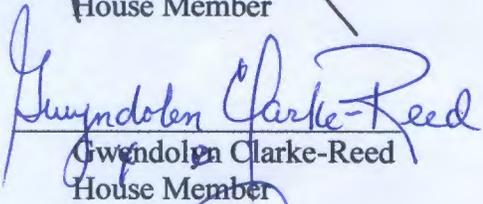
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Bobby Powell
House Member



Bruce Antone
House Member



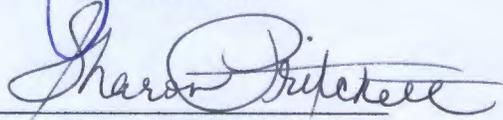
Gwendolyn Clarke-Reed
House Member



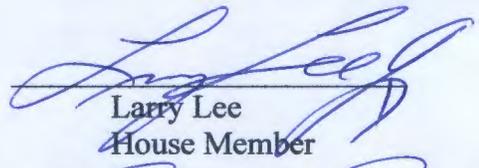
Kionne McGhee
House Member



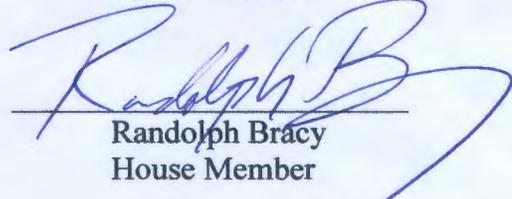
Shevrin Jones
House Member



Sharon Pritchett
House Member



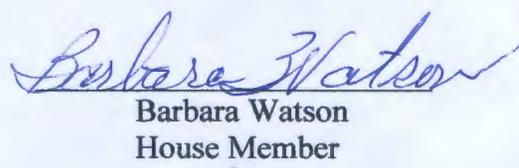
Larry Lee
House Member



Randolph Bracy
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Hazelle Rogers
House Member



Barbara Watson
House Member



Cynthia Stafford
House Member