

Provisions of Walden-Pence Broadcaster Freedom Amendment

Prohibits the FCC from using funds to implement or enforce any of the following:

1. **Re-implement the Fairness Doctrine.** Implemented in 1949 when there were far fewer broadcasters in operation (just 2,881 radio stations), the original argument for scarcity of outlets has never been weaker. There are about 14,000 radio stations and 1,800 full power television stations today, along with Internet, cable, print, and satellite. That's why the FCC abrogated the doctrine in 1987 in light of increased competition, and why 309 members of the House voted to bar the FCC from using funds to re-implement the Fairness Doctrine in FY 2008.
2. **Ascertainment or program log requirements.** These requirements, repealed in 1981, required onerous and counter-productive polling to determine what programming broadcasters could air on their station. The lists tended to provide a minimum of information, and doubts about their effectiveness in encouraging broadcasters to program in the public interest were widespread. The lists were, however, often used mischievously to snatch away broadcast licenses by rivals.

Today, we follow much more logical procedures, and broadcasters still maintain a public file containing basic documents pertaining to the licensee's operation and file quarterly reports describing community issues and the stations' programming.

However, despite the lessons the previous FCC boards have learned about these rules in light of a competitive marketplace, the FCC's proposed rulemaking on localism released in January 2008 unwisely considers bringing these counterproductive rules back.

3. **Renewal application processing guidelines.** Similarly, the FCC's proposed rulemaking on localism released in January 2008 proposes to bring back similar regulations harkening back to when government determined what kind of programming broadcasters could provide by threatening to remove their licenses if their programming did not toe the line created by federal bureaucrats.
4. **Community Advisory Boards.** In another effort to recreate the Fairness Doctrine under another name, the FCC's proposed rulemaking on localism released in January 2008 proposes to require broadcasters to convene community advisory boards that could all but dictate what stations must air if they wish to continue broadcasting.