

**STATEMENT OF
COMMISSIONER BRENDAN CARR**

Re: *Children’s Television Programming Rules, Modernization of Media Regulation Initiative*, MB Docket Nos. 18-202 and 17-105, Report and Order and Further Notice of Proposed Rulemaking.

In 1990, Congress passed the Children’s Television Act, which requires the FCC to consider whether broadcasters are serving “the educational and informational needs of children.” It also gives the FCC flexibility to determine the specific rules or safe harbors a broadcaster can meet to satisfy this requirement. And that flexibility is a good thing for two reasons.

For one, the market for children’s programming has expanded dramatically since 1990. Over-the-air broadcasters now provide many more hours of children’s programming than the three hours per week required by the FCC’s rules. For instance, Ion and PBS broadcast children’s programming for free 24 hours a day. In addition to broadcasters, cable channels like Baby First, Disney Junior, and Teen Nick, which have never been subject to KidVid rules, also provide 24/7 children’s programming. Not to mention over-the-top and online providers like YouTube, Amazon, and Hulu that offer a nearly limitless lineup of on-demand children’s programming. And broadcasters are now competing directly with those tech giants for the local ad dollars they need to stay on the air. So these significant marketplace changes are one reason for the FCC to update its approach.

Another reason? The FCC’s nearly 20-year-old rules are now producing unintended results. The record shows that our existing approach actually discourages broadcasters from airing and investing in well-recognized children’s programming. For instance, Schoolhouse Rock and other short-form programming don’t count as children’s television under the FCC’s rules, even though so many of today’s children have expressed a preference for programming that is less than 30 minutes in length. And the FCC’s requirement that programming be “regularly scheduled” has discouraged broadcasters from airing one-off, family-friendly programming like after-school specials or local parades. Moreover, the FCC’s inflexible approach to scheduling has prevented broadcasters from airing locally-focused programming like debates, community meetings, and high-school sports. Our rules should not be discouraging broadcasters from airing live and local programming that their audiences want to see.

So today, we provide broadcasters with the flexibility to meet the needs of their communities while also ensuring that they live up to their obligations under the Children’s Television act. In fact, for anyone that relies solely on over-the-air television, including low-income households that do not have cable or Internet service today, stations will still be required to air an average of three hours per week of children’s programming after today’s decision. In other words, 100 percent of households that receive free children’s television programming over the air today, as a result of our rules, will still receive that programming tomorrow.

In closing, I want to recognize and commend Commissioner O’Rielly for his leadership on this issue and his efforts to find common ground with stakeholders in this proceeding. And I want to recognize as well the hard-working staff of the FCC’s Media Bureau for their efforts on this item. It has my support.