**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION**

**WASHINGTON, DC**

**IN THE MATTER OF:**

**CHILDREN’S TELEVISION PROGRAMMING RULES;**

**MODERNIZATION OF MEDIA REGULATION INITIATIVE**

**MB DOCKET NOS. 18-202; 17-105**

**Comments of:**

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Introduction

I apologize for my delay in submission. I hope that you will consider my comments after the original deadline. Through the above-referenced proposed rulemaking, the FCC intends to create more flexibility for broadcasters of children’s television programming in an age where over-the-top providers are so prevalent. However, the FCC is not taking into account how these regulations will affect low income households where children may not have access to a multitude of platforms for educational television. Further, low income children have access to fewer educational resources and tend to rely more on television for education and informational purposes, than their peers from higher income households.[[1]](#footnote-1)

I am not a parent, but I am writing this comment because of my experience working with children in low income communities. I also spent a great deal of time with children, from higher income levels, in my role as a nanny. Together, these experiences have made me an advocate for all children in relation to the Children’s Television Programming and Modernization of Media Regulation Initiatives. I believe that these regulations should be updated, but they should put children first, rather than broadcasters.

First, I will provide some general comments about why I believe the FCC overlooked a vulnerable population when promulgating this regulation, then I will discuss, more specifically, how low income children will be affected by the proposed rule.

Low Income Children

Children who are living under the poverty level are arguably the most vulnerable population of Americans, so legislation and federal rules must protect them whenever possible. Low income children have limited access to resources of all types, especially those that relate to their learning. The most important time in child development occurs at school-age. Laws and regulations should work toward bettering children during these crucial years of ther lives This starts with schooling, but can extend to educational programming on television. If the FCC continues to put broadcasters first, children who rely on television for education, outside of school, can fall further behind their affluent peers. This is why the proposed rule, must be changed to shift the focus toward children and their needs.

Lack of Resources

While it is true that the number over-the-top (OTT) households has skyrocketed in recent years, and now represents 1 in 6 U.S. households, those without access to OTT entertainment providers are who we should be worried about, not the broadcasters.[[2]](#footnote-2) Low income children typically do not have access to Netflix and Amazon Prime Video subscriptions, so they are stuck with watching whatever is on TV at that time. More than 99% of households with children have broadband cable or internet service, but all of these families do not have access to video streaming services.[[3]](#footnote-3) Low income children represent one of the most vulnerable population in this country, so we should be putting their needs ahead of big broadcasting companies, who merely want these changes for convenience sake.

Scheduling

The FCC proposes to eliminate the thirty minute, regularly scheduled, weekly programming requirement for children’s television. However, they provide no further guidance on what the new standard will look like, nor do they provide any support about why they are eliminating these requirements. The only reason given is to provide more flexibility to broadcasters.

I strongly disagree with this proposal. Children work best with schedules, especially schedules set in blocks. If there is no longer uniformity amongst educational and informative television shows, then it will have a negative effect on the child viewers. For over twenty years, children’s programs like, “Schoolhouse Rock” have been thirty minutes in length with limited commercials, because of the rules set in the Children’s Television Act and Core Programming requirements. To change that now without further details, would have a detrimental effect on the everyday lives of children who rely on these programs for educational purposes. This will also have a negative effect on parents as well. In the dissenting statement of Commissioner Jessica Rosenworcel, she talks about how as a child, her mother could tell her, at any given moment, the time and channel of her favorite program.[[4]](#footnote-4) By eliminating the requirement that programs be regularly scheduled and at least thirty minutes in length, parents lose some control over what their children are watching. Without a set schedule, there is no predicting what is on and at what time. Without that control, children could be watching programs inappropriate for their age.

Notification to Children and Parents

Along the lines of scheduling, the requirement that broadcasters publish, in program guides, that certain programs fit the Core Programming standard should be sustained. Program guides, both in printed and on-screen, help parents make informed choices about what programs they want their children to watch and not watch. Without that valuable information, the public will be uninformed. In this day and age of transparency, removing an obligation to inform people about their choices is a step backward.

Conclusion

In conclusion, I believe that the FCC should not go forward with this proposed rulemaking as written. The FCC has not taken into account the low-income population of children who do not have access to alternative methods of education or streaming capabilities. While a number of American families have the monetary resources for cable, internet and streaming subscriptions, that does not mean every family does. Until that time, the FCC should consider the needs of a vulnerable population of children, before those desires of broadcasters and re-write the proposed rule before moving forward.

1. Kim Hart, *FCC Wants to Relax Kids’ TV Rules for the Netflix Era,* Axios (July 13, 2018),<https://www.axios.com/fcc-wants-to-relax-kids-tv-rules-for-the-netflix-era-e4f5ceb6-eacd-4694-b5b2-9f04507ebcc9.html>. [↑](#footnote-ref-1)
2. Jason Lynch, *The Number of OTT-Only U.S. Homes Has Tripled Over the Last 5 Years,* Adweek (March 28, 2018),<https://www.adweek.com/tv-video/the-number-of-ott-only-u-s-homes-has-tripled-over-the-last-5-years/>. [↑](#footnote-ref-2)
3. Kim Hart, *FCC Wants to Relax Kids’ TV Rules for the Netflix Era,* Axios (July 13, 2018),<https://www.axios.com/fcc-wants-to-relax-kids-tv-rules-for-the-netflix-era-e4f5ceb6-eacd-4694-b5b2-9f04507ebcc9.html>. [↑](#footnote-ref-3)
4. *FCC Proposes to Update Children’s TV Programming Rules, Provider Broadcasters Greater Flexibility*, Federal Communications Commission (July 12, 2018) (Dissenting Statement of Commissioner Jessica Rosenworcel)<https://www.fcc.gov/document/fcc-proposes-updates-childrens-programming-rules/rosenworcel-statement>. [↑](#footnote-ref-4)