

United States Senate

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September 18, 2006

Chairman Kevin J. Martin
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Martin,

Since I last wrote to you, another draft FCC report that was never made public has come to my attention.

I have now received a copy of the Commission's draft 2003 "Review of the Radio Industry." The report found, among other things, that while there was a 5.9 percent increase in the number of radio stations in the country between March 1996 and March 2003, there was a 35 percent decrease in the number of radio owners. The report also found that Clear Channel Communications, the largest radio group owner, went from owning 62 stations in 1996, to 1,233 in 2003.

For reasons I do not understand, this report was never finalized even though the FCC had released similar reports in 2002, September 2001, January 2001, and 1998. Moreover, the Commission has not released a "Review of the Radio Industry" report since 2002. This is in spite of the fact that this information would be highly relevant to the Commission's ongoing proceedings on localism and media ownership.

Recently, it was reported in *Radio and Records* that Clear Channel had visited two Commissioners' offices on August 31, 2006 "to influence their positions on expanding ownership cap limits in the largest radio markets."

I trust that you will update and release this report prior to the conclusion of the media ownership proceeding so that the Commission will be able to make its decision based on the most current industry data.

Chairman Martin, this is the second report in a week that I have received that appears to have been shelved by officials within the FCC and I am growing more and more concerned at these developments.

In light of this new discovery, I will ask the Inspector General of the FCC to thoroughly investigate not only the draft 2003 "Review of the Radio Industry" and the 2004 localism study, but also to examine whether it was then or is now the practice of the FCC to suppress facts that are contrary to a desired outcome.

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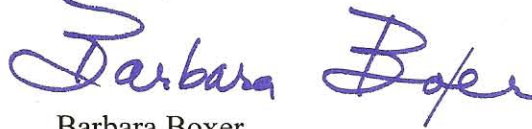
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Although I understand that you were not Chairman at the time these documents were produced, I wanted to bring this new incident to your attention and urge your office's full cooperation with the Inspector General.

Sincerely,

A handwritten signature in blue ink that reads "Barbara Boxer". The signature is written in a cursive, flowing style.

Barbara Boxer
United States Senator