

**PUBLIC FORUM  
THE BOARD OF DIRECTORS  
CORPORATION FOR PUBLIC BROADCASTING  
THE CAFRITZ FOUNDATION CONFERENCE CENTER  
GEORGE WASHINGTON UNIVERSITY  
WASHINGTON, DC  
Tuesday, September 21, 2004**

**Kenneth Y. Tomlinson, Chair, CPB Board of Directors:**

We welcome the opportunity to hear your thoughts and comments today. We're public broadcasting, and you're the public and we thank you for coming. Let me emphasize that every member of this board is here because we support public broadcasting and we want public broadcasting to merit strong, even passionate, support from the public.

Before we get started I would like to make a brief comment about the public broadcasting system and where PBS fits within all this. We were created by Congress in 1967 to perform two essential functions. One is fiduciary responsibility to administer millions of dollars of tax payers' money appropriated each year to support programming and station operations around the country. Two, CPB was put in place to act as a buffer between public interests and public broadcasting. With insulation comes profound responsibility to respect the views of others, to include a cross sectional views from across America. No one group or ideology owns public broadcasting. Republicans don't own it, Democrats don't own it. Neither liberals nor conservatives own it. It belongs to the American people across the political spectrum. In exchange for the critical layer of insulation - for the independence and freedom to produce great programming - there is an obligation for all of us to open the gates to many points of view.

In recent months, there has been a great deal of national focus on whether public broadcasting's current affairs programming is politically "balanced" as required by law. We have had some complaints about the quality of reporting on public radio.

We have also heard voices who are pleased with what they see and hear on public broadcasting. And we recognize that each day a thousand public broadcasting stations hear from the public about public broadcasting.

The American people are smart. They recognize when programs are politically slanted. But I am also proud that through the journalistic breakthrough of *The MacNeil Lehrer Report*, public television introduced the concept of giving Americans the debate and letting American's decide.

But political balance is just one of the issues that the public raises about public broadcasting. As we'll hear today, there are many other issues and concerns. One such concern is service to underserved audiences.

Today in Washington, D.C., we're celebrating the opening of a museum devoted to the culture and life of Native Americans. Public radio has been a part of Native American life since the first Native American-owned public station went on the air more than 30 years ago. This morning, we announced a new commitment to Native American radio: a \$1.5 million investment in the Center for Native American Public Radio, which will expand and strengthen public radio service for Native Americans.

Today we want to listen to you and your views on public broadcasting. We look forward to hearing what you have to say. One of our board members will have to leave a bit early, but the rest of us are here for the duration.

Now, I am very pleased to introduce Donald Rheem -- an award-winning broadcast, radio and print journalist and communications specialist. He's an authority on running meetings and we hope you'll cooperate with him so we can get the benefits of your views.

### **Introductory Remarks of Donald Rheem, moderator**

Thank you very much for that introduction and thank all of you for joining us all today for this public forum. This afternoon is a wonderful opportunity for organization members of the public to share their views with the board of directors for the Corporation for Public Broadcasting.

Now we do have a few boundaries so we can stay on time. Every speaker is allotted ten minutes to deliver their remark and to be fair I am going to have to enforce that time limit fairly strictly to ensure that everyone who has requested time to speak today will have time to speak. We are also recording today's forum so I ask each speaker to open your remarks with your full name and the name of the organization that you represent.

Now I don't want to cut anyone off suddenly, so when a speaker has two minutes left, I am going to hold up two fingers, and when they have one minute left, I am going to hold up one finger, and when they have exhausted their time, when they have reached their time limit, I am going to go ahead and stand up and encourage them to complete their remarks as quickly as possible. As a last reminder just to let you know the board has come here today to listen and ask questions if they have any. There are a lot of issues covered by today's speakers and my responsibility is to ensure that all of those voices are heard. Public broadcasting, like many public policy issues that we face today, inspires great passion and conviction in people. And another one of my responsibilities today is to ensure that for all of you here in the room, that all of the comments and all of this business in this forum, is that we expect the same kind of respect in the forum as we expect in a workplace or at our homes. Now, are there any questions about the boundaries? Great. We are all in agreement. Let's get started. Our first speaker today is Daniel Levinson.

### **Remarks of Daniel Levinson, private citizen**

My name is Daniel Levinson and I represent myself and my sons and my grandson. Recently Enron emerged from Chapter 11 bankruptcy but Arthur Anderson entirely paid accounting firm never recovered from the scandal because its professional ethics had been compromised by auditing that didn't rock the company's boat and can graciously be termed cooking the books. Had there not been outside criticism and intervention, 36 million Californians would tonight still

be bumping into walls carrying short candles in one hand and long electric bills in the other. Enron used Arthur Anderson, used faulty audits just like CPB and NPR are using ludicrously flawed internal audits, backslapping self assessments and shortcomings of CPB salaried and inspected general's office where the violation and misapplication of federal law is tenderized and sweetened before public consumption. All the aforementioned have been designed and used to obstruct federal law and not to implement them. This is further compounded by the same methodology these agencies use to deflect legitimate and substantiated criticism. A devious system designed to leave the problem and methodically remove the complainant.

My formal complaints of NPR started in October 2000 and later included CPB. Instead of direct answers to direct questions, I have been subjected to a litany of sandbagging, stonewalling, illusive evasiveness, and circumvention by those very people publicly funded and mandated by Congress to implement the laws concerning public broadcasting. In almost 4 years I have found that those responsible for violating both the spirit and letter of the law are the very same people responsible for enforcing it. This has created a situation that negates remedy because those who steadfastly refuse to acknowledge that there is a problem cannot be expected to correct it. This has lead to what can be described as chronic ethical fatigue where those are sinking the boat are trying to administratively lower those that are rocking it. In the war on terror Israel is our closest ally, and NPR and associates are weapons of mass distortion whose conceptual priorities have replaced factual and historical realities.

This descent into journalistic hell has one more staircase to BBC. Recently its unprofessional behavior has resulted in forced resignations; however, what didn't cut the mustard in England is continuing to flavor public funded broadcasting in the United States. This point was the centerpiece of my complaint to CPB dated March 13, 2002 and in my formal complaint entered in the congressional record October 8, 2003. It focused on the BBC's biased coverage of the Israeli air force's downing of a suspected kamikaze plane coming from Lebanon and heading for Tel Aviv on 5/24/01, two and a half months before 9/11. The following are pertinent excerpts from several related correspondences.

My formal complaint to Mr. Coonrod dated 3/13/02 was after many irate phone calls only acknowledged 11 months later on February 6, 2003 by the previous Vice President of CPB Carol Floreman with three pages of meaningless generalities. The following is most of my answer to her replacement Mr. Vincent Curren on 3/12/03. I would appreciate in writing factual statements correlating what Carol Florman states in her letter with reality, she stated that 'CPB's board and staff take complaints about perceived bias and public broadcasting content seriously. Like all our colleagues at NPR and PBS we make every effort to ensure that the public can easily share its views with us' etc. If the above was policy as stated, then why were my original complaint and 31 subsequent phone calls ignored for almost a year?

The videotape that was produced by BBC and broadcast by public television stations is available. However, many months after my request the BBC declined to provide it. I have a document to this affect. You have the power to request this tape and I am sure that your reviewing it would substantiate my complaint more than the eloquent excuses to deny proof of its veracity. The tape contains all the blatantly negative elements in BBC's and thus public radio and television programming. Mr. Curren answered five months later, on August 1, 2003: 'First let me assure

you that CPB takes listener complaints very seriously. We pay very close attention to the comments that we receive. We collate the comments and report them to stations and producers. I don't know what circumstances resulted in the delay in correspondence to the letter to Mr. Coonrod. Since I literally was not at CPB at the time and have no knowledge of the situation. However, I certainly apologize for the delay. Regarding your second question about CPB's funding of BBC's programming, I am able to confirm Ms. Florman's response to you. CPB does not fund BBC television reports directly.'

Nineteen days later I answered my original complaint uses the BBC's telecast of May 24, 2001 as its centerpiece and no volume of verbal or printed generalities can address a complaint based on this specific broadcast. Only an autopsy without a corpse could produce more unconvincing findings and conclusions. I therefore requested that you acquire a copy of this broadcast and review it. To circumvent the BBC's possible refusal to supply it as it did with me after much delay, I suggest that the Israel Ministry of Defense be contacted at the same time for their copy, as it was their air force spokesman that was being dissected by the BBC. According to your letter, BBC programming is not directly funded by CPB and public funding represents a relatively small portion of most stations' budget.

Please know that the law predicates funding to strict adherence to balance and accuracy in program and not indirect funding for the opposite. I followed this on September 9<sup>th</sup> to end the double talk and get off the merry go-round. Please answer the following three questions with a yes or no answer: One - have you yet or do you intend to request a copy of the videotape from the BBC which has been the center point of all our conversations and correspondence? Two - has any station ever been taken to task for breaking federal law regarding their unethical behavior? Three - has public money ever been recovered from any of these stations?

Almost six months later Robert Winteringham, CPB's senior staff attorney, sent me this reply: 'CPB takes its responsibility very seriously. We also take complaints from the viewers and listeners seriously when they contact us with concerns about public broadcasting. We investigate complaints to provide responses that are complete and accurate. We understand that you would like a simple yes or no answer to your questions. But sometimes a one word response would be incomplete or misleading. A more detailed response could be incriminating. Again we seek to provide complete and useful answers ... We stand by our previous answers and have nothing else to add.'

In my letter on 3/25/04, I called Mr. Winteringham's attention to this. CPB's responsibility to provide me with complete accurate and direct answers to direct questions will be terminated the minute my responsibility to pay the taxes that fund CPB are rescinded and not one second sooner. If a one word answer to a direct question to a senior vice president of CPB requires a letter from CPB's senior staff attorney than a more accurate answer to a more complex question should require the services of an exorcist.

You state in your letter that we seek to provide complete and useful answers to the questions that we receive. After six months and 25 unreturned telephone calls to Mr. Curren's office, my questions remain unanswered. Thank you very much.

**Remarks of Eric Rozenman, Washington Director, CAMERA**

Thank you. I am Erik Rozenman, I am the Washington Director of CAMERA, the Committee for Accuracy and Middle-East Reporting in America. On behalf of CAMERA I would like to thank CPB for this opportunity to raise an important issue. CAMERA is a non-partisan, non-profit national organization with more than 50,000 members. It monitors North American news media coverage of the Middle-East and general Arab-Israel coverage in particular. As CPB board members know, CAMERA frequently has critiqued reporting of Arab Israel news from NPR, a recipient of tax money through CPB.

Our focus has, if anything, intensified as result of NPR coverage related to the eruption four years ago of what is often called the Palestinian Intifada against Israel. As you know CPB is charged with providing federal funds under the condition that recipients demonstrate quote: “Strict adherence to objectivity and balance and all programs or series of programs of a controversial nature.” CAMERA’s documented studies over extended periods of an analysis of incidental coverage that NPR does not demonstrate strict adherence to objectivity and balance in its recording of Arab Israeli news. To the contrary, NPR continues to display an established pattern of anti-Israel pro-Arab bias. And I would just add that I trust all board members, I’ve been told that you have the material that we submitted yesterday, which just begins to document some of the assertions that we’re making today.

In the past CAMERA forwarded its findings in numerous complaints regarding NPR Arab-Israeli coverage to CPB. The Corporation’s Open to the Public Report to Congress for 2003, for example, refers directly to those complaints. However, CPB’s oversight of NPR as reflected in previous Open to the Public Reports is inaccurate. It avoids the substance of CAMERA’s criticism and numerous other complaints. These complaints include not only the minority addressed directly to CPB but the vast majority made to local NPR affiliates. This oversight failure regarding NPR continues even though Open to the Public is submitted to Congress to illustrate CPB’s concern with assuring strict adherence to objectivity and balance in all programs or series of programs of a controversial nature.

According to Open to the Public, CPB “...shares all substantive comments it receives with the public broadcasting system for review and response.” It may also, “share comments on controversial programs with appropriate producers and programmers and may seek further information or clarification if appropriate.” Among other things, CPB also “...commissioned two polling firms to conduct a nationwide survey and a series of focus groups to further explore...” whether broadcast of its recipients are considered to be objective and balanced.

But CPB does not, as Open to the Public confirms, consider the substance of specific criticisms and complaints like those made by and through CAMERA. Internally and with recipients of its tax supported funds, CPB discusses and seeks clarification. Externally, it polls generalized sentiment. But it is not providing Congress, as required under the Telecommunications Act of 1992, any serious refutation of repeated substantiated findings like those made by CAMERA of anti-Israeli bias of NPR’s Arab Israeli coverage.

CAMERA has asked CPB executives on several occasions how the corporation actually enforces the requirement for strict adherence to objectivity and balance. These executives have replied pointing to their Open to the Public annual reports. But in addition, they have claimed a countervailing difficulty. The law also requires "...maximum freedom of the public telecommunication entities and system from interference with, or control of program content or other activities."

Yet no one is demanding pre-broadcast interference with NPR's coverage. CAMERA is an organization of thousands of individuals across the country simply asking that CPB uphold the statute under which it dispenses tax money. The Corporation must ensure, by means of substantive post-broadcast review of criticism and complaints, that NPR's Arab-Israeli reporting meets the legal requirement of strict adherence to objectivity and balance. The laws call for maximum freedom for recipients, including NPR, cannot mean absolute license and de-facto exemption from Congressional regulation CPB, not NPR, is bound to oversee.

Finally, CAMERA urges the Board members of the Corporation for Public Broadcasting to ensure that the agency fulfills its legal obligation when it comes to oversight of national public radio. This is an obligation, by the way, which the CPB Board unanimously confirmed at its November 2002 meeting. CAMERA believes this oversight must include substantive responses from CPB to substantive complaints that the responses must be made in a timely manner and that this oversight be based on accepted journalistic criteria such as those incorporated in the code of ethics of the Society for Professional Journalists.

This, rather than the vague generalities NPR repeatedly provides CPB and then forwards to Congress, is what CPB should be providing Congress in reports like Open to the Public. CAMERA recommends that as a necessary step to carrying out such oversight, a unit be created within CPB reporting directly to the President and the Board. This unit would conduct substantive reviews of serious criticisms to ensure recipient compliance and these reviews will be done in a timely manner. Again, thank you for this opportunity and for your attention to this urgent matter.

#### **Remarks of Michael Bracy, co-founder and director of policy, Future of Music Coalition**

The Future of Music Coalition is a not-for-profit think tank that looks at the music industry and the music community in search of technologies and policies and business models that can benefit working musicians and citizens. And for a number of years we have been doing a lot of work on the set of issues related to radio consolidation in ways of sort of restructuring radio and strengthening radio and really trying to revitalize an industry that we think is in a lot of trouble.

There are a couple of documents that I placed in the record. The executive summary of a larger report that we published in November of 2002 which also is at the FCC and Congress and elsewhere called Radio Deregulation: Has it Served Citizens and Musicians. And I think it is important that we just touch briefly on the impact that radio consolidation has had on the broader radio landscape because certainly as we are looking at the public broadcasting aspect of this it is really part of a larger puzzle.

For the record, our study had four major conclusions. The first is as we know historically radio has been the most local of medium in part because of the regulation priorities of localism, competition, and diversity that the government has pursued forever. In 1996 Congress in the Telecommunications Act eliminated the national cap on how many stations any one company can own and they greatly raised the local cap. As a result, we really see four major significant results. The first is a massive restructuring of the ownership of the radio industry. We have gone from an industry that is controlled at the local level by many owners, most of them privately held, to a situation where now 10 huge firms control roughly two-thirds of listeners and of industry dollars on the commercial side. Now on a local level that really is even worse because in virtually every market 70 percent or more of that market, the revenues in that market is controlled by four or fewer firms. So what that means is that you have many out of town conglomerates competing for advertising dollars. As an outgrowth of that, there is such a squeeze on revenue that we have lost fully one-third of radio station owners in the last six years. They have simply gone away, they are out of business, they have been bought out, they are not there anymore. Now, there's an argument that when conglomerates own multiple stations, when they own eight stations in a market that would actually deliver benefits to listeners because they would have more format versus the concept of format diversity. We actually went in and looked at formats as they relate to music that's played. What you find is format diversity or format variety and content diversity really are apples and oranges, they really do not have any correlation whatsoever. You see many, many of the same songs show up in multiple formats and what you really have in the commercial radio industry is an attempt to identify the most attractive demographics for advertisers. They attempt to aggregate listeners in those demographics and then play the same songs in very tightly constricted play lists to keep those listeners listening to that station or flipping to the same or similar station that is owned by the same company and same station group.

Now since we have published the study there are a couple of other issues that have really come to the floor that now are sort of at the heart a lot of the things that the FCC is looking at in terms of localism. They include very serious and we believe very credible allegations of about a structural payroll system called Pay for Play. Essentially creates a gatekeeper system. If you do not, or if you as an artist aren't signed to a major label, if that label has not put hundreds of thousands of dollars in promotional money behind your song you are not even eligible for air play. It is not so much that you can buy your way onto the air for commercial radio as you cannot qualify to even be in the testing pool if you do not participate in the system. We also certainly are concerned and many are concerned in the loss of local decision-making. That as the conglomerates collapse separations into smaller and smaller streamline operations, they get rid of local decision-makers. So you have more national and regional play lists.

There is another issue, and then we'll move on to a more relevant issue for the discussion for you all, but the great concern about the vertical integration of the music industry and how concert venues and concert promoters and radio stations are now linked in one particular egregious example by Clear Channel, who own over 1200 radio stations and control well over half of the concert tickets sold in this country. Now what this means and now what this means to the music community is that you have a gate keeper system. And radio's historical means to take music and take art and culture and get it out to citizens and to the community is really threatened particularly in commercial radio which is why noncommercial radio is so critical.

The fundamental difference between commercial radio and non-commercial radio as it relates to music is that commercial radio is all about dollars and about how you aggregate as many listeners in the most attractive demographics and that you keep them there and you sell as much advertising time as high a price as you can. Non-commercial radio, simply put, is programming music for the love of music. Because you as an artist as a DJ, as programmer, you have a vision, you have an audience you are serving, you have art and culture that you are trying to bring to that audience. And so it's critical, absolutely critical, that public broadcasting not only continues to support the sort of extraordinary examples, the most successful examples of non-commercial music. But really look at other outlets in community radio that really could use your help. One of the greatest misconceptions about the music community is that it about MTV Cribs, it is about rock stars, it is about people that have a lot of money and people that have big hits. The reality is that 99percent of CDs that are released sell less than 10,000 copies.

The music community is local, it is independent, it is genres that do not appear on radio. In radio terms if you are in you are in, if you are out, you tend not to be in at all. The second major theme that I would like to hit today and a real opportunity for public broadcasting in the future is what is happening with the low-power radio movement.

In 1999 the FCC voted to create a new class of community-based low-power radio stations. Based in part, well really based on two major ideas. The first - that it is not possible for the current broadcasting structure to serve all local communities. The second is that the technology might actually work. That we have had a technical standard in place for a long time that artificially limits the amount of stations that we can have on the air. The FCC engineers believe you can create a class of one-hundred watt radio stations that would not create interference problems that would not challenge the technological ability of other broadcasters to function. What it would do is empower local communities. That is then the subject of some debate and engineers talk about that and I am not an engineer so I won't talk about it. But what I will say is that the FCC thinks it works, Congress passed a law in 2000 requesting further study, the eMeta Corporation hired by the FCC to do additional study. They think it works.

We are looking now in the next few years to expand the service to urban markets. When you spoke earlier about the concept of really reaching underserved communities I think it is important that we recognize that really the most underserved community to a large extent are local communities. That we have transitioned in our media to national structures. We have national cable channels, radio is getting increasingly national. We have satellite radio, you can go to out of market stations through web-casting. What's missing is the neighborhood. What's missing is the small town, the fringe city, the fringe community. What we have with LPFM are community groups, non-commercial entities, schools, churches, neighborhood-organizations, local governments, arts organizations, applying to create their own stations. They have their own voice, they have their own vision for how to serve their local community.

Now, when we all fought for this service in 1999 the assumption was that there would be a couple hundred stations. That it would really be an urban phenomenon, it wouldn't really be a rural phenomenon. Now, Congress has just passed further legislation that called for further study so we don't really have any stations in urban markets right now. No city has one. Not of any size

because Congress needs to see more research. But what happened, which is amazing is that in the small towns in the rural part of the country where the spectrum is widely available is that we have 1,000 stations going online. We have 300 already broadcasting, there will be about 700 more by the time the FCC is down with their licensing processes. This is the greatest expansion of non-commercial radio. In history, essentially. What we have are 100-watt tiny little stations all pursuing a vision of how to serve their community, all over the map as far as the programming objectives. But all united in the notion that there is something missing in their community and they are searching to plug that. So, all I wanted to do and I dropped off some materials, they are in the record, but I really wanted to encourage CPB to really look at LPFM and really look at strategies to help assist these stations, get on the ground, find their feet, get their bearings. The other wonderful thing about low-power radio is that its technology is advanced, its technology is evolved, it's phenomenally cheap. It takes very little money to get a station up on the air. The other discretionary issues: programming, staff, all those things can obviously get more expensive as you well know. But my feeling and our strong recommendation is that LPFM is a great way to empower these communities, to really put new life into non-commercial radio, put additional life to supplement the great work that is already being done by NPR.

Finally, I'll just say this is such a popular initiative, it's supported by all the major religious organizations, all the major artist groups, it's supported by labor, it's supported by consumer unions, by common cause. There is an incredible breadth of support for this initiative so we really would hope that CPB would look at this and would try to employ strategies to make it really work. Thank you for your time.

**Remarks of Celia Wexler, vice president for advocacy, Common Cause**

Common Cause appreciates this opportunity to testify. Our 300,000 members and supporters are deeply committed to public broadcasting and indeed, they are your members too. So we submit our comments in the hope that this is very constructive criticism. As head of the Carnegie Corporation, Common Cause founder, John Gardner in 1967, assisted in the birth of public broadcasting. Carnegie Commission developed the idea of public broadcasting as an entity "to enable us not only to see and hear more vividly, but to understand more deeply And as you know to promote and fund public broadcasting the commission advocated the formation of the Corporation for Public Broadcasting, a non-profit body that was to be separate from government in order to better insulate public broadcasting from government intrusion into program content.

Now, public broadcasting has not entirely fulfilled the vision of its founders, which was pretty expansive. But, it scores of awards for quality programming and hard hitting investigative journalism. The loyalty of the viewers attests to the fact that public broadcasting is an essential part of our democracy. And as we all know, more Americans trust public televisions news and public affairs programs than they trust any other media outlets. But, our members at Common Cause are very concerned about protecting the editorial and independence of public broadcasting. We strongly believe that the CPB should be totally above politics and not interfere with public broadcastings ability to speak truth to power regardless of who is in power. The board should not interfere with specific program content. Americans need local and state public affairs reporting that help viewers and listeners become citizens as well as investigative reporting

that helps uncover wrong doing at the federal, state, and local level. In short, we need independent well founded public broadcasting.

This is even more important as Mike talked about, a media environment that has become increasingly dominated by a handful of giant corporations focused more on the bottom line than on serving the public interest. So public television and public radio has never been more necessary. To that end we propose three reforms for CPB. We suggest and we aren't the first person to suggest this, a different process for choosing CPB board members. We propose that the President continue to make appointments to the CPB board, but from a list of nominees drawn up by a panel chair of the Library of Congress. The librarian would find six distinguished Americans, perhaps the head of a leading university, the poet laureate, an award winning journalist, if there are any around, the recipient of a national book award, a noted film maker, to draw up a slate of candidates for the President's consideration. And those candidates should reflect geographic gender and racial diversity and possess the appropriate talent and expertise for a medium that offers news, entertainment, and public affairs programming. This would help ensure that public broadcasting can benefit from the involvement of leading American civic and cultural leaders, helping to strengthen, I think, its public interest mission. I think also that we are supportive of the inclusion of more public broadcasters to the board. Again, these are the people out in the fields who know their business and should have a way to participate in the CPB's work.

In the area of fairness and bias we recommend some legislative language to reconcile what do seem to be contrary roles for CPB; protecting innovation and independence while monitoring public radio and television for objectivity and balance. We propose that the definition of objectivity and balance be clarified by defining balance to mean a diversity of views expressed across the entire PBS program schedule and to be based largely on the public's assessment of balance as measured by national polls, commissioned by firm professional polling firms. While balance across the schedule is necessary and welcome we do believe that fine tuning this provision both serves the needs of the public for CPB accountability but also is able to foster diversity of content in a way that is meaningful.

Common Cause also supports some independent funding mechanism that can be used to sustain both public broadcasting and other forms of non-commercial broadcasting. This proposal is nothing new as is our proposal for how the members of CPB board is, are chosen. Both Carnegie Commissions in 1967 and 1979 called for the creation of such a fund that would help as Carnegie too put it, help insulate CPB from partisan politics and make it more independent. As Carnegie Two put it, "such a source would offer protection from inappropriate interference and insensitive creative and journalistic activities, whether it originates inside or outside of public broadcasting." Thank you very much and Common Cause looks forward to being part of the debate to come on the future of public broadcasting and we all can agree that its future is very, very important to us all and to democracy.

### **Remarks of Loris Vicente Taylor, general manager, KUYI Hopi Radio**

KUYI Hopi Radio makes invaluable public service contributions to their communities and today I wanted to just give you a window of that public service. Contributions that make an impact in

the daily lives of our community listeners. Local native stations are making decisions about where to contribute and how, and that's the power of local people. And based on the specific needs of the tribal communities they serve.

The basic purpose of our radio is to get the word out. To let people to know what is going on, not only in their community but also in their nation and around the world. Armed with such information people can understand a problem and more importantly they can become participants in the solution. From their inception and certainly its true that KUYI, native radio stations are established with public service in mind, and as part of their ongoing mission. Such public service ask for four basic characteristics: they are donating air time, supporting local public service causes, responding to local issues, and providing relief in times of crisis.

Native radio stations contribute to understanding and to community action by contributing air time for public service announcements. Community PSAs deliver important messages against drug and alcohol and substance abuse, they educate about domestic violence, and point victims towards resources and help. Donated air time not only contributes to an educated community, it also helps produce a healthier community. The Hopi Women's Coalition, a coalition which I helped to start, is a volunteer organization opened to every Hopi woman. This coalition airs PSA's against bootlegging and domestic violence regularly on KUYI. In addition, air time is donated to the Hopi tribal government to provide current and up-to-date weekly reports on actions taken by the Hopi tribal counsel. On average, KUYI runs 100 community PSA's per week. These PSA's amount to a weekly contribution of \$2,500 in air time for KUYI. This is the equivalent of more \$130,000 in donated air time annually.

KUYI House Calls, anchored by a local doctor, is a program dedicated to providing accurate, relevant and local information about health. Weekly air time every half hour is donated to the Hopi health care center to broadcast the program as a public service to the Hopi and Navaho people. KUYI also donates air time and provides instruction to the first and only high school radio class on the Hopi reservation. In a class curriculum formally adopted by the school board in 2001, high school students are provided thirty minutes of air time each week to broadcast live from their classroom. Off-air, these students study journalism, native history, current affairs, and practice their skills in interviewing, production, and writing. In recognizing the power of building local capacity among its younger generation, one parent commented that KUYI is really a school without walls. Donated air time to house calls in the Hopi radio class is the equivalent to more than \$312,000 in donated air time per year.

Providing air time for local public service causes in addition to airing issues specific awareness announcements on subjects from health and education to alcohol abuse prevention and public safety, Native stations also participate in off air community events and donation drives. Native radio stations assist local causes by providing air time or offering other support. KUYI assists local causes by donating premiums and publicizing events that support specific non-profit causes. Over the past four years KUYI has participated on air and off air in the Hopi tribe's 100-mile club, a walk-run program aimed at improving individual health and addressing diabetes by getting people out and exercising. KUYI has also participated in the Toys for Tots Program to gather toys for needy children on the Hopi reservation. Responding to local issues, throughout the year local native radio stations use both PSA's and local programming to address issues or

concerns within their communities. KUYI airs at least 20 hours of locally produced programming every week.

Shooting Stars, a program specifically produced for local elementary school children airs weekdays from 7:00 am to 8:00 am during the school bus run. This program was developed at the request of bus drivers and local children who wanted a program while riding the bus to and from school. The programming includes educational topics, music from local artists, poems, story-telling, and interviews.

Newsmakers, a program about current events is thirty minutes in length, and airs weekly. This program features discussions about issues, such as the conflicts between Hopi soldiers in the Iraq war and the Hopi belief in peace. The 2004 Presidential election, the Navaho aquifer water crisis, global warming, and the decline of Hopi farming, to name a few. Some of these programs have been broadcast in the Hopi language and in English.

In addition to these programs, KUYI also produces and distributes news from tribal reservations in the southwest through the Indian Country News Bureau. ICNB covers a full range of issues confronting tribes from water rights, federal trust reform, to land and energy issues. One important story recently included coverage of the Hopi tribes gaining referendum, pro and con. This was a story of great significance to the state of Arizona because the election resulted in the Hopi tribe remaining as the only non-gaming tribe within the state. Added to this is the local community calendar that informs local residents of important upcoming events in their neighborhoods including jobs available within the region.

From time to time, KUYI will bring radio to local residents through live remotes to cover important issues. Just recently, KUYI hosted a public dialogue with local elderly, who talked about elder safety, medication, depression and other geriatric issues. The dialogue was broadcast in both Hopi and English so that home-bound elders could still hear the program.

At Hopi, at least four villages have by their own choice no electricity and/or running water. As a result KUYI strives to work with these communities in not only providing portable battery operated radios but also teaming up with local institutions to provide transportation for local citizens to a central location so that they can participate in a live radio talk show.

From diabetes awareness, the daily birthday program, election information, to the broadcast of local football and basketball games, KUYI makes local communication a priority. Providing relief in times of crisis, local native radio stations become involved in on-air and off-air disaster relief campaigns because each tribal nation is unique local radio stations assist a diverse, assortment of groups and issues. Most Native radio stations are located in geographically isolated areas and often service the primary mode of communication for local residents in time of crisis.

Today, northern Arizona relies on KUYI to provide hour by hour information about abducted children. Since the Amber Alert was instituted at KUYI two native children were reported abducted from reservation lands.

And so, that gives you a very short window, my time is up, and I thank you for this opportunity. But I also want to thank the CPB for providing the leadership and support to the Native Public Radio system by establishing the center, that is dedicated to substantially strengthening native radio stability, to continue to provide vital and critical public service to communities that I think need it the most. Thank you very much.

### **Remarks of Sookie Kunst, member, NAATA Board of Directors**

I represent NAATA, which is the National Asian American Telecommunications Association, one of the minority consortia that you support. I just wanted to talk a little bit about my involvement and how much I appreciate the support of CPB. Just two weeks ago I had the pleasure of serving on NAATA's media fund panel in San Francisco. As I watched sample clips from more than thirty independent film makers after reading a very tall stack of proposals over the month of August, I was very much moved by how many untold stories there are out there.

These included stories spanning Asian America, which is very, very broad. There is no language, religion, or really even geography that ties together this very broad area. Also the Pacific Islands, actually Asia, and beyond Asia too; countries like Afghanistan, Iran, Egypt, all of these types of Middle-Eastern countries and the film makers who have no minority consortia of their own. They actually submit proposals to NAATA, and we are very happy to consider those, as really under-represented voices are a very important area for NAATA to represent on public television.

As a panelist we are discussing the need for these stories to be told, many more than we could find. A thought jumped into my head from when I was in high-school in the early 80s, I remember while watching films about the Holocaust in history class, there were a couple of Asian girls who had permission to leave the room. At the time I had no idea why they couldn't watch the films and why some people called them, "fresh off the boat." Sometimes, those same people included me in the same category. Though my family had flown to the U.S. from Korea, I wasn't quite sure what that term meant at the time.

So it wasn't until many, many years later that I learned the intricacies of what might have been the experiences of those Vietnamese girls who had just recently arrived to the States. And that was through various books, meeting people, but also through programs on public television. So, I am here on behalf of NAATA just to thank CPB for their leadership, their support and to encourage you to continue funding already consortia organizations, such as NAATA.

I am currently serving my third year as a board member for NAATA and also serving my fifth year on the board of trustees for Georgetown Day School, which is a private day school here in Washington, D.C., where my two children attend. My roles on the two boards are related as my interest in NAATA grew out of my interest in quality education in a diverse school environment.

Although, I received what I thought was a fairly good primary and secondary education in the Montgomery County Public School System right here in Wheaton, Maryland. It prepared me for college and a successful professional career. As I became an adult, mother, and wife I realized that I was very much unaware and uneducated about many aspects of American history, especially as it related to Asian Americans and the relationships of various ethnic minority

groups. I learned about the Civil War, I learned about Russian history, but my own American history was very much missing. So I became very intensely interested in finding out more and having my children know more than I did so they have a very strong sense of being an American and being a part of American history, and not feeling as though they are in any way foreigners.

Through working with NAATA and watching their videos, I learned about the Japanese Internment experience, the Vietnam War, the struggles of the Cambodians, and I got a glimpse into the world of Arab-Americans post 9-11. Very, very educational for me, opened up a whole level of dialogue with people. And I watched this with friends and colleagues, and with other parents actually at GDS, during the parent diversity discussion series.

I had not known much of the racial tensions that had led up to the 1992 LA riots, nor that there were Asian Americans who were active in the civil rights movement along side Malcolm X. This is just skimming the surface, I have many, many videos to watch. Not only is it important for every individual to understand their history as a part of the collective, but it is also critical especially for children to see reflections of themselves in the American mainstream.

If there are positive non-stereotypical images of Asian Americans on television or films, there is a good chance that it is the work of the small 25 year old non-profit organization called NAATA. I became a member of NAATA's board because I wanted my children to be able to see a realistic view of the rich breadth of Asian Americans in the fabric of American life. I want them to see that people who look like them are comedians, actors, athletes, rock stars, trial lawyers, as well as doctors, engineers, and martial artists.

In my children's school they are now using several documentaries about the Japanese internment experience that is distributed by NAATA in the fifth, sixth and eighth grade American history curriculum. Alongside their study of the civil rights movement, slavery, the Holocaust, and the U.S. Constitution.

Many people including myself have benefited greatly by having such resources to enrich their education and gain a fuller understanding of themselves and others. But, there are countless others who can benefit still. So, I am here to sincerely hope and encourage you that CPB will continue to find ways to increase their support for NAATA and the other minority consortium for many years to come. Thank you very much.

### **Remarks of Andrew Apostolou, private citizen**

Thank you my name is Andrew Apostolou and I am actually working at a place called the Foundation for the Defense of Democracies and we actually work on terrorism so this is not quite my forum. Earlier this year I interviewed terrorist prisoners and that's what you call a captive audience, and you're not. But I am here because there's an issue that has come up in the headlines and is really controversial at the moment. I am going to speak directly to it.

It's whether or not public broadcasting should include people who have conservative opinions and it's whether they should be hosting programs. Now I am not myself of that political proclivity, but I do think it should be represented. I am going to give you three reasons why.

The specific people I am referring to are Paul Gigot of the *Wall Street Journal* and another chap called Tucker Carlson. Now his father is not unconnected with public broadcasting. He is actually one of the people who works where I work and so those of you wish to know why Tucker Carlson has such a poor taste in great ties, we now know the culprit.

So what are the three reasons why I think, to get straight to the point, we need to have I think political balance and diversity in public broadcasting. Well first of all, public broadcasting is trusted in this country. As those of you have seen Ken Auletta's article in *The New Yorker* in June I believe it was, I think I have it here. June the 7<sup>th</sup>, he said around 50 percent of American adults trust public broadcasting a great deal. That compares with 17percent for commercial television and 10percent for Congressman and Congresswomen, so if any of you follow that part of the government, you have got a lot of work to do.

Now this cannot be entirely down to Big Bird. Rather it is because public broadcasting is a diverse mix of opinions and programming and we've heard from the two earlier speakers exactly the sort of things that public broadcasting does, that commercial broadcasters would not do. In addition, it is important that by being balanced and continuing to be balanced, and by having the sort of controversial programs that public broadcasting does have, that trust will deepen in public broadcasting and give it a future.

Secondly I think public broadcasting should be controversial. It long has been controversial, that is why we are having this meeting today frankly. I'll give you an example of public broadcasting controversy. In 1992 public television broadcast the "October Surprise" theory that Ronald Reagan and Ayatollah Khomeini, an unlikely combination, had done a deal to delay the release of U.S. hostages in Iran, and so harm Jimmy Carter's election prospects. The theory has been repeatedly rubbished, nonetheless, it was right, I would argue, for public broadcasting to air those allegations and it was to the credit of public broadcasting that it dared to put out the program.

I'll give you another example of controversy. For 33 years, PBS broadcast put out a program *Firing Line*, the longest-running public-affairs show in television history. *Firing Line* was initially an hour long, but as of 1988 became a half hour format. While in many ways a token opportunity for conservatives to air their views, it was also daring. Because as television those years, as you know became more and more professional, slick, and frankly a little bit bland, *Firing Line* remained doggedly academic and controversial. Chaired by William F. Buckley, a man who would probably sue me if I said he was uncontroversial, *Firing Line* became like the *NewsHour*, an institution, and one of the reasons why people respect public broadcasting. The difference of course between Jim Lehrer and William F. Buckley is that Jim Lehrer sat upright in his chair, and William F. Buckley seemed never able to do so.

Controversy, in a country where people wear their party affiliations on their sleeve, cannot but be a little bit political. Nobody doubts, in public broadcasting that Bill Moyers, Charlie Rose and Jim Lehrer are controversial, provocative and politically slanted. So they should be. So are Tucker Carlson and Paul Gigot. But they are not on television for their views but for their television skills at expressing those views. Just as Bill Moyers' environmentalism, which is very

admirable, has irked many conservatives, as it is supposed to, I think, so Mr. Carlson's and Mr. Gigot's opinions will, one hopes, provoke many from the opposite side of the spectrum. Without controversy, and especially the intelligent controversy in which public broadcasting specializes, there is no audience and, ultimately, no public funding.

Thirdly, including diverse opinions I think means preserving the future of public broadcasting because at a time when every tax dollar is questioned, in a time of war, when there are surely other priorities, in a time of economic distress where there are surely other people who need the money, we need to justify public money for public broadcasting. Public broadcasting must not only serve the public but it must represent the public, and we heard that from the two previous speakers. Thanks to public broadcasting, precisely the minority views and minority tastes that the mainstream broadcasters find uninteresting are represented. That does not mean, however, that public broadcasting should become a niche operation alone, because if it does then it is paid for by the many and watched by the few, a result that none of us want.

The success of public broadcasting, I would argue is precisely the fact that it has been embraced by its ideological critics and brought them into the fold. The very fact that these people who are considered conservatives and controversial, want to be on public broadcasting is a great success. Remember, as Mr. Auletta rightly said in his very interesting *New Yorker* article that in 1995 Newt Gingrich threatened to cancel all public funding. He talked about "zeroing out" public funding for public broadcasting. Yet by February 2003, none other than Mr. Gingrich was giving the keynote address to a conference of public television station managers here in Washington DC. His conversion to the cause of public broadcasting is a vindication both of public broadcasting and democratic dialogue.

So, if public broadcasting were, as some seem to want to do, to exclude presenters like Paul Gigot, to say to *The Wall Street Journal*, "get out of our big tent," then their reply would logically be "keep out of our wallets." Those who seek to keep contrary opinions out of public broadcasting are, without knowing it, taking the route of those on the right wing who take the view that "there is no such thing as society" that we should have an "opt out" approach to public services. That is not an approach that leads to unity and dialogue, but discord and division. If we exclude those with whom we disagree and they will found their own parallel institutions and then ask why they are funding, through their hard earned taxes, public institutions that they are kept out of. Bring them in, however, allow them the space that you allow yourselves, and they will prove to be your advocates and allies in perpetuating this venerable institution that does so many good things, in addition to entertaining people like myself.

So in conclusion and to respond to this *New Yorker* article, Big Bird is not, as *The New Yorker* claimed, flying right. Rather, if any bird is to fly, it must have a left wing and a right wing. Thank you.

### **The Remarks of Representative Brad Sherman, D-CA**

Hello, I'm Brad Sherman from America's best named city, Sherman Oaks, California. I'm here as a friend of public radio, as a prior member, as someone who has recorded at their request membership drive presentations, as a strong supporter of not only CPB but also the BBG. I'm on

the international relations committee, and I'm someone with a 100 percent record of voting for NEA, which raises some of the same issues.

It is important first to recognize I guess it is a bit unusual for a member of Congress to come before you. There is a feeling in the journalist community that somehow anyone who's hired as a journalist should have the right to do whatever they want and anyone who criticizes them is somehow bringing in undue pressure. I would simply say that this is a unique journalistic organization – NPR. It derives so much of its input, so much of its funding from the government, and thus accepts a statute requiring it to be objective and balanced. Not only does it receive free spectrum, but also substantial monies are provided by you, not only to NPR, but also to its affiliates, and then that is recycled upward.

Unfortunately, and unacceptably, when I talk to many of my constituents, they've taken to calling NPR "National Palestinian Radio." And so I've gotten involved as have many of my colleagues. Eleven members of congress have signed a letter expressing their concerns that I'd like to make part of the record of this hearing. NPR has taken an ethnic approach to determining whether they're balanced. I've talked to NPR extensively on this and they say, "Well we have equal number of Israelis and Palestinians on the air." But then you look at the Israelis that they interview and they're all against the Israeli government, and then you look for Palestinians that say are supporting the Israeli government and you realize dead men tell no tales. Anyone who has taken that position has already been assassinated or silenced. So I have had long conversations with Kevin Klose and he's agreed that it's not the ethnicity of the speaker but the presentation, the point of view, the content of what they say that ought to be used to evaluate.

Second, there's the issue of trying to determine balance. Where's the fulcrum. That is to say, if you decide the definition of balance is that half of those speaking should call for the expulsion of all Jews from the Middle East, and half should be against that idea, then Al Jazeera is balanced, because roughly half the people speaking on Al Jazeera, while they're all opposed to the existence of an Israeli state, do not call for the expulsion of the vast majority of Israelis. They don't have to. The fulcrum that Mr. Klose and I have agreed on is: do you support or oppose the action of the Israeli government. And also on the side of supporters of the Israeli government there are incredibly few commentaries on NPR that attack the Israeli government for being overly accommodating for the Palestinians. I've listened to NPR a lot. I haven't heard any of those.

I know that CAMERA will be speaking to you as well. They have done analyses, that I have not personally audited, that show an alarming lack of balance in NPR's coverage. They included in these the imbalance in the coverage of Arab victims and Israeli victims, with at least five heart-rending stories for every Arab victim for every Israeli victim whose story is told. And they have found an implied moral equivalence between Palestinian terrorist operations and Israeli military actions and a lack of context in covering individual events. Now the question is, what can be done about it because I'm sure you could find people who will come before you and say that NPR is too pro-Israel.

The answer is that a study ought to be commissioned independent of consultants as your statute requires you to work for balance and objectivity. It certainly empowers you to hire and to make

grants to those who produce radio programs, not only those who produce radio programs, but those who measure them. And any critique should look at the amount of time being spent whether it's an interviewee or an NPR employee, whether it's the top of the hour news broadcast or a magazine story, and simply look at how much of the time is attacking the position of the Israeli government or lauding it.

And I'd say that I've had one particular experience – an exchange of correspondence with NPR on the Syria Accountability Act. Now this is an act which overwhelming mainstream of Members voted for. I think it passed 95 to 5 in the Senate and overwhelmingly in the House. NPR did one story about it that spent 95% of the time attacking the Syria Accountability Act. So I wrote to Mr. Klose about it and he responded by saying that, "We did another story." And then I got the transcript of that and found that it was 60% against the Syria Accountability Act. And every time I talk to NPR about this they say "we've got our own internal study and it adds up to balance." And I say, "Can you show me what's in the study? Because you post all your transcripts... what period of time?" "Ok which story did you characterize as being opposed to the Israeli government?" And they say we won't do that, we're NPR, we're right, and we don't reveal any of the data behind our conclusions.

If the average NPR reporter took that approach in interviewing any governmental official, you wouldn't fund NPR. You'd say "My God. Can't we at least have a reporter who would want the underlying data?" So it's clear that I'm not going to get the underlying data from NPR and it's clear that NPR cannot be left to evaluate itself. I would add that this is not a tiny issue for NPR, though. Perhaps the biggest story NPR will not cover, and I'm not asking them to cover, is the fact that Kevin Klose has to fly all over to have big meetings with angry former NPR supporters that are talking about their coverage of the Middle East. Needless to say, NPR does a lot of coverage of NPR but that one element is not going to get covered. I'm not asking them to go that far.

I thank you for your time and I look forward to a study that identifies the fulcrum as being supporting or opposing whatever action the Israeli government took that day; and that identifies how many minutes during the test period are on one side of this and how many are on the other; and not just a study that looks at the ethnicity of the speaker or a study that assumes at the top of the news hour is irrelevant or as NPR has done, taken the position that any word spoken by their own employees are ipso facto balanced because, well, they're journalists. And finally I do want to compliment NPR on one aspect of its coverage of the Arab-Israeli conflict – they're doing less of it than they've done in the last couple years and since I'm not a fan of how well they do it... finally I want to say this – NPR does an outstanding job that's why it's so important that they do it in an objective and balanced way and I would say that quality is not a substitute for objectivity.

### **Remarks of Jaclyn Sallee, Koahnic Broadcast Corporation**

I am pleased to be here today and I want you to know that I am here on behalf of a listener of KMBA in Anchorage Alaska and she asked that I deliver these remarks to you, today.

Her name is Barbara Donatelli, and she is a Yup'ik Eskimo, and she is the Executive Vice President of Koahnic Regional Incorporated which is a regional corporation in Alaska and she has been with the corporation for 23 years. CIRI is one of the 13 regional corporations, set up in Alaska after the Alaska Native Claim Settlement Act was passed in 1971. And CIRI is one of the most successful corporations in Alaska and provides some of the most, biggest dividends to shareholders.

I am here today for the National Museum of the Indian Opening, and thanks to a grant from the Corporation for Public Broadcasting, Native America calling, is one of the programs that we produce. We are here for the whole week covering the museum and the different festivities. So I really appreciate the support of CPB for Native America calling, and National Native News, and Earth Songs. Those are all programs that we produce and we also operate the nation's only urban native radio station, KMBA, in Anchorage.

So, back to what Barbara wanted to relay to you. CIRI is not only responsible for providing shareholders dividends, but also to look out for the shareholder's best interest in providing educational, housing, employment, social and cultural services to the shareholders, and to other Native Americans that reside in the area. And, she wanted to talk about the service that she enjoys in Alaska, and tell you about the things she enjoys with public broadcasting in Alaska.

Some additional background about CIRI, is CIRI has been a success story in minority participation with television stations and radio stations and they have owned many radio and television stations since the early 1990s. And with the CIRI foundation's support, they helped to create KMBA and felt that there was a need to have a native voice in the Anchorage area because there was no native newspaper, no native video, and so they felt it was important to support the start up of KMBA. Since this time, she has been a contributor to the radio station and also is a regular listener to KMBA, and has really appreciated the local programs that KMBA offers like the Native Word of the Day.

This is a program that is produced and provides listeners the opportunity to hear different native languages and so you learn a different word in the native language and then it is also said in English. Educating both the native listeners and non native listeners in the Anchorage area is an important mission, and learning about native language offers an important educational tool that can foster appreciation of all cultures.

Another program that she enjoys is This Day in Alaska Native History, and it offers a unique native perspective on the history of either Alaskan Native, or a significant Alaskan Native event. So, many times, and this was developed because of some feedback that we received from people in the community that are concerned that, the Alaskan Native History is not always easily accessible to the public and so KMBA felt a responsibility to provide that perspective.

In Alaska, public radio also serves a very important vehicle by providing messages to people that are in the villages. Often times village residents will send messages across vast areas and distances to warn family members about weather, and so often times it plays a role in life threatening situations. In Alaska, many of the stations translate the news into the native language so that elders can hear the news and information that they need to hear about.

CIRI has also been very supportive of training program that we do at Koahnic, and the Corporation for Public Broadcasting used to support the training center and the idea to be to provide training to develop up and coming native broadcasters because there are so few native people that are in this industry. She always felt that it was very important to see more native broadcasters and assured series investment to the program.

And she also wanted to let you know that she enjoys National Native News and Native American Calling, and learning about the other tribal entities throughout the country, and learning about ways that they developed the lands and other ways of developing business opportunities. It is a way to learn about the different initiatives that other Native people are providing.

So, both Barbara and I would like to thank the Corporation for Public Broadcasting for all of your support of developing native radio and native stations throughout the country. I know that you're going to be looking at developing a center for native radio that is very important to providing infrastructure and help to the native stations. So, I wanted to thank you for your time and also let you know that we appreciate what you are offering in support of our initiatives. Thank you.