

# Letter to the FCC Commissioners

March 18, 2019

Ajit Pai, Chairman  
Michael O’Rielly, Commissioner  
Brendan Carr, Commissioner  
Jessica Rosenworcel, Commissioner  
Geoffrey Starks, Commissioner  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear FCC Commissioners:

The FCC has been an inert toady for the radio and television broadcasting industry, and the cable industry, for so long its obligations have become invisible to the general public. Apart from the FCC’s opposition to net neutrality in spite of the overwhelming public support for that policy, the FCC’s duties under the Communications Act of 1934—have been internally neglected, to say the least.

So let this letter be a strong plea for a period of FCC introspection by its Commissioners along with a renewed practice of holding public hearings around the country to listen to the people and respond to their concerns and expectation levels for the use of their public airwaves and the cable franchises awarded to cable companies.

I am enclosing copies of the weekly *TV Week*, inserted in the *Washington Post*, there is one for each of you. Please flip through its pages and see if you are at all professionally embarrassed. See if your responsibility under the governing 1934 Communications Act is refreshed.

You are, of course, aware of the decline in that foundational statute’s utilization. Gone are requirements to ascertain the information needs of the local populace. Gone is the Fairness Doctrine. Gone is the Right of Reply. Gone is the previous, easier and more frequent opportunity to challenge broadcast license renewals. Gone is any pretense of applying the competition laws to the staggering trend toward monopolization and conglomeration of broadcast cable and print media by a tiny number of giant corporations.

Your Chairman is a textbook poster boy for future scholars of regulatory capture—a profile beyond caricature—as he prepares for a forthcoming career on behalf of lucrative clients within the industry after he leaves his government position.

To look through *TV Week* is to see the astounding usurpation of the public trust that Herbert Hoover insisted be the standard governing the emerging radio industry. To call it mostly junk is to disparage the solid waste industry. For example, programs abound that induce children to view violence as common, while they are being seduced to consume junk food and junk drinks seriously damaging their health and weight over the long run.

You may recall the historic address before the National Association of Broadcasters by the then new FCC Chairman, Newton Minow, in 1961. He called television programming “a vast wasteland,” and upset the audience with his truthful candor. By comparison, what choice of words would you apply to a vast majority of programmed hours listed in the enclosed *TV Week*? This guide, of course, doesn’t cover the hundreds of other cable channels dedicated to anything but the concerns, needs, and activities involving workers, teachers, students, consumers, small business, taxpayers, and communities

nationwide. This was supposed to be the justification for “Pay TV”—that unlike the national networks, would pay attention to local news and other information necessities. All, they added, without advertisements. Today, what is left are poorly equipped and funded cable access stations that the Chairman wants to make fewer in number by his recommended policies that parrot the desires of the cable industry.

One additional suggestion. Why not call former FCC Commissioner, Nicholas Johnson, now in Iowa City, Iowa, and ask him to come to Washington, with some of his former colleagues, to have a healthy and productive discussion. Among his many unique accomplishments while a commissioner was his book, *How to Talk Back to Your Television Set*, and an article in the *Yale Law Journal* about one full day at the FCC—“A Day in the Life: The Federal Communications Commission” (*Yale Law Journal*, 1973).

I am sending this letter to numerous interested parties who believe that the public’s airwaves and the “public interest, necessity, and convenience” standard of the 1934 Act must engender some contemporary responsibilities for the FCC, including reinstatement of the previously noted revocations. The audience has important First Amendment rights that have been grossly neglected by broadcasters.

I look forward to your individual or collective responses in a considered manner reflective of your fiduciary duties as public officials.

Sincerely yours,

Ralph Nader

Enclosures: *TV Week* (5 copies)