

Beyond Hawaii

# Trump's FCC Redefines The Public Interest As Business Interests

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By Christopher Ali  / April 3, 2017

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The U.S. Senate voted last week to [allow internet service providers to sell data about their customers' online activities](#) to advertisers. The [House of Representatives agreed on Tuesday](#); President Trump is [expected to sign](#) the measure into law.

[As far back as 1927](#), American lawmakers sought to balance the needs of the public against the desire of big telecommunications companies to make huge profits off delivering information to Americans nationwide.

Today, the Federal Communications Commission is charged with ensuring that the broadcasting and telecommunications systems work in "[the public interest, convenience and necessity](#)."



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Policymakers have struggled to specifically define “the public interest,” but the broad intent was clear: Government rules and programs worked to ensure a diversity of programming, distributed by a multitude of companies, with many different owners, through multiple channels that all Americans had access to.

While conducting research for my new book on [local media policy in the United States, United Kingdom and Canada](#), I watched as officials’ priorities changed, favoring what they say is “freer” competition in the marketplace of ideas. As new proposals come up for public comment and debate in the next few months, we, the American public, must join these discussions, to ensure our interests are in fact served.

## A Shift In Priorities

Over the last 30 years, America’s communications regulators have moved away from focusing on society’s benefit, and toward an interpretation of the public interest as [equivalent to what businesses want](#).

For decades the FCC has chipped away at that broadly understood sense of the public interest, allowing more stations to be [owned by one company](#), [letting major media corporations merge](#) and [renewing station licenses](#) with a

rubber stamp. And TV and radio stations are now allowed to be located [far away from the communities they serve](#).

As a result, the national media system is dominated by a handful of companies, including [Comcast, Time Warner, Fox and Disney](#). This trend is mirrored at the local level, where Sinclair Broadcasting owns [173 of the country's 1,778 local television stations](#) and is on the [hunt to acquire more](#).

These changes have seen media and telecommunications companies making money and acquiring more properties, while the public receives less and less in return.

## Moving Quickly

In addition to the moves in Congress, Trump's FCC has acted quickly, too. Upon his promotion to FCC chairman, [Ajit Pai](#) cited other companies' fraudulent practices as a reason for [removing nine internet service providers](#) from the list of companies approved to provide federally subsidized internet access to low-income families.

Pai also ended an investigation into [mobile phone companies' practice of exempting mobile data](#) associated with certain apps (such as Spotify or Netflix) from the data limits normally imposed on customers' plans. Because this explicitly favored some companies' internet traffic over others', many people viewed this practice, called "zero rating," as a violation of open internet (also called "[net neutrality](#)") rules – the FCC's requirements barring internet service providers from playing favorites with different providers' internet content.

Taken together, these actions represent a major attack on what is left of the public interest as we once knew it. They also represent a reversal for the FCC, which was hailed for [protecting the public interest](#) when it approved the [Open Internet Order](#) in 2015.

Pai himself [opposes those rules](#), as does his congressional counterpart, [Marsha Blackburn](#), chair of the powerful House Subcommittee on Communications and Technology.

## Attacking Broadcasting, Too

The Trump administration also appears to be adhering to this view of the public interest in media policy.

Trump's initial proposed budget [zeroed out federal funding for public broadcasting](#). The U.S. allocates [\\$445 million](#) a year to the Corporation for Public Broadcasting, which supports organizations like NPR and PBS. That amounts to about [\\$1.35 per person](#). In contrast, [Germany](#) spends \$143 a person; Norway spends more on public broadcasting than any other country – \$180 per Norwegian. Cutting this already anemic funding would spell disaster for public broadcasting, most notably stations in [rural America](#).

And over at the FCC, Pai eliminated requirements that broadcasters [keep records of what they aired, for public inspection](#). While perhaps antiquated and [certainly rarely used by the public](#), it was one of the last holdovers of a time when [local broadcasters](#) were thought to be responsive to their communities.

As for [Sinclair Broadcasting's expansion hopes](#), the company may be making its plans precisely because Pai wants to [relax ownership restrictions](#).

## Stepping Up To The Mic?

The next few months will see debates about a diverse range of communications-related topics, all of which center on the public interest. We need to ask hard, clear questions of legislators, regulators and ourselves:

Is it in the public's interest to have an internet where ISPs can decide which websites load fastest? Is it in the public interest for [AT&T to buy Time Warner](#),

creating an even larger and more powerful media company? Is it in the public interest for [incarcerated people](#) and their families to pay exorbitant sums to speak to one another on the phone? Is it in the public interest to retain access to public broadcasting, which brings us everything from “Sherlock” to “Sesame Street”?

Media is more than just our window on the world. It’s how we talk to each other, how we engage with our society and our government. Without a media environment that serves the public’s need to be informed, connected and involved, [our democracy and our society will suffer](#).

As [former FCC chairman Nicholas Johnson](#) put it:

*Whatever is your first priority, whether it is women’s rights or saving wildlife, your second priority has to be media reform. With it you at least have a chance of accomplishing your first priority. Without it, you don’t have a prayer.*

If only a few wealthy companies control how Americans communicate with each other, it will be harder for people to talk among ourselves about the kind of society we want to build.

It is time for a sustained public conversation about media policy, akin to the ones we have about health care, the economy, defense and the budget. Regulators and policymakers must communicate regularly to the public. News organizations must report on these issues with the same frequency and intensity as they do other areas of public policy. And the people must pay attention and make their voices heard.

We did it before, powerfully influencing rules about [media ownership in 2003](#) and [ensuring net neutrality in 2015](#). We can do it again. For us, as members of the public, and as avid media consumers, it’s time the public got interested in the public interest.

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## About the Author



**Christopher Ali** 

Christopher Ali is an Assistant Professor in Department of Media Studies at the University of Virginia.

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