

and cross-Strait tensions that increasingly worry the U.S. and its allies. China's recent enactment of an "anti-secession law" and its continuing ballistic missile build-up adjacent to the Strait has produced palpable concern in Washington and European capitals. It has jeopardized the Asian-Pacific region's promising economic development and political stability of recent years.

The time has truly come for bold, creative initiative otherwise known as leadership based on self-confidence, to break the deadlock. The late President Ronald Reagan believed in proactive engagement with adversaries, saying old enemies should "trust but verify" as they reach out and seek to reconcile. Like President Reagan's outreach to the Soviet Union in its final years, the Lien mission proposes to go half-way in extending a gesture of peace, to open a channel of communication to the other side.

Lien's mission is reminiscent of previous milestones when other statesmen chose to reach out to old adversaries at opportune moments in history, often placing their personal reputation and political legacy at risk in the process. His gesture is not unlike that of President Richard Nixon who opened doors for dialogue by visiting China in 1972; or Egyptian President Anwar Sadat who traveled to Jerusalem in 1977 to open discussions with Israel; or even Pope John Paul II who seized the initiative to visit Communist Eastern Europe and later Cuba to open historic new contacts that he believed could change old Cold War relationships.

The international community should welcome this step towards direct unofficial talks between Taiwan and China. Dialogue cultivates mutual understanding, nurtures confidence, builds trust, and creates opportunities for healing wounds and moving forward to break the deadlock. Never underestimate the power of personal engagement: the personal touch reduces tensions and prospects for conflict while introducing very human avenues for potential cooperation. There can be no harm in a fresh initiative that energizes the peaceful process across the Strait and promotes the welfare of the people of Taiwan in so many ways.

Americans can cheer the Lien initiative because it serves U.S. interests of peace, international stability, and regional cooperation. It reduces the likelihood that U.S. naval battle groups will once again have to move into the Taiwan vicinity to avert possible conflict between the two sides, as they did in 1996. It greatly improves the prospect that Chinese on both sides of the Taiwan Strait can forge new channels of communication and cooperation, leading eventually to a resolution of one of the world's most dangerous tension spots. Engagement, not estrangement, is the means to reconciliation and stability.

HONORING THE CONTRIBUTIONS OF BARBARA TAYLOR, NORMA KRUEGER ELEMENTARY SCHOOL TEACHER OF THE YEAR

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 26, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize Barbara Taylor for being named Norma Krueger Elementary School Karrer Campus Teacher of the Year.

Ms. Taylor holds a B.S. in Elementary Education from the University of Houston, and a Masters in Special Education from Our Lady

of the Lake University in San Antonio, Texas. She now teaches fifth grade science at the Marion Independent School District.

Barbara Taylor believes that teaching is an ordinary-seeming profession that presents extraordinary opportunities to those willing to look. She asks herself every day what she can do to make a difference in the world, and in the lives of her students. She is known for seeking out teachable moments in which she can show her students a new way of seeing the world.

Ms. Taylor believes that good teaching can be the foundation for extraordinary lives. This philosophy has led her to be one of her district's most energetic and dynamic educators.

Ms. Barbara Taylor is an exemplary teacher, and a tremendous resource for the families and children of Marion, Texas. Her commitment to our children deserves our respect and thanks, and I am happy to have had the chance to recognize her here today.

AMTRAK BOARD'S REORGANIZATION PLAN

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 26, 2005

Mr. RAHALL. Mr. Speaker, last week, Amtrak's Board of Directors released a set of "strategic reform initiatives" the railroad would like to take "to revitalize U.S. passenger rail service." The Chairman of the Board suggested these reforms would "strengthen passenger rail service at a time when our nation needs it most."

In my view, which I share with many of my colleagues on the House Transportation and Infrastructure Committee, these reforms are misguided and would doom the future prospects for the railroad, result in significant hardships for rail passengers in the long-term and be a tremendous disservice to the hard-working employees of Amtrak.

It comes as no surprise to me that the Board's proposal is similar to that of the Administration's—Amtrak's entire governing body has been appointed by President Bush. To be clear, if these proposals, both from Amtrak and the Administration, go into effect, Amtrak will not survive. In many cases, the millions of people who depend on Amtrak's services will be left with no reliable means of rail transportation.

Of significant concern is the Board's proposal as it relates to its workers. The Board proposes to alter the Railway Labor Act to enable Amtrak to unilaterally change work rules and contract out jobs. The Board's reforms would also eliminate many health, safety and benefit protections for which Amtrak's workers have fought hard. In addition, under the Board's plan, newly hired Amtrak and other passenger rail workers would be placed in the Social Security program instead of the Railroad Retirement System, which has covered rail workers for more than 70 years.

The Board is attempting to put Amtrak's funding burden on the backs of its hard-working employees and for that I will not stand. To that end, I would like to highlight the introduction of the Amtrak Reauthorization Act of 2005, introduced by Chairman YOUNG and Ranking Member OBERSTAR.

This legislation would provide Amtrak with \$2 billion each year through 2008, and would put the railroad on the track to financial and operational stability. This bill also includes strict funding accountability procedures to ensure contractual obligations are met and money is spent wisely. It is this type of proposal—not the Administration's or Amtrak's Board's plan—that will benefit Amtrak and its passengers in the coming years.

In closing, I urge my colleagues to reject both the Bush Administration's and Amtrak Board's proposals to dismantle Amtrak. They aim only to weaken the railroad, place greater financial burden on the states, and harm the hard-working employees of Amtrak and passenger rail throughout the country.

MEDIA CONSOLIDATION

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 26, 2005

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to call attention to a presentation by Charles Benton, chairman of the Benton Foundation, entitled, "Where's the Public? Media Reform in the Digital Age," which he gave at the Engaging in Democracy Series at Ithaca College on January 25, 2005. It is my hope that Congress will address the problems of media consolidation that Mr. Benton discusses. It is our duty to ensure that the public airwaves are meeting the public need.

"I believe the future of media and communications in America is cause for serious concern. In April 2004, I delivered this message to the Council on Foundations, and I repeat it tonight. As we move from an analog world to a digital one, we are truly at a crossroads. At stake is who controls what we see, hear, and read. At stake is our ability to get our message out and make a difference. At stake is nothing less than the health of our democracy. We all have a stake in this debate."

I come here three months after Representative MAURICE HINCHEY and Federal Communications Commissioner Michael Copps spoke to you about media concentration. Given Congressman HINCHEY's representation of this district, I feel I'm visiting the people who brought the message of media ownership reform to Washington—perhaps you can think of this address as Washington reporting back.

The debate over media ownership restrictions is just the tip of an iceberg that has jolted our time-honored communications policy priorities of competition, diversity and localism. Some would say we are now rearranging the deck chairs on the Titanic . . . that media concentration and consolidation are inevitable, and we will drown in a sea of commercialism. But I see it differently. I believe we are embarking on a new journey—kept afloat—and indeed propelled—by the interest, enthusiasm, and energy of a new generation of people concerned about our media future.

Collected in this hall tonight, I hope, are new enlistees in the battle to preserve, protect, and strengthen the public space in America's media environment. Beyond this hall, I hope this message is received by other committed people and organizations who will offer their time, talent, and resources to prevail in this ongoing fight.

By law, as reaffirmed in the Telecommunications Act of 1996, broadcasters have an obligation to serve the public interest. The government provides broadcasters on loan and free of charge exclusive access to a portion of the public airwaves—spectrum—for broadcasting in exchange for their commitment to serve the “public interest, convenience and necessity.”

Under the '96 Act, the amount of spectrum given to television station owners was doubled. The policy rationale for this was to enable them to convert their signals from an analog to a digital format, thereby increasing the number and technical quality of their broadcast channels. For the spectrum needed for one analog channel, broadcasters can now simultaneously air six standard-quality digital channels or one or more high-quality high-definition channels.

When at least 85 percent of homes in a broadcasting market can receive digital signals, the spectrum currently used for analog channels is to be returned to the government for public safety uses, with some spectrum to be auctioned off. Digital television and radio make broadcasting more competitive and valuable in the market, and should enable broadcasters to better serve basic public needs. Remember that broadcasters are supposed to serve as public trustees in their use of the publicly owned airwaves. That at least is the theory on how the system is supposed to work.

Let's look now at the reality, starting with who owns the media. Today, five companies own the broadcast networks, own 90 percent of the top 50 cable networks, and produce 75 percent of all prime time programming. People of color constitute over 30 percent of America, but they own only 4.2 percent of the nation's radio stations and around 1.5 percent of TV stations. The current media landscape already shortchanges our historical commitment to competition, diversity and localism, but in June 2003, a majority of FCC commissioners voted to further weaken it. The FCC decided to relax media concentration safeguards and open the door to a fundamental reshaping of the media landscape. The action would have significantly deregulated broadcast media ownership rules, removing restrictions on the number of outlets a broadcaster could own and control. It would also eliminate “cross ownership” rules that prevented newspapers from buying broadcast stations and vice versa in the same community. The debate leading up to the decision sparked an unprecedented outpouring of public concern over the future of media in America.

Millions of Americans spoke out against relaxing the ownership rules—more than in any other FCC decision to date—yet the FCC acted to allow big media companies to get even bigger—reducing competition at the expense of the public's need for diverse and local content. The sense that the FCC no longer cares about protecting the public interest may have led broadcasters to believe they can get away with more commercialization without protecting the public interest.

But in June of last year, the United States Court of Appeals in Philadelphia reversed the FCC's action. This is a big, big win for diversity, competition and localism in the media, the three stated goals of the FCC. The judges ruled that preserving democracy is more important than freeing big companies to grow

bigger. Perhaps the most important part of the decision is the Court's holding that the FCC improperly applied a presumption in favor of deregulation in its review of the broadcast media ownership rules. Thus, it sent the case back to the FCC for better analysis of public impact. This court action gives the public the chance to argue that ownership rules are necessary for preserving local civic discourse.

In November filings to the Supreme Court, Media General and a coalition of major TV network owners made clear that they are seriously considering challenging the Philadelphia court decision by attacking the bedrock legal rationale for regulating the nation's broadcasters—Red Lion. In the landmark 1969 Red Lion decision, the court held that because broadcasters use a scarce government resource—the radio spectrum—to deliver programming over the air, the FCC is justified in its special regulation of the industry in the public interest. The scarcity argument justifies a range of FCC broadcast regulations, from ownership restrictions to prohibitions on indecent broadcasts. But Red Lion is used as a rationale for regulations that benefit broadcasters, too, including obligations of cable operators to carry the signals of local broadcasters.

Why risk this important commercial benefit? Broadcasters appear sick and tired of FCC regulations limiting their ability to add broadcast stations to their portfolios, regulations punishing them for off-color programming that may seem tame on cable, and regulations requiring them to serve the public interest, not just their commercial interests.

I am confident that even if the Supreme Court hears arguments launched by Media General and others against Red Lion and the “scarcity rationale” for broadcast regulation that the decision's underlying principles will prevail. The most important of these, according to the Supreme Court, is that the First Amendment rights of viewers are paramount.

These giant companies claim that we live in a time of unprecedented media choice: hundreds of TV and radio stations provided by terrestrial broadcasters, cable operators, satellite radio and TV systems, national and local newspapers, and the Internet. But who owns most of this media? You know the names: Time Warner, Fox, Viacom, Disney, GE Universal. Do we really have diverse, competing and local voices?

Additionally, spectrum remains a scarce resource. Wireless telecommunications companies are willing to spend billions—some estimate up to \$100 billion—to start providing services over spectrum currently used by broadcasters. Perhaps if broadcasters are willing to enter auctions for spectrum—like other users are forced to do these days—then they can be freed from what they call burdensome regulation. Until and unless they do so, they should be part of a constructive conversation to spell out their public interest obligations in the digital age.

Some responsible broadcasters are doing just that. As long-time commercial broadcaster Jim Goodmon, who served with me on a Presidential Advisory Committee that examined and made recommendations on digital broadcasters' obligations, puts it, “The broadcast company is fulfilling a contract between itself as the user of a public asset and the public body that owns the asset. As with all contracts, both parties to the agreement need to

know exactly the responsibilities that they have to each other. With minimum standards spelled out, there is no question. As a broadcaster I would like to know what is expected of me in serving the public interest. Required minimum standards and a voluntary code provide the benefit of certainty to broadcasters. I like to know what the rules are.”

Scarcity is not the only argument for regulating broadcasting. Television is ubiquitous and has become the engine of our consumer society. As former FCC Commissioner, Nicholas Johnson, used to say, “TV programs are the flypaper to get people to watch the ads.” Its importance in our democracy is easily highlighted by the vast amounts spent by candidates and organizations on political advertising. It is through these ads, unfortunately, not broadcasters' programming, that most voters learn about candidates and issues.

In exchange for the use of our scarce spectrum, broadcasters have a commitment to serve the “public interest, convenience and necessity.” These basic obligations, called public interest obligations, are critical tools that are designed to ensure that television, at least in part, serves fundamental public needs. Unfortunately the vision and the reality are often at odds.

The FCC has been working on the transition to digital television, at the behest of the nation's broadcasters, for some 20 years. Absent so far has been a comprehensive proposal for establishing public interest obligations that match digital television's capacity.

Americans everywhere have begun to realize that as broadcasters get bigger, the public's benefits are getting smaller. But there is more at stake than the impacts of media concentration and consolidation.

Television has never played a more important role in our lives. But today's television is too often out of touch with today's realities: parents struggling to find educational programming for their children, voters struggling to find basic coverage of local campaigns and elections so vital to our democracy and the effective use of television for emergency alerts to serve needs of the disabled. In each case, broadcasters have too often lost touch with the needs of the people who own the airwaves. We have the right to demand and the FCC has the mandate to ensure that television and radio stations provide programming that is in the public's interest, not just in the owners' commercial interests.

Public interest obligations are about whether our children can turn on a television and find at least three hours per week of truly educational content, about whether in an emergency our televisions can keep us alert and informed. It is about whether we can be active and intelligent participants in our democracy. It's about whether the blind and deaf can access closed captioning and video descriptors for digital works. And about whether we can work towards a day when the voices and views on our airwaves reflect the diversity of our country.

A growing number of Americans are working to ensure these public interest goals are met not just because the law says we must, but because we will be richer as a nation when we do. I hope you will join that fight. The transition from analog to digital television does not just represent a technological change, but an important opportunity to reassess whether the public's airwaves are being used to meet the public's needs.

Last year the Benton Foundation joined forces with two broad coalitions of organizations focused on delivering public dividends with the transition to digital television. Working with these groups, the FCC recently extended a requirement that broadcasters air a minimum of three hours a week of quality educational and instructional programming for children to all of their new digital channels. It is also exploring proposals that would benefit our democratic process and our society by requiring broadcasters to (1) Air a minimum of three hours per week of local civic or electoral affairs programming on the most-watched channel they operate; (2) Promote the FCC's oft-stated goal of diverse viewpoints and voices on television by ensuring that independent producers provide a minimum of 25 percent of their most-watched channel's primetime schedule; and (3) Tell the public how they are serving the interests of their audiences by making this information available in a standardized hard copy and website formats.

These really are minimal requirements, but nonetheless often opposed or ignored by the broadcasters. We are arguing that it's time to put the remote control back into the public's hands and once again give the public greater control over the kind of democracy they participate in, the children they raise, and the security they deserve.

Congress, the courts, regulators and companies are continuing to make communications policy decisions. These decisions will have far-reaching consequences for competition and innovation and ultimately consumer well-being in the media marketplace. While public concern was raised over the FCC's media ownership decisions, too few individuals are aware that broadcasters are obligated to serve them—or that they can get involved in ensuring they do. For those who understand the crucial role of media in this democracy, our first task is to inform and educate the public about this debate and the right of all Americans to participate in it.

In addition to a clearer television picture, consumers need a clearer regulatory picture for how the digital television transition will impact their lives. Consumers deserve to know how broadcasters will serve their day to day television needs—healthy programming for children, healthy programming for our democracy, and healthy programming for our communities. Citizens need as much information about the TV that comes into our living rooms, as about the food that comes into our kitchens.

But to achieve these goals, parents, voters, community leaders, activists, and concerned citizens need to pick up the television policy remote control—and change the tune coming from policymakers in Washington. It takes letting policymakers know that you want reality based public interest obligations that can help make a difference in your lives.

The first product of a coalition of national and local media advocates is a Citizens' Bill of Media Rights—a positive statement of principles and goals of a media reform movement. The Bill has recently been circulated for sign-on. If my message tonight makes you want to get involved, here's the first thing you can do: Read "Citizens' Bill of Media Rights," go on-line, and sign-on.

At the Benton Foundation, we are releasing the Citizen's Guide to the Public Interest Obligations of Digital Television Broadcasters. Our

guide will serve as a primer for the organizations and people considering taking the policy remote control out of the hands of media giants and their lobbyists and returning it where it belongs—in the hands of the American people, especially in your community. Action item two: check www.benton.org for the guide.

This year in mid-May, activists, media creators, academics, and policy makers will meet for three days of learning, sharing, networking and momentum building at the 2nd 2005 National Conference for Media Reform in Saint Louis. Visit www.freepress.net for more information. Action item three: Meet Me In Saint Louis.

There are many valuable resources for keeping up to date on what's going on in media policy—let me highlight two. At the Benton Foundation, we provide a service which summarizes the top communications policy stories of the day. The service, Communications-Related Headlines, is delivered via e-mail and is also available on our web site free of charge, www.benton.org. Action item four: subscribe to Headlines.

HearUsNow.org follows Consumers Union's long tradition of promoting a fair and just marketplace by empowering consumers to fight for better and more affordable telephone, cable and Internet services or equipment. By focusing on major media, technology and communications issues and emphasizing local stories, HearUsNow.org will help explain increasingly complex issues and the connections between these issues, underscore what's at stake, and offer ways to make improvements. Action item five: Visit www.hearusunow.org.

Obviously, when working against corporate interests ready to devote billions of dollars to their cause, even more resources will be needed to win the day. Last April, I delivered this message to an audience of philanthropists asking them to fund the ongoing efforts to shape our media future . . . to fund media policy research, education and advocacy. I am happy to say that there's hope coming from this important arena: The Arca Foundation board has committed \$1 million—\$1.5 million per year for the next 3–5 years to a strategic media policy campaign for policy advocacy, organizing, research and content development. With Ford Foundation leadership, the Grantmakers in Film and Electronic Media's new Working Group on Electronic Media Policy was formed to respond to the burgeoning interest among grantmakers to build and share knowledge about key issues in media policy, as well as undertake targeted activities to help advance the dynamic media policy field. All participants hope that this funder cooperation will result in real capacity building for the media reform field.

Several members of Congress, including Representative HINCHEY, are forming a Congressional Media Reform Caucus this month to focus on media ownership, digital transition, and other media-related issues. Last year, Representative HINCHEY introduced the Media Ownership Reform Act. This proposed legislation has three goals: (1) To curb the deregulatory zeal of the Republican majority at the FCC; (2) To restore the Fairness Doctrine; and (3) To reform the broadcast license renewal process and require broadcasters to report both on their public interest performance and their plans for doing so every two years. In today's political climate, the legislation may seem improbable. But most significantly, it

provides a vision of where we'll be when we have true democratic media reform in this country.

Again, we're at a crossroads. Left to its own designs, the majority at the FCC will fight to allow greater consolidation in media ownership while further weakening public interest obligations. With public pressure, with your participation, we may help the FCC envision a democratic media future. In this alternative vision, we, as Americans, could have a media environment that delivers a vigorous, uninhibited marketplace of ideas. In this alternative vision, we could have a media that reflects and responds to local communities. In this alternative vision, we could have a media environment that embraces and enhances the public interest.

Wouldn't you like to be part of that debate and help shape this more democratic and more open media environment? If so, why not join us and get involved?"

HONORING THE CONTRIBUTIONS OF SUSAN HARTLEY, BURGESS DISCIPLINE ALTERNATIVE SCHOOL TEACHER OF THE YEAR

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 26, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize the many accomplishments of Susan Hartley, Burgess Discipline Alternative School Teacher of the Year.

Ms. Hartley has a Bachelor of Science degree in Health Science from Arizona State University, and a Teacher Certification from Ottawa University. She is a relatively new teacher—she has been teaching for 5 years, all of them spent at the Seguin Independent School District.

Ms. Hartley teaches Science and Health to grades 7 through 12. She deals with what can often be a difficult and stressful job in a counterintuitive way: her goal is to make school fun, for herself and her students.

She believes that students learn best when they are enjoying themselves. Her at-risk students are often disconnected from the school or community. She feels that her role is to help these students find ways to reconnect with others. Students who feel like they are part of the community are less likely to be in trouble, and more likely to go on to a successful future.

Ms. Hartley's work with at-risk youth has already distinguished her as one of her school district's most valuable teachers. In her 5 years, she has made a difference in the life of many students, and in the life of her community. She has a bright future ahead of her, and I am happy to have had this opportunity to recognize her.

TRIBUTE TO RUTH VAN GERPEN AND THE ONCOLOGY NURSING SOCIETY

HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 26, 2005

Mr. FORTENBERRY. Mr. Speaker, I rise today to honor the Oncology Nursing Society