



Action Alert

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One Small Step for the Fairness Doctrine...One Leap Back for Freedom Oppose FCC 07-218/Support H.R. 2905

Conservatives have long fought the Fairness Doctrine, and the battle continues to rage. Mike Pence's Broadcasters Freedom Act which legislatively kills the Fairness Doctrine (H.R. 2905) remains blocked from a full House vote, and the Federal Communications Commission (FCC) is considering regulations (FCC 07-218) that will constitute a behind-the-scenes bureaucratic maneuver to incrementally impose the Fairness Doctrine.

FCC 07-218: THE FAIRNESS DOCTRINE DISGUISED

On December 18, 2007, the FCC proposed regulations to "increase local programming content and diversity"; require broadcast stations to "establish permanent advisory boards...to consult periodically on community needs and issues"; and adopt license renewal guidelines to "ensure that all broadcasters provide some locally-oriented programming". Should these regulations go into effect, we will regress to pre-Reagan practices and start down the slippery slope to re-instituting the Fairness Doctrine.

The undefined wording of FCC 07-218 presents the first concern. For example, the word "diversity" is not defined, yet it has different meanings. Even if diversity did receive a firm definition within this context, the meaning of words holds little sway if the case should ever end up in court. As we know, liberals tend to take battles to court when their agenda fails in the executive and legislative branches.

Therefore, programming guidelines that force diversity threaten the rights of station owners who have an ideological leaning and who convey that meaning through their station's broadcasts. This is not about

conservatives trying to shut down liberal viewpoints; conservatives realize the First Amendment

We risk treading on the First Amendment rights of broadcasters to make editorial choices regarding what programming serves the needs of their communities.

FCC 07-218

- 1) Increases local programming content and diversity.**
- 2) Establishes permanent advisory boards.**
- 3) Requires all broadcasters to provide locally-oriented programming.**

protects those viewpoints. This is about liberals trying to shut down conservative viewpoints because it threatens their ability to get their way in government. FCC Commissioner Robert McDowell supported this by saying, “We risk treading on the First Amendment rights of broadcasters to make editorial choices regarding what programming serves the needs of their communities”.¹

Permanent advisory boards also pose a clear threat to freedom as no definitive role for them is provided, which means once implemented, the role could expand. If localism is the objective, it makes no sense to establish advisory boards to ensure local programming when they answer to a national agency headquartered in Washington, DC.

Currently, FCC 07-218 is merely a *proposed* regulation. A window is open until February 24 to file a public comment. I urge members to do so.

[H.R. 2905: THE SUREST WAY TO KILL THE FAIRNESS DOCTRINE](#)

Representative Mike Pence introduced the Broadcasters Freedom Act (H.R. 2905) last year in order to kill the Fairness Doctrine for good. However, House leadership continues to block the bill from receiving a vote. The signatures of 218 Congressmen are needed on the discharge petition for H.R. 2905 to force a vote on the bill. Both Democratic presidential candidates have suggested they support the Fairness Doctrine. **It is important to legislatively ban it while President Bush is available to sign the law.**

H.R. 2905

- 1) Strips the FCC of power to require broadcasters to present opposing viewpoints on public issues.**
- 2) Needs 218 signatures on the discharge petition in order to be voted on in the House.**

¹ <http://www.broadcastingcable.com/article/CA6515719.html>

ACTION ITEMS

- 1) **File a public comment before February 24 to let the FCC know you oppose FCC 07-218.** File your comment electronically at:
http://fjallfoss.fcc.gov/prod/ecfs/upload_v2.cgi.
- 2) **Write or call your Representative and urge him/her to sign the discharge petition to allow a vote on H.R. 2905,** the Broadcasters Freedom Act.
- 3) **Target the following representatives** who have not signed the petition, as they have previously stated they did not vote to ban the Fairness Doctrine because there was no foreseeable need. *The existence of FCC 07-218 now demonstrates the opposite.*

Name	State	District	Phone
Dingell, John	MI	15	(202) 225-4071
Donnelly, Joe	IN	2	(202) 225-3915
Kucinich, Dennis	OH	10	(202) 225-5871
Latta, Robert	OH	5	(202) 225-6405
Obey, David	WI	7	(202) 225-3365
Serrano, Jose	NY	16	(202) 225-4361
Watson, Diane	CA	33	(202) 225-7084

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