

## **PUBLIC TELEVISION IN THE DIGITAL AGE: TOWN HALL OR CYBER MALL?**

**Jerold M. Starr**

The 1996 Telecommunications Act, passed overwhelmingly by both houses of Congress, provided one of the biggest giveaways in U.S. history. The Act provided every television licensee with an additional channel free of charge to develop digital television transmission (DTV). This technology permits high-density television (HDTV), which produces a picture at six times the resolution of today's standard definition TV (SDTV). DTV also can handle six-channel movie theatre quality Dolby digital surround sound.

Alternatively, the 6Mhz digital channel can be used instead to offer four or more SDTV program streams and/or video services at the same time. For commercial broadcasters, this might include video-on-demand, games and special-interest programming, targeted news and traffic reports, sports, weather and financial data, addressable and classified advertising, direct marketing, and Internet data transmission. The value of these frequencies has been estimated at \$70 billion or more (Center for Media Education 1998; Common Cause 1997).

To achieve the transition, every station will have to spend \$1 million to \$1.5 million for a new transmitter. Also, a major producer seeking to replace all of its production equipment now might have to spend as much as \$5 million to \$10 million. However, the cost of the new production equipment is comparable to the old and is dropping in price.

Many stations already are replacing worn-out analog equipment with digital as needed and all have the option to lease.

Public broadcasters have estimated the total cost of the digital transition for them to be \$1.7 billion. With roughly 350 stations, this figures out to about \$5 million per station. This probably is generous, in view of the fact that stations average fewer than 100 hours of local program production a year and 300 produce nothing for the PBS National Program Service.

In October 1997, public broadcasters submitted a proposal to the federal government for \$771 million, to be spread over three years. In addition, PBS announced a plan to raise \$1 billion. As of November 2001, the federal government had contributed only about \$56 million toward the transition costs. However, state governments had provided about \$460 million and foundations and corporations another \$213 million (Odenwald, November 2001).

In recent years, PBS member stations have followed the advice of public relations firms and emphasized the cost of digital conversion in their fundraising appeals. Soliciting our contributions, the stations assure us that these additional channels will solve everyone's program needs. They also promise a whole range of communications services for local communities. It is a truism, however, that technology serves those who control it. As long as U.S. public broadcasting is kept in thrall to political officials, corporate underwriters

and affluent subscribers, the vast service potential of the new digital technology will never be realized.

U.S. public broadcasting is at a critical juncture in its 34-year history. Political intimidation, corporate seduction and financial insecurity have seriously undermined the original mission. With structural change, public broadcasting in the digital age finally can fulfill its mission to become a town hall of the air for the “unserved” and “underserved” constituencies for whom it was created--- children, seniors, minorities, the poor and active citizens. Without structural change, public broadcasting will continue its descent into becoming just another cyber mall, this one “branded” for more educated and affluent consumers.

### **The Promise of PBS: Town Hall of the Air**

In Europe, public broadcasting traditionally has served as “the principal forum which enables the whole nation to talk to itself” (Keane, 1995). In 1967, the Carnegie Commission on Educational Broadcasting (1967) recognized that “all that is of human interest and importance” may not be “available or appropriate for support by advertising” and proposed a system free of commercial constraints. Accordingly, the purpose of U.S. public broadcasting would be “not to sell products” but to “enhance citizenship and public service.”

Public broadcasting was to “serve as a forum for debate and controversy” where we could “hear the voices of groups not normally heard” and “see America whole, in all its diversity.” As he signed the bill into law, President Lyndon B. Johnson (1967) proclaimed, “Public television will help make our Nation a replica of the old Greek marketplace, where public affairs took place in the view of all citizens.”

The new digital technology could facilitate the fulfillment of the PBS mission. The smaller and lighter digital cameras and easy online editing provide for mobility and quickness in local production. The multiple program streams make possible a true citizens channel. *Harper's* Editor Lewis Lapham (1993), a former PBS program host himself, suggests that PBS “forget about costly entertainment production values” and take a lesson from C-Span on the art of eavesdropping. He would bring PBS cameras into campus debates, state legislatures and city halls, town meetings, university lecture rooms, and plays and poetry readings.

Larry Daressa (1996: 20), former board chair of the Independent Television Service, calls for a truly social public television that stages “community events in which people could congregate via television to explore shared concerns.” The Twentieth-Century Fund Task Force (1993) has suggested that public television adopt the model of the “electronic town square” in which stations “take the lead in attempting to solve community problems by putting their resources at the disposal of community groups and agencies that are addressing these problems.”

Media scholar Pat Aufderheide (1991) proposes, public broadcasting could be “a public project executed through broadcasting...using mass communications as a tool of public life.” In all of these visions, the audience would be a public, not just a mass; participate, not just consume.

### **The Broken Promise of PBS**

Scanning the typical PBS schedule these days one finds weasels eating snakes, British people talking, and beltway pundits barking, along with a surfeit of “how to” shows; how to cook, lose weight, remodel and decorate your house, invest money, and manage your emotions. However, there is nothing on how to dissect propaganda, evaluate policies, choose good leaders, and defend the public interest.

There are nightly and weekly programs about big business and Wall Street, but no regularly scheduled programs addressing workplace, consumer or environmental concerns. In the final analysis, it comes down to a question of what stories get told and who gets to participate in the telling. While the perspectives of government and corporate leaders are important, they must be balanced by coverage from the bottom up---with an understanding of what is happening to our workers, consumers, taxpayers and environment. PBS should and could do this. It does not.

Three stations (WBGH in Boston, WNET in New York, and WETA in D.C.) provide more than 60 percent of the PBS schedule, while more than 300 do not contribute

anything. Independents account for nearly 20 percent of all national programming, but almost all their productions must be channeled through the same three “presenting” stations.

Worse, as author/filmmaker B.J. Bullert (1997) reports, even if they are accomplished filmmakers, PBS gatekeepers do not consider public interest advocates to be “journalists.” In her words, they often “label” their work “propaganda,” and assume that their interests bias their reporting. If anything, the trend at PBS is toward more co-production deals with commercial partners looking for lucrative “back-ends,” such as Disney’s ABC, Fox, Reader’s Digest, Sony Classical, Time-Life Records, Warner Brothers, and the like (Ledbetter 1997, Starr 2001).

While 75 percent of public broadcast funding comes from the public in one form or another, corporations are the single largest source of underwriting for programs. In 1997, PBS liberalized “underwriting guidelines” to include products, slogans, celebrity spokespersons, mascots, theme music and phone numbers with web addresses. “What we have here is the commercialization of PBS,” observed Andrew Papalardo of Young and Rubicam (Behrens 1997). PBS now accepts as many as three consecutive 15-second underwriting “messages” for a national program. Local stations are allowed 30-second messages. Even children’s shows feature pitches for fast food and theme parks.

This has two consequences. One is a paucity of news and public affairs. As WGBH’s Victoria Devlin once observed: “Corporations are not big risk-takers when there’s

perceived controversy” (Weisman 1987). The result, TV critic Marc Gunther (1993) points out, is an overabundance of “safe programming,” like “nature and science” and “how-to” shows, most of which have crossed the line into product merchandising. In 1995, former PBS Program Director Kathy Quattrone complained, “Many program decisions are being based not on the program value they bring but what kind of deal it can bring” (Current 1995).

The second consequence is that what news and public affairs there is tends to be as establishment biased as one would find on the commercial networks. PBS’ flagship nightly news program is “NewsHour” with Jim Lehrer. The show is two-thirds owned by Liberty Media (a former subsidiary of AT&T, now one of the ten biggest media companies in the country) and sponsored by several large corporations, like Archer Daniels Midland and Pepsi Cola.

Lehrer claims: “We try very hard to represent all of the relevant positions...on any given issue as best as we can” (find). However, research by Vassar College Professor William Hoynes (1994) found that all public interest group advocates combined accounted for a mere six percent of Lehrer’s guests. In 1995, anticipating his retirement, Lehrer’s former co-host Robert MacNeil acknowledged, “We [at PBS] are not as provocative, innovative, creative or original as we should be” (Weiskind 1995).

To make matters worse, PBS (1990) systematically bans independent productions that receive even partial support from labor or public interest groups. PBS claims this is

necessary to avoid the “perception,” however unfounded, that the program content might have been influenced by its funding. Examples of such discrimination are legion, but two should make clear how rigidly this dictum is enforced.

In 1994, PBS refused to air *Defending Our Lives*, winner of the Academy Award for “Best Documentary Short.” The film critically examines the problem of battered women. PBS turned it down on the grounds that one of the producers was a member of a nine-member prison support group concerned with the issue. The producers said the woman neither funded, profited from nor controlled the film, but PBS said the “perception” that shows are being “created to advance the aims of [a] group” is “as important as the fact” (Starr 2001, 95).

In 1997, PBS was scheduled to air *Out at Work*, an award-winning documentary about three lesbian and gay workers’ struggles for justice and dignity on the worksite. PBS suddenly cancelled, claiming it discovered that 23 percent of the film’s modest \$65,000 budget came from such “problematical” sources as a lesbian action foundation and some labor unions. One of the film’s directors, Kelly Anderson, said: “None of the funders in question gave more than \$5,000 to the project, and most gave \$1,000 or less.”

PBS official Sandy Heberer insisted: “PBS guidelines prohibit funding that might lead to an assumption that individual underwriters might have exercised editorial control over program content even if, as is clear in this case, those underwriters did not” (Starr 2001, 35). Journalist James Ledbetter (1997) asked PBS official Barry Chase if this decision

meant that a labor union could never fund any program on public television that had to do with issues of the workplace. Chase replied: “Yes, that’s exactly what I’m saying.”

In contrast, former CBS and ABC news correspondent Jerry Landay (2001) reveals that three conservative foundations—Bradley, Olin and Scaife—subsidized at least 17 single programs or series on PBS over the period 1992-2000. All the programs served as “a platform for the views” of the foundations’ grantees and their organizations. These included a program on “scientific creationism,” another that blamed lack of self-reliance for problems in the black community, an attack on “political correctness” based on alleged “reenactments,” a three-part series on the “gender wars,” dominated by anti-feminist voices and a debate on “school choice” with 38 of 42 guests supporting public funding of private schools. Not only did these shows air, but there was no public acknowledgement of PBS violation of the “perception” guideline.

Worse, there are numerous examples of serious corporate conflicts of interest that PBS and its member stations have allowed to pass. Some of these conflicts are obvious; for example, a program on gems funded by DeBeers and Tiffanys, on the technology of materials funded by Corning, or on the computer funded by Unisys. Some are subtler, like the *Antiques Road Show* funded by Chubb, a company that insures antiques (Starr 2001). Some are hidden, like *Wall Street Week* host Louis Rukeyser interviewing analysts touting certain companies with which they had an undisclosed financial relationship (“Money Talks” 2001).

The corporations themselves have clear political motives for their involvement with PBS. An ad director at General Motors characterized the PBS target audience as “thought leaders and peer group influencers” (Bass 1994). Accepting an award from PBS for *Masterpiece Theatre*, a Mobil Oil spokesperson acknowledged, “You are building a constituency for Mobil” (Brennan 1985). In the final analysis, the PBS green light to corporate and conservative foundation underwriting and ban on labor and public interest group funding amounts to a defacto censorship of program content.

Unfortunately, the problem does not end with the National Program Service. Since stations are only required to carry about ten hours a week of the national schedule, there is considerable PBS member station discretion on what to offer local viewers.

Nevertheless, promoting civic engagement remains a foreign idea at PBS member stations, where the common language has become “focus groups,” “ratings,” “cumes,” (i.e. cumulative ratings) and “branding.” The typical station produces a mere 100 hours a year of local programming. Only 16 of 351 stations have a local nightly news presence and the most distinguished of these, *Newsnight Minnesota*, has shut down.

Community Advisory Boards, mandated by Congress in 1978 to recommend programming addressed to “the specialized educational and cultural needs of the communities,” have become little more than black holes of volunteer energy kept on the books only because required by law. Governing boards are no better. Only two of 350 or so stations allow subscribers to vote for members. Program philosophy is rarely discussed. In fact, when it comes to programming, according to public broadcasting

executive Willard Rowland, Jr. (1976:118), station managers are oriented “toward a narrowly defined audience of upscale viewer-check writers” who end up “substituting for the public as a whole.”

Former KQED-San Francisco CEO James Day once observed: “the greatest force for blandness is not the government; it’s the stations” (Powledge 1972). There have been numerous cutting edge public affairs series offered free by satellite downlink to PBS member stations over the years that only a minority have seen fit to carry. Such programs addressed community issues that are part of the PBS mission, but typically ignored; in the workplace (*We Do the Work and Livelihood*), in the gay and lesbian community (*In the Life*), and human rights around the world (*Rights and Wrongs* and *South Africa Now*). A new show, *Mental Engineering*, dissects broadcast commercials to educate consumers and keep corporations honest. It is carried by only 50 of about 350 PBS member stations.

Lewis Lapham (1993) has characterized the system as “the Holy Roman Empire during the last days of its decaying hegemony---351 petty states and dukedoms, each with its own flag, own court chamberlain and trumpet fanfare.”

### **Digital Television: What’s the Deal?**

All of the above provides a necessary context for evaluating the likely future of public broadcasting in the digital age. As we consider this transition, however, we must first take note that it is not just around the corner. Conflicting interests have stalled the digital

rollout. According to the legislation, broadcasters are expected to complete the transition to digital by 2006, at which time they will occupy channels 2 through 51. By the end of that year, they must return their present analog spectrum (channels 60 through 69) to the FCC. However, there was a loophole in the legislation. The 2006 deadline could be extended indefinitely until 85 percent of viewers in a market are able to receive DTV signals. Many of the nation's 1,500 stations already are claiming hardship and asking for an extension of the deadline.

Among the obstacles are the consumer costs. The enhanced resolution of HDTV is most apparent in DTV sets with screens 42 inches or larger. DTV sets that big currently sell for up to \$7,000 and require separate remote controls for analog and digital. Set-top decoders for those with cable or satellites dishes cost less—between \$300 and \$600— but cable and consumer electronics manufacturers have not been able to agree on a technical standard that will allow digital signals to be passed through to all TV sets. Even when accomplished, such decoders are not an option for the 30 percent of homes without cable, most in the poor and rural communities for which public broadcasting was dedicated.

There also are intellectual property disputes. Motion pictures already are in HDTV format and would comprise much of the early programming. The distributors want legislation that would require copy-protection instructions to VCRs to not copy any pay-per-view or video-on-demand. Other content providers want a standard that would keep digital TV content off the Web. The paucity of high quality digital content discourages

manufacturer and consumer investment in the new equipment. There is even a dispute between broadcasters and cable system operators over which channels must be carried.

As a consequence, there are only about 1 million homes with DTV sets equipped with over-the-air receivers (maybe 1.6 million sets in all), as compared to 222 million TV sets owned nationwide. The National Association of Broadcasters has asked the FCC to relax certain interim rollout deadlines, as have members of Congress on behalf of small market stations. Given the free channels and financial uncertainties, broadcasters have no incentive to build out quickly. By April 2001, only 186 of the nation's 1,500 stations were broadcasting in digital format (Greppi 2001).

In September, the FCC established an incentive for broadcasters to clear the channels in advance of the 2006 deadline so they could be auctioned off to wireless carriers. An investment banking company was appointed to negotiate a package deal with bidders to compensate broadcasters and set deadlines. Broadcasters will be permitted to continue analog broadcasting on the new digital channels until a switch to DTV becomes practical. Despite this substantial carrot, FCC chair Michael Powell has judged the 2006 deadline to be "unrealistic" and appointed communications attorney Rick Chessen to head a new DTV task force to address the many obstacles (Halonen September 2001).

In November 2001, Rep. Billy Tauzin (R-LA) joined with Representatives Ed Markey

(D-MA), John Dingell (D-MI) and Fred Upton (R-MI) to deliver an ultimatum to the television industry to resolve its differences and move forward or Congress would intervene (“Digital Delay” 2001; “House Tells,” 2001). This is easier said than done.

Former FCC Chair Bill Kennard has noted that it took color TV 22 years and VCRs 16 years to reach the 85 percent level of penetration required by the legislation. In his view, the DTV conversion will take much longer (Halonen 2000). In 1997, a committee headed by David Liroff (1997) of WGBH-TV Boston, advised, “it will be ten years before DTV receivers can be found in 30 percent of households.” In 1996, *The New York Times* reported, “the full transition from analog to digital broadcasting is expected to last 15-50 years.”

### **Public Broadcasters Get in on the Deal**

While member stations were extolling the future benefits of the new technology for their viewers, the industry trade group---The Association of Public Television Stations (APTS)---sought its own digital deal with the FCC. Claiming they already did enough public service, APTS petitioned the Commission to permit members to use their additional digital channels for “revenue generating purposes.”

On October 11, 2001, the Republican majority on the FCC ruled that public broadcasters could use some of their new digital channels for subscription video and fee-based services---like paging, data delivery, and videoconferencing---all with advertising. While

public broadcasters still must devote a “substantial majority” (unspecified) of its weekly digital capacity to noncommercial, educational broadcasts, the door was opened wide to greater commercialization (along with a five percent tax on such revenue) (Center for Digital Democracy 2001; FCC October 11 & 17, 2001; Halonen October 2001; Odenwald October 2001).

Michael Copps (2001), the lone Democratic appointee on the Commission, stated in dissent: “The sale of advertising puts on the block one of the very things that makes public television special and different from commercial broadcasting. I believe that permitting advertisements is contrary to statute, contrary to the will of Congress and contrary to the mission of public broadcasting.”

A bi-partisan group of House members urged FCC chair Powell to reconsider the decision, warning of “creeping commercialism” on public TV. Rep. Markey suggested that such might undermine public broadcasting’s “financial support with viewers and with congressional appropriators” (Halonen October 16, 2001). Indeed, on the day of the decision, Rep. Cliff Stearns (R-Fla.) proposed cutting \$12 million from CPB digital funding because the stations had a new vehicle for raising such funds. Although soundly defeated, this was only the first such attempt (Odenwald October 2001).

At the same time PBS has not offered much of a programming vision for the new digital technology. According to Gary D. Poon, executive director of PBS’ Digital Television Strategic Planning Office, it will be HDTV for the usual prime time series, like *Nova*,

*Nature*, and *Great Performances*. During the day, according to Joel Brinkley's (1997) report in *The New York Times*, we might get as many as four different feeds, "like children's programming on one channel, an adult education show on another, a gardening show on a third and elementary-school course work on the fourth." Former PBS President Ervin Duggan has envisioned "a full-time kid's channel, a life-long learning channel, a channel that would deliver business and financial information and professional training" (Center for Media Education 1998, 9). In short, they will offer the same stuff, only more of it.

Ironically, cable already has rendered these familiar PBS genres redundant. Whole networks present programs around the clock on cooking, exercising, home and garden, investing, nature, history and the like. Many of these programs are better produced and draw bigger ratings than comparable PBS member station offerings. This situation will be amplified with digital.

On the other hand, none of these corporate-owned cable networks can offer the kind of programming for which PBS was created---universally accessible, noncommercial, public affairs programs in the public interest. Not only would this provide a unique identity or "brand" for PBS, but it would do enormous good for our democracy. Without structural change, however, the public service potential of the new digital technology will be squandered.

## **Toward a Public Broadcasting Trust**

The trouble with PBS starts with the funding, the structure of which breeds the insecurity and compromises that undermine its mission. Public broadcasting in other democracies has reliable and often independent sources of funding, like a TV license fee. In Europe, citizens pay between \$36 and \$136 a year to support public service broadcasting. In Japan they pay \$20, Australia \$28 and Canada \$50. Ratings range from 13 percent in Canada up to 44 percent in the U.K. In the United States we pay a little more than \$1. With so little for production and promotion, PBS draws only two percent of the audience.

From the first, Carnegie Commission (1967) chair James R. Killian, Jr. argued that “a free, innovative, creative public television service” would not be possible if it were to be “ultimately dependent” on Congress for its funding. Carnegie proposed a federal trust fund based on a manufacturer’s excise tax on the sale of television sets. Lobbied heavily by the National Association of Broadcasters (NAB), Congress removed the trust fund proposal from the legislation. As a consequence, PBS has forever been in a survival mode, always vulnerable to those who control the purse strings (Starr 2001).

For the last thirty years there has been a succession of proposals to address this problem. In 1978, 1987 and 1988, Congress proposed various fees to subsidize public broadcasting ---on TV and radio license holders, licenses transfers, or factory sales of consumer electronics products and broadcast equipment. Every time, industry lobbyists killed the bills. After a while, even the public broadcasters stopped trying.

Interviewed in the trade paper *Current* (December 3, 2001), APTS President John Lawson hailed the FCC's permission for commercial use of the digital channels as "a landmark victory for public television, because it enables public-private partnerships that over time could become as important as a trust fund in creating a new revenue source." Not only is this a gross overstatement, it is misleading. The thrust of past proposals for a public broadcasting trust was to liberate the service from its dependence on corporate and government support so that it could fulfill its original mission, not to provide the means for closer partnerships with commercial firms.

What is needed is an independently funded Public Broadcasting Trust (PBT), comparable to Little League Baseball, the U.S. Olympic Committee or the American Red Cross. This would take public broadcasting off the federal dole, remove corporate program sponsorship, and free the service to pursue its mission without the chronic censorship pressures. This would give the public at least one place to turn for alternative views and independent analysis; one place dedicated to educating citizens rather than selling eyeballs to advertisers.

It's easy to see why past Congresses felt that commercial broadcasters should pay the bill. They make billions from their free use of the public's airwaves. As former PBS and NBC News President Lawrence Grossman has observed, "Broadcasting is the only industry in America where you can make money off a public resource and not pay a thing for it" (Twentieth Century Fund 1993, 152). Oil drillers, cattle grazers, cable operators,

and cellular phone companies all pay a fee for using a public resource. Why not broadcasters?

Citizens for Independent Public Broadcasting (CIPB) calculates that public broadcasting needs \$1 billion a year for all TV and radio, local and national programming, This would be three times that currently spent, but still less than in other democracies. This goal could be accomplished in several ways: a five-percent tax on the sale or transfer of TV and radio licenses, a two-percent tax on broadcast advertising, a two-percent annual spectrum fee, or a tax on spectrum auctions (Starr 2001). The Congressional Budget Office currently estimates that \$18 billion in new spectrum will be auctioned off over the next few years. Dedicating just these proceeds to a PBT endowment would accomplish the goal.

In December 1998, the President's Advisory Committee on the Public Interest Obligations of Digital Television Broadcasters recommended that Congress create a trust fund for public broadcasting, and if it does, the field should reduce or eliminate "enhanced underwriting," which "closely resembles full commercial advertising." The public agrees. A national poll at the time found 79 percent of Americans favoring a proposal to require commercial broadcasters to pay as much as five-percent of their revenues into a fund to support noncommercial public broadcast programming (Lake et. al.1998).

Of course, a fully developed PBT proposal would have to address much more than just the funding mechanism for public broadcasting. Among other reforms, new measures are needed to protect public broadcasting from censorship by state and local politicians and to ensure that boards are truly diverse, have a clear sense of mission and recruit and reward stations managers for measurable public service, rather than profit-making ventures. Community advisory boards would have to be empowered to perform their designated function. Accountability at the national level would have to be ensured. A draft of such a proposal can be found on the CIPB web site: [www.cipbonline.org](http://www.cipbonline.org).

In the last analysis, we will find no solution to public broadcasting's problems in the new digital technology. Such technology certainly could be utilized to revive and reform a service that has largely abandoned its vital mission. However, it will not happen without structural change in the system itself. All we need is the political will. Our democracy deserves no less.

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