

108TH CONGRESS
2D SESSION

H. R. 4710

To clarify the congressional intent concerning, and to codify, certain requirements of the Communications Act of 1934 that ensure that broadcasters afford reasonable opportunity for the discussion of conflicting views on issues of public importance.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2004

Ms. SLAUGHTER (for herself, Mr. HINCHEY, and Mr. GRIJALVA) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To clarify the congressional intent concerning, and to codify, certain requirements of the Communications Act of 1934 that ensure that broadcasters afford reasonable opportunity for the discussion of conflicting views on issues of public importance.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Meaningful Expression
5 of Democracy in America Act” or the “MEDIA Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) A broadcast license confers the right to use
2 a valuable public resource, and a broadcaster is
3 therefore required to utilize that resource as a trust-
4 ee for the American people.

5 (2) There is a substantial governmental interest
6 in conditioning the award or renewal of a broadcast
7 license on the requirement that the licensee ensure
8 the widest possible dissemination of information
9 from diverse and antagonistic sources by presenting
10 a reasonable opportunity for the discussion of con-
11 flicting views on issues of public importance.

12 (3) Since the removal of the Fairness Doctrine
13 standard in 1987, we have seen a polarization in
14 America due to the dissemination of false and mis-
15 leading information and the growing proliferation of
16 highly partisan news outlets.

17 (4) Democracy is built on the idea that the
18 views, beliefs, and values of an informed citizenry
19 are the best basis for political decision-making.

20 (5) As journalist Bill Moyers said, “A free and
21 responsible government by popular consent just can’t
22 exist without an informed public. . . . If free and
23 independent journalism committed to telling the
24 truth without fear or favor is suffocated, the oxygen
25 goes out of democracy.”

1 (6) To restore the oxygen, there is broad public
2 support for reestablishing requirements for balance
3 in issue presentation over the public airwaves.

4 (7) The Fairness Doctrine—

5 (A) fairly reflects the statutory obligation
6 of broadcasters under that Act to operate in the
7 public interest; and

8 (B) strikes a reasonable balance among the
9 First Amendment rights of the public and
10 broadcast licensees.

11 (8) Our Founding Fathers created this democ-
12 racy based on the right to debate ideas openly and
13 make informed choices, and the lack of a balanced
14 debate on issues of public importance threatens
15 these ideals.

16 **SEC. 3. AMENDMENT TO THE COMMUNICATIONS ACT OF**
17 **1934.**

18 Section 315 of the Communications Act of 1934 (47
19 U.S.C. 315) is amended—

20 (1) by redesignating subsections (a) through (e)
21 as subsections (b) through (f), respectively; and

22 (2) by inserting before subsection (b) (as so re-
23 designated) the following new subsection:

24 “(a) PUBLIC INTEREST OBLIGATION TO COVER PUB-
25 LICLY IMPORTANT ISSUES.—A broadcast licensee shall af-

1 ford reasonable opportunity for the discussion of con-
2 flicting views on issues of public importance. The enforce-
3 ment and application of the requirement imposed by this
4 subsection shall be consistent with the rules and policies
5 of the Commission in effect on January 1, 1987.”.

6 **SEC. 4. EFFECTIVE DATE.**

7 This Act and the amendments made by this Act shall
8 take effect upon the date of enactment of this Act.

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