

**REMARKS BY COMMISSIONER MICHAEL J. COPPS
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Good morning! It's *always* a good morning when the Kaiser Foundation is holding one of its invariably interesting and invariably timely forums in behalf of kids, family and the public interest. Kaiser has been so incredibly effective in shining a light on issues that we need to act on but which some powers-that-be are often happy to leave in the shadows.

PSAs—they live in kind of a land all their own, undefined, bereft of standards or guidelines or rules, without qualitative or quantitative measurements, but still tenuously wedded to the idea of serving the public interest. Let me be clear as to where I think Public Service Announcements fit into the public interest. They are one way, if done properly, of serving the public interest. They are not the only, nor even the primary way—but they can be part of the *quid pro quo* broadcasters make with we, the people, in order to obtain their licenses.

And PSAs can be very, very good. Some, like “Friends don’t let friends drive drunk,” have become a part of the vernacular, and even saved lives. Others, like “this is your brain on drugs,” was named by TV Guide as one of the top-100 ads of all time. So with enough creativity—and with sufficient repetition at times when people are watching—PSAs can have a real impact.

But the new Kaiser study documents how far we still have to go. An average of 17 seconds per hour for donated PSAs isn’t much. And even that number is a little deceiving because on the major broadcast networks, **60%** of donated PSAs run between midnight and 6 am. This subprime scheduling for so many PSAs tells me that subprime problems aren’t exclusive to the housing market.

This year, by the way, broadcasters have a special challenge—preparing television viewers for the upcoming DTV transition. As some of you know, I don’t believe we’re doing nearly enough on that score. I won’t get into that today, but I do want to make one point that is germane to this discussion of PSAs: It’s going to require lots of air time to make viewers aware of what’s coming and what they need to do to prepare themselves for DTV. But it would be tragic if we saw all the other kinds of PSAs and public service programming cut back to accommodate this new need. Stepping up to the plate here means broadcasters doing *both* the DTV transition *and* moving ahead—not cutting back—on PSAs.

I don’t think there’s anyone who would question the potential benefits of PSAs, including broadcasters, who cite the value of donated PSAs as one of their major community service contributions. And let me acknowledge and commend those broadcasters in whose breasts the flame of the public interest still burns brightly. I’ve

met many of them. They are not only running PSAs, but they are also providing the kind of local news and information that is what the public interest must be primarily about.

Unfortunately, such broadcasters are less and less the captains of their own fates and more and more the captives of the unforgiving expectations of Wall Street and Madison Avenue. That's where the Commission's public interest standard comes in—or, more accurately, where it *should* come in. While the marketplace is placing *its* demands on broadcasters, the public interest standard is supposed to define what *the American people* are entitled to expect in exchange for use of their public airwaves.

The problem right now isn't that the public interest standard is so vague that it can mean *anything*. The problem is that it's so vague that it means *nothing*. That is the troubling legacy of the 1980's when we had an FCC Chairman who declared that a television is nothing but "a toaster with pictures." And that's precisely how he and his accomplices set about to oversee, or undersee, it. This "deregulation" of media, coupled with the tsunami of consolidation we have endured since the 1990s, has inflicted incalculable harm on our media, on our country.

Well, the time is here, my friends, to turn the page and craft a new definition of the public interest for the 21st Century. Breathing new life into the public interest standard is on my "bucket list" before I leave the FCC. It's time to tell broadcasters what we expect to receive in return for their free and exclusive use of the public airwaves.

During most of my tenure at the FCC, the public interest has been allowed to languish. The question of DTV public interest obligations, launched by Chairman Kennard in 1999, has never been brought to completion. We've devoted an incredible amount of time and effort to getting the technical part of the DTV transition right (as we should), but precious little to the central challenge—how the public interest will be served by digital broadcasting. There are two exceptions. Thanks to a lot of great work from many people in this audience, we made real progress on Children's TV. And, more recently, in November, the Commission adopted a standardized disclosure form that all TV broadcasters will fill out quarterly, describing the specific steps they took to serve the public interest.

A standardized public interest form was one of the ideas that the Gore Commission was able to achieve consensus on back in 1998. Of specific relevance here, one of the things that will be disclosed are donated and paid PSAs—the sponsoring organization and general PSA goal, the number of times aired, and the percentage of times aired during prime time. These forms will be available electronically on the station's website and submitted to the FCC.

These forms should provide the public and the public's watchdogs with invaluable data about how well their local stations are serving the public. Good broadcasters can be recognized for the job they're doing, but those who may be attempting to "free ride" on the good works of others will be more readily accountable.

Accountability, in turn, requires an honest-to-goodness licensing process at the FCC. Eight-year licenses renewable by post card application and bereft of FCC examination and accountability do not serve the public interest. It is time to greatly shorten the license period and to make sure everyone understands that serving the public interest means specific public interest guidelines, obligations and accountability. In December, the Commission adopted a *Localism Notice of Proposed Rulemaking* that I believed could have gone, and should have gone, much further than it did to redeem the promise of the public interest. It does, however, tee up the idea of processing guidelines for station renewal, and herein is an opportunity to consider a processing guideline on PSA minimums. Not that I think processing guidelines are the end-all and be-all of the public interest, but we have the opportunity here to use this discussion to prepare the ground for some real public interest protections in the hopefully not-too-distant future. So our challenge is to make the most of this imperfect proceeding as a vehicle to help lay the groundwork for a better proceeding to come. You need to be a part of this proceeding so the ground is prepared. I strongly encourage your participation.

The time is coming in our country, I believe, when the hopes of millions of Americans for an end to the media madness of the past quarter century can be vindicated and when real honest-to-goodness public interest considerations can begin, at long last, to set the direction of our broadcast media. It's going to take a lot of commitment and a lot of work, don't get me wrong. But many folks listening to me here this morning have long since made that commitment and done that kind of work. They know—you know, I know—that at the end of this crusade we can have a media environment safe for diversity, safe for minorities, safe for women, safe for children, safe for families, safe for local news, safe for local talent, and safe for the precious civic dialogue upon which the future of our democracy depends. There is no more important work than this for you and for me to do in the months just ahead. And it's the least we can do for ourselves and our kids.