

EX PARTE OR LATE FILED

DOCKET FILE COPY ORIGINAL

ORIGINAL



ORIGINAL

FILED/ACCEPTED

OCT 20 2006

Federal Communications Commission
Office of the Secretary

06-121
02-277
01-235
01-317
00-244

Oct 17th, 2006

FCC Commissioners, Michael Copps and Jonathan Adelstein

RE: Chinese Rights to Freedom of Information

Dear Commissioners,

This is Serene Lee, the News Anchor from New Tang Dynasty TV (NTDTV). I am writing to ask your support for Chinese rights to freedom of information.

I would like to raise the concerns that there is a cruel lacking of diversity and pluralism in Chinese language media in the US. Most Chinese media in US is either heavily influenced or totally controlled by the communist government of China because of its exerting political and commercial pressure. There is not much diversified views and free flow of information, and the news is full of communist propaganda and misinformation that distant Chinese audience from American values of democracy and freedom. We need an independent voice like NTDTV in Chinese media.

There should be legislation to require that the U.S. satellite, cable and other transmission operators carry one or more alternative independent Chinese-language channels if they carry CCTV or other Chinese communist government controlled channels or channels that largely reflect the views of the Chinese communist government.

Over the past two decades, many immigrants from Chinese-speaking countries have settled in the United States. Census 2000 puts the Chinese American population at over 2.4 million. The actual number is believed to be much higher. The Chinese-speaking population in the U.S. is still growing at a rapid pace.

However, due to cultural and language barriers, most Chinese Americans remain dependent on their native language for learning about what is going on in the outside world, and are, to varying degrees, socially isolated from mainstream American society. While Chinese-language media has become the key information sources for majority of ethnic Chinese in America, but CCTV, which is directly controlled by the China's Communist Party, has become the dominant Chinese language TV network in the United States. It basically re-broadcasts entertainment and news programs made in China, whose goals are to advance their own political and economic interests. Appendix A gives further details of our findings on Chinese-language television broadcasts in the U.S.

New Tang Dynasty Television (NTDTV)

NTDTV is a (501)(c)(3) nonprofit organization officially formed in December 2001 in New Jersey (Appendix B). Its mission is to create and broadcast TV programs to inform, inspire and enrich Chinese communities with information that they normally do not have access to. NTDTV promotes diversity and American values through news, entertainment and educational programs.

NTDTV has made a gigantic step forward since its formation. Over the last year, it has attracted a few significant donors and a large number of volunteers. Daily reporting of U.S. and world news in Chinese has been an important program at NTDTV. Among other programs produced at NTDTV, some help viewers to adjust to basic living in America (English as a second language, naturalization procedures, etc.), while others systematically introduce the American culture and democratic values to Chinese-speaking viewers (the American history, the democratic process, respect for human dignity, etc.). Still other programs present to viewers traditional Chinese culture (Chinese medicine, Chinese characters, etc.); helping the younger generation learn and understand more about their Chinese cultural heritage. Please see a sample program DVD enclosed with this letter. These programs have been broadcast via satellite 24 hours a day and 7 days a week, as well as public access channels in 12 major metropolitan areas in the United States where over 80 percent of Chinese Americans reside. Moreover, since November 2002, viewers can watch NTDTV's live broadcasting through www.ntdtv.com's online live streaming. This gives NTDTV unlimited potential of reaching viewers.

To our knowledge, NTDTV is the only major Chinese-language television station with a nonprofit status up to date. NTDTV has demonstrated the capability of producing news and other television programs by motivating volunteers and the public these programs serve, and is creating a new model for community and volunteer-based television programming.

Since January 2002, NTDTV has been airing a half-hour news program five times a day, 7 days a week, mainly based on translated Reuters news feeds. Over the last few months, NTDTV reporters have increasingly been at the forefront of major events. For example, NTDTV has reported live U.S. mid-term elections in many locations in the East coast, the entire trip of Chinese President's visit to the U.S. last October compassing Chicago, Huston, Crawford, and Los Cabos, Mexico, the Hong Kong Article 23 legislation debate, and produced a special news magazine show reporting in depth how 9.11 affected the Chinese community in New York City. NTDTV was the only U.S. based Chinese-language TV station to extensively report these events.

Responses from viewers have also been very positive. Mr. Li Su from Dallas, Texas commented, "I have enjoyed watching your news program. Both pictures and sound's quality are very good." Gloria Chan, a reporter for the Hong Kong's Apply Daily Newspaper, said in her email, "I appreciate very much for the interview with Mr. Scott Carpenter, Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor, talking about his concerns of the legislation of Article 23... Thanks a lot. This interview aroused so many concerns in Hong Kong".

I would very much like to discuss with you in person and provide you with any additional information you might need. Please feel free to contact me at 646 280 9255 should you have any questions.

Best Regards,

Sincerely,



Serene Lee
News Anchor

cell = 646 280 9255

Appendix A: A Brief Analysis of the U.S. Chinese-Language Television Industry

Chinese Americans constitute the largest and most diverse Asian group in America in terms of political and cultural backgrounds, language spoken and degree of assimilation. The majority of Chinese Americans are first generation immigrants, who come from Mainland China, Hong Kong, Taiwan and Southeast Asia. Language barriers and lack of understanding of issues such as democratic values, human dignity and democratic process have seriously hindered Chinese Americans' participation in the mainstream society and thus causing them to become increasingly indifferent about American affairs and the learning of American culture and values. In 1999, Imada Wong Communications Group analyzed different segments of the Asian-American market in the U.S. Its research found that the majority of Asian Americans do not hold American values.² And this holds true especially for the ethnic Chinese group, having been limited to few public dialogue channels to communicate with and understand the American mainstream society.

As waves of immigrants rush to the U.S. since early 80's, the Chinese American TV industry has experienced tremendous growth in the past two decades, with California being by far the most developed of the Chinese broadcast markets, followed by New York and Chicago³. Besides a few invested by overseas TV broadcasting companies, Phoenix TV, Hong Kong TVB, Taiwan TV Broadcasting, for example, many Chinese-language TV stations in the U.S. are established by local Chinese residents whose programming contents had been eventually taken over by China Central Television International, or "CCTV-4".

In its research report on the Chinese-language television industry in the U.S., Kang & Lee advertising firm research group revealed that over 50% of the programs that most of the Chinese TV stations in the U.S. broadcast originate from Mainland China and others from Taiwan and Hong Kong. These programs, therefore, by and large do not meet the needs or discuss issues directly affecting Chinese living in the U.S.

CCTV-4, China's primary state-run television station, is one of the major program providers for many Chinese television stations in the U.S as well as around the world. To give an example, in San Francisco and New York, KTSF 26 and Sinovision, Inc. broadcast CCTV-4's news programs daily, along with other CCTV programs. These are the two largest Chinese-language television stations in these two cities, each reaching 1.4 million households in the Bay Area and over five million households and hundred of thousands of Chinese viewers daily in New York, respectively.

² Minority Markets Alert. "Segmentation of Asian American Markets Gives Focus To Marketing", published by EPM Communications [March 1999]

³ Kang & Lee Advertising Inc., research report on Chinese American media. www.asianmediaguide.com

Congress of the United States
House Committee on International Relations
Hearing on Falun Gong and China's Continuing War on Human Rights

Battling for the Chinese Rights to Freedom of Information

Samuel Zhou, Ph.D.
VP of Programming, NTDTV
July 21, 2005

Mr. Chairman, members of this Committee, ladies and gentlemen:

Thank you for giving me this opportunity to speak on the subject of Falun Gong and China's Continuing War on Human Rights. My topic today is freedom of information.

Freedom of opinion and expression, including the right to hold opinions without interference and to seek, receive and impart information and ideas through any media, regardless of frontiers is guaranteed absolutely under several international instruments and treaties and under customary international law, including Article 19 of the Universal Declaration of Human Rights, and Article 19 of the International Covenant on Civil and Political Rights.

Nonetheless in China, and for Chinese people who reside in the mainland or overseas, this right has been more of a chimera than a reality, as Chinese people everywhere are forced to fight for this and other inalienable human rights.

In what follows, I will discuss why and how, on the one hand, the Chinese Communist Party seeks to dominate Chinese-language media around the globe, thereby denying to Chinese people everywhere their right to access this basic and fundamental right. On the other hand, the ways in which the free Chinese language media has and continues to challenge the communist-controlled media here and in the mainland will be discussed with special emphasis placed on Chinese-language television networks.

CCP's Global Chinese-language Media Dominance and Anti-America Propaganda

To appreciate fully the extent and methods of repression in China, one must understand and acknowledge fully the dictatorial nature of the Chinese Communist Party (CCP), the current ruling power of the People's Republic of China which bans all expression that it does not or cannot control. The government's suppression of ideas is geared to further the indoctrination of the Chinese people by the control of their access to news and information. Despite deepening economic reforms over the past two decades, the CCP has resisted calls for democracy and freedom, and has made little progress on improving the civil and political rights of its citizens. On the contrary, it has taken active measures to beef up its own propaganda through state control of media inside China to deny the Chinese people access to international political, religious, and economic news and information.

In the meantime, the CCP has been making aggressive efforts to infiltrate into the Chinese-language media outside China since mid-1980, as waves of Chinese immigration *have changed the profile of overseas Chinese communities.*

Surveys have shown that Chinese living outside of China still rely heavily on Chinese-language media as their information sources due to barriers in language, and to a lesser extent, in culture. As modern technology has made communications easy and fast, overseas Chinese have begun to exert a significant influence over Mainland China. Since the ultimate goal of the CCP is to maintain its totalitarian power, dominating the global Chinese-language media market has thus become an imperative for the CCP to maintain its influence and control over the publicly expressed and privately held opinions of persons now residing in Chinese communities worldwide.

The expansion of CCTV (China Central Television)– the mouthpiece of the CCP - around the world is an example of the Chinese communist government’s hegemony in this important arena. Broadcasting from dozens of satellites over the past 13 years including many U.S. satellites, CCTV now has Chinese, English, Spanish, and French programming covering the entire globe. As CCTV programs are aired on all U.S. nationwide satellite networks and cable channels in at least 15 of the largest metropolitan areas, the Chinese Communist government’s propaganda targets virtually every Chinese family in the U.S. (See Appendices.) Insofar as CCTV has been co-extensively utilizing its business negotiations with these U.S.-based satellite and cable networks to block the airing of independent channels programs, there is no opportunity for Chinese-Americans to counter the communist party lies and propaganda through reasoned reflection and proper discussion.

This is all the more troubling in light of the content of Chinese government-managed news and programming - its fancy for misinformation, and its portrayal of all persons outside of its control as targets for repression and enemies of the state. After the 1989 Tianmen massacre, and the regime’s loss of its moral basis to rule the country, it began to invoke and indeed relied upon Chinese nationalism to recover its control and popularity. This directly translated into a need for a non-Chinese “enemy,” the chief of which is the United States. Its propaganda machine never passes up a chance to smear America, attack America’s foreign policy, and rouse Chinese nationalism mixed with anti-American sentiments. Portrayals of the U.S. and its leadership in the wake of past crises and controversies such as with the War on Iraq, Columbia shuttle disaster, September 11th terrorist attacks, the EP-3 incident, and NATO embassy bombing, have shown that China’s leadership has no qualms about using the U.S. as a convenient political prop for rallying the masses. Chinese communities’ reactions to such events have reflected the impact and success of the propaganda. The anti-American propaganda also effectively encourages Chinese people to stay away from freedom and democracy.

Recent studies have revealed that, over the past twenty years, Chinese-language media in the United States and around the globe have increasingly come under the control or influence of Mainland China. As a result, it has caused a long-term lack of both pluralism and a free flow of information in the global Chinese-language media market.

1. Exerting Political Pressure

1.1 Exerting Political Pressure upon Institutions

International politics has been utilized by the Chinese communist government as a ready and available tool to silence independent voices in the Chinese-language media such as NTDTV. Political pressure has been exerted by the Chinese government upon institutions from political bodies such as the United Nations to performing art theatres such as the Kennedy Center in Washington, D.C.

In March 2003, NTDTV followed standard procedure and applied for press accreditation to cover U.N. Human Rights Commission's annual proceedings held in Geneva. The application was first denied by U.N.'s Geneva press office for the reason that NTDTV is a nonprofit organization, a corporate status that the Associated Press also holds. Upon repeated inquiry to both the U.N.'s Geneva and New York offices, NTDTV was told that the true reason for this denial was "pressure from the Chinese." Finally, facing an outcry of protest, NTDTV's accreditation was granted by Mr. Shashi Tharoor, U.N. Under-Secretary General for Communications and Public Information in New York.

But NTDTV has not always been this fortunate. During the visit of Chinese Premier Wen Jiabao to the U.S. in December 2003, the White House security was pressured by the Chinese Embassy to block the entrance of reporters from NTDTV to a U.S.-China joint press conference. As a result, NTDTV was unable to cover the event. Two days later, during Wen's visit to Harvard University, a similar exertion of pressure produced the same result.

In February 2004, NTDTV held its Chinese New Year Gala Finale at the Kennedy Center in Washington, D.C. The Chinese Embassy intensely pressured the Kennedy Center to cancel the event after NTDTV signed the contract with the Kennedy Center, but failed. However, when NTDTV applied for the venue of the 2005 Gala later in the year, the Kennedy Center rejected the application. In a letter to NTDTV from the Vice President of Artistic Planning at the Kennedy Center, the rejection was "in order to properly accommodate and service our constituents and to balance our current programming." Soon after the rejection, we learned that the Kennedy Center and the Ministry of Culture of the People's Republic of China contracted to co-host a Festival of China event in October 2005.

1.2 Exerting Political Pressure upon Individuals

Individuals are also not spared from the relentless campaign to quell the Chinese-language free press by the communist government. Targeted individuals range from the U.S. Congress members, celebrities, the parents of children performers, to staff members of the target media and their relatives in China.

In February 2004, staff members at many Congressional offices informed NTDTV that a "Dr. Lu" from the Chinese Embassy in Washington, D.C. called and pressed them not to

attend the NTDTV Chinese New Year Gala Finale at the Kennedy Center in Washington D.C.

On December 10, 2002, two NTDTV reporters went to the home of a famous Chinese artist in New Jersey for a scheduled interview. The interviewee received some phone calls during the interview. The next day, the interviewee called one of the reporters and asked for the interview not to be run, for the reason that the Chinese Chief Consul in New York called her the same morning and pressured her to consider the consequences of the interview.

In May 2005, NTDTV hosted a Gala in Los Angeles and invited the Olympia Youth Orchestra to perform in the Gala. The Olympia Youth Orchestra was first very supportive and agreed to perform for free. However, the conductor of the Orchestra and one board member subsequently called the NTDTV organizers, saying that the Chinese Consulate in LA had called up the parents of their children performers over the weekend. As a result, 1/3 of the parents would not send their kids to perform for NTDTV Gala and as a consequence they had to cancel their performance.

At present, the passports of a number of NTDTV staff members are still being withheld by their local Chinese Consulates in the U.S. upon renewal.

In February 2005, the bother and a friend of Mr. Ma Annan, the Vice President of Technologies at NTDTV in China, received a barrage of harassing and threatening phone calls from the National Security Bureau of China demanding that he ask Mr. Ma to stop working for NTDTV. Mr. Ma and his wife also received numerous harassing phone calls in the U.S. over the course of the next few months. Many other NTDTV staff friends and relatives in China have been similarly pressured by the Chinese Communist government.

2. Exerting Commercial Pressure and Business Lure

Commercial pressure and business lure have been among the most effective tools (if not the most effective tool) used by the Chinese communist government to influence, and in some cases control, the political and the business communities, including the Chinese-language media around the world.

According to a Jamestown Foundation article published in late 2001, all the major Chinese-language print media and televisions in the United States, both national and local, have been controlled or influenced either by the Chinese communist government for business reasons. Since then, along with the emergence of independent voices like NTDTV and the Epoch Times Newspaper that have been gaining more and more popularity in the Chinese community, the methods employed by the Chinese government to exert business pressure have become more sophisticated.

Significantly, the pressure is no longer applied merely to the media itself, but also to its commercial partners. As a result, the impact is significant. Not only are those who have already been doing business with China automatically subject to the coercion of the

Chinese Communist government to not do any business with companies it considers "unfavorable." Those who do business with independent media such as NTDTV and the Epoch Times, are also most likely to receive either a "reminder" call from one's local Chinese Consulate or a check from them, and oftentimes both.

A soybean-milk machine seller in Chicago put an advertisement on the Epoch Times. Later when an NTDTV sales person asked the seller if he would like to do a television ad on NTDTV, he said he had to wait since he had just received a check from the Chinese Consulate in Chicago purchasing soybean-milk machines, which he believed was not just a coincidence.

In October 2004, Echo Star launched a partnership with CCTV to bring a "Great Wall Satellite Platform" including 17 channels controlled by the Chinese communist government to its over 10 million Dish Network subscribing households. The partnership was hailed by CCTV on its website as an indication "that the propaganda to foreign countries have stepped up to another level. It shows that CCTV's propaganda work [targeting] foreign countries has experienced a huge change in both concept and operation mode." However, when NTDTV tried to seek similar cooperation with Echo Star network, our offer was rejected, as Echo Star did not want to "jeopardize the current business relationship with other Chinese language networks on Echo Star."

In May 2004, in partnership with Eutelsat, NTDTV launched the very first uncensored Chinese-language satellite television broadcast into China, reaching tens of millions of private satellite television dishes across the country. For the first time since the establishment of the Chinese communist government, the Chinese people have been able to access uncensored information in their own language through satellite television.

However, the Chinese government (and also the French government at crucial points) has applied intense pressure on Eutelsat. This pressure included the offer of major contracts and partnership agreements with Beijing -- on condition that Eutelsat stop broadcasting NTDTV. For Eutelsat to surrender to this pressure would violate European and international conventions, as well as the obligations of its own charter regarding non-discrimination, equal access, and fair competition.

The worldwide campaign by our viewers, politicians in Europe, media groups, and non-governmental organizations and especially the U.S. Congress and Administration - including the distinguished bipartisan leadership of this Committee -- kept NTDTV on the air. As a result of these determined efforts, Eutelsat continues to transmit NTDTV's satellite broadcast in Asia.

Though the Chinese Communist government cannot control the ever-expanding use of satellite dishes in Mainland China, it has successfully controlled the satellite industry with commercial pressure and the lure of business opportunity: All the major satellite companies whose satellite broadcasts have access to Chinese viewers are doing business with China in one way or the other, and as a result, are subject to the coercion of the regime.

US-owned, Netherlands-based satellite operator New Skies Satellites (NSS) began broadcasting *NTDTV* on open signal to Asia on July 1st 2003. But just three days after the start of the broadcast, NSS encrypted the signal preventing Chinese satellite dish owners from seeing the channel.

This decision was immediately taken by NSS following threats of financial reprisals against the company made to NSS representatives in Beijing. In January 2004, Chinese pressure was intensified to ensure that *NTDTV* was completely excluded from NSS-6 Asia satellite transmission. *NTDTV* management many times attempted to get NSS to restore the open signal broadcast but this was refused, and on 1st May 2004 the *NTDTV* transmission to Asia ended.

3. Discrediting Free Media

Any and all voices in China that speaks in opposition to the Party line or operate outside of the Party's control are slandered and demonized – if not targeted for brutal repression - to permit the Chinese Communist government to stay in power and remain in control.

Over the past years, like any other media outlet here in the United States or abroad in other democracies, *NTDTV* has reported objectively on China issues on all fronts – conducting interviews with people inside and outside China who represent different voices and perspectives. The volunteer work of Falun Gong practitioners, Chinese democrats and human rights activists, and the grass-root support from the community have made *NTDTV* a fast-growing and increasingly popular Chinese language television in the global Chinese community. These have become a source of ire for the Chinese communist government, and it is not shy from showing such anger through retaliatory attacks.

One tactic the Chinese communist government has often used to attack *NTDTV* is to discredit *NTDTV* as an anti-governmental political channel. By doing so, the Chinese communist government attempts to manipulate the nationalistic sentiments to incite resentment against *NTDTV* in the Chinese community, since many Chinese people still confuse the CCP with the nation of China, due to a half-century of intensive, all-pervasive, barrage of communist propaganda and brainwashing.

An apt illustration of these attack was a News Bulletin of the Chinese Consulate-General in Sydney, Australia, that was released on October 30, 2003, and which stated: “The so-called democrats and pro-democracy activists such as Martin Lee, Hu Ping, and Sheng Xue have been regular speakers on its [*NTDTV*'s] current affairs programs. These people often use the so-called interviews to wantonly attack, slander and defame the Chinese government and the Chinese leaders.”

Still, the most commonly employed method to discredit *NTDTV* is to label it a “Falun Gong” television network and, to co-extensively denounce and demonize Falun Gong. The purpose of doing so, on one hand, is to incite hatred and cause fear in the target

community so as to isolate NTDTV and deprive NTDTV of the support it needs from society; on the other hand, it discredits NTDTV for its reporting on Falun Gong and other human rights-related issues.

The Chinese Embassies and Consulates in Malaysia, Singapore, Australia, Canada, the U.S., and a number of other countries have all published statements in local Chinese newspapers or sent letters to local business and community officials to attack and discredit NTDTV in these and other ways, a strategy which in some cases did cause some persons and groups to withdraw their support for fear of reprisal.

4. Interfering with and Harassing Free Media through Agents

NTDTV reporters and other free media oftentimes encounter interference and harassment from agents of the Chinese communist government when they exercise their right to report the news in Chinese communities. These pro-communist Chinese agents, though living in the States, act as if they were in China and help the Chinese government suppress freedom of press.

On January 30, 2004, an NTDTV free-lance reporter Dr. Lily Sun was kicked out of a New Year gala event co-sponsored by the Philadelphia Department of Commerce and the Chinese Consulate in New York by a local pro-communist community leader, despite the fact that she had a media pass issued by the City Government of Philadelphia. This was because the pro-communist community leader identified Dr. Sun as a Falun Gong practitioner. Similar incidents have also occurred in Boston and New York where NTDTV reporters were denied entry or expelled from events they were covering by the Chinese Consulates or local pro-communist organizations.

According to the Executive Director of International Advocates for Justice, a New York based NGO that has investigated this matter, this incident is part of the China's campaign to interfere with the constitutional rights of American citizens (or residents) who support or are perceived as supporting any organization that operates outside of Chinese control, including attorneys and China scholars from non-Chinese backgrounds. Their focus on Falun Gong is especially pernicious. Thus, as the Report of the United Nations NGO, the International Education Development, noted (at the 61st Session of the Commission on Human Rights, document E/CN.4.2005/NGO/132, 6 March 2005), China has harassed and attacked Falun Gong practitioners in Iceland, Germany, Australia, Russia, Romania, Thailand, Cambodia, South Africa, Canada and the United States.

Chinese agents have gone so far as to interfere with the content of NTDTV broadcasts. For example, in January 2004, in spite of and because of an agreement by WSTV Channel 56 in Washington D.C. to broadcast the NTDTV Chinese New Year Gala program, on the night of the broadcast, the program of NTDTV Gala was secretly changed to the CCTV Gala by a Chinese staffer at WSTV.

In the United States, through a vigorous campaign over the past twenty years to expand the presence of its own media, control or influence of existing third-party Chinese media, and at the same time suppress independent voices in the Chinese community, the Chinese communist government has by and large successfully manipulated public opinion among the Chinese population and developed a vast network of agents - of pro-communist community activists who are ready to answer the calls of the Chinese Embassies and Consulates to act against groups and individuals that are critical to the CCP - to lobby the U.S. government on the CCP's behalf, and to help the Chinese communist government infiltrate businesses and communities on American soil.

In the past few years, however, the Chinese communist government's global Chinese-language media hegemony has encountered overwhelming challenges by the emergence of a number of free media in the Chinese market, notably the three U.S.-based Chinese media companies - New Tang Dynasty Television (NTDTV), the Epoch Times, and Sound of Hope Radio Network.

NTDTV – Battling for the Chinese Rights to Freedom of Information

NTDTV was established by a group of Chinese-Americans shortly after the September 11th terrorist attacks in response to the anti-American propaganda from the Chinese state-run media. When the world was in deep grief over the tragic impact of these attacks, the Chinese communist government capitalized on the terror, producing books, films and video games glorifying the attacks. In such a video published by the Chinese government the commentator said: "This is the America the whole world has wanted to see. Blood debts have been repaid in blood." Many Chinese, especially people in Mainland China, even cheered the terrorist attacks.

In face of the dearth of pluralism and the free flow of information in the Chinese language media, NTDTV was established to furnish an independent voice and open forum for the global Chinese community. It provides uncensored, accurate and comprehensive news and information about events in the United States, China and elsewhere while promoting freedom and democratic values. This naturally supports the American ideals as well as our fundamental security and related interests.

NTDTV has been covering stories on all fronts and of concern to the global Chinese community. NTDTV was the first Chinese language television that broke the SARS news in 2002, weeks before the Chinese Government acknowledged the reality and severity of the epidemic. NTDTV has done extensive and in-depth coverage on Hong Kong democracy, human rights in China, AIDS in China, Taiwan elections, former CCP Secretary General Zhao Ziyang's death, etc. Additionally, NTDTV has done interviews with many leaders from the democratic society, live broadcasts of the three Presidential debates in the U.S. last year with simultaneous translation, and a live call-in show on the funeral for Pope John Paul II, etc.

The NTDTV team believes in serving Chinese people worldwide and in showcasing the best of American people, institutions, and values in the network's programming. The team includes television industry veterans who had worked in China for years and share NTDTV's vision. Knowing exactly how China's one-sided propaganda has been constructed, they can make special contributions to reduce the impact of China's one-sided propaganda. NTDTV programming offers audiences a familiar format with fresh content. In addition, our own experiences in and our assimilation into American culture enable us to communicate on a cross-cultural basis most effectively.

As a powerful example of this support for American values, since its inception, NTDTV has become the exclusive channel for democratically elected officials in the United States to speak directly to Chinese people worldwide in their own language.

Over the past three and a half years, with the grass-root supports from communities, NTDTV as a PBS-modeled television has grown very fast and now become a global television network with over 50 reporting crews around the world, covering the four continents of North America, Europe, Australia, and Asia.

In spring 2004, NTDTV created the historic first "open satellite window" of uncensored information to Mainland China by starting unencrypted direct-to-home satellite broadcasting to Asia via Eutelsat's W-5 satellite, reachable by tens of millions of private satellite dishes across China.

However, these achievements have also and necessarily become a threat to the Chinese communist government's grip on power. Thus, over the past few years, in response to the challenges posed by NTDTV and other free Chinese-language media, the Chinese communist government has launched an aggressive and relentless campaign to silence such independent voices. As a result, people have seen a steady increase in interference, pressure, and harassment against NTDTV and other free media by the Chinese communist government and its agents.

In what follows we shall provide illustrations of cases of interference, pressure, and harassment against NTDTV in the U.S. as examples to characterize the four main tactics utilized by the Chinese communist government to silence free media in the Chinese community. As is clear from these sample cases and many others of the same ilk, the purpose of these tactics is to isolate the target media from the society politically, financially, and socially to maintain its control of the flow of information, thereby permitting the Chinese Communist government to continue to produce those "truths" that support and endorse its hegemony.

CCP's Main Tactics to Silence NTDTV and Other Free Media

A Matter of National Security

When the World Trade Center was destroyed, many Chinese exulted on the Internet and cheered the flaming images. Portrayals of the U.S. as an arrogant hegemony are stereotypes spread by the Chinese Communist Party (CCP) and its state-controlled media apparatus.

Nowadays the CCTV – the mouthpiece of the CCP – has even made its way into the homes of virtually all Chinese-American families through the omni-presence of its channels or programming content on all major cable systems and satellite televisions in the U.S. While these families live in a nation that affords them the privileges and freedoms of democracy and law, this population still receives communist dictatorship indoctrination through the Chinese-language media controlled by the CCP. Moreover, homesickness and the cultural ties with China render them a more susceptible target of and for the CCP propaganda.

The Chinese communist government's monopoly in the Chinese-language media and infiltration into the Chinese community in the United States over the past twenty years has diminished Chinese immigrants' allegiance to the United States and respect for American values. Furthermore, it has persuaded them to remain loyal to, and act as mouthpieces, defenders, or even agents of, the communist government in Beijing. And this is precisely what is intended by the Chinese government's U.S. media operations.

While the U.S. continues to spend billions on the military to maintain peace in the Far East, especially over the Taiwan straight, peace and stability in the Far East depend on a fundamental change in the heart and mind of the people within. And such people include not only the Chinese people living in Mainland China, but also those in the U.S. and elsewhere around the world. Without access to information that runs counter to the communist party line, the Chinese populations will continue to be controlled by the half-truths and lies produced by the CCP state owned propaganda apparatus, including the hate-mongering stereotypes about the United States and the free world. Surely the United States cannot afford and should not be forced to endure the dire consequences of the continuous incitement of hatred against the U.S. and the free world by the CCP propaganda.

To achieve democracy and a peaceful tomorrow, the United States as the leader of the free world must take a stand to support NTDTV and other free Chinese-language media.

Internationally, to restore pluralism in the global Chinese-language media market, the U.S. government should take concrete actions to support politically as well as financially independent satellite channels in Chinese language to broadcast uncensored information to Mainland China and other countries abroad.

Domestically, to strengthen the values of human rights and democracy on the U.S. soil and help Chinese-Americans assimilate into the American "melting pot," it would be prudent for U.S. legislation to require that the U.S. satellite, cable and other transmission

operators carry one or more alternative independent Chinese-language channels if they carry CCTV or other Chinese communist government controlled channels or channels that largely reflect the views of the Chinese communist government.

Thank you for your kind attention.

APPENDIX I

Table 1: CCTV's Presence in Major U.S. Cities

City	Carrier	Channel	Public TV or Cable	Time ¹	Covered Area	Programs ²
East Coast:						
Boston	AT&T broadband		Cable	24 hrs.	Boston, Brookline	CCTV-4
	Amherst College	11	Cable		On Campus	CCTV-4
New York	Time Warner Cable	134 30	Cable	24 hrs.	NYC - Queens	CCTV-9
	RCN	191	Cable			CCTV-4
Philadelphia	DUTV	53	Public TV Cable	6-8:00pm (Mon-Fri) 24 hrs.	Philadelphia County Delaware County	CCTV-4 News CCTV-4
	CableCom Net Dickinson College		Cable Cable		Drexel Hill On Campus	CCTV-4 CCTV-4
Washington, DC	World Today	56 13	Cable Cable	7-7:30am, 6-6:30pm	Fairfax County Montgomery County	CCTV-4 News
	MHz Starpower Communications	651 651	Cable Cable Cable	D.C. Maryland	All areas	CCTV-4 CCTV-4 CCTV-4
Atlanta	Emory University	44	Cable		On campus	CCTV-4
Delaware	Satellite only			24 hrs.		CCTV-4
Central:						
Columbus	International Channel	10	Cable	30 min.	Columbus, OH	CCTV-4 News
Chicago	China Star TV Station	13	Both	24 hrs.	Chicago and vicinity	CCTV-4
Dallas	International Channel		Cable	24 hrs.		
Houston	1. Time Warner	233	Cable	24 hrs.	Most of Houston area	CCTV-9
	2. International Channel	75	Cable	11-11:30am 30 min.		CCTV-4 News
	3. South USA Daily TV		Public			CCTV-4 News
Minnesota	Satellite only			24 hrs.		CCTV-4

¹ Seven days a week unless specified.

² Regular 24 hr. program unless specified.

Michigan	Satellite only			24 hrs.		CCTV-4
City	Carrier	Channel	Public TV or Cable	Time ³	Covered Area	Programs ⁴
West Coast:						
Los Angeles	1. Charter Communication 2. Time Warner 3. Cox 4. Adelphia 5. Jadeworld 6. Altrio Communications	281 286 601 452 180 762 191	Cable Cable Cable Cable Cable Cable	24 hrs. 24 hrs.	Los Angeles Some areas carry both	CCTV-9 CCTV-4 CCTV-4 CCTV-4 CCTV-9 CCTV-4 CCTV-4
San Diego	Time Warner	46		8:30am to 9:00am & 8:30pm to 9:30pm	Entire north part of San Diego County	CCTV-4
San Francisco	1. Business Channel 2. KTSF 3. Jadeworld	32 26	Cable Cable	6:30-6:40pm 8:30-9:00am (Mon-Fri)		CCTV-4 News CCTV-4 News
Seattle	International Channel	41	Cable	8-9:00am (Mon-Fri)	Seattle	CCTV-4 News

³ Seven days a week unless specified.

⁴ Regular 24 hr. program unless specified.

APPENDIX II

Table 2: CCTV's Global Expansion Timeline

Time	Region/Field	Notes
October 1, 1992	Asia Pacific and U.S. (Satellite, Chinese)	Targeted at Chinese outside of China through PanAmSatellite (PAS)-2 Asia Pacific and PAS-3 transatlantic satellites. ⁵
Mid 1995	Europe, Middle East and Indian Subcontinent (Satellite, Chinese)	Extended CCTV's coverage to Europe, the Middle East, the Indian Subcontinent and Asia through a deal with PAS. ⁶
Early 1996	Europe (Satellite, Chinese)	Started broadcasting through a global satellite network. CCTV expects to reach 40 million Chinese living outside of China. Chinese speakers in Europe can receive five hours of late-night Chinese-language programming from private satellite broadcasters. ⁷
April 1996	Global (expansion) (Satellite, Chinese)	Added five channels to its international services on three PAS satellites. CCTV became one of the world's largest international broadcasters. ⁸
June 1997	Africa (Satellite, Chinese)	CCTV 24-hour international service began broadcasting throughout Africa. ⁹
May 1998	U.S. (Cable, Chinese)	China Central Television's overseas service, CCTV-4, Chinese-language channel, became available to U.S. cable operators free of license fees and packaging restrictions as part of International Channel's digital tier of ethnic services, International Premium Networks. CCTV reached more than 240 million television households in the United States. ⁹
September 25, 2000	Global (Satellite, English)	CCTV officially launched its all-English channel, CCTV-9. The new channel is on 24 hours a day, featuring newscasts every hour on the hour.
November 2000	Philippines (Cable, English)	CCTV-9 on the cable network in the Philippines via SkyCable Pacific CATV, Inc. ¹⁰
January 2002	U.S. (Cable, English)	CCTV-9, CCTV's 24-hour English channel, was offered to AOL Time Warner cable audiences in New York, Los Angeles, and Houston. It also became available on cable networks in the United States owned by News Corp such as DirecTV.
Early 2003	U.S. (Hotel chains, English)	MTV Networks distributes China's English-language channel CCTV-9 in hotels across the U.S. ¹¹

⁵ From CCTV International website.

⁶ "CHINA BRIEFS: CHINA CENTRAL TELEVISION" by Telenews Asia, May 18, 1995 published by 3rd Wave Communications Pty Ltd.

⁷ "Worldwide Chinese TV service" by Music & Copyright: February 15, 1995, published by FT Information Online Ltd.

⁸ "PanAmSat, CCTV Eye Expansion" by Space News, April 8, 1996, published by Army Times Publishing Co.

⁹ "CCTV to Africa" by Hollywood Reporter, June 10, 1997, published by BPI Communications, Inc.

¹⁰ "CHINA'S CCTV-9 TO BE LAUNCHED IN PHILIPPINES" by Asia Pulse News, November 8, 2000, published by Asia Pulse Pte Ltd.

March 2003	France, UK, and Ireland (Satellite, English)	GlobeCast's digital DTH platforms on Hot Bird and Eurobird offer CCTV-9 access to over 1.2 million TPS subscribers in France as well as 6.3 million Sky Digital subscribers across the UK and Ireland. ¹²
June 2003	South America (Cable, Chinese)	Bolivian CATV multisystem operator, Vidivision, has added China Central Television's Mandarin-language international channel, CCTV-4, to its programming bouquet. The deal was brokered through the Chinese Embassy in Bolivia, which provided free decoders to Vidivision. The Vidivision deal brings to five the number of South American countries with cable access to CCTV programming. The others are Panama, Belize, Brazil, and Chile. ¹³
Unknown, but probably in between mid 2003 and mid 2004	UK (Cable, English)	CCTV-9, the 24-hour English channel is available on B-Sky-B cable service by British Sky Broadcasting.
October 1, 2004	French and Spanish channel: CCTV-E&F	CCTV-E&F is a comprehensive 24-hour news channel. The program rotates three times a day. In the 8-hour slot, French and Spanish programming occupies 4 hours each. The channel covers the globe via PAS-8, PAS-9, PAS-10, Asiasat-3S, and more satellites. ¹⁴
October 1, 2004	U.S. (Strengthening) (Satellite, multi-language)	CCTV launched partnership with EchoStar to bring a "Great Wall Satellite Platform" to EchoStar's over 10 million DishNetwork subscribing households. The platform included 17 channels, such as the CCTV-E&F channel, CCTV-9 English channel, and other Chinese-language channels. CCTV claimed on its website "this indicates that the propaganda to foreign countries have stepped up to another level. It shows that CCTV's propaganda work towards foreign countries has experienced a huge change in both concept and operation mode."
February 1, 2005	Asia (Strengthening) (Satellite, multi-language)	"Asia Great Wall Satellite Platform" was the extension of the "Great Wall Satellite Platform" in North America.
June 2, 2005	Online platform (Internet, Spanish)	CCTV.com/ espanol is CCTV's Spanish online platform for "both news releasing and cultural spreading." (According to CCTV website)
In the future	Two distinct channels: French and Spanish, plus development of Arabic and Russian channels	CCTV aims in 2006 to have two distinct channels—one in French, the other in Spanish—with more programs, news bulletins, and technical resources. Four years after the launch

¹¹ "MTV's clearance for 24-hour China channel" by Television Asia, April 4, 2003, published by Cahners Business Information.

¹² "China Central Television Chooses GlobeCast's DTH Platform" by Satellite Today, March 13, 2003, published by PBI Media, LLC.

¹³ "CCTV extends Latin American influence" by Asia Image, June 10, 2003, published by Reed Business Information.

¹⁴ CCTV Chinese-language website.

		of an English-language service, Spanish and French are just the latest step in CCTV's global conquest, with pressure already growing for Arabic and Russian-language channels. ¹⁵
--	--	--

¹⁵ "AUDIOVISUAL SECTOR: CHINESE TELEVISION POSTS INTERNATIONAL AMBITIONS" by Tech Europe, December 10, 2004, published by Europe Information Service.

DOCKET NO.

06-121

DOCUMENT OFF-LINE

This page has been substituted for one of the following:

- This document is confidential (**NOT FOR PUBLIC INSPECTION**)
- An oversize page or document (such as a map) which was too large to be scanned into the ECFS system.
- Microfilm, microform, certain photographs or videotape.
- Other materials which, for one reason or another, could not be scanned into the ECFS system.

The actual document, page(s) or materials may be reviewed (**EXCLUDING CONFIDENTIAL DOCUMENTS**) by contacting an Information Technician at the FCC Reference Information Centers) at 445 12th Street, SW, Washington, DC, Room CY-A257. Please note the applicable docket or rulemaking number, document type and any other relevant information about the document in order to ensure speedy retrieval by the Information Technician

1 CD ~~06-121~~