

Georgetown lawyers give tips on how to hold media firms accountable

MINNEAPOLIS - A little bit of savvy Web surfing, combined with some diligent research, can keep media companies on their toes and accountable to the public they serve, according to Georgetown University law professor Angela Campbell.

“Broadcasters are supposed to serve the public,” said Ms. Campbell, who heads up the Citizens Communications Center Project for the Institute for Public Representation at Georgetown Law School in Washington. “Some take their responsibilities seriously, but many do not.”

When broadcasters pay little heed to Federal Communications Commission regulations, their broadcast licenses can be subject to challenge, said Ms. Campbell during a June 8 forum, “Are You Being Served? Holding Local Broadcast Stations Accountable at the FCC,” which was part of the fourth National Media Reform Conference in Minneapolis.

But when broadcast license terms were extended from three years to five years in 1981, and extended still further to eight years in 1996, it created a disincentive for community groups to keep broadcasters’ feet to the fire, according to Ms. Campbell.

“What if in the second year (of the term) there’s a really important local election and you get zero coverage on it, are you going to wait that long to challenge the license (renewal)?” she asked.

But 1996’s Telecommunications Act also ushered in an era of more media concentration. And whenever a license is transferred to a new owner, Ms. Campbell said, “there’s a possibility to challenge.”

Ms. Campbell said licenses are rarely, if ever, revoked, but the challenge itself can result in agreements by the station owner to direct air time or resources to the community.

The Institute for Public Representation, founded in 1971, works in the areas of First Amendment and media law, environmental law, civil rights and other public-interest matters.

It filed a brief earlier this year with the FCC arguing in favor of a proposal to require more “localism” in a broadcaster’s programming, and for a uniform reporting requirement for virtually all stations that watchdogs could cross-reference.

The U.S. Conference of Catholic Bishops has supported the localism initiative. The broadcast industry has opposed the proposals, citing higher costs and burdensome record-keeping.

Jessica Gonzalez, an Institute for Public Representation graduate fellow, said more than 115,000 comments had been filed with the FCC on the localism issue. Unlike past hot-button issues where large numbers of people were opposing FCC proposals that would have benefited large media companies, the majority of comments favor the broadcasting corporations.

“These are large charities like the Red Cross that have done well by these stations,” Gonzalez said, but smaller organizations whose scope is less national and more local in nature often get shut out by local broadcasters.

Coriell Wright, another Institute for Public Representation graduate fellow, suggested during the forum that activists go regularly to every broadcast station they think isn’t serving the local community well and demand to see the “public file” – the collection of letters and memos between community members and the station – to detect patterns in the broadcaster-community relationship and to build a record that will come in handy for a challenge when the broadcaster’s license comes up for renewal by the FCC.

“You should not regard this (the FCC) as entirely hostile territory,” said another panelist, Andrew Jay Schwarzman, president and CEO of the Media Access Project, where both Gonzalez and Wright worked as interns before landing at Georgetown’s Institute for Public Representation.

While the FCC chairman sets the agenda for the full commission and is of the same

party as the sitting president, Schwartzman said, the fact “that the president cannot tell the FCC chairman to resign is a significant difference” between the FCC and most other government agencies whose appointees serve only at the pleasure of the president.

FCC commissioners’ appointments must be approved by the Senate, the same as other presidential appointees, but they are appointed to five-year terms, and the president must nominate two members from the other major political party to the five-member FCC.