



# Are Broadcasters Meeting Your Needs?

Disclosure is the Key to Public Accountability

**Television stations have an essential public interest obligation to provide the public with information about how they are serving the community's interests. But too often we don't have access to basic information that would let us know if broadcasters are making the grade.**

## The State of Television Today

Broadcasters already disclose their financial statements to investors and their political contributions to voters. They also should fully disclose their public interest programming to viewers. Holding broadcasters accountable for their current requirements is as important as food labeling.

Some valuable information is currently made available about broadcasters' public interest performance. For example, all television broadcasters must prepare and place in their public file reports on their children's programming and how they are serving their communities.<sup>1</sup>

- Public files can be used to investigate if stations are living up to their obli-

gations. For example, stations have listed programs like a Star Trek-like cartoon and a reality show modeled after "Survivor" as educational and informational.

- These reports can be used by community members and civic leaders to grade a television station's performance when its broadcast license comes up for renewal.

- Broadcasters argue for self-regulation as the solution. However, even effective self-regulation by the broadcast industry requires adequate information be made available to the public about what a local broadcaster is doing.
- Broadcasters are no longer required to perform public “ascertainments” to determine community needs.<sup>2</sup> A public file is an essential way for a community to hold local broadcasters accountable.

But public reporting can be improved.

- The requirement for listing programs that serve the community is so vague that many television stations list everything and anything as qualifying.<sup>3</sup>
- Interested and concerned community members must visit the television station headquarters to view the information, a process that may be intimidating, inaccessible, or inconvenient for working families.

## The Transition to Digital

The FCC’s children’s educational television web site (<http://www.fcc.gov/parents/>) is used to access information about children’s educational programs that are aired on TV stations in local communities throughout the country. The site offers parents a convenient way to both find what stations are serving their children best and track what stations in their area are doing to serve children.

Since the FCC relies so heavily on the public in enforcement of its children’s TV and indecency rules, making public disclosure information available online can help citizens do their part in preserving and strengthening free, over-the-air television.

## Proposed Solutions

In 1998, a blue-ribbon Presidential panel composed of both broadcasters and advocates developed several key recommendations that would provide enhanced disclosures of broadcasters’ public interest programming and activi-

ties.<sup>4</sup> In its final report, the panel argued that “greater availability of relevant information will increase awareness and promote continuing dialogue between digital television broadcasters and their communities and provide an important self-audit to the broadcasters.”<sup>5</sup>

Seven years later, federal regulators have still not implemented the panel’s recommendations, which would require TV stations to:

- file quarterly reports disclosing how they have met their obligation to air programming responsive to the community;
- use a standardized disclosure form that is clear and coherent, such as check-off forms that can reduce administrative burdens and be easily understood by the public;
- report on how often they air newscasts, local and national public affairs programming, political/civic discourse, programming for underserved communities, other local programming, and public service announcements, as well as closed captioning for the hearing-impaired and video description for the vision-impaired; and
- report on such public interest programming via the Internet.

Television station owners say that reporting their public interest performance electronically is unduly burdensome. But disclosure can be an important opportunity for broadcasters to tell their viewers about the good things they are doing. Shouldn’t television station owners be thrilled to share this information? It’s a chance to advertise their own good work.

However, broadcasters have balked at other attempts to make information about their operations public. For example, regulators require stations to file annual employment reports with the ethnic and gender breakdown of their work forces. Broadcasters have asked regulators to keep that information confidential fearing the public will

## Steps for Improving Disclosure:

- Tell the FCC you want broadcasters to disclose the ways they comply with their public interest obligations, ascertain their community’s needs, and create programming that serves those needs.
- Tell your local broadcasters you want to know how they are meeting your needs.

use the data to induce changes in their hiring patterns.<sup>6</sup>

Disclosure would not impose new programming requirements nor would the standardized form alter broadcasters’ editorial discretion. New disclosure guidelines would serve to make reporting consistent with modern means of accessing information. And to ease the burden of making files available electronically, regulators might only require that stations post the files that are most helpful to the public and merely provide links to information available on a government web site. Any reasonable and moderate burden placed on broadcasters is far outweighed by the benefits to the public and the lessening of current burdens placed on the public in accessing this information today.

Public interest advocates are encouraging regulators to recognize that disclosure of public interest activity is required for adequate accountability to the public.

Press reports in the summer of 2004 indicated that the FCC was poised to act on new disclosure requirements by the end of the year. For whatever reason, the FCC has yet to act. With the right decision, we should expect as much information about the TV that comes into our living rooms as the food that comes into our kitchens.

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