

From: [Hillary DeNigro](#)
To: [Judith Herman](#); [Martha Heller](#); [Brendan Holland](#); [Jamila-Bess Johnson](#); [Daniel Shiman](#); [Andrew Wise](#)
Subject: FW: Communications Policy Research Network Filing
Date: Monday, September 16, 2013 3:36:43 PM
Attachments: [CPRN on NAB and SSI FIN 91613.pdf](#)

Just forwarding as a point of interest. (b) (5)

From: Dave Grimaldi
Sent: Monday, September 16, 2013 3:33 PM
To: Sarah Whitesell; Hillary DeNigro; William Lake
Subject: FW: Communications Policy Research Network Filing

Fyi

From: Mark Lloyd (b) (6)]
Sent: Monday, September 16, 2013 3:10 PM
To: Dave Grimaldi; Daniel Margolis; Thomas Reed
Subject: Communications Policy Research Network Filing

Please find attached Reply Comments -

Re: In the Matter of Technology Policy Task Force Regarding Critical Information
Needs Studies, BO Docket No. 12-30; 2010 Quadrennial Review, MB Docket No.
09-182; Diversification of Ownership in the Broadcasting Services, MB Docket No.
07-294

Attached

September 16, 2013

Chairwoman Mignon Clyburn
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: In the Matter of Technology Policy Task Force Regarding Critical Information Needs Studies, BO Docket No. 12-30; 2010 Quadrennial Review, MB Docket No. 09-182; Diversification of Ownership in the Broadcasting Services, MB Docket No. 07-294

Dear Chairwoman Clyburn:

On behalf of the Communications Policy Research Network (CPRN), we write to urge the Federal Communications Commission to move forward with research needed to determine the critical information needs of the American public and the market barriers that may impact those needs. The CPRN is a multi-disciplinary collaboration of communication experts, journalists, legal scholars, and social scientists from diverse academic institutions. We were privileged to work with the University of Southern California Annenberg School for Communication and Journalism on a Literature Review of the Critical Information Needs of the American Public, and many of us participated in the FCC-sponsored design meeting that informed the research design submitted to the Commission by Social Solutions International (SSI).

As we wrote in 2012 and as the Commission re-stated in its public notice of May 24, 2013, there are critical information needs of the diverse American public at the individual and community level; extensive research indicates that many of those needs are not being met; low-income and other vulnerable communities, including the disabled, are likely to be disadvantaged in a rapidly changing media environment; and analysis of large data sets focused on one or two media, the research approach the Commission has too often relied upon in the past, is inadequate to the task of informing the Commission's obligation to regulate broadcast or telecommunications service in the public interest. As we emphasized, rapid changes to demography and to the media landscape demand new, multi-disciplinary approaches to research intended to inform policy-making. We proposed a research approach we characterized broadly as a media ecology study. We understand the research design proposed by SSI is not the only step the Commission plans to take in determining whether the critical information needs of the public interest are being met, or whether there are barriers to participate that have an impact on those needs. The approach suggested by SSI is a good beginning.

We were pleased to see the National Association of Broadcasters reference even a modest scattering of introductory media scholarship, a body of work too long neglected by the



Commission and other policy makers. Despite these references, and despite the acknowledgement of the complex inter-related nature of how the public acquires critical information, the NAB reverts to self-serving and overly-simple binary distinctions about the “role of professional news and information reporting” and “role of *mass* media outlets” in an effort to quash the research necessary to support the Commission’s various research obligations.

We note our agreement with the NAB on issues of data transparency and peer review. We will briefly address here specific issues the NAB raises regarding the proposed research design, but first we respond in full to questions raised by the NAB regarding the categories of Critical Information Need (CIN) we proposed, a sly critique of our recommended media ecology approach, and an attempt to limit the authority of the FCC to perform its statutory duties.

Critical Information Needs Categories

NAB claims on page 3 of its comments, that it is difficult “to discern precisely how the eight CIN categories – emergency, health, education, transportation, economic opportunities, environment, civic information, and political information – were developed,” and that some “categories identified as ‘critical’ for the CIN Study’s content analysis may not reflect actual consumer needs and interests.”

Regarding both claims, we remind the Commission that that the critical categories were derived from the most comprehensive review of the literature of communication as it affects U.S. communities that has been conducted to date. The Literature Review and the comprehensive bibliography attached to that study represent an examination of nearly 1,000 articles across social scientific fields, including (but not limited to): economics, political science, urban and regional planning, sociology, psychology, emergency and risk studies as well as other subfields detailed in the review. Approximately 500 were selected because of relevance to community information needs. This comprehensive pool, drawn from across the social sciences, became the basis of the identified CIN categories. In other words, it was the research findings of U.S. social science on community and communication over several decades that formed the basis of the CIN categories. Each CIN category was then carefully analyzed to determine common themes, findings (including disparate or contradictory findings), gaps in the literature, and contradictions. This followed the best practices of any preliminary research study, although the literature review was the most comprehensive possible due to the input of almost 40 national scholars in these fields (the CPRN).

Whether these CIN categories fit “actual consumer needs or interests” is, of course, an empirical question; it is precisely what the proposed SSI research is designed to address. Whether, for example, communities need to know of pending disasters in a comprehensible language in a medium that is accessible is, perhaps, debatable. We are not sure if this would fit the NAB definition of “actual consumer needs or interests,” but we suspect that most members of the public, whether they are acting in their consumer roles or not, would acknowledge that providing emergency information is a central function (or role) of any communication service that purports to operate in the public interest. Virtually all Americans are consumers, but parents, students, citizens and immigrants also have fundamental *public* claims. The limited scope of the NAB concerns would reduce the public to the role of consumers.

Further “NAB is concerned that the CIN categories apparently were crafted with little or no input from consumers themselves.” And it advises the “FCC should remain modest about its predictive judgments here; government assumptions about consumer information needs do not necessarily correspond to survey results concerning the type of news that actually interest and concern people.” As discussed above, this is a confused reduction on the part of NAB of a scientific ascertainment of community information needs with commercially driven surveys intended to determine the type of *news* or “information/entertainment” that audiences may be drawn to. A marketer’s look into audience preferences should not be confused with the Commissions obligation as a public servant to support research to inform policy to advance or protect the public interest.

The NAB Mischaracterizes A Media Ecology Approach.

Buried in footnote 8 to page 3, NAB warns: “The Commission should be aware that in academic parlance the term “media ecology” refers to a particular communications theory that traces its roots to the work of Canadian scholar Marshall McLuhan in the 1960s.” NAB seeks to discredit the term, and thus the general approach suggested by CPRN, by implying that a “media ecology” approach assumes that “media fix perceptions and organize our lives,” while other media scholarship “place more emphasis on the individual receiver’s personal characteristics and how they affect the individual’s receptivity to media messages.”¹ The NAB is correct that media scholarship has developed significantly since the 1960s, but it is wrong to suggest that either the Literature Review or the Research Design is stuck in the past.

The proposal suggested in the Literature Review is grounded in contemporary organizational ecology (used in business and management studies) and social network theory and research.² While we refer broadly to a media ecology approach, CPRN is, as stated previously, a multi-disciplinary group of scholars drawing upon legal, political science, economic and other social science methodologies. In addition to a foundation of strong peer-reviewed scholarship, the Literature Review and the Research Design also draw on the prominent work of the 2009 Knight Commission work.³ As we stated in the Literature Review, the Knight Commission noted in its influential report on the information needs of communities, policymakers and communities alike “lack good tools to assess the quality of local information ecologies. There are no widely accepted indices for comparing different communities’ ecologies or determining whether information flow within a particular community is improving or degrading.” (Knight Commission, p.39) Clearly, the Literature Review and the Research Design are not limited to the academic literature or even one

¹ NAB references Richard West & Lynn H. Turner, *INTRODUCING COMMUNICATIONS THEORY: ANALYSIS AND APPLICATION*, 393-431 (4th ed. 2010).

² Many of the studies that ground CPRN’s reference to media ecology are noted in the Literature review, and while there are other studies too numerous to cite here, among the best introductions are former International Communication Association President and USC Professor Peter Monge’s *Theories of Communication Networks* (Oxford University Press, 2003) with Noshir Contractor, or the useful “Journalism Innovation and the Ecology of News Production: Institutional Tendencies,” Wilson Lowry, in the definitive peer-reviewed *Journalism and Communication Monographs* series, Vol. 14, Number 4, Winter 2012-13. We also rely strongly on the empirical studies include the dozens published by Sandra Ball-Rokeach and colleagues of the communication ecology of Los Angeles under the aegis of the Metamorphosis project, widely considered the most significant, ongoing communication ecological project in the U.S.

³ Knight Commission. (2009). *Informing Communities: Sustaining Democracy in the Digital Age. The Information Needs of Communities in a Democracy*. Washington DC: Aspen Institute 2009. Retrieved September 13, 2013, from www.knightcomm.org/read-the-report-and-comment/

school of thought. The work we urge the Commission to engage in is certainly not limited to the McLuhan theories of communications.

Related to the attempt to discredit an ecological approach, the NAB on p. 5 claims “The PN plainly states that the CIN Study will sweep broadly beyond FCC-regulated entities to provide “a comprehensive census of the critical information available [to consumers] from various resources” on the government’s chosen topics of interest.” The NAB “understands academic researchers’ interests in tracking “the flow of information within the [media] ecology,” but notes that the Commission’s ability to engage in pure research efforts and potentially act on the information is constrained in a way that universities and private foundations are not. We submit that this is an empirical issue, and one that, indeed, supports the claim that the scope of FCC research needs to be expanded, not restricted. Many other federal agencies support research relevant to their policy making missions. The thrust of the NAB argument seems to be: The communication environment locally is increasingly complex. Television broadcasters (among others) disseminate information through a variety of platforms, beyond traditional mass media. These meet consumer needs. But when it comes to the ability of the FCC to *study* this claim, to ascertain whether, for example, broadcasters do, in fact, disseminate the full range of vital community information that consumers want (setting aside the information that citizens may need), the NAB claims that studying this is beyond the scope or ability of the FCC. We submit that the NAB cannot have it both ways. The FCC has access to a community of scholars willing and able to conduct modern solid social scientific research to determine whether the public interest is being met in our new complex communication ecology.

Appropriateness of Study by Commission

NAB notes on page 3 that “Research Design authors may not fully appreciate that the Commission faces certain constraints here. The agency is not primarily a research institution; rather, it directly regulates some of the speakers to be analyzed in the CIN Study.” Further, NAB advises: “The agency also must remain modest about the government’s ability to fix perceived communication problems that the Research Design authors may hope to detect by examining local ‘media ecologies’.”

The fact that the Commission regulates some of the activity of nearly all the media and telecommunications operations covered in the proposed SSI study presents no contradiction regarding a need to research into the performance of those industries. Indeed, the lack of research and the quality of research has been the subject of previous court criticisms directed at the Commission.

As the NAB acknowledges, “Effective human communication, whether involving critical information or not, is a considerably more layered activity than the simple consumption of a broadcast, a news article, or a webpage.” We could not agree more. This proposed research is simply one critical step to understand that “more layered” activity, recognizing that the era of “simple consumption of a broadcast, a news article, or a webpage” is long past.

NAB's Minor Challenges to the Research Design

Survey Instrument

NAB states “we are concerned that the survey instrument may be incorrectly focused. This concern centers primarily on the ‘scenario’ questions in the survey instrument, few of which have any obvious relevance to the role of mass media outlets in disseminating information.” The scenario questions are necessary to move beyond the traditionally narrow set of consumer-satisfaction batteries used in market research. The proposed CIN research is *not* simply market research. The scenario questions draw from well-established social science research methods in both qualitative and survey research designed for exploratory research.

Analysis of Media Providers

On page 4, the NAB claims, “There is no compelling need for the ‘Qualitative Analysis of Media Providers,’ which calls for government-sponsored researchers to question local journalists in the six analyzed markets about their news judgments and editorial decision-making.” The proposed research into the decision-makers and decision-making process of media operations seems to us to be limited in scope and necessary to determine whether newsroom employment and practice has any impact on the provision of local critical information needs. Decades of newsroom research have demonstrated that the make-up of newsrooms matters in the provision of content, and that attitudes and orientations of both management and journalists shape output (this literature is thoroughly addressed in the Literature Review). Again, we suggest that finding out whether this is or is not so, under a properly reviewed, neutral research design, is a proper governmental interest.

Six Market Sample

On page 5, the NAB argues: “Analyzing the news and information output of a mix of existing professional and amateur sources, including social media and individual social circles, in just six local markets seems unlikely to provide sufficiently robust data to inform broadcast-only ownership regulation nationwide.” The limitations of research on six markets are clear and we also wish the Commission had funds to conduct a broader study. However, given funding limitations a limited but well-chosen sampling of small, medium and large markets will provide sufficient information, particularly when combined with other prior research and other quantitative data. While we would like the proposed sampling to be much larger, it is large enough to get meaningful information and will allow the Commission to clearly see any patterns that might emerge from the markets.

Constructed Weeks

On page 16, the NAB criticized the proposed use of constructed weeks in the context of the Standardized Enhanced Disclosure docket, pointing out that a random-sampling approach was quite likely to miss at least some of a broadcast station’s most significant issues-responsive programming during a quarter – the very programming at the heart of that reporting obligation. We simply note that the use of a constructed week is at the heart of all scientifically valid content analysis, and is a fully validated procedure going back more than 50 years.

Conclusion

Not only is the proposed research appropriate, it is arguably compelled by Congress and the courts. Congress has not only authorized, but it has required the Commission to regularly report on a wide-range of activity in the broad media and telecommunications industries, including broadcast media, telecommunications and advanced telecommunications service. As the Commission's public notice indicates, Congress has required the Commission to gather data, to identify barriers to participation, and to propose regulation based upon its findings. In addition, members of Congress have recently written the Commission concerned that its rule changes were not supported by its research.⁴ The Congressional Research Service and the Third Circuit Court of Appeals have repeatedly admonished the Commission for its lack of research to support its purported goal of advancing ownership opportunities for women and minorities.⁵ NAB's argument that the Commission is not a research institution should be seen for what it is – an attempt to limit the ability of the regulator to regulate the members of the NAB.

The underlying assumption of the NAB seems to be that the Commission is somehow constitutionally bound to remain ignorant of conditions, behaviors, and practices that reside outside of their authority to regulate directly. Becoming informed about relevant conditions, behaviors, and practices is not synonymous with regulating them. If the logic put forth by the NAB is taken to its logical conclusion, what results is a regulatory agency that is ignorant of important conditions in the media environment that -- while not within their regulatory authority -- could bear directly on the decisions they make in regards to those aspects of the media sector that do fall within their regulatory authority. This self-serving position cannot continue to hold the Commission hostage.

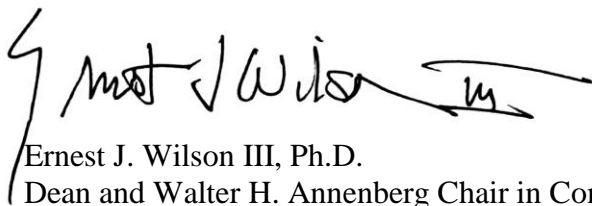
We recommended in our Literature Review, that the Commission should develop a model of research rooted in the communication ecology approach. "This model should be valid, replicable, and parsimonious, building on a foundation of existing demographic models and data, and incorporating a range of media measures, including surveys, content analysis, social network analysis, and qualitative research. It should unite the range of approaches as much as possible and avoid methods that are outmoded." The Commission gathered a multi-disciplinary team of scholars to develop such a methodology. While various members of the CPRN may have a quibble here or there about some of the choices put forward by the research design team or SSI, we firmly believe that what is proposed is a very good start and strongly urge the Commission to move forward with the proposed research design.

⁴ See: Rep. John Lewis, Letter to Chairman Genachowski, December 5, 2012 Retrieved September 13, 2013, from http://www.freepress.net/sites/default/files/resources/12_10_12_FCC_Media_Ownership_Letter.pdf; Cantwell Calls for Public Vote on FCC Media Ownership Rules, Nov 29 2012 Retrieved September 13, 2013, from <http://www.cantwell.senate.gov/public/index.cfm/press-releases?ID=a00a9270-c582-4c1e-b75f-c17003c8a5e3>; and Sen. Bernard Sanders, Letter to Chairman Genachowski, November 30, 2012 Retrieved September 13, 2013, from <http://www.sanders.senate.gov/imo/media/doc/FCC%20Media%20Ownership%20Letter%2011%2030%202012.pdf>

⁵ Prometheus Radio Project v. FCC & USA, No. 08-3078 (3rd Cir.) at 48. "Several of the FCC-commissioned economic research studies on media ownership, discussed above in regard to notice of the NBCO rule, attempted to address minority and female ownership issues. However, as the Congressional Research Service ("CRS") concluded, "all the researchers (and the peer reviewers) agree that the FCC's databases on minority and female ownership are inaccurate and incomplete and their use for policy analysis would be fraught with risk." CRS Report at 54. The CRS Report noted that the FCC would have difficulty complying with our remand with its existing data."

On a final note, we endorse the recommendation from the Leadership Conference on Civil and Human Rights that the Commission work with other federal agencies with expertise and interest in examining the information needs of communities. The departments of Commerce, Education, Health and Human Services, Homeland Security, Housing and Urban Development, and the National Science Foundation all conduct research into how the American public acquires information. A combined effort to determine whether local media ecologies provide critical information about public safety, education, health care, housing and economic opportunities would not only be a wise use of limited taxpayer dollars, it would be a means for the Commission to fully address the questions raised by Congress and the courts.

Respectfully submitted,



Ernest J. Wilson III, Ph.D.
 Dean and Walter H. Annenberg Chair in Communication
 Dean of the Annenberg School for Communication and Journalism
 Professor of Political Science
 University of Southern California

Lewis A. Friedland
 Vilas Distinguished Achievement Professor
 Director, Center for Communication and Democracy
 Leon Epstein Fellow, L&S
 School of Journalism and Mass Communication
 Department of Sociology (Affiliated)
 Department of Educational Psychology (Affiliated)
 UW-Madison

Co-Chairs – Communications Policy Research Network

And

Sandra J. Ball-Rokeach
 Professor of Communication and Sociology
 Annenberg School for Communication
 University of Southern California
 Principal Investigator, The Metamorphosis Project

Bob Butler
 Reporter, KCBS Radio
 President, National Association of Black Journalists

Ellen P. Goodman
Professor
Rutgers University School of Law
Co-Director, Rutgers Institute for Information Policy & Law (RIIPL)

Martin Kaplan
Norman Lear Chair in Entertainment, Media and Society
Director, The Norman Lear Center
Annenberg School for Communication and Journalism
University of Southern California

Vikki S. Katz, Ph.D
Assistant Professor Communication
School of Communication and Information
Rutgers University

Mark Lloyd
Director - Media Policy Initiative
New America Foundation

Matthew D. Matsaganis, Ph.D.
Assistant Professor
Department of Communication, SS 329
Faculty Associate, Center for the Elimination of Minority Health Disparities
University at Albany, State University of New York (SUNY)

Philip M. Napoli, Ph.D.
Director, Donald McGannon Communication Research Center
Professor of Communications & Media Management
Fordham University Schools of Business

National Association of Black Journalists

Michael K. Park, Esq.
Assistant Professor
School of Journalism and Mass Media
Affiliated Professor of Law
College of Law
University of Idaho

Sarah A. Stonbely
Doctoral Candidate
Department of Media, Culture, & Communication
New York University

Federico Subervi, Ph.D.
Professor
School of Journalism and Mass Communication
Kent State University

Carola Weil, PhD
Dean, School of Professional & Extended Studies
American University

Danilo Yanich, PhD
Director, MA Program in Urban Affairs & Public Policy
School of Public Policy & Administration
Vice President, AAUP, University of Delaware
Center for Community Research & Service
Local Television News Media Project
University of Delaware

Cc: Thomas Reed, Director-Office of Communications Business Opportunities, FCC

