

## COMMISSIONER MICHAEL J. COPPS, SUMMARY OF TESTIMONY

Wednesday, February 11, 2004

I appreciate the attention you have devoted to the issue of sex and violence on the airwaves. People all across this land of ours are demanding action -- action now -- to stop the increasing sex and violence bombarding their airwaves.

Certainly there have been a couple of high profile incidents, none more so than last week's shameful half-time display at the Super Bowl. But the real test for the FCC is how the Commission addresses the thousands of other complaints pertaining to hundreds of other programs. And so far, we are failing the test.

At the same time that we are not adequately enforcing indecency laws, the Commission is dismantling media concentration rules without considering whether there is a link between increasing media consolidation and increasing indecency. It makes intuitive sense that as media conglomerates grow ever bigger and control moves further away from the local community, community standards go by the boards.

To tackle the problem of sex and violence on our airwaves, I am all for additional authority from Congress, but let us use the arrows we already hold in our quiver. Accordingly, I am asking my colleagues to take the following five concrete steps.

1. **Use Our Full Authority to Punish Transgressors – License Revocation, License Non-Renewal and Higher Fines:** We need to send some of the more outrageous transgressions and repeat offenders to license revocation hearings. The Commission has never used this authority. We need to impose meaningful fines for each utterance, rather than “cost of doing business fines.” We need to establish an effective license renewal process that meets our responsibility not to renew the licenses of those who air excessive amounts of indecent and violent programming.
2. **Reform the Complaint Process:** The Commission should commit to addressing all complaints within a specific timeframe such as 90 days. The FCC should recognize it is the *Commission's* responsibility to investigate complaints that the law has been violated, not the citizen's responsibility to prove the violations. And Commissioners themselves, rather than the Bureau, should be making the decisions.
3. **Tackle Graphic Violence:** Compelling arguments have been made that excessive violence is every bit as indecent as anything else that's broadcast.
4. **Convene an Industry Summit that includes Cable and DBS:** Industry should step up to the plate to tackle the issues of indecent and violent programming. This summit must include cable and satellite providers. Perhaps cable could explore such options as offering a family tier. Cable could also make sure that family channels offer all family-friendly programming. And broadcasters could commit to family hours during prime time.
5. **Affirm the Rights of Local Broadcasters to Control Their Programming:** In 2001, local broadcasters filed a petition alleging that networks are hindering affiliates' ability to refuse to

broadcast network programming that is not suitable for their communities. Yet, this petition has sat unaddressed for over two years. The Commission should issue its decision promptly.