

2024 Media and Technology Policy Platform:

A Guide for Candidates and Policymakers

People expect unfettered and affordable access to communication services — and a media system that provides accurate news and information. A significant and bipartisan majority of Americans want to make sure their communications and internet activity are private, and do not want to see discrimination or intentionally false information online.

This policy platform is a guide for candidates and policymakers seeking to uphold their constituents' rights to connect and communicate and is supported by our members across the country, including in every state and territory. **A recent public-opinion poll that Free Press Action commissioned shows broad support across the political spectrum for policymaker action on these priorities.**

CLOSE THE DIGITAL DIVIDE

- Pass legislation to provide permanent and progressive sources of funding of at least \$8 billion per year for the Federal Communications Commission's Affordable Connectivity Program and other affordability supports and digital-equity initiatives. This starts with passing the bipartisan Affordable Connectivity Program Extension Act or other strong short-term ACP renewal legislation in 2024 to restore the program and preserve high-speed internet access for ACP enrollees through the remainder of this year.
- Build on the success of the Broadband Equity, Access and Deployment program and similar efforts to continue closing broadband-access gaps with grants from general treasury funds. Lawmakers must answer questions about the future of the FCC's Universal Service Fund (USF) in ways that harmonize important affordability programs like the ACP and Lifeline, and that sustain those programs without increasing regressive taxes on consumers who pay into USF.
- Collect data on actual broadband prices, and use this data to make internet access more affordable.
- Eliminate junk fees that internet service providers (ISPs) impose. These fees impose an extra burden on people struggling to afford access.
- Support the FCC's use of its authority in Title II of the Communications Act and in the Bipartisan Infrastructure Act's digital-discrimination prohibitions to investigate and stop ISPs' unjust and unreasonable practices.

PROTECT BROADBAND CONSUMERS

- Support the FCC's ruling in its 2024 Safeguarding and Securing the Open Internet Order to prevent discrimination in the deployment and offering of internet access.
- Oppose any judicial, congressional or future administration efforts to overturn or undo the Bipartisan Infrastructure Law's digital-discrimination prohibitions, the FCC's Title II broadband-classification decisions or the agency's Net Neutrality rules.
- Support FCC enforcement actions and investigations into ISPs violating the Net Neutrality protections.
- Fill any future vacancies at the FCC with commissioners who support Net Neutrality and Title II.

BUILD RESILIENT COMMUNICATIONS INFRASTRUCTURE

- Support the Resolution Recognizing the Human Rights to Utilities, first introduced in the House of Representatives in 2022, which affirms that access to broadband, power and water are basic human rights and public services that must be accessible, safe, sufficient, affordable, justly sourced, sustainable, climate-resilient and reliable for every person.
- Promote policies at the FCC that hold companies accountable for building resilient networks and restoring service during emergencies. These policies must prioritize the needs of communities of color — which climate change most impacts and existing infrastructure least serves. These policies must also guard against corporations exploiting future disasters for profit.
- Support local communities in the development of decentralized, locally controlled communications networks in frontline communities.

END PRISON-PHONE EXPLOITATION

- Support the FCC's efforts to implement and enforce the Martha Wright-Reed Just and Reasonable Communications Act of 2022.
- Oppose measures to replace in-person prison visitation with video calls. Video and phone contact must be supplements, not replacements, for in-person visits.

PROTECT ONLINE PRIVACY AND CIVIL RIGHTS

- Pass comprehensive privacy legislation based on data-minimization principles to prohibit companies from collecting, retaining, using or selling more information and sensitive data about people than is necessary to provide the requested product or service.
- Prohibit online platforms and other entities from collecting, processing and sharing people's data in ways that discriminate on the basis of race, color, religion, national origin, sex, disability or other protected demographic categories.
- Limit the amount of information that platforms can collect, process and share with third parties. This would limit platforms' ability to target users of all ages with harmful content and would also protect users from abusive surveillance practices.
- Urge the Federal Trade Commission to adopt rules enforcing existing laws against unfair and deceptive trade practices to protect people's privacy and prevent discriminatory behavior.
- Support FTC enforcement action when companies build generative AI products that are discriminatory or enable fraud.
- Support FTC action when companies retroactively alter corporate policies to enable the expansion of their data-collection practices beyond what consumers initially agreed to for the purpose of receiving a specific product or service.

STOP UNWARRANTED GOVERNMENT SURVEILLANCE

- Pass the Fourth Amendment Is Not for Sale Act, which would require federal agencies to get court orders to purchase information from data brokers on people within the United States.
- Bar law-enforcement and intelligence agencies from buying data on people if the information was obtained from users' accounts or devices, or via deception, hacking, or violations of a contract, privacy policy or terms of service.
- Close loopholes that allow the intelligence community to buy metadata gathered from the international calls, texts and emails of people within the United States without a court order.
- Close loopholes that allow the intelligence community to obtain records about U.S. residents' browsing of foreign websites without a court order.
- Fix Section 702 of the Foreign Intelligence Surveillance Act to prevent intelligence agencies and law enforcement from searching data collected on people in the United States and on U.S. citizens abroad. The government has routinely misused foreign intelligence surveillance tools to intimidate and investigate protesters, lawmakers, journalists, judges and others in the United States.
- End surveillance of activists exercising their First Amendment right to protest.
- Oppose state bills seeking to restrict this right.

PREVENT ALGORITHMIC DISCRIMINATION AND BIASED ARTIFICIAL INTELLIGENCE

- Ban algorithms that profile users and target content to them in ways that discriminate against them based on protected demographic traits, or based on other sensitive data like information on health conditions and health care.
- Ban the use of facial-recognition technology and other biometric tracking that persistently discriminate against people of color based on inaccuracies in these poorly tested yet pervasive tools.
- Investigate how harmful data practices violate voting rights and other civil rights.
- Support legislation requiring companies to immediately disclose when they learn that nefarious actors are using their platform algorithms to discriminate against or otherwise harm people. Companies should face civil penalties for any persisting harms.

REQUIRE TECH TRANSPARENCY

- Pass legislation to require tech companies to disclose what kinds of information they collect and where they obtain the information (which companies share data with them, and who they share data with).
- Support legislation requiring private companies to be transparent about how they use our information, how they decide what content to show us and how they store and manage our data.
- Support legislation requiring companies to provide transparency and data access to external stakeholders, including independent researchers, to help expose dangerous and exploitative practices.
- Ensure that companies consistently enforce their terms of service in all languages they support or in which they have a significant user base. Companies must enforce their rules in a culturally competent and equitable manner and remove harmful content regardless of the language it appears in.

PRESERVE FREE EXPRESSION ONLINE

- Preserve Section 230, which lowers barriers to people sharing their own content online and is critical to combating hate. If platforms were immediately subject to lawsuits for everything they host whenever they take any steps to moderate content, they would leave up more harmful content and be less willing to host content those in power deem controversial. That would disproportionately harm Black and Brown communities, LGBTQIA+ people, immigrants, religious minorities and dissidents.
- Reform Section 230 without repealing or sunseting it, in ways that clarify platforms' accountability for their own content and actions, as well as their potential liability for continuing to distribute harmful content once they have knowledge of those harms.
- Oppose the forced sale and ban of TikTok, which the company and its users are currently challenging on First Amendment grounds, and recognize that such bans chill the lawful communication and expression of hundreds of millions of internet users. To combat corporate and governmental over-collection and misuse of people's private data, pass comprehensive privacy laws and surveillance reforms that protect people on every site and app.
- Oppose provisions in laws that are intended to protect children's online safety, but that would allow federal and state officials to target or block topics they deem controversial or harmful, such as LGBTQIA+ materials, reproductive-rights information, or content about our country's historical and present-day structural racism.

DIVERSIFY MEDIA OWNERSHIP

- Support legislation to restrict broadcast-media consolidation — for example, by limiting broadcasters to owning just one television station per local market and reaching only 15 percent of the national audience.
- Support legislation to promote media-ownership diversity — for example, by offering tax credits for station sales to women and people of color.
- Support legislation to force all deregulatory media decisions to include an analysis of how they would impact broadcast-ownership opportunities for women and people of color.
- Support legislation that provides grants and financial incentives for local-news outlets to remain in local hands or transition to local owners, and support new forms of ownership such as worker- or community-owned cooperatives.
- Oppose the Journalism Competition and Preservation Act (JCPA) and similar bills designed to let media companies collude and exempt themselves from antitrust laws. These bills entrench the power of big corporations and hedge funds while doing little to support community news.
- Oppose state legislation modeled on the JCPA. These state bills cannot waive antitrust law, but they still propose platforms' forced carriage of clickbait — and then funnel the bulk of any money they might generate to the largest incumbent broadcasters and commercial media outlets instead of public, independent, ethnic and noncommercial outlets.

REVIVE LOCAL JOURNALISM

- Support legislation to tax the revenue of large online advertisers and redirect those funds to public, independent and noncommercial journalism and civic media.
- Support the creation of publicly funded grantmaking and financing bodies that can invest in news deserts and communities that commercial media outlets don't serve.
- Support legislation to hire, retain and place more journalists in underserved communities, using approaches such as payroll tax credits and a national fellowship program.
- Triple funding for the Corporation for Public Broadcasting to make up for the loss of local journalists at commercial outlets and reorient these reporting jobs toward community and civic media. Keep public-media funding apace with what other democratic countries invest in noncommercial media.
- Endorse states' initiatives to fund local-news media, especially in news deserts where there are no local-news outlets that meet residents' needs.
- Endorse local community-engagement efforts to promote accountability and dialogue between noncommercial media and underserved communities, including communities of color.
- Support legislation that carves out a designated path for journalism outlets to apply for 501(c)(3) nonprofit status, and incentivizes commercial owners to transition to noncommercial ownership or hybrid for-profit/nonprofit models.

SECURE MEDIA REPARATIONS

- Call on the FCC to open an inquiry to examine how its exclusionary policies have helped create an unjust media system for Black people and other communities of color. Already 25 members of the House of Representatives have urged the agency to examine its history of racial inequity.
- Work with reparations leaders and advocates to develop reparative proposals that redress the harms that media institutions and our media system as a whole have inflicted on Black people and Black communities.
- Identify reparative solutions that address the critical role the government has played in creating an unjust media system.

For more information on our policy priorities, visit freepressaction.org/policy-platform-2024 or contact Free Press Action Vice President of Policy and General Counsel Matt Wood at info@freepress.net.