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MMTC and Nine Other Civil Rights Organizations Stress Negative Impact of FCC's Set-Top Box Proceeding; Urge Commission to Conduct Evidentiary Studies

Washington, DC (May 24, 2016): The Multicultural Media, Telecom and Internet Council (MMTC) has filed reply comments in the Federal Communications Commission's (FCC) Set-Top Box Proceeding, stressing its concern and highlighting alarm raised by many on the impact of the proposal put forth in the Commission's Notice of Proposed Rulemaking (NPRM), and citing tremendous consequences for diverse and independent programmers. Nine other national civil rights organizations (the Coalition) joined MMTC as signers on the comments.¹

The Coalition holds that the evidence on record in the Commission's proceeding strongly validates its concerns that the NPRM's proposal would jeopardize the viability of diverse voices. The Coalition cites communities of color and "*actual producers* of diverse and independent programming" who have warned the Commission that "the proposal would jeopardize their ability to establish and expand their businesses, or even to continue in business at all." The Coalition goes on to further warn, "*The FCC must not dismiss these arguments.*"

In addition, the Coalition emphasizes the following points:

- Because the record fails to support the unproven theory that the NPRM's proposal might foster more diverse programming, the FCC must undertake impact studies before adopting any new rules;
- Data now before the Commission indicates that the NPRM's proposal will raise consumer costs, not lower them; and
- The record demonstrates that holding third-party device manufacturers indirectly liable for privacy violations would be neither workable nor wise.

"The evidence in the record overwhelmingly demonstrates that the FCC's proposal will cost more, increase the number of set-top boxes rather than eradicating them, and spell catastrophe for diverse and independent programmers," stated MMTC President and CEO Kim Keenan. "For a government agency to take the fruits of an entire industry's labor and hand it over to favored third-parties to monetize, without compensation to content creators, is irresponsible and unwarranted. We strongly urge the Commission to, at a minimum, conduct the evidentiary studies needed to discover the actual impact of its proposal. The proposed 'equal opportunity to reach consumers' means nothing if the only industries who can monetize it are tech companies that have little demonstrated interest in promoting diverse employment, diverse entrepreneurs, or diverse content. Under the proposed model, diverse content providers who can ill afford it will have to pay third parties so that their content can be found among the billions of pages of Internet, while consumers will essentially give their privacy away for free to ultimately be monetized by the same third parties."

The Coalition's comments are available online, [here](#).

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About MMTC:

The Multicultural Media, Telecom and Internet Council (MMTC) is a non-partisan, national nonprofit organization dedicated to promoting and preserving equal opportunity and civil rights in the mass media, telecommunications, and broadband industries, and closing the digital divide. MMTC is generally recognized as the nation's leading advocate for minority advancement in communications.

¹ The following nine organizations signed on to MMTC's Comments: Asian Americans Advancing Justice (AAJC), Latinos in Information Sciences and Technology Association (LISTA), National Association of Multicultural Digital Entrepreneurs (NAMDE), National Organization of Black County Officials (NOBCO), National Organization of Black Elected Legislative (NOBEL) Women, National Policy Alliance (NPA), OCA – Asian Pacific American Advocates, Rainbow PUSH Coalition, National Puerto Rican Chamber of Commerce