

**STATEMENT OF COMMISSIONER MICHAEL J. COPPS
ON RELEASE OF FCC STAFF REPORT
“THE TECHNOLOGY AND INFORMATION NEEDS
OF COMMUNITIES”
JUNE 9, 2011**

Let's begin with a basic truth: the future of our country's media is an issue that goes to the heart of our democracy. A well-informed electorate is the premise and prerequisite of functioning self-government. To make this compact work, it is imperative that the FCC play a vital role in helping to ensure that all Americans have access to diverse and competing news and information that provide the grist for democracy's churning mill. But for most of the past 30 years, the Commission has turned a blind, and sometimes hostile, eye toward this responsibility. Abdication is no longer an option.

It will come as a surprise to few here this morning that this just-released Staff Report and its accompanying recommendations are not the bold response for which I hoped and dared to dream. Instead, the overarching conclusion of the Staff Report seems to be that America's media landscape is mostly vibrant and there is no overall crisis of news or information. But there *is* a crisis when, as this Report tells us, more than one-third of our commercial broadcasters offer little to no news whatsoever to their communities of license. America's news and information resources keep shrinking and hundreds of stories that could inform our citizens go untold and, indeed, undiscovered. Where is the vibrancy when hundreds of newsrooms have been decimated and tens of thousands of reporters are walking the street in search of a job instead of working the beat in search of a story?

Enlightened policy that promotes the public interest is basically glossed over by the Staff Report as having been tried and failed. Let's look, for example, at the claim that policies like broadcast relicensing have failed and therefore need to be replaced with something new—or perhaps by nothing. I agree that our current licensing process has failed. That's primarily because, beginning 30 years ago, the Commission wiped from its books most of the public interest guidelines that consumers and advocates had won after long, tough struggles for media reform. Our licensing approach, for one example, became one of “just send us a post-card once every eight years and your renewal is a slam-dunk, no questions asked.” The FCC has not taken a license away for public interest non-performance for the 10 years I have been here or in the 20 years before that. Nor does the Commission even issue warnings or impose a probationary period giving a poor-performing licensee a chance to clean up its act.

When the majority of meaningful rules were dismantled in the early '80s, we were told there would be little impact on viewers. That turned out demonstrably not to be the case, so before we loosen any more rules we should pause to recognize the outcome of treating TV no differently than a toaster. The irony here is that when the actions of government weaken the Fourth Estate, there is less of a check on government itself. The Report quotes David Simon on this, saying “The next 10 or 15 years in this country are

going to be a halcyon era for state and local political corruption.” Vigilant and vibrant journalism can mightily discourage that from happening—if we take action now.

One of the three pillars underlying the public interest is localism. Localism is about making sure citizens in local communities are supplied with in-depth programming about public and civic affairs, that they have available programming to reflect the needs, interests and cultures of the diverse people living there, and that those views have some opportunity for expression on the airwaves. Localism means less program homogenization, more local and less canned music, and community news actually originated in the market where it is broadcast rather than being imported so much of the time from far-away studios controlled by absentee owners. In this continuing era of media industry consolidation, we all know that coverage of local music, local talent, local culture, local sports, local diversity communities, local political issues and election campaigns (other than horse-race odds-making) are more the exception than the rule.

The Staff Report does recognize problems in the generation of local news and information and the lack of accountability journalism, to its credit. This underscores the point I have been making for years. But instead of calling for stepped-up Commission action, it tinkers around the edges, for example urging philanthropies to find better ways to do their business, asking Congress to change the tax code, and suggesting that government direct more of its advertising to local media. Then, rather stunningly I thought, the Staff Report recommends shutting down our pending localism proceeding. I have participated in dozens of hearings and hundreds of meetings on this docket. I have travelled to hearings and town hall meetings across the country to learn directly from tens of thousands of citizens what they think about their local and national media. I have listened to folks far into the night in sessions that sometimes lasted as long as nine hours. We have had Notices of Inquiry and Notices of Proposed Rulemaking on this proceeding, we’ve done the analysis, we’ve made proposals—and now it is time to act. I remarked after the Localism NPRM came out that some of its proposals could and should be modified before they became final rules. This could be quickly and easily accomplished and it makes more sense than walking away from a huge and still relevant record.

The Staff Report also delves into media ownership and correctly alludes to some of the harmful effects of consolidation—less local news, fewer reporters, and less diversity. But in the recommendations there is some hedging about whether all that consolidation we are living with today—all those local, independent stations bought up by mega-media interests—has been good or bad. The Report even suggests that some additional newspaper-broadcast mergers could well be beneficial in some circumstances. The policy prescriptions here, as elsewhere in the Staff Report, don’t follow from the diagnosis. Keeping in mind the paucity of resources dedicated to accountability journalism today, I hope the Commission, in its upcoming Quadrennial Review, will weigh much more seriously than it has in the past the heavy costs that media consolidation has inflicted on America’s news and information infrastructure.

Diversity is another pillar of the public interest. I’ll put this simply—in spite of occasional instances of progress in recent years, media’s overall grade in covering,

reflecting, explaining and mirroring America's amazing cultural diversity is dreadful. Diversity of viewpoint, diversity in ownership, diversity in who and what we see on TV, and diversity in who runs the companies—all these are worse in media than in most other American industries. The Staff Report seems aware of a serious problem here, but what's lacking are recommendations for strong, implementable-now programs that can begin to make a difference for generations of media injustice. As a starting point, I repeat my suggestion of some months ago that we tee up at least one of the recommendations of the Diversity Advisory Committee at every Agenda Meeting for the next year.

The Staff Report's primary policy prescription is disclosure. Put more and better information online where consumers and advocates can readily access it and good things will happen. I'm all for disclosure and was happy more than two years ago when my colleagues and I voted for an Enhanced Disclosure item, which would provide significantly more meaningful program information than is currently available. Since then the item seems to be stuck somewhere in the kind of limbo Dante could relate to: stranded somewhere between the FCC and the Office of Management and Budget. Why don't we resolve to get it unstuck, do whatever fine-tuning is needed, and vote at next month's Agenda Meeting on a revised Order, or at least a Further Notice of Proposed Rulemaking, to finish this long-pending job?

But let's also remember that disclosure is a means to an end—not an end in itself. If disclosure brings to public light actions that require redress, where is the redress to be found? Some will doubt whether it is to be found in a Commission that has for most of 30 years sworn off public interest rules and guidelines. Why would consumers bother to plumb the Internet looking at public files if there is so little confidence their effort will be rewarded with remedial action? Over the years some hearty souls have gone through the paper files, amassed their evidence, and petitioned the Commission to deny relicensing, all to no effect. What is the incentive to move that hapless process online? Also on the disclosure front, I continue to believe that the sooner we can ensure fuller disclosure of political advertising sponsorship, the better off our democracy will be. Voters have a right to know who is really behind all those glossy and sometimes wildly misleading ads we see on TV. Concealing from voters that an ad brought to us by "Citizens for a More Beautiful America" is really sponsored by a cabal of chemical companies polluting the water we drink is not just non-disclosure—it is deception aimed at buying elections. We need to fix this—and the FCC has an active role to play. I suggest the Commission tee up an item in the next two months that moves us toward meaningful disclosure of political advertising.

The Digital Age holds amazing promise for expanding the scope of our democratic discourse. The Staff Report recognizes this and the present Commission has focused tremendous energy on both broadband deployment and adoption. But let's recognize up-front that building a new town-square paved with broadband bricks and stacked with good news and information is not going to happen on auto-pilot. Right now the vast majority of the news we read on the Internet is produced elsewhere—in traditional media newsrooms. Interesting news and information innovations have, we all know, developed on the Net. What hasn't developed there is the model, mass or

momentum to sustain the kind of resource-hungry journalism that an informed electorate requires. An open Internet is not the entire solution for robust Twenty-first century journalism. It's tougher than that, and I, for one, don't believe we'll get there absent some positive public policy solutions. We have never had successful dissemination of news and information in this country without some encouraging public policy guidance, going back to the earliest days of the young republic when Washington, Madison and Jefferson saw to it that newspaper were financially able to reach readers all across the fledgling young republic. By the way, the Founders did not see this as violating the First Amendment they had written because they believed, as the Supreme Court has upheld in modern times, that the purpose of the First Amendment is the preservation of an uninhibited market-place of ideas to sustain our democracy. The same purpose to inform is what gave rise to broadcast licensing later on. I don't see any reason that we should forsake America's workable past and deny our own history now.

There is more to be said about the Staff Report and I will be talking about it in the days ahead. But rather than parsing the contents of a particular report, I intend to spend most of my time encouraging the Commission to take up its charge of responsible public interest oversight and to do everything it can to encourage the news and information and diversity that Americans have a right to expect from their media. If the Staff Report helps generate a spirited national dialogue toward that end, it will have served a purpose. If we can learn from the history traced in the Report—much of it very good—we will be able to craft stronger public policy proposals. And if the Commission can move swiftly ahead on some of the good ideas that are offered—and there are indeed good ideas offered—we can reap real benefits from it. I know very well that compiling this Staff Report was not an easy task. In fact the undertaking was enormous, and I am cognizant and appreciative of the work that Steve Waldman and his team put into this Report. I hope Steve and his colleagues, for whom I have tremendous respect, will take the comments I have made today in the spirit in which they are intended—to move beyond this Report to an action plan making the FCC central to solving the challenges we face. Launching or rededicating ourselves to such proceedings as enhanced disclosure, diversity, localism, political advertising, media ownership and reinvigorated public interest licensing will put us on the road we need to travel.

I also want us, as a Commission, to talk directly to the American people about all this—in **full Commission hearings** in various parts of the country. I suggest, Mr. Chairman, a minimum of three in the three months ahead—to see how well citizens across the land think they are being served by our present news and information infrastructure and to elicit their ideas for the future. I've had the opportunity to do this kind of listening for 10 years now, and I never come back from such conversations without knowing more than when I went out. Let's hold these hearings, talk with citizens, expeditiously enhance the record, and take actions by the end of the year. There is real urgency here.

These issues mean a lot to me because I believe they mean a lot to our country. I have been outspoken about them—and sometimes blunt, I know. I intend to keep speaking out on them in the months and, if needed, the years ahead. This nation faces

stark and threatening challenges to the leadership that brought us and the world successfully through so many dire threats in the century just past. Now we confront fundamental new uncertainties about the revival of our economy, where new jobs will come from, how we will prosper in a hyper-competitive global arena, how to support the kind of education that our kids and grandkids will need to thrive—indeed to survive—in this difficult time, how to open the doors of opportunity to every American, no matter who they are, where they live, or the particular circumstances of their individual lives. We've got a lot to get on top of as a country and if we don't have the facts, don't have the information, and don't have the news about what's going on in the neighborhood and the town and the nation and world around us, our future will be vastly diminished. That's why so much rides on the future of what we are talking about today. I'll say it again: how these issues get decided will deeply affect our country's democracy and our country's future. I cannot and will not leave these issues where they are.