

**Remarks of Commissioner Jonathan S. Adelstein
National Conference for Media Reform
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Last night, Dan Rather validated all of our deepest concerns and worst fears about how corporate media has abandoned its sense of responsibility. To make a buck, they are transforming real journalism into infotainment. To hear it from a legend, with decades of experience at the pinnacle of the American news establishment – who has seen it firsthand – will be a wake-up call for everyone in this country who cares about the future of our democracy.

It also was a special treat having Senator Dorgan here. He has been our champion on media democracy and Internet freedom in the U.S. Senate. When we met last year in Memphis, I told you that if the FCC rolled back media ownership protections, Congress needed to veto it. We are so grateful Senator Byron Dorgan led the Senate effort to kill the FCC's misguided decision to gut the newspaper-broadcast cross-ownership rule. Now, it is time for the House of Representatives to act and send it to the President's desk. Even in the event he does not sign it, we have already sent a clear message to any media company thinking of gobbling up newspapers and TV stations in the same city: think again. The winds of change are blowing, and they are going to blow that rule right off the books.

Even as we fight for media democracy, we need to battle the ever-increasing commercialization of our media. American broadcasting was based from the outset on a commercial model, in contrast to the European approach of government-sponsored media. Since profits depended on attracting eyeballs, there is no doubt that is why we have the most entertaining media in the world. But in exchange for this opportunity to make money, the government asked for something back for the public. When the FCC took its thumb off the scales, beginning in the Reagan era, the media was free to chase the bottom line ahead of all else. And chase it they did, in a race right down to the bottom.

It is time for us to curb the excesses of commercialism, as Congress intended. ***We need to put out a notice of proposed rulemaking to develop new rules to clarify that sponsorship identification has to be clear and understandable.*** It should not be buried in a compressed crawl at the end of a show that would take a magnifying glass to read.

We need to fight thinly disguised payola fueling homogenized corporate music that leaves no room for local and independent artists. We need to fight video news releases masquerading as news, with public relations agents pushing agendas that squeeze out real news coverage and local community concerns. We need to fight product placements turning news and entertainment shows alike into undisclosed commercials. And we need to fight rapacious advertisers preying on the unsuspecting minds of our young children.

Let us reclaim the media by saying no to payola, video news releases, product placements, and interactive advertising targeting our kids. We need to stay on the offense. Let us continue to promote the true American spirit of democracy in the media and on the Internet.

We must open our airwaves to low-power FM stations and minority voices, restore public interest obligations on broadcasters, and protect public access channels on cable that are under siege today. We have got to make broadband affordable and accessible to everyone, even if that means building municipal broadband networks. And, we have got to keep the Internet open and free of discrimination.

We cannot let what happened to our media happen to the Internet. We cannot allow a few gatekeepers to control the Internet so they can maximize profits in the service of advertisers. We need to keep the Internet -- of the people, by the people and for the people. "P2P" -- is power to the people. We need to protect that.

Just as broadband explodes our ability to communicate and get information, though, we find our government still trying to sneak one past us. Old habits die hard. We have learned about a secretive public relations program operated by the U.S. Defense Department. It recruited, organized and sometimes paid more than 75 retired military analysts to echo the Administration's themes and messages on the Iraq war and foreign policy. Many of these so-called analysts also worked for military contractors or owned their own military consulting firms. They were granted valuable special access to senior civilian and military leaders, in exchange for their participation in this covert, propaganda operation.

According to news reports, analysts who disagreed with the information given to them lost access. This comes in the wake of new revelations that network executives pressured news reporters to develop Administration-friendly angles when we were heading to war. Senators Obama, Clinton, Kerry, Levin, and Feingold and Chairman Dingell and Congresswoman DeLauro have asked the FCC to investigate. ***Today, I commit to you that I plan to demand a real and thorough investigation. We need to determine, without delay, whether the DoD violated the laws we enforce against payola.***

These rules prohibit anyone involved with preparing broadcast or cable programs from accepting anything of value without disclosing it to the public. They also require broadcast and cable stations to exercise reasonable diligence in determining whether a disclosure is need for materials involving controversial issues of public importance. Were any questions even asked? This is not just a question of journalist ethics and integrity. It is the law. The war in Iraq is clearly a controversial issue of public importance. The American people have a legal right to know when the government is sponsoring the source that is purporting to provide objective analysis.

We need to conclude this investigation quickly. It should not take years, as some other investigations have. Remember how long it took the FCC to investigate the Department of Education's payments to Armstrong Williams to sell its "No Child Left Behind" agenda? It took the FCC over 2 1/2 years to issue a citation. The good news is that in the end, we finally declared the obvious: he violated the law. This investigation need not, and should not, take that long. There is no excuse for delay.

There is another law that may have been broken here. Congress has specifically outlawed the use of federal funds for covert propaganda. The GAO determined that the “critical element” of covert propaganda is the concealment of the agency’s role in preparing the material from the target audience.

Today, I am also calling on the Department of Justice to launch an investigation into these allegations to determine whether there has been a violation of the federal anti-propaganda statute. The federal anti-propaganda and payola laws are grounded on the principle that the public is entitled to know who seeks to persuade them so they can make up their own minds about the credibility of the information presented. The public has a legal right to know that people who present themselves to be independent, unbiased experts and reporters are not skills hired to promote a corporate - or governmental - agenda.

For the past several years, we have heard a lot of talk out of Washington about spreading freedom and democracy around the world. How about uplifting the quality of our own freedom and democracy right here at home? It starts right here in Minneapolis with you. You can demand this investigation get to the bottom of this, and fast.

The Founders of this great country of ours taught us that freedom and democracy did not come easy. As Thomas Jefferson said, “the price of freedom is eternal vigilance.” Still today, “eternal vigilance” is also the price for real reform and media justice in America.

We have to secure our legacy as Americans – the free flow of ideas and information that was at the very foundation of our country. We are carrying this fight from our media to the Internet. You have already won some key early skirmishes. Now you are the battle-hardened veterans about to achieve even bigger victories. Generations to come will celebrate what you achieved.

You are the wind in the sails for those of us in Washington who fight for freedom of the press and on the Internet. Thank you for making the voice of the people – the public interest – heard at the FCC.