

FCC fines Univision \$24 million; largest fine ever

by Bend_Weekly_News_Sources

The United Church of Christ is celebrating a landmark decision by the Federal Communications Commission, which has ruled in favor of the church's filed complaint that Univision, the nation's largest Hispanic television network, is not serving the educational programming needs of children.

According to a front page story in The New York Times (Feb. 24), the FCC ruling is expected to cost Univision about \$24 million and will be the largest fine ever imposed by the FCC against any company. The decision was made public during a NYT interview with FCC Chairman Kevin J. Martin.

"This is a tremendous victory for all of our children," said the Rev. Robert Chase, the United Church of Christ's communications director. "Too often broadcasters have failed in their obligation to provide quality educational children's programming. This action by the FCC sends a clear signal that media conglomerates must act in the public interest."

The case originated in August 2005, when the United Church of Christ's Office of Communication Inc. (OC, Inc.) - the UCC's media advocacy agency - asked the FCC to deny the license renewal application of Univision Cleveland, Inc. (WQHS-TV) in Ohio for failure to comply with children's educational programming standards.

The UCC's action represented the first time that a Spanish-speaking station's license renewal had been challenged for failure to comply with the Children's Television Act of 1990 and the children's educational guidelines, adopted by the FCC in 1996, that require local stations to air at least three hours per week of specifically educational programming.

The case revolved around a telenovela, "Complices al Rescate" ("Friends to the Rescue"), about the adventures of 11-year-old identical twin girls who swap identities after discovering they had been separated at birth. Univision maintained the program was educational and fulfilled its FCC obligations; however, the UCC - and the FCC - did not agree.

After investigating the UCC's complaint, the FCC decreed that 24 Univision stations had violated programming guidelines over a two-year period, according to The New York Times story.

"The United Church of Christ has a long history of advocacy on behalf of children," Chase said. "Media has such a profound impact upon society, especially upon the youngest and most vulnerable among us. It is, therefore, consistent with the Gospel mandate to care for 'the least of these' that our concern extends into the broadcast arena."

Chase said the United Church of Christ was intentionally focused on Univision because its purported educational offering is, "little more than a soap opera, with many adult themes and painfully little educational value."

The Rev. Jose Abraham De Jesus, one of the individual UCC petitioners, told the FCC that the program in question contained, "numerous anti-social messages, such as maltreatment of animals, envy, rivalry among children and adults, and children treating adults as stupid and not showing them respect."

Chase said further proof of the show's adult nature was the type of adult advertisers it attracted.

"We felt that concerns of Hispanic children and their parents were particularly susceptible to being ignored by big media and by federal regulators," Chase said.

The UCC was the sole complainant in the case and many of the individual petitions were signed by members of La Iglesia Unida De Cristo Buenas Nuevas, a small Hispanic UCC congregation in Cleveland.

"This landmark decision is a tribute to the courage of these United Church of Christ members who took a stand on behalf of their children," Chase said.

Gloria Tristani, a former FCC Commissioner, was managing director of the UCC's OC, Inc. when the case originated.

Cheryl Leanza, an attorney who now leads the UCC's media advocacy office, publicly voiced concern last September that the FCC still had not acted on the church's complaint. After learning of the FCC's decision, Leanza characterized the fine as, "a long time in coming," but said she hopes it will send a signal to all broadcasters that they must comply with federal law and serve the educational needs of children.

"Unfortunately, there are many more violations out there and limited resources to bring complaints of this nature to the FCC," Leanza said. "But this judgment shows that violating these rules will bring serious repercussions. Now, we are hoping the FCC will take up the UCC's other two filings highlighting violations of the Children's Television Act on English- language television, one of which is over three years old."

Leanza also complimented the work of the church's media attorney, Angela Campbell of the Georgetown University Law Center, "who did a huge amount of work on this case."

Campbell told The New York Times that, like Leanza, she is hoping the FCC ruling signals a new commitment to enforcing federal law and FCC guidelines.

"Broadcasters need to know that they have to take these obligations to children seriously," Campbell said.

The 1.2-million-member United Church of Christ has 5,700 churches located in all 50 states. The UCC has long advocated for persons historically excluded from the media, especially women, children and people of color. In a 1964 landmark case against WLBT-TV in Jackson, Miss., the UCC helped to establish the legal precedent that television stations, because of operating on public- owned airwaves, must serve the needs of their communities of license.

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