

Is the Federal Communications Commission beyond salvaging?

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There are very many who are concerned about the behavior of the FCC over the past decade. Spreading beyond those within the broadcasting and communications industry, the public is now increasingly concerned about the harm being caused by the Commission to communications of all kinds. Has the Federal Communications Commission changed its agenda? Is it out of control through bureaucratic in-breeding and a lack of vision?

History documents a strong debate over placing administration of the spectrum under the Federal Trade Commission. It was decided instead to create an independent organization in order to regulate frequencies. These earlier efforts were homogenized into the Communications Act of 1934 which is the basis for the FCC today.

The intent was to allocate and regulate based upon technical and financial stability of applicants applying for broadcasting licenses. As late as the 1960s, if technical standards were met and a frequency was available, a demonstration of being able to operate a radio station for one year without any income, and for television two years, was needed. If several were applying for the same frequency a case-by case consideration was applied. The intent by the FCC was to grant the license to the best applicant for the community.

What happened starting in the 1970s was greed for money and power by the government. Congress and elected officials even as far back as the 1930s attempted to influence the FCC. Think of actions that are "Pork Barrel" in intent. Even President Roosevelt tried several times to meddle with the FCC to his advantage. The Commission was strong enough in most instances to fight off the politicians.

One failure to fight off political influences was with "Fairness Doctrine" which claimed that for anything other than specific newscasts, equal time must be given to everyone. It sounds very good, indeed. But, what about the psychology of such a ruling? The broadcasters in unison said, "We ain't doing anything!" They did not want the severe fines placed upon them. So programming outside of news that could legitimately inform the public was watered down to nothing. President Reagan successfully removed this silliness. Again, there are some who wish to block true dialog by re-instating the "Fairness Doctrine". Those in power, knowing full-well the psychology of broadcasters has not changed, want to limit other voices; and most everything of substance will disappear if this doctrine is re-instated.

A new creature came into being back in the 1970s, digital - this and that. Proponents claimed this was better than whipped cream on sundaes. After about 50 years of pushing and shoving you now see the consequences of digital television and how it was enacted. Over-the-air service for television is all but gone.

The government first claimed that the VHF frequencies in use by the television broadcasting industry would be used for emergency services. When the few remaining licensed broadcasting engineers who understand the spectrum (The Foundation has two) said to all who would listen that this is the wrong band and set of frequencies for emergency services, those in power ignored the facts. Because the real reason was that Congress wanted the money from selling these frequencies for cold hard cash. Never mind that broadcasting was the best system for emergency notification to the public.

Two important facts to mention:

1. Amateur radio "ham operators" are being bludgeoned as much as the broadcasting industry. Whole bands of frequencies are being ripped from use for amateur radio. These people are the emergency backup system in case standard communication fails in an emergency.

2. The Foundation is in a critical fight to keep many community radio stations available for Michigan communities who do not have local radio service; and in some communities, the only source for programming that other stations will not or cannot offer. The FCC requested the Foundation, specifically, to take over the operation of these stations and to bring them to proper standards as community radio stations. First the Commission refused to provide the permits needed to the Foundation so that the changes could be implemented. And now, the FCC is changing their story and are allowing out-of-area stations to request these frequencies, that the Foundation is trying to protect for local use, in order to increase their signal beyond their service area. To understand what is happening. What if Michigan State University and the University of Michigan, both having broadcasting services, were ordered by the FCC to shut down broadcasting operations? Not so another could assume the frequencies, but to have them go away permanently. The Foundation is strongly fighting these attempts by the FCC. Other construction permits for creating stations by the Foundation are not affected.

Those in broadcasting are starting to feel that the FCC is strip-mining the spectrum for political and economical gain. What is the difference between using a bull dozer to destroy a forest or stripping the use of spectrum from those already serving the community and selling the resource for gain?

The mining companies of the 19th century had nothing over what the FCC is doing to harm the public, directly and indirectly. Most broadcasters are either in bankruptcy or hanging on by the last finger nail. Commercial broadcasters not only have to pay a fee for the license, but now pay a per year usage fee to the Commission based upon a portion of what the Commission feels the broadcaster can make in a particular market. If the Commission feels the station can make one million dollars, the station has to pay this yearly fee to the Commission, even if the station only made \$10,000. In the past this money was used for local support, and to pay for staff to operate the station.

The more the FCC gets in the way of broadcasters, the more the stations start looking like satellite feeds from New York. Simply put, broadcasting is in worse shape than the housing market.

This is still not the worst of the harm which has been caused or is still being caused by the FCC!

We all know that the print industry is in very serious trouble. Broadcasters are only a step behind. The FCC opened a set of frequencies designated as satellite service for cable television. Conversationally speaking, there are about two hundred channels that are in most cases not worth watching. This is the problem for both print and broadcasting, these channels that no one is watching are claiming ratings based upon the subscription numbers the television services, such as cable or satellite, are publishing. If your cable system has 2 million subscribers, the Velveeta channel will claim this as viewership, even if no one is watching. (No disrespect against a fine cheese product.)

The cause and effect that this advertising is causing the industry is over-saturation with availabilities for advertising. In 1970 the Lansing, Michigan CBS affiliate WLNS (then- WJIM-TV) charged to run a single 60-second commercial, only once, \$1,000 during Monday night prime time. Advertising packages brought this price down. Currently the local cable company has advertising packages at one dollar for a thirty second commercial.

How can print or broadcasting compete when subscription service providers (who have already made their profit and more from subscribers) can sell local commercial positions cheaply because it costs them almost nothing? Now multiply this by 200 channels. It is not the technology that is killing print, they will adjust, if left alone. It is the 22 minutes of advertising space on 200 channels per hour that is killing off newspaper and broadcasting. It is the over 14 million advertising availabilities every week. The FCC aided this glut by not considering the consequences of their actions when creating this service. This is destroying our institutions of communications. In fact the subscription television services are now having trouble selling advertising at a buck a spot. Where is the bottom?

The third unbelievable point is that every time a broadcaster makes major changes to the station, the FCC will allow it only if the station will agree to the lowering of the power being transmitted. It appears that the Commission's intent is to get broadcasters covering only to the horizon of a one thousand foot tower, about a 26 mile radius. Everything else is slowly being pulled back.

It is important to remember that in the past communications had many different routes available to get to the destinations of the sender. With everything being digital and electronic, the single valve that now controls the flow of information is the Federal Communications Commission. It is now possible that one governmental agency has the power to turn off the virtual switch. An agency that broadcasters are trusting less and less everyday.

The FCC is starting to demonstrate pogrom-style actions through administrative and bureaucratic processes. A mind-set is a mind-set. If a pogrom mentality exists, unintentionally or intentionally, how long will it be through small steps and actions before these pogroms will cause physical harm to flesh and blood as in the old Soviet Union? Ten years? 50 years? 100 years?

Whatever this reality becomes, the mind-set appears to be present in more than the FCC. Our first step should be to back the FCC from the precipice of more public harm and then as a nation re-engage ourselves in the management of our country with best wisdom and honest discourse.

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