

**Remarks of
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Commissioner, Federal Communications Commission**

***PointSmart.ClickSafe: Summit on Children's Online Safety and Literacy*
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Thank you, Dan, for that kind introduction and especially for all of the work cable does for America's children. I would like to thank Common Sense Media, iKeepSafe and Cable in the Classroom for convening this summit. Ensuring a safe online experience for children truly requires the cooperation of the advocacy community, private industry and government. So I am pleased you all have been able to work together, putting the best interests of children first. Thank you for your service to America's future – our children.

This is an issue that literally hits us where we live, myself included. My wife and I face huge struggles as parents over what our two young children should be allowed to watch on TV and the Internet. Life was not so complicated when we were growing up. Instructions like “don't talk to strangers” and “look in both directions before you cross the street” were enough for us. But in today's digital broadband era, many more and new dangers are lurking. Those same basic messages have to be recalibrated to fit the times.

We must protect our children and increase their media literacy so that they can safely access the vast new resources available on the net while avoiding the myriad dangers that they now face. Online, a person is anonymous and yet can develop a personal relationship with an unsuspecting child on social networking sites. And cyber-bullying, for example, has led to innocent children developing real social problems and even suicide. We all know what happened to Megan Meier in St. Louis.

All of society's problems are digitized in this age of convergence. All of the wonderful opportunities offered by the Internet are only a click or two away from insidious dangers. While in the past it would have taken years for a particular mental health issue to develop in a child, today a child's online experience can put that development cycle in “warp speed.” Before even a protective parent notices, their child can be exposed to harm. Even websites that are seemingly safe can expose children to relentless and excessive commercialism and unhealthy products.

Parents desperately need and want information and tools to help them protect and teach their children the safe and healthy use of technology and the Internet. It is clear that parents are the first, last *and* best line of defense against all forms of objectionable content. Speaking as a parent, the problem is that in today's media landscape, families have to navigate through a sea of inappropriate material. Making a bad situation worse, most parents do not know about the navigational tools available to them, so they are like 17th Century sailors subject to the whims of an angry sea when they could be using more modern techniques to help chart a safe course for their children.

Educating parents and children are both important. Just as we protect our children in the “real” world, we need to protect them in the digital world – where the seemingly virtual can become all too real all too quickly. That is why the work of groups like iKeepSafe, Common Sense Media and the many others here today is so important. And I am grateful that cable operators have taken a proactive role in working to develop programs for children and parents.

As a Commissioner, my job is to ask you how I can help and what the government can do. While I fully realize that whatever we do pales in comparison to what you can do, I nevertheless believe that we should proactively look for ways to improve online safety and media literacy. It is easy to give you a lot of rhetoric about how much we care. I could fill up an hour with soaring verbiage about the problem. It is another thing to advocate real solutions, even when they are not popular with all of the big companies we oversee. It is another thing entirely to take real action that will make a difference. I wanted to raise a few concrete ideas that need FCC action now to put on your radar screen. We do not always have the full support we need internally to get these steps accomplished, so we need your help.

For example, one item pending at the Commission is a Notice of Proposed Rulemaking on sponsorship identification and embedded advertising, and we need to get public comment on whether our existing rules governing commercials in children’s programming adequately promote the policy goals underlying the Children’s Television Act and the sponsorship identification rules. This is especially important with respect to embedded advertising in children’s programming.

Since last year, with the support of Chairman Martin, a majority of the Commission has already voted to issue this notice. But there has been delay after delay, keeping this item frozen at the Commission. I am urging all of my colleagues to complete this item without further delay.

Another pending concern is how we deal with the Children’s Internet Protection Act requirements on schools and libraries that receive funding for Internet access under the E-Rate. As you may know, they cannot receive E-Rate funding unless they certify that they have an Internet safety policy and are either using blocking or filtering technology to protect children. While the Internet safety policy blocks or filters materials that are obscene, pornographic, or otherwise harmful to minors, I question whether we have appropriately defined what is harmful to children. Do you think the Commission needs to provide more guidance to schools and libraries across the nation about what might be harmful to children? Do we need to provide clarification? I think that might be a good idea, but I want to hear from you about it first.

While the Commission does not have much authority in the online space, the standards we develop for other forms of media can produce guidance to help us tackle the common challenges old and new media pose to our kids. Not since radios entered family rooms across the country has such an intimate medium as the Internet confronted the family unit. The Internet, though, is far more powerful, because it is interactive and dynamic and because it engenders trust so easily among unsuspecting users. We not only need to heed the lessons from our past, but we must also adapt these approaches to fit our new challenges.

When I told my wife what I was doing this morning, she instantly raised concern about how our kids and others click on flashy Internet ads and get sucked into a world they do not even know is advertising. Kids really think they won the prize, and once they are able, will happily give away all kinds of personal information to get it – their name, address, age, you name it. In fact, we have highly paid advertising executives spending countless hours trying to figure out how to get inside our kids' minds. We need to be just as smart and aggressive -- even if less well paid -- in figuring out how to keep them out. Our kids are not mature enough to do it for themselves. That is exactly what the marketers are preying on, and it is exactly why leaders like you and us on the FCC need to step up to protect our kids.

We must consider traditional media as a portal. While traditional media confront new challenges as viewers are more and more fragmented across competing platforms, content creators, distributors and advertisers will surely seek to exploit new opportunities in the growing convergence of television and the Internet, and the endless technological advances and interactive features of digital and IPTV. Marketers surely want to harness new technologies to capture the eyeballs of American children.

This increased incidence of our children being exposed to yet more commercialism troubles me deeply. When I raised the issue of children's media at my weekly staff meeting, every parent on my staff agreed that they face similar challenges. When you multiply that by millions of families across the country affected, the responsibility is overwhelming. And then when you consider that American families consume media – more than anything else – on TV, PC, laptops, radio, MP3, video handhelds and cell phones, it becomes evident that we will need to think more broadly.

As many of you know, since I have joined the Commission, I have traveled the country and heard a chorus of opposition to relaxing our media ownership rules that would allow big media to get bigger. I have also expressed concern with what I believe to be one of the most pernicious symptoms of media concentration — the excessive commercialism in America media.

In a speech to broadcasters and television executives at the Media Institute three years ago, I warned about the dangers of excessive commercialism and the fact that “well-trained marketers” were “preying on the unsuspecting minds of our young children.”

My message might not have been particularly well received in that audience, but I felt it important to remind media representatives directly that my colleagues and I had reaffirmed the FCC's longstanding policy that “listeners and viewers are entitled to know who seeks to persuade them with the programming over broadcast stations and cable systems.” So whenever there are product placements on TV or cable originated programming, our rules require broadcasters and cable operators to provide full disclosure about who paid for them.

I warned that because children do not distinguish between programming and advertising, disclosure alone may not be adequate for children's programming and that stricter measures may be necessary.

That is why, with my strong support, the FCC has taken steps to try to draw brighter lines between advertising and programming in children's shows. In the fall of 2004, we issued a landmark ruling that drew on the expertise of groups like Children NOW and many of you in this room. We prevented broadcasters from displaying website addresses during children's programming unless certain requirements designed to draw clear distinctions between commercial and other content were satisfied.

The Commission wanted to encourage broadcasters to develop interactive services that would enhance the educational value of children's programming, so we decided not to prohibit the appearance of interactive links to commercial Internet sites.

But perhaps the most critical part of the decision – when you think about its long-term impact – was our tentative conclusion that we should prohibit interactive advertisements during children's programming. We agreed unanimously that the TV should not connect viewers to interactive commercial matter unless parents “opt in” to such services.

That was the right conclusion then, and I am even more convinced that it is the right conclusion now. I urge Chairman Martin to issue a final rule to ban interactive advertisement to children. I hope all of my colleagues will support this.

Now it is important to recognize that not all of the initiatives are problematic. One cable network reportedly launched a major mobile and interactive TV campaign to promote healthy eating to children as part of a week of on-air programming. That is truly commendable, and more of that should be done.

But I simply cannot accept the argument that it is too soon to act, because interactive television is a nascent technology or that we simply do not know what will unfold. We know pretty well what is going to happen. Just look at what companies are doing overseas. Look at a Kaiser Family Foundation study on online food advertising targeting children or the recent *Washington Post* series on obesity. If we think the epidemic of childhood obesity and diabetes is bad now, just wait until interactive advertising makes its force known on television. But by then, it will be too late.

We should quickly move on the Further Notice on interactivity we issued in 2004 seeking comment on how to implement sensible restrictions on interactive ads and how those restrictions fit within our current regulatory structure. We really need to take a hard look at interactive advertising and promulgate rules before it becomes an established business model here in this country.

Now is the time to stop the development of interactive advertising directed to children dead in its tracks. Digital TV and new interactive technologies can provide a wealth of opportunities to children and their parents, but they should not provide wealth to advertisers at the expense of children and their parents.

The Commission has limited authority to take steps to protect children in this age of convergence. So wherever we have authority, we need to act. With our sensible and measured

actions, however modest, we can complement the work you all are doing here. That kind of partnership is in the best interest of protecting our children. And while that alone will not fully address the many issues we are discussing today, no single step will.

Continued cooperation and partnership between the advocacy community and private industry is essential. Government should provide support and take action wherever possible. Kids do not need more talk from public officials. They need action. They need it now.

I only have a few minutes here today, but tomorrow I am speaking to the Media Institute on an American family agenda that will be more comprehensive. I look forward to discussing that and all of the ideas that come out of this conference with you in the near future.

Thank you for inviting me, and thank you all for sponsoring this forum to confront these urgent issues for our kids.