

117TH CONGRESS
1ST SESSION

S. 1601

To establish the Future of Local News Committee to examine and report on the role of local news gathering in sustaining democracy in the United States and the factors contributing to the demise of local journalism, and to propose policies and mechanisms that could reinvigorate local news to meet the critical information needs of the people of the United States in the 21st century.

IN THE SENATE OF THE UNITED STATES

MAY 12, 2021

Mr. SCHATZ (for himself, Mr. BENNET, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To establish the Future of Local News Committee to examine and report on the role of local news gathering in sustaining democracy in the United States and the factors contributing to the demise of local journalism, and to propose policies and mechanisms that could reinvigorate local news to meet the critical information needs of the people of the United States in the 21st century.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Future of Local News
3 Act of 2021”.

4 **SEC. 2. FINDINGS.**

5 Congress finds and declares the following:

6 (1) The United States of America was founded
7 on the press freedom principle enshrined in the First
8 Amendment to the Constitution, declaring that
9 “Congress shall make no law . . . abridging the free-
10 dom of speech, or of the press . . .”.

11 (2) Democracy demands wisdom and vision in
12 its citizens, and an informed citizenry depends on
13 accurate and unbiased news reporting to inform the
14 people’s judgments.

15 (3) Thomas Jefferson famously and wisely
16 wrote, “[W]ere it left to me to decide whether we
17 should have a government without newspapers or
18 newspapers without a government, I should not hesi-
19 tate a moment to prefer the latter.”.

20 (4)(A) According to research by the University
21 of North Carolina School of Media and Journalism,
22 Center for Innovation and Sustainability in Local
23 Media:

24 (i) The United States has lost more than
25 2,100 local print outlets since 2004.

(ii) More than 200 counties in the United States have no newspaper at all, creating a news shortage for the 3,200,000 residents of those counties.

(iii) Of the remaining counties, more than half, or 1,528, have only one newspaper, often a weekly newspaper, to cover populations ranging from under 1,000 to more than 1,000,000 residents.

(iv) More than half of all United States newspapers have changed owners in the past decade, and in 2018 just 25 companies owned two-thirds of all daily newspapers.

(v) Of the surviving 6,700 newspapers in the United States, at least 1,000 qualify as “ghost newspapers”, or newspapers “whose reporting staffs are so significantly reduced that they can no longer provide much of the breaking news or public service journalism that once informed readers about vital issues in their communities”.

(vi) Rural counties are among the counties most deeply impacted. More than 500 of the 2,100 newspapers that have closed or merged since 2004 have been in rural counties.

1 (B) According to the Pew Research Center,
2 total newsroom employment (meaning in newspapers,
3 television, radio, and digital) dropped by
4 roughly 25 percent from 2008 to 2018, while the
5 plunge in newspaper newsrooms alone was much
6 worse, at 47 percent.

7 (C) According to the program “On the Media”
8 of WNYC Studios, beat reporting, meaning the day-
9 to-day coverage of a particular field that allows a
10 journalist to develop expertise and cultivate sources,
11 has been gutted.

12 (D) Freedom of Information Act requests sub-
13 mitted by local newspapers to local, State, and Fed-
14 eral agencies fell by nearly 50 percent between 2005
15 and 2010, demonstrating a significant drop in the
16 extent to which reporters request government
17 records.

18 (E) According to the Pew Research Center,
19 newspapers alone lost more than \$35,000,000,000 in
20 advertising revenue between 2004 and 2018.

21 (F) A 2018 study by American Indian Media
22 Today found that the number of American Indian
23 print media sources has shrunk dramatically in re-
24 cent years, from 700 media outlets in 1998 to only
25 200 in 2018.

1 (5) According to the Native American Journalists Association, Tribal news outlets are often dependent on Tribal governments for funding, but most Tribal news outlets lack the policy structure necessary to fully protect journalistic independence.

6 (6) As a result, freedoms of speech and press among Tribal nations are inconsistent, as Tribal media journalists report experiencing punitive budgetary restrictions, censorship, required prior approval of content, and workplace harassment in pursuit of Tribal reporting.

12 (7) In its 2019 call-to-action report, “Losing the News: The Decimation of Local Journalism and the Search for Solutions”, PEN America proposed “a major reimagining of the local news space, in which local reporting is re-conceptualized as a public good”, calling on society and government to urgently address the alarming demise of local journalism.

19 (8) Half a century ago, Congress perceived that the commercial television industry would not on its own provide the educational and public interest broadcasting that was appropriate and necessary for the country, and, informed by an independent report prepared by the Carnegie Commission on Educational Television, saw fit to create the Corporation

1 for Public Broadcasting, which has since ensured
2 that radio and television include public interest edu-
3 cational and reporting programs, using annually ap-
4 propriated funds.

5 (9) In order to determine an appropriate course
6 of action to preserve and sustain local news across
7 the United States, including in all States, territories,
8 insular communities, and Tribal areas, it is desirable
9 to establish a Federal advisory committee on the fu-
10 ture of local news to prepare a report that would
11 make recommendations to Congress.

12 **SEC. 3. FUTURE OF LOCAL NEWS COMMITTEE.**

13 (a) ESTABLISHMENT.—There is established an advi-
14 sory committee to be known as the “Future of Local News
15 Committee” (in this section referred to as the “Com-
16 mittee”).

17 (b) PURPOSE.—The purpose of the Committee is
18 to—

19 (1) examine the state of local news and the
20 ability of local news to sustain democracy by meet-
21 ing the critical information needs of the people of
22 the United States; and

23 (2) provide recommendations on mechanisms
24 that the Federal Government can create and effec-
25 tively implement to support production of profes-

1 sional, independent, and high-quality local news to
2 meet the needs of the public, which recommenda-
3 tions, in addition to any other proposals deemed ap-
4 propriate, may explore the possible creation of a new
5 national endowment for local journalism, or the re-
6 form and expansion of the Corporation for Public
7 Broadcasting or another appropriate institution, to
8 make public funds a part of a multi-faceted ap-
9 proach to sustaining local news.

10 (c) MEMBERSHIP.—

11 (1) COMPOSITION.—The Committee shall be
12 composed of 13 members, of whom—

13 (A) 2 shall be appointed by the majority
14 leader of the Senate;

15 (B) 2 shall be appointed by the minority
16 leader of the Senate;

17 (C) 2 shall be appointed by the Speaker of
18 the House of Representatives;

19 (D) 2 shall be appointed by the minority
20 leader of the House of Representatives;

21 (E) 2 shall be appointed by the Chairman
22 of the Board of Directors of the Corporation for
23 Public Broadcasting;

(F) 2 shall be appointed by the Chairperson of the National Endowment for the Humanities; and

(G) 1 shall be appointed by the Chief Executive Officer of the United States Agency for Global Media.

(2) CRITERIA FOR SERVICE ON THE COMMITTEE.—To the extent practicable, the Committee shall include members with relevant expertise, such as individuals in the following positions:

(A) Print media news editor.

(B) Digital-native or digital-first news edi-

(C) Broadcast news editor.

(D) Local county editor or journalist of a news outlet with circulation or readership of not more than 75,000.

(E) Print media journalist or editor for a news outlet that serves national readership.

(F) Nonprofit news outlet journalist or editor.

(G) Broadcast news reporter who works for a local broadcast outlet serving a single community or geographic area.

1 (H) A research expert on the state of local
2 news and the phenomenon of the industry's rev-
3 enue loss and overall contraction during last 10
4 or more years.

5 (I) Business leader in the media industry.

6 (J) Labor union leader in the media indus-
7 try.

8 (K) Dean or professor at a university
9 school of journalism.

10 (L) Civil society representative from a non-
11 partisan organization that examines the nature
12 of the local news crisis.

13 (M) Editor or other senior professional of
14 a regional ethnic media outlet serving commu-
15 nities in which English is a second language.

16 (N) Editor or other senior professional of
17 a Tribal news outlet or a news outlet serving
18 American Indian, Alaska Native, or Native Ha-
19 waiian communities.

20 (3) DIVERSITY.—To the extent practicable, the
21 Committee shall—

22 (A) include members from diverse regions
23 of the country and reflect the experience of
24 rural, urban, suburban, insular, and Tribal
25 communities; and

(B) reflect the gender, racial, and ethnic diversity of the United States.

3 (4) DESIGNATION OF ALTERNATES.—If a mem-
4 ber of the Committee is unable to serve on the Com-
5 mittee for the duration of the Committee, the official
6 who had appointed the resigning committee member
7 shall appoint an alternate not later than 30 days
8 after the member withdraws or becomes unable to
9 serve.

10 (5) CHAIRPERSON.—The chairperson of the
11 Committee shall be elected by the Committee from
12 among the members by a majority vote at the initial
13 meeting.

14 (6) TERM OF MEMBERSHIP.—Members of the
15 Committee shall serve until the date on which the
16 Committee terminates under subsection (h).

1 (d) DUTIES.—The duties of the Committee are as fol-
2 lows:

3 (1) To examine the implications for the democ-
4 racy of the United States of the disappearance of so
5 many local newspapers, digital news outlets, and
6 broadcasting outlets—

7 (A) in every State and territory;
8 (B) in rural, urban, suburban, insular, and
9 Tribal communities, of the United States; and
10 (C) that serve Black communities and non-
11 English-speaking communities.

12 (2) To assess—

13 (A) the impact the coronavirus pandemic
14 has had on the demise of the news industry;
15 and

16 (B) whether the Paycheck Protection Pro-
17 gram set forth in section 7(a)(36) of the Small
18 Business Act (15 U.S.C. 636(a)(36)) has had
19 beneficial effects on local news organizations.

20 (3) To assess the effectiveness of existing Fed-
21 eral statutes (including the Internal Revenue Code
22 of 1986 and the antitrust laws), regulations, institu-
23 tions (including the Corporation for Public Broad-
24 casting), and programs in supporting the production
25 of local news.

1 (4) To examine potential new mechanisms for
2 public funding for the production of local news to
3 meet the critical information needs of the people of
4 the United States and address systemic inequities in
5 media coverage and representation throughout the
6 country.

7 (5) To consider issues of transparency and
8 other guardrails, such as editorial independence
9 from government actors and a distinct, independent
10 legal and financial structure for the funding institu-
11 tion, which must be addressed if public funding is
12 viewed in principle as one path forward to support
13 production of local news.

14 (e) POWERS OF THE COMMITTEE.—

15 (1) HEARINGS.—The Committee may, for the
16 purpose of carrying out this section, hold hearings,
17 sit and act at times and places, take testimony, and
18 receive evidence as the Committee considers appro-
19 priate.

20 (2) POWERS OF MEMBERS AND AGENTS.—Any
21 member of the Committee may, upon authorization
22 by the Committee, take any action that the Com-
23 mittee is authorized to take under this section.

24 (3) OBTAINING OFFICIAL DATA.—Subject to ap-
25 plicable privacy laws and relevant regulations, the

1 Committee may secure directly from any department
2 or agency of the United States information and data
3 necessary to enable it to carry out this section. Upon
4 written request of the chairperson of the Committee,
5 the head or acting representative of that department
6 or agency shall furnish the requested information to
7 the Committee not later than 30 days after receipt
8 of the request.

9 (f) OPERATING RULES AND PROCEDURE.—

10 (1) INITIAL MEETING.—The Committee shall
11 meet not later than 30 days after the date on which
12 a majority of the members of the Committee have
13 been appointed.

14 (2) MEETINGS.—The Committee shall convene
15 some of its public meetings in various regions of the
16 country.

17 (3) VOTING.—Each member of the Committee
18 shall have 1 vote.

19 (4) RECOMMENDATIONS.—The Committee shall
20 adopt recommendations only upon a majority vote.

21 (5) QUORUM.—A majority of the members of
22 the Committee shall constitute a quorum, but a less-
23 er number of members may hold meetings, gather
24 information and evidence, and review draft reports
25 from staff.

1 (g) STAFF.—

2 (1) PERSONNEL.—The chairperson of the Com-
3 mittee may appoint staff to inform, support, and en-
4 able committee members in the fulfillment of their
5 responsibilities. A staff member may not be a local,
6 State, or Federal elected official or be affiliated with
7 or employed by such an elected official during the
8 duration of the Committee.

9 (2) EXPERT CONSULTANTS.—As needed, the
10 Committee may commission intermittent research or
11 other information from experts and provide stipends
12 for engagement consistent with relevant statutes and
13 regulations.

14 (h) DURATION.—The Committee shall terminate 60
15 days after the date on which the Committee presents the
16 findings, conclusions, and recommendations of the Com-
17 mittee at the public hearing described in subsection (i)(3).

18 (i) REPORT.—

19 (1) SUBMITTAL OF REPORT.—Not later than 1
20 year after the date of the initial meeting of the Com-
21 mittee, the chairperson of the Committee shall sub-
22 mit to Congress a comprehensive report on the find-
23 ings, conclusions, and recommendations of the Com-
24 mittee in furtherance of the purpose of the Com-
25 mittee under subsection (b).

1 (2) PUBLIC ACCESS TO REPORT.—The report
2 submitted to Congress under paragraph (1) shall be
3 publicly available online for free.

4 (3) HEARING AND IMPLEMENTATION.—After
5 the Committee submits the report under paragraph
6 (1), the appropriate committees of Congress may
7 hold hearings at which the Committee may present
8 the findings, conclusions, and recommendations of
9 the Committee as laid out in the report.

10 (j) APPLICABILITY OF FACA.—Except as provided in
11 subsection (h), the Federal Advisory Committee Act (5
12 U.S.C. App.) shall apply to the Committee.

13 (k) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to the Committee
15 \$1,000,000 to carry out this section.

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