

Don't Whitewash Our TVs

In recent years, communities of color have made unprecedented progress in bringing real diversity to TV – both in front of and behind the camera. Today, more perspectives, viewpoints, and stories and stories have a voice than ever.

This vision owes a lot to the galloping technological change that has opened up incredible new ways to find and watch great shows. From game-changing services like Netflix and Amazon to breakthrough devices like Roku and Apple TV, the television landscape has finally grown big and vital and vibrant enough to fit in all Americans – or at least we are on our way there.

But anyone who has ever fought for progress – on big issues like civil rights, voting, and equal pay and smaller but still important ones like cultural representation and minority media ownership – knows that all gains are temporary and they must be vigorously defended. The forces of reaction and backsliding are fierce.

That is why we have joined together as creators and artists to warn about new government “set top box” rules being considered at the FCC that would dramatically undo the gains we have made, undermining program diversity, weakening minority representation and ownership in media, and handing over huge chunks of the TV business to Silicon Valley tech companies who have never made time for diverse communities and seem happy to let us languish at the back of the digital bus.

A huge array of independent video creators, civil rights leaders, and elected officials representing our communities have spoke up against this rule, including leaders of the Congressional Black and Hispanic Caucuses, producers like Eva Longoria and Gale Anne Hurd, and stalwarts like the NAACP, the National Urban League, the League of United Latin American Citizens, the Japanese American Citizens League, the LGBT Tech Partnership, and many more.

These experts are sounding the alarm against this flawed FCC set top box mandate, and we are proud to stand with them. They have explained how these new rules could drive networks serving diverse audiences out of business, leaving communities of color with less access to independent voices telling stories that reflect their lives. It would be a license for Silicon Valley tech giants to exploit our work for their own profit, without paying us for rights and diverting revenue away from the production of quality shows. And it would unleash a torrent of new video piracy, making it even harder for creators to earn a living off their work.

The result will be less choice for audiences of color seeking quality, authentic Programming representative of their experiences – a federal whitewashing of modern television that no American should accept.

Key problems with this proposal include:

- *Napster for Video* – The set top box mandate would allow Silicon Valley firms to scrape our programming and use it for their own purposes – without negotiating or paying for rights. That will “unravel the existing creative ecosystem” and drive down the value of our work, a “money grab” that would do to video what Napster did to music.
- *A New Era of TV Redlining* – The FCC mandate will require creators to hand their programming over to Silicon Valley tech companies who will not be required to honor negotiated agreements that help us find and reach our audience. For independent and diverse networks, these agreements on issues like channel placement, advertising, and promotion are critical to reaching and growing an audience. But the set top box mandate will replace these deals with Google-style “TV search” algorithms – what TV One’s Alfred Liggins calls “a new form of digital ‘redlining’ that could bury diversity programming in the farthest reaches of the program guide.”
- *An Assault on Small and Independent Voices* – Small and independent networks including those serving communities of color will be least able to withstand this assault. We simply have less margin for error and in many cases fewer resources in reserve to fall back on. If the set top box mandate goes through, networks serving communities of color will be the first to disappear. As one Hispanic TV executive explained “It is an old story – innovators and marginalized communities create something of value, and then big incumbents stomp in and skim the value for themselves.”
- *Advertising/Privacy* – The FCC’s proposed rules will allow data miners like Google access to our most personal viewing choices made in our homes, free of the federal law restraints that apply to traditional TV companies. The result will be a gusher of microtargeted Internet style ads, pop ups and banners, and perhaps even more exploitative use of our data. As Dr. Faye Williams of the National Congress of Black Women puts it, it’s digital TV’s version of payday lending and subprime mortgages – targeting poor and brown communities with supposedly “cheap” products that come at a painful, long-term price.
- *YouTube and Streaming Channels Are No Solution* – Some with commercial interests in the Internet streaming business, like Bob Johnson, argue that this mandate will help diverse creators by making it easier for viewers to find Internet based content on their TVs. But the public already knows how to find video programming on the web – Netflix has more customers

than any cable company, and more than 60% of Americans have already connected their TVs to the web. And while we celebrate and support artists and entrepreneurs creating web-based programming, these platforms simply lack the economic and cultural power of the full service video networks the FCC's proposed mandate would destroy. Frankly, telling communities of color they don't need real networks of their own and should be happy with second-class solutions is the kind of old school patronizing exploitation that we have fought so long to overcome.

- *An Unfair and Unnecessary Giveaway to Google* – This rule isn't needed to promote innovation and consumer choice. The market is already providing that, and giving viewers more and better options than ever. It is simply a way to give the Silicon Valley giants a shortcut into the TV business. But the most powerful monopoly in the world surely doesn't need a government shortcut to compete. They just need to sit down and negotiate with creators, the same way every other competitor in the market does.

As creators committed to a healthy diverse television ecosystem where all are represented and have a voice, we reject the FCC's effort to relegate our work to the back of the digital bus. Whitewashing America's televisions to please tech benefactors like Google won't help viewers, creators, or anyone who cares about diversity and quality in the arts. But it will fundamentally undermine the cause of creative and artistic justice to the detriment of all.

Anthony Anderson (Actor, Comedian, Producer, "Black-ish")

Val Benning (Producer, Code Black)

Roger Bobb (CEO, Bobcat Fims)

Holly Carter (CEO, Releve Entertainment)

Bailey Brown (Actress "Internet Dating", Producer "The Announcement")

Reuben Cannon (Director, producer, casting agent)

Tamra Goins (Producer, Agent)

Ed Gordon (Journalist, media strategist)

Rob Hardy (Rainforest Films, Executive Producer "Think Like A Man")

Elijah Kelley (Actor, "The Butler" "Red Tails" "The Wiz")

Rasheena Nash (Director, Screenwriter)

Brad Seigel (President TV One)

Elrick Williams (CEO, The African Channel)