



Corporation for Public Broadcasting

Building a Digital Democracy Through Public Media

By Lauren J. Strayer

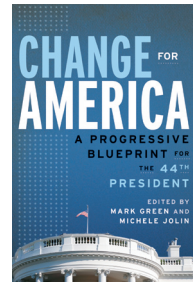
Summary

After forty years of struggling against constant political interference, pressure from commercial media, and a fatally flawed funding plan, American public broadcasting is in crisis. Timid programming and an outdated infrastructure fail to address the civic, cultural, and educational needs of the nation and its underserved communities. Since a strong public media system is essential to any modern democracy, the 44th president must reinvigorate the Public Broadcasting System and National Public Radio's public interest mandate.

The new president should immediately convene an independent commission of media experts and technology leaders to plan for an integrated online public media platform and the long-term implementation of emerging information and communications technologies to better serve all Americans. He must also provide full annual funding and advanced appropriations to the Corporation for Public Broadcasting until he can pursue the establishment of a Public Media Trust, which would finally provide an independent and stable funding stream for public media.

Current Challenges

In the days following the September 11 attacks, requests came into PBS from the Queen of England and Vice President Dick Cheney for copies of the "Frontline" production "Hunting bin Laden" and a special called "Islam: Empire of Faith."¹ When terrible circumstances required the best information available, world leaders went beyond their governmental resources for the excellence of PBS's in-depth reporting. Americans outside the halls of power similarly value public broadcasting: 2008 marked the fifth consecutive year in which Americans ranked PBS as the nation's most trustworthy institution, ahead of the judicial system, commercial broadcasters, newspapers, and the federal government. Americans also ranked PBS as the best use of federal tax dollars in 2008, second only to military defense spending, and ranked NPR fifth, after law enforcement and the space program.²



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Despite such support, conservatives and commercial media consistently attack public broadcasting. The former have long complained that public programming slants to the left, even though 80 percent of Americans think PBS is “fair and balanced” and 55 percent believe the same of NPR.³ Commercial media, meanwhile, objects to competition from the highly regarded, government-funded networks, especially because they specialize in programs that challenge the political and industry status quos. Allied, these critics have chipped away at public broadcasting’s funding and independence, crippling its ability to fulfill its public interest mandate.

A landmark commission in 1967 from the Carnegie Foundation of New York described how public broadcasting provides a public service essential to a strong democracy. In practice, that public service is the production of civic, cultural, and educational programming of “human interest and importance” that is glaringly missing from commercial media. The commission understood that such programming would “enhance citizenship,” provide a “forum for debate and controversy,” and uniquely display “America whole, in all its diversity.”⁴ Congress agreed and chartered the non-profit, nongovernmental Corporation for Public Broadcasting to fund public television and radio programming while protecting producers and broadcasters from political interference. CPB does not directly produce or distribute content but instead acts as a “heat shield,” distributing government funds to member stations and to the television and radio networks we know as PBS, NPR, Public Radio International, and American Public Media among others. The private, non-profit nature of these CPB beneficiaries is meant, in part, to make them accountable to local audiences.

The fundamental flaw in this complex system is, according to Jerold Starr of Citizens for Independent Public Broadcasting, its lack of a “sufficient, stable, and independent” funding stream.⁵ Congressional appropriations to CPB generally provide about 15 percent of all public broadcasting funding. Producers and broadcasters—“pubcasters”—then leverage these funds to raise the remaining 85 percent of their budgets from viewers and listeners, foundations, and corporate sponsorships. The strong correlation between federal funding and these outside sources creates the kind of political influence over programming against which the Carnegie Commission warned. Conservatives and the commercial media lobby have had significant success in cutting CPB’s funding since its establishment and particularly since 2004, when they embraced a new strategy: the president’s proposed budget would zero-out CPB’s advanced appropriation and allow congressional conservatives to negotiate a restoration at a significantly reduced level. Over time, this volatile process forces pubcasters to adopt practices that further undermine the integrity of the entire system.

Most prominently, public broadcasting’s adherence to its noncommercial safe-space mandate tends to weaken when the overall financial outlook is uncertain. In 1995, at a moment when Republicans were particularly hostile to CPB funding, former PBS president Lawrence Grossman proposed PTV WEEKEND, a parallel commercial PBS network that would run traditional advertisements on public television stations on Friday and Saturday nights.⁶ PTV WEEKEND was never implemented, but PBS has used other

policies to entice further commercial support. Underwriter “announcements” were once limited to brief identification messages, but some have been expanded to 30-second spots with lengthy product descriptions that often border on the taboo “call to action.”⁷ Such market-driven revenue streams raise questions about pubcasting’s editorial independence and threaten its main funding source: the idealistic viewers and listeners who become “members” of local stations.

A related consequence of inconsistent congressional support is a narrow program lineup that satisfies existing supporters. Public broadcasters have been forced to fund well-established programs such as PBS’s “Nova” and NPR’s “All Things Considered” to the exclusion of new, more diverse programming. Such iconic series come first not only because they have dedicated audiences but because they appeal to a stable of dependable donors, namely foundations and corporate underwriters which generally prefer to be linked to safe, uncontroversial programming. So PBS and NPR often forgo the creation of content for underserved communities that often lack political or buying power. For example, before several 2001 premiers—including that of the since-canceled “American Family,” the first broadcast drama featuring a Latino cast—PBS had not launched a new series in 15 years.⁸ The result of this stagnation is a PBS viewership with a median age of 46 years, even though the median age of the nation is 36, and the median ages of African Americans and Latinos are 30 and 26, respectively. The average income of an NPR listener is 30 percent higher than the national average, and listeners are twice as likely to hold a college degree.⁹

Further limiting the overall pubcasting audience is the lack of funding to pursue a united agenda for digital and mobile technology. Without enough money to fulfill its existing programming and infrastructure budgets, PBS and NPR have been unable to implement many of the “new media” capabilities that are now basic standards in their respective industries. For the most part, the two networks have entirely disconnected websites, and each provides varying levels of public accessibility and information. Commercial media is meanwhile experimenting with emerging technology that could, if applied to pubcasting, foster truly democratic debate in the public sphere and reach key minority communities, which consume more media products—from cell-phone minutes to pay-per-view services—than the general white population.¹⁰

Self-censorship is another damaging consequence of CPB’s problematic funding scheme. When elected officials, appointees, and interest groups threaten to pull funds because of a particular program’s content, CPB’s role as an editorial firewall breaks down. Consider the recent high-profile meddling with children’s programming on PBS: it pulled an episode of “Postcards from Buster” in 2005 that included a family with two moms after then-Secretary of Education Margaret Spellings called for PBS to return federal funds dedicated to the children’s show. PBS similarly promised to keep an HIV-positive Muppet off the American version of “Sesame Street” in 2002 after congressional conservatives wrote to PBS reminding the public network of its financial dependence.

Conservatives have also used the power of the purse to elevate sympathetic political operatives to the highest public broadcasting leadership positions. Former CPB chair Kenneth Tomlinson's attempts to expunge a perceived "liberal bias" from public broadcasting eventually forced his 2005 resignation and a rare year-long congressional investigation into his actions. He personally shepherded a program featuring the *Wall Street Journal* editorial board into the PBS lineup despite federal statutes that prohibit board members from influencing programming decisions, and he consulted the White House on how to nix a plan to install CPB board members with local broadcasting experience. Perhaps his most transparent transgression was the secret hiring of a conservative researcher to watch four highly-rated, award-winning news programs on PBS and NPR to try to detect liberal bias.

Finally, despite the increasing importance of public broadcasting's mandate to foster local content, poor funding forces many member stations to fill their schedules with national programming, which is cheaper than producing local content. Less than five percent of PBS member stations have a nightly local news broadcast, and many NPR stations, despite radio's lower production costs, struggle to create local content.¹¹ Colorado, a middle-sized state coming in with the 22nd-largest population, has a two-station public radio system. One station is devoted to classical music, and the other, KCFR, is devoted to news. KCFR airs 22 hours of national programming every weekday, leaving only two one-hour slots for "Colorado Matters," except on Mondays, when the one-hour "KCFR Presents" also airs.¹²

Each of these funding-related "failures" feeds an overarching critique that could most damage the long-term success and existence of public broadcasting: the possibility that the pursuit of funding and audience has driven public broadcasting too far from its "public interest" mandate, making it irrelevant, or worse yet, redundant in the huge media landscape.¹³ The 44th president must leverage public broadcasting's widespread public support to rebuild a flawed but vital democratic system and end the cycle of increasing political and commercial influence.

Short-Term Recommendations

Public broadcasting must shed its old media infrastructure and develop a unified technology agenda that would transform the public interest system into a multimedia, digital forum for civic, cultural, and educational affairs. PBS played a key role in building the nation's first satellite broadcasting system and was the first to use closed captioning and video description services,¹⁴ but the perpetual funding crisis has forced it to focus on maintaining existing infrastructure and programming rather than embrace a "new media" platform. According to media scholar and activist Robert McChesney, "in view of the new technologies, the very term public service *broadcasting* may be misleading; it is truly public service *media*."¹⁵ The new president's public broadcasting agenda must be built on this concept, and he should signal this shift by changing CPB's name, in the course of larger reforms, to the Corporation for Public Media.

The 44th president should immediately establish, by Executive Order, a National Commission on Public Media in the Digital Age to develop finally plans for the immediate creation of a unified, expansive public media web platform—an ecommons for all Americans—and for the ongoing implementation of new information and communications technologies, or ICT. Housed in the Department of Commerce, the new commission should: consult with experts at the Federal Communications Commission, the key pubcasting institutions, the Department of Education, and the new White House Office of Science and Technology; review the wide range of existing technology proposals put forth by pubcasting advocates in recent years; and deliver strategies to the president within his first year in office.

To create a visionary public media plan, the commission should comprise 10–15 distinguished members who collectively represent a wide range of expertise. The next president should appoint no less than four commissioners who are media scholars or activists from respected policy organizations such as the Center for Digital Democracy, Free Press, and American University’s Center for Social Media; no less than four ICT innovators, taking care to appoint innovators who will not be influenced by commercial media’s agenda; and no more than three former leaders of public broadcasting institutions such as CPB, PBS, NPR, and the Association of Public Television Stations. (Sitting pubcasting leaders should be genuinely consulted but not necessarily appointed full commissioners.)

Build a Public Media eCommons

Upon signing the Public Broadcasting Act of 1967, President Johnson presciently argued for the continued pursuit of “new ways to build a great network for knowledge—not just a broadcast system, but one that employs every means of sending and storing information that the individual can use.”¹⁶ Forty years later, the Internet is the natural medium for that “great network,” and pubcasters are still the natural architects and custodians. The goal of the new National Commission on Public Media in a Digital Age should be to create a democratic public media ecommons by centralizing and making universally accessible America’s civic, cultural, and educational resources.

The new public media hub must, first and foremost, integrate all of NPR’s and PBS’s programming onto one platform where items are tagged and cross-referenced so that the public can easily read, watch, and listen to all pubcasting content and see other related content, particularly any produced locally. Given the sheer breadth of PBS and NPR’s combined daily programming, a shared platform is the ideal way to take the “teletopian” values that necessitated traditional public broadcasting to the Internet. To that end, the new commission should study the web efforts of other public broadcasting systems, such as the British Broadcasting Corporation’s www.bbc.co.uk, which has long integrated TV, radio, and print content, and which recently launched the “iPlayer,” a free online database of every program aired on BBC radio or television during the previous week.

Similarly, the public media ecommons should build new partnerships with external, non-commercial sources of content to provide citizens with more information and editorial perspectives. A page dedicated to a particular “News Hour” broadcast or “Masterpiece Theater” production, for example, might provide further news or cultural content from independent and alternative media centers, which have been shut out of increasingly sanitized pubcasting lineups. Finally, the ecommons must provide a highly democratic space for discussion between producers and citizens and for networking among citizens. Public media should be the pre-eminent source of information on the issues of the day and on elections, offering space to all responsible opinions.

Though pbs.org is testing a new unified media player and curated database, npr.org is currently much closer to providing a seamless end-user experience. NPR offers a searchable database of nearly all its local and national programming—often with transcripts, podcasts, and comment boards. Many NPR hosts and producers have successfully integrated web content into broadcast programming by posting further information about guests and topics, making sure that web content is worthy of the Internet’s sophisticated media consumers, and teasing web content on air to encourage listeners to visit the site and create conversation. WNYC’s award-winning Brian Lehrer, for example, regularly uses his show’s site to gather questions and opinions from listeners instead of only taking the traditional callers.

Beyond the main goal of bringing pubcasting’s web presence into the 21st century, the president’s National Commission on Public Media in the Digital Age will need to make an important decision: should a renewed public media system keep its traditional focus on internally produced civic, cultural, and educational programming? Or should it be part of a greater network of public libraries, universities, and government resources? Ellen Miller and Neal Lane both discuss the importance of creating a highly accessible, transparent online government elsewhere in this book. Similarly, former FCC chairman Newton Minnow and former PBS president Lawrence K. Grossman have found congressional support for a Digital Opportunities Investment Trust, which would integrate public broadcasting with America’s schools, universities, museums, and libraries to digitize their resources and leverage them into a revolutionary online hub focused on innovative education.¹⁷

The second task of the president’s new commission reflects the fact that emerging ICT is profoundly transforming the entire media industry. No one yet knows exactly how technology, consumers, and business plans will evolve in the next 10 years. TV and radio executives, however, do know that “wait and see” isn’t a viable strategy for survival and are busy experimenting with different platforms. In this somewhat chaotic environment, public media could regain its technological leadership and claim a larger swath of the digital landscape than was ever possible in the television and radio markets.

ICT developers and commercial media are all asking the same questions: how can we integrate broadcast, mobile, and web technologies? And how does the audience want us to do it? Aside from ease of use, consumers already want and will shortly demand the ability to time-shift, place-shift, and consume media for free—or at least with limited commercial

interruption. Many media companies already offer web streaming in addition to traditional broadcasting, making their programs available live or through on-demand sites such as Hulu and Veoh. (PBS's decision to offer some programming on such commercial sites should be reconsidered.) Tech firms are also experimenting with Internet Protocol TV and Open Internet TV, which allow viewers to access the Internet through their televisions. Combined with the resources of the proposed public media hub, such technology offers public media yet another way to reach a wider range of Americans and contribute to the growth of a stronger democracy. The new commission's long-term ICT strategy will be vital to identifying which existing and emerging technologies should be pursued and how public media can stay on the cutting edge well into the future.¹⁸

Appoint Qualified Board Members and Secure Full Funding

During his first year, the 44th president can stabilize public broadcasting in two ways. First, the next president will inherit a CPB board that has too often been subject to politically strategic vacancies and patronage appointments. He will likely have to fill four of the nine seats within his first year and must appoint qualified individuals who clearly meet the “no more than five members from one party” rule, as well as the requirement that the board include a representative for each PBS and NPR. This return to form will signal the president's commitment to a public media system with integrity.

The new administration should also publicly commit to providing full annual and advanced CPB appropriations in each budget, beginning with fiscal year 2010. Political realities—namely the war in Iraq and the ongoing economic crisis—will likely prevent Washington from immediately addressing long-term funding for CPB, but the president can at least secure current funding. This step will allow pubcasters to plan for the future—a critical part of any sizable entity's success—and will start easing the internal tensions that have balkanized the pubcasting community as different groups fight for limited resources.

Long-Term Agenda

Congress essentially doomed pubcasting to its current state when it ignored the Carnegie Commission's 1967 recommendation to create a public broadcasting trust. Capitalized by a tax on factory sales of televisions, the fund would be nearly \$3 billion today.¹⁹ Instead, entrenched commercial interests and their congressional allies designed a thin and complicated funding plan that is, in short, insufficient, unstable, and dependent on the whims of Congress and K Street.

Such funding pitfalls might be common to all government agencies and programs, but they have a profound effect on public media's potential. Problematic funding surely produces isolated failures in other federal institutions, but those failures do not intrinsically endanger other programmatic opportunities. Since pubcasters are held to the ideal of

complete journalistic integrity, analogous individual failures—a biased news segment or a more-commercial underwriting policy—undermine everything else PBS and NPR do.

After contentious early years in which President Nixon vetoed all funding in retribution for a PBS production, “Banking and the Poor,” Congress did try to offer CPB more independence in 1975 by making it the only federal institution funded two years in advance.²⁰ Unfortunately, this arrangement has failed to insulate pubcasting because Washington regularly cuts previous appropriations. President Bush’s proposed budget in February 2008, for example, halved CPB’s FY2009 appropriation from \$400 million to \$200 million and made no appropriation for FY2011.²¹ Even if this type of reversal did not occur regularly, a two-year advance does not protect sufficiently against political reprisal, given the six- and four-year terms served by the president and senators and the 94 percent House incumbency rate.

Moreover, two of the world’s best public broadcasting systems are the BBC and Germany’s ARD and ZDF, whose respective governments spend more than \$80 per capita on the programs annually. Canada and Australia spend an average of \$28 per capita. In the United States, it’s \$1.70.

The new president should push for the legislative establishment of an independent Public Media Trust with an initial target of \$5 billion to \$10 billion. Assuming the standard five percent rate of return of similar trusts, a \$10-billion trust would immediately remove CPB from the federal budget and grow its budget, providing some \$500 million per year. The Public Media Trust proposal has been revisited many times since the Carnegie Commission first recommended it, and the 44th president should be able to rally a wide range of allies for a responsible trust proposal.

There is a precedent for conservative trust support set by two Republican representatives in the mid-1990s after they asked CPB to come up with a plan for privatization. PBS, NPR, PRI, and APTS submitted an updated trust proposal, which would have ended all congressional appropriations to CPB by 2000. The proposal became the Public Broadcasting Self-Sufficiency Act of 1996 but ultimately stalled when Congress offered only half of the endowment necessary to fund CPB annually and refused to supplement CPB’s budget while more capital funds were raised. The bill did suggest that the fund should be filled by FCC spectrum auctions such as the 2008 analog spectrum sale.²² Auction 73 raised more than \$19.5 billion by selling the analog spectrum freed up by the scheduled nationwide switch to a digital network in February 2009.

Auction 73’s sheer size represents a lost capitalization opportunity, and the larger economic concerns may delay the establishment of a trust, but the new president’s recommended legislation should allocate no less than \$5 billion from future FCC auctions. Furthermore, the short-term capital goal should be to reach \$10 billion within, perhaps, five years, and the long-term goal should reflect the start-up and maintenance costs of the new online public media hub, the ongoing technology implementation strategy, and a major investment in minority programming. The gap between auction proceeds

and the successive goals could be filled from three sources: the public, the commercial media industry, and corporate underwriters and foundations.

Many liberals and conservatives frown upon proposals that ask consumers to pay for public broadcasting, but most successful pubcasting systems around the world have at least one mechanism to draw funds directly from citizens. Politically, the establishment of a Public Media Trust may depend on the new president asking the public to support directly the service they value so highly. The proposal most often mentioned is a small tax or fee on cable services or television receivers. Seventy-five percent of funding for the BBC comes from an annual television license fee, which was about \$230 per television in 2004 and raised about \$5 billion. If each American household with a television had been charged \$1 per month in 2007, it would have raised \$1.3 billion—nearly the annual budget of the entire pubcasting community. If the fee were charged on every television in use in America, pubcasters would have raised more than \$3.5 billion.²³

With a direct public funding plan and public pressure, the next president will be able to bring commercial media to the bargaining table or at least to give Congress leverage to ignore media lobbyists when considering how big media will contribute directly to the new Public Media Trust. Commercial media will put up a strong fight, using dollars and airwaves, against funding direct competition. However, having failed to meet the spirit, if not the specifics, of its own public interest responsibilities, it is time commercial media contribute to public media as in other countries.

One common proposal is an annual spectrum usage fee. The upcoming switch to a digital platform will allow broadcasters and cable companies to multicast transmissions of 6–8 channels where there used to be one; the potential new revenue streams are enormous. The federal government could also leverage a transfer fee on broadcast license sales; if license sellers had paid a two percent tax on the proceeds of sales in 1997, it would have raised \$460 million in that year alone.²⁴ Yet another proposal is to levy a tax on broadcast advertising. Despite a two percent decrease from 2006, U.S. radio and television advertising totaled more than \$75 billion in 2007. A one-half percent tax would have raised \$375 million.²⁵ There may also be opportunities to gather commercial funds from the low-cost analog broadband network that Auction 73 is meant to foster.

The next president can also call on the corporate underwriters and foundations to give above and beyond their regular programmatic public media support to a capital trust campaign. Given the good will pubcasters still enjoy, the rise of the mega-philanthropists, and the fact that member stations already hold capital campaigns in addition to regular funding drives, it's not unrealistic to assume that a targeted campaign could raise at least \$1 billion in a relatively short period of time.

In addition to adequate funding, the new administration's legislation must ensure that the Public Media Trust has proper leadership. Plans by trust proponents over the years generally fall into two categories; they either place the trust under CPB or replace CPB with a

new “heat shield” corporation built around the trust. Since the former requires significant restructuring of the CPB, the plans essentially share the same goal: guaranteeing that the new trust is administered by a board of distinguished Americans with relevant experience and a dedication to editorial and financial independence.²⁶

The Public Broadcasting Act of 1967 calls for a board comprising individuals “eminent in such fields as education, cultural and civic affairs, or the arts, including radio and television,” and stipulates that board members represent “various professions and occupations, and various kinds of talent and experience appropriate to the functions and responsibilities” of public broadcasting. The current nomination and confirmation process has failed to achieve these ideals because it lacks proper political insulation and a more specific rubric articulating what a model board would actually look like.

The 44th president can address these appointment problems by establishing an independent nominating panel of, according to one existing proposal, “university presidents, leading writers, artists, scientists, and citizens of accomplishment.”²⁷ Established within the trust legislation or by Executive Order, this standing panel would have a concrete rubric for vetting new public media board members—checking for relevant experience, political balance, and dedication to pubcasting’s mission—and providing the president with a group of candidates from which he would choose a nominee for Senate confirmation. The nominating panel should have a minimum of 10 members, and should exclude large political donors and members of the commercial media or the conglomerates that own them. Anyone would be able to submit possible candidates to the panel for consideration, but individuals from these three groups should not be members of the nominating panel since they would bring, at the very least, the perception of political biases or inherent agendas that would prevent them from making recommendations for the benefit of the whole pubcasting system.

Internal Public Media Reform

With a new digital democracy plan and an effective Public Media Trust, the public broadcasting community will be better equipped to pursue difficult internal reforms, many of which are not appropriate for elected officials to implement, and all of which have been hindered by the territorial attitudes that the struggling system has produced. Debates about major infrastructure questions, such as whether some smaller markets should have more than one PBS or NPR station, will continue to be contentious, but they will likely be more productive in a digitally unified, financially stable system. Similarly, a secure public media system would naturally pursue policies that foster a more democratic media landscape, from supporting community broadband proposals and local public, educational, or governmental channels to retracting its opposition to recent low-power FM initiatives. In time, a renewed public media system could finally fulfill the Carnegie Commission’s goal as the pre-eminent “instrument for the free communication of ideas in a free society.”²⁸

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