



Written by [Warren Mass](#) on February 17, 2014

## FCC to Investigate How Broadcasters Select News Stories

The Federal Communications Commission (FCC) will soon launch an initiative — the Multi-Market Study of Critical Information Needs (CIN) — “in order to assess whether government action is needed to ensure that the information needs of all Americans are being met, including women and minorities.”



When the FCC’s Office of Communications Business Opportunities (OCBO) announced the initiative in a release last November 1, it stated it had selected Columbia, South Carolina, to field-test the Research Design for the CIN. OCBO expects to complete this next phase of its Critical Information Needs Research no later than July 2014.

Citing the FCC, Jason Pye (the editor-in-chief for the United Liberty website and former legislative director for the Libertarian Party of Georgia) wrote that the stated purpose of the CIN is to collect information from television and radio broadcasters about “the process by which stories are selected” and how often stations cover “critical information needs,” as well as to assess “perceived station bias” and “perceived responsiveness to underserved populations.”

The FCC will also ask reporters: “Have you ever suggested coverage of what you consider a story with critical information for your customers that was rejected by management?”

The FCC attempts to justify the intrusive fact-finding mission by asserting that the results are necessary to complete a report that the FCC “is obligated under § 257 of the Communications Act of 1934 ... to review and report to Congress on: (1) regulations prescribed to eliminate market entry barriers in the provision and ownership of telecommunications services and information services, or in the provision of parts or services to providers of telecommunications services and information services by entrepreneurs and other small businesses; and (2) proposals to eliminate statutory barriers to market entry by those entities, consistent with the public interest, convenience, and necessity.”

However, Pye quotes the FCC’s Ajit Pai: “This claim is peculiar. How can the news judgments made by editors and station managers impede small businesses from entering the broadcast industry? And why does the CIN study include newspapers when the FCC has no authority to regulate print media?”

The statement came from an opinion piece in the *Wall Street Journal* for February 10 written by Ajit Pai, who is a commissioner of the FCC. In the article, Pai noted that news editors often disagree about which stories are important enough to be covered and which stories are not. But, stated Pai, “everyone should agree on this: The government has no place pressuring media organizations into covering certain stories.”

Then Pai makes an amazing admission, especially since he was nominated to his post by President Obama: “Unfortunately, the Federal Communications Commission, where I am a commissioner, does



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not agree.”

As part of the process to uncover the information it wants, notes Pai, the FCC selected eight categories of “critical information,” including the “environment” and “economic opportunities,” that it believes the local news media should cover. The FCC will ask station managers, news directors, journalists, television anchors, and on-air reporters to tell the government about their “news philosophy” and how the station will assist the FCC’s quest to (as we noted previously) “ensure that the information needs of all Americans are being met.”

As an indication of the egregious intrusiveness of the CIN study, the FCC’s follow-up questions will ask for “specifics about how editorial discretion is exercised, as well as the reasoning behind the decisions.”

But Pai’s assessment of the FCC’s new program becomes more ominous:

Participation in the Critical Information Needs study is voluntary — in theory. Unlike the opinion surveys that Americans see on a daily basis and either answer or not, as they wish, the FCC’s queries may be hard for the broadcasters to ignore. They would be out of business without an FCC license, which must be renewed every eight years.

A frank acknowledgment, coming from an Obama nominee! If a broadcast media outlet is dependent on not running afoul of FCC bureaucrats in order to keep its license and remain in business, what we have, in effect, is a fascist system not too different from what existed in Italy under Mussolini. Though fascism has multiple characteristics, a hallmark of the system is that instead of openly nationalizing private property, as did the communists, fascists allowed private property to exist in name — while controlling it via regulation. Under fascism, entrepreneurs have only the *illusion* of private property, since the government dictates how their property is to be used.

In his book, *Propaganda: The Art of Persuasion: World War II*, Anthony Rhodes noted that Italian fascist authorities seized control of some newspapers on the grounds that they published false information likely to incite class hatred or express contempt for the government. In contrast, pro-fascist periodicals were subsidized. By 1926, government permission was needed for a publication to operate. From 1937 to 1944, the Italian Ministry of Culture exercised control of all channels of communication in Italy, both print and broadcast.

Fascist dictator Mussolini personally chose all newspaper editors in Italy, and those who did not possess a certificate of approval from the fascist party could not practice journalism. Though Mussolini created the illusion of a “free press,” no such freedom existed.

Even more repressive control of the media existed in fascist Italy’s sister state, Nazi Germany, where censorship was implemented by Minister of Propaganda Joseph Goebbels. Under Goebbels, newspapers, radio, and all forms of media were put under the control of the Nazis. Radios capable of receiving uncensored broadcasts from outside Germany were confiscated.

The U.S. government’s interest in regulating the broadcast media began with commercial radio broadcasting itself. The Radio Act of 1912, which mandated that all radio transmissions be licensed, was superseded by The Radio Act of 1927, which transferred most of the responsibility for regulating radio to the newly created Federal Radio Commission (FRC). The five-person FRC was given the power to grant and deny licenses, and to assign frequencies and power levels for each licensee. The Commission was not given any official power of censorship, but programming could not include “obscene, indecent, or profane language.”



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The first commercially licensed radio station in the United States, KDKA in Pittsburgh, began broadcasting in 1920. The March 1, 1922 issue of the Commerce Department's Radio Service Bulletin listed 67 stations, but by the end of that year that number would increase to more than 500. (Today there are around 15,000 commercial radio stations in the United States.)

The FRC was replaced by the FCC when the Communications Act of 1934 was passed. The proliferation of radio stations was used as a rationale for federal policing of the airwaves to prevent radio signals from overlapping and interfering with each other. But what is the rationale for federal regulation of broadcast *content*?

The First Amendment states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press." Does not freedom of speech and the press apply to radio and TV broadcasting as well?



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