

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

TO **GENERAL SERVICES ADMINISTRATION,
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408**

1 FROM (AGENCY OR ESTABLISHMENT)
Federal Communications Commission

2 MAJOR SUBDIVISION
Broadcast Bureau

3 MINOR SUBDIVISION
Conglomerate Study Task Force

4 NAME OF PERSON WITH WHOM TO CONFER
Henry R. Schauer

5. TEL EXT
634-1535

LEAVE BLANK

JOB NO
NCI-173-82-5

DATE RECEIVED
revised copy November 18, 1982

NOTIFICATION TO AGENCY

In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10

12-28-82
Date

[Signature]
Archivist of the United States

6 CERTIFICATE OF AGENCY REPRESENTATIVE

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records; that the records proposed for disposal in this Request of 1 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

- A Request for immediate disposal.
- B Request for disposal after a specified period of time or request for permanent retention.

C. DATE 11/15/82	D. SIGNATURE OF AGENCY REPRESENTATIVE <i>[Signature]</i>	E. TITLE Acting Chief, Records Management Branch
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7. ITEM NO	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO	10. ACTION TAKEN
1.	<p>Records of the Conglomerate Study Task Force of the Broadcast Bureau from 1969 to 1972. This study was performed in accordance with a Notice of Inquiry adopted by the Commission February 7, 1969. (copy attached) The study was completed December 12, 1972.</p> <p>Records include correspondence, intra-company memoranda and financial reports, questionnaire responses, work sheets, and reports.</p> <p>a. 1. Record copy of report - 1 inch, 2. Conglomerate study chronology - 2 inches</p> <p>PERMANENT: Transfer to Federal Records Center offer to National Archives when 20 years old.</p> <p>b. Correspondence, documents recording the establishment and conduct of the study, worksheets, and questionnaires - 23 cu. ft. 8 inches Destroy immediately.</p> <p>c. Company financial data, Board minutes, and intra-company memoranda. 23 cu. ft.</p> <p>Destroy immediately.</p>		4 items

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FCC 69-117
25933

In the Matter of)
)
Inquiry into the Ownership)
of Broadcast Stations by) Docket No. 18449
Persons or Entities with)
Other Business Interests)

NOTICE OF INQUIRY

Adopted: February 7, 1969 ; Released: February 8, 1969

By the Commission: Commissioners Robert E. Lee and Wadsworth dissenting
and issuing statements.

1. The Federal Communications Commission is undertaking a study of the ownership patterns in the broadcasting industry, with special emphasis upon the ownership of broadcast stations by licensees with substantial non-broadcast interests. Although its study will not be limited to the largest, so-called "conglomerate" corporations, it is not directed to the smaller station owners who happen to have other small business interests.

2. Over the years, the Commission has inquired into the ownership structure of the broadcast industry. It has examined, for example, the joint control of newspapers and broadcast stations, 9 Fed. Reg. 702 (1944), multiple ownership of stations, 47 C.F.R. §§ 73.35, 73.240, 73.636 (1967), 33 Fed. Reg. 9075 (1968), and the diversity of control of mass media, 1 F.C.C. 2d 393, 394-5 (1965). There is now a proposed rule making outstanding regarding the ownership of more than one full-time broadcasting property in a single market. 33 Fed. Reg. 5315 (1968), 12 F.C.C. 2d 912 (1968).

3. This inquiry is part of the Commission's continuing examination of this important field. Its subject--the ownership of broadcast stations by those having other large-scale business interests--has in the past been treated in only a few cases (e.g., Powel Crosley, Jr., 11 F.C.C. 3 (1945); ABC-ITT Merger, 7 F.C.C. 2d 245 (1966), 9 F.C.C. 2d 546 (1967)). There is today a heightened interest generally in the problems posed by conglomerate merger trends, and we believe it appropriate to focus on such problems as may be presented in the broadcast field by conglomerates 1/ and, in addition, by ownership of broadcast stations by any other person or entity with large-scale business interests. This aspect of the ownership problem is

1/ We would of course coordinate or dovetail our activities with any overall study which might be made in the general area. Cf., H.R.J. Res. 315, 91st Cong., 1st Sess. (1969); 115 CONG. REC. H521 (1969). Specifically, we would coordinate with the Federal Trade Commission which is conducting a study of conglomerate trends and effects.

the special subject of the Commission's study, although it will also treat such other ownership issues as are necessary to an intelligent inquiry.

4. The Commission intends to determine the full facts as to ownership in the broadcast field by conglomerates or any person or entity with other large-scale business interests. It will examine the nature of the interest of such owners, with particular emphasis on multi-media owners. It will identify the number and location of broadcast stations licensed to particular types of conglomerates or owners with other large-scale business interests; relevant population and revenue figures; and recent trends. It will evaluate the possible benefits as well as the detriments which accrue to the public interest from such ownership. It will look for evidence that such holdings by conglomerates or by any person or entity with other large-scale business interests contribute to technical innovation, stability, greater programming efforts, either locally or on a syndicated basis, or the formation of additional networks. It will also look for possible hazards to the fair and free presentation of material by the stations owned by conglomerates or any person or entity with other large-scale business interests, reciprocity arrangements in advertising, lack of licensee responsibility due to inadequate supervision by top officials, siphoning of broadcast profits for other operations or acquisitions, increased leverage either in the broadcast or non-broadcast fields, and the possible impediments to technological developments.

5. The foregoing is simply a skeletal outline of the Commission's interest, with a few examples to point up its scope. It is, we stress, a broad-ranging inquiry to encompass the possible social, economic, and political consequences in the broadcast field of the conglomerate trend and of the licensing of broadcast stations to any other person or entity with other large-scale business interests. It will thus consider the issue of competition as an instrument of regulation, and what policies should be followed in this area to obtain diversity and competitive benefits in programming, advertising and other pertinent aspects.

6. We stress that we have formed no tentative conclusions, but are only seeking factual information which is essential to a determination of whether any remedial action is necessary, and, if so, whether it should be in the form of administrative action, or proposed legislation if agency authority is lacking.

7. If we find that administrative action is appropriate with regard to some but not all of the areas mentioned we may spin off that area and deal with it separately--as by instituting a rule making proceeding.

Such separate treatment may also be given matters not covered in this brief statement, but about which material is obtained in the course of the inquiry. We shall, of course, also make use of information obtained in discharging our processing functions.

8. We shall use all the various tools and procedures available to us in such an undertaking. We may constitute a special unit of the staff. We may use the services of consultants, research groups, or universities. We may hold seminars or other relatively informal study sessions. We may use material developed by the Congress or by other agencies of the Government. We may make surveys which might include requesting material from licensees. We shall use material on file with the Commission.

9. Interested persons may, of course, submit information and opinion at any time which will be considered by the Commission together with any other relevant information before it.

10. Authority for the inquiry instituted herein is contained in Sections 4(i), 303, and 403 of the Communications Act of 1934, as amended.

11. Although this is not a formal rule making proceeding, an original and 14 copies of all comments, replies, pleadings, briefs, or other documents filed in this proceeding shall be furnished to the Commission as provided in Section 1.419 of the Commission's rules and regulations governing such proceedings. Filings shall also conform to the provisions of Section 1.49. (47 C.F.R. §§ 1.49, 1.419 (1967).)

FEDERAL COMMUNICATIONS COMMISSION *

Ben F. Waple
Secretary

* See attached statements of Commissioners Robert E. Lee and James J. Wadsworth.

DISSENTING STATEMENT OF COMMISSIONER ROBERT E. LEE

Lately we have been hearing a great deal about "conglomerates"; so much so that the Commission now embarks on a "fishing expedition" to find out what they are and what to do about them. This may well be the whitest elephant the FCC has ever spawned and there have been a few. Literally bales of material will be filed and if we propose to do something, everything else will wait, and when we get all through (if we find a problem), it will be a matter for the Congress and not this agency.

In a recent dissent (WHDH, Inc. et al, FCC 69-82, January 23, 1969), I traced the history of Congressional interest in conglomerates, particularly relating to newspapers. Congress has been oversighting this problem and will continue to do so. I consider this a much more appropriate forum if indeed it needs consideration.* We examine each case in the public interest and I think the world's greatest broadcast system that has developed in this country, under regulation, should be a matter of great pride to all and not a system to be tampered with and decimated under the guise of a non-existent monopoly.

This is a big country. Its problems are big and its solutions are bigger. This country grew under a free enterprise system, albeit with some government restraints. These restraints,

*A joint resolution has been filed in the House of Representatives on January 28, 1969, proposing a study of the heads of six administrative agencies to act jointly in conducting a study and investigation of conglomerate activities. H.R.J. Res. 315, 91st Cong., 1st Sess. (1969); 115 CONG. REC. H521 (1969).

however, have recognized the need for profits, big capital and rewarding returns for great effort. The telephone plant and broadcasting have developed under this system and the satellite is emerging under the same conditions, buttressed by Congressional action. The profits of multiple-owned stations made the networks possible and sustain them. Large, successful, independent multiple-owned stations and corporations with varied business interests will hopefully create the fourth network, unless the government meddles too much. This, in turn, has created an almost unlimited number of related and affiliated industries, all of which require capital beyond the practical reach of any individual or single industry corporation to support. The result is a standard of living, employment and wage rate unsurpassed by any nation. Any broadside tampering with a system that has produced such results can only lead to chaos.

There is nothing necessarily virtuous about smallness nor is bigness necessarily evil. The public interest can encompass both.

DISSENTING STATEMENT OF COMMISSIONER JAMES J. WADSWORTH

I agree with Commissioner Robert E. Lee's position in his dissent. I am strongly of the opinion that the Congress has the priority position in matters such as this, and should furnish this agency appropriate direction and support.