

Federal Communications Commission Launches Inquiry on Children and Media

The Federal Communications Commission (“FCC”) has released a *Notice of Inquiry* to initiate a new rulemaking proceeding about children and the media. The Commission seeks information about how children can be served and protected, and their parents “empowered” to use electronic media beneficially. This follows the Commission’s *Child Safe Viewing Act Report* which was sent to Congress last summer, reporting on the current state of parental control technologies.

The Commission observed that the electronic media can have a substantial positive educational impact in the lives of children. The agency invites comment about whether there is enough educational content available to meet the wide range of needs and interests in the child audience. In implementing the Children’s Television Act, the Commission adopted requirements that television stations must air at least three hours of educational programming per week. The Commission wants to know if these rules have been effective, and whether there are other measures that could be adopted to foster a greater quantity and variety of children’s educational programming.

The Commission also cited potentially harmful aspects of juvenile media consumption that it wants to explore in this proceeding. These risks include (1) exposure to exploitative advertising; (2) exposure to inappropriate content such as offensive language, sexual content, violence or hate speech; (3) impact on health such as obesity, sexual behavior, and the use of tobacco, alcohol and drugs; (4) exposure to violence that leads to aggressive behavior; (5) harassment and bullying; (6) sexual predation; (7) fraud and scams; (8) failure to distinguish between who can and who cannot be trusted when sharing information; and (9) compromised privacy. The Commission seeks comment on these risks, whether parents, teachers and children are aware of them, and what can be done to protect children from them. The agency’s goal is to gather data and recommendations from experts, industry and parents that will enable it to identify actions that all stakeholders can take to enable parents and children to navigate the electronic media landscape successfully.

The Commission solicits comment on the effectiveness of existing technologies to filter and screen undesirable content from children. It also asks whether there are other nontechnical means to protect children (such as parental household rules), and if so, how can government encourage their implementation. In this regard, the Commission seeks to promote what it calls “media literacy” – an awareness of the issues by all stakeholders and knowledge about options available to achieve the most favorable outcomes.

The FCC acknowledges that it may not have statutory authority to regulate all aspects of this topic. It invites public comment on what additional authority might be useful or desirable, and what other nonregulatory means could be employed to achieve the objective of protecting children from risky media.

The period for filing comments is open now and will close 60 days after notice of this proceeding is published in the Federal Register. Reply comments will be due 90 days after Federal Register publication. Comments can be prepared on paper and submitted manually, or they can be filed electronically with the FCC through its Internet website at <http://fjallfoss.fcc.gov/ecfs2/>. A copy of the *Notice of Inquiry* can also be downloaded from that website.

For further information, contact media attorney Don Martin at 703.642.2344 or via email at dempc@prodigy.net.