

Invited Peer Review of FCC Media Ownership Study 6
“The Effects of Cross-Ownership on the
Local Content and Political Slant of Local Television News”
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MB Docket No. 06-121
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Of the 13 media studies commissioned by the FCC under this docket, Study 6 is the only one that actually performed content analysis of programming aired. Because this study is intended to give objective guidance to policy makers assessing the impact of federal broadcast ownership rules, this study of program content is not only welcome; it is essential.

That said, the empirical data in the study are so limited that the study’s conclusions do not and cannot possess the reasonable level of confidence necessary to provide policy makers with useful evidence on which to base their regulatory decisions. Put simply, the findings from a single three-day study of one type of news broadcast should not form the evidentiary basis for any sort of public policy making.

This study coded the content of one half-hour of late-evening local television newscasts on 104 network-affiliated stations (including the 29 stations cross-owned with newspapers) that aired on three days -- the Wednesday, Friday and Monday prior to Election Day, Tuesday, November 7, 2006. The reasoning behind the construction of this sample, and the data set it generated, are inherently flawed, for the following five reasons.

1. There is no empirical basis to assume that late-evening half-hours of local news are a representative sample of a station’s news coverage.

Local stations air news programming in the early morning, at midday, in early prime time, and in the late evening. Different stations in different markets achieve varying ratings across these dayparts; news directors invest different resources into these different programs, depending on their potential for audience growth. Station owners are the first to cry foul when researchers base their conclusions on a single portion of the programming day, let alone on a single half-hour. As the National Association of

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Broadcasters (NAB) routinely argues, “Local stations air political coverage during many dayparts, and not just in the narrow time frame of weekday evening newscasts.”²

Furthermore, in such a narrowly tailored study, results from a small number of stations could drive the major substantive findings. To this point, it would have been appropriate for the author to provide basic descriptive statistics on the volume and nature of each of the late evening news broadcasts for each of the stations in the sample.

2. There is a great deal of evidence that campaign coverage during the final days before Election Day is markedly different in *quantity* from coverage aired over the course of the campaign season.

The author rightly recognizes this as a limitation of the study, noting that “the findings of this study may not be representative of differences in local news coverage by cross-ownership throughout the rest of the year”; the justification for using a sample which admittedly may be unrepresentative is that “the goal of this study is precisely to focus on a particular news event: the 2006 general elections” (p. 9). This justification, and therefore the data set itself, are inadequate and fundamentally flawed.

In fact, the “particular news event” that should be of interest to policy makers and researchers is not the election itself, but the campaign leading up to the election. A primary reason for encouraging television stations to cover campaigns and elections is to provide voters the information necessary to make rational voting choices *before* they actually go to the voting booth. By restricting the analysis to the final week of the campaign, the study fails to provide the FCC with information about news coverage aired throughout a campaign season.³

Numerous studies demonstrate that the amount of election coverage spikes in the last days of a campaign.⁴ While this phenomenon happens on most stations, it is perhaps most pronounced on stations that air fewer overall election stories. For example, a study by the Eagleton Institute for Politics at Rutgers University found that the two cross-owned TV stations in the New York Media Market (WWOR and WNYW) aired fewer election stories in the final month of the 2005 campaign than their market competitors, *and* that around 70 percent of the stories aired by both stations aired in the final week of

² NAB press release, November 21, 2006, http://www.nab.org/AM/Template.cfm?Section=Press_Releases1&TEMPLATE=/CM/ContentDisplay.cfm&CONTENTID=7314

³ This study examines only 312 late-night newscasts from 104 different stations on three different days. By contrast, a study of the 2002 election done by the USC Annenberg School’s Norman Lear Center examined 10,066 top-rated newscasts, both early- and late-evening, over the 48 days prior to the election. Martin Kaplan et al., *Local TV News Coverage of the 2002 General Election* (July 2003), <http://localnewsarchive.org/pdf/LocalTV2002.pdf>.

⁴ E.g., Erika Fowler, Kenneth Goldstein, Matthew Hale and Martin Kaplan, “Does Local News Measure Up?”, *Stanford Law & Policy Review* 18:2, 2007.

the campaign.⁵ Using the methodology of Study 6, it is likely that the quantity of coverage aired on WWOR and WNYW in 2005 would compare quite favorably with other stations in its market. However, in an examination of coverage over an entire month, as the Rutgers study did, neither station lived up to its competitors.

3. There is ample evidence that campaign coverage during the last days before an election is *qualitatively* different from coverage aired during the prior six weeks.

Research has shown that the percentage of stories focused on campaign strategy and on the horserace increases as Election Day approaches, while stories about substantive issues declines.⁶ Once again the author rightly acknowledges this limitation in terms of how the sampling frame might affect the partisan slant evident in news coverage. But the fact that the substantive quality of political coverage seems to decline at the end of the campaigns means that the present study measures news coverage that may be the least useful to voters.

4. Political stories were coded as “local news” not if they were truly local stories, but rather if they were simply not national stories.

The study defines “local news” as “any coverage of events in the same state.” Thus a story about a gubernatorial or US Senate race would be coded as local content in the same way as would be a city council or school board race within the station’s local media market. No study which purports, as this one does, to categorize the effects of cross-ownership on “local content” can do so adequately if it fails to distinguish coverage of politics in its own media market – the essential definition of “localism” – from coverage of statewide campaigns.

5. Because coverage and endorsements of ballot propositions, initiatives and referenda by stations and newspapers were *not* included in the analysis of slant, nor were endorsements of non-federal candidates, a key indicator of potential bias went unmeasured in this study.

The study undertakes to examine whether there is a difference between the bias slant of local stations which are cross-owned compared to other major network affiliated stations in the same market. But this analysis only extended to federal political candidates. It is often a local, non-candidate, hotly contested issue – such as the decision to subsidize a sports arena by taxpayers – in which explicit editorial advocacy, and implicit advocacy conveyed by the quantity and framing of coverage, that is particularly relevant to

⁵ Television Coverage of the 2005 New Jersey Election: An Analysis of the Nightly News Programs on Local New Jersey, New York and Philadelphia Stations. Available at http://www.eagleton.rutgers.edu/NJProject/CampaignsElections/Election05_TVCoverage_Report.pdf

⁶ Martin Kaplan et al., *Local TV News Coverage of the 2002 General Election* (July 2003), <http://localnewsarchive.org/pdf/LocalTV2002.pdf>; Patterson, T.E., (2005) Of Polls, Mountains U.S. Journalists and Their Use of Election Surveys. *Public Opinion Quarterly* 69 (5), 716-724; Cappella, Joseph, and Kathleen Hall Jamieson. 1997. *Spiral of Cynicism*. New York: Oxford University Press.

determining the effects of cross-ownership. Yet these instances of potential bias were not studied by this report.

6. The study inexplicably emphasizes weak or insignificant findings that support newspaper-television cross ownership, while it curiously underplays possibly stronger findings that argue against cross-ownership (in particular those on radio- television ownership).

Perhaps the most troubling aspect of this study is the manner – at best, arbitrary; at worst, misleading – in which it emphasizes admittedly insignificant findings, while at the same time diminishing the importance of findings inconsistent with the thesis that cross-ownership has a neutral or positive effect.

For example, four out of five models employed by the paper reveal that there is no statistically significant increase in overall news coverage provided by cross-owned over non-crossed-owned stations, yet it is the one outlier – a 65.7 second increase – which is highlighted in the paper’s abstract, where it is described, inexplicably, as “1-2 minutes more news coverage overall, or 4-8% more.”

Moreover, when sports and weather – which typically make up the largest portion of a half hour of local news – are excluded from the data, the study’s Table 5 shows that *there is no statistically significant increase in local news associated with cross-owned newspapers* under any of the study’s five models.

Similarly, though the study’s Abstract claims that “[c]ross-owned stations also show... about 30% more news coverage of state and local political candidates” – up to 26 seconds more, which sounds decidedly less impressive – *none of the results* supporting this claim, in Table 6 of the report, *are statistically significant*.

Even within the same sentence, the study asserts a finding favorable to increased cross-ownership, while simultaneously acknowledging its weakness. “[W]hile newspaper cross ownership is positively associated with state and local candidate speaking time and the magnitude of the effect is relatively large,” the study says, “the effect is simply not estimated precisely enough in this analysis to render it statistically significant” (p. 23).

At the same time, findings not favorable to relaxing cross-ownership rules fail to appear in the Abstract and have no impact on the study’s conclusions. For example, television stations with cross-owned radio stations presented less local news coverage (excluding sports and weather), and this negative impact is of high statistical significance.

Peer review is the mechanism by which scholars assess or certify the research findings of their colleagues. We understand that we have not been asked to critique this study on its originality, as we would in a traditional academic peer review. However, perhaps even more so than in an academic review, it is essential that research purporting to identify causal relationships is subject to more intense scrutiny. The challenges involved in determining the existence and magnitude of causal relationship are substantial.

Researchers must not only be confident that the data, as well as any effects identified, are generalizeable, but that they have accounted for alternative factors and causal processes. The kind of research that should be scrutinized at the highest level -- the research from which we should expect the most precision -- is causal research that is being used to support or oppose particular public policies.

The goal of the FCC study under review is to determine whether cross-ownership has a positive, negative or neutral effect on the local content and political slant of local television news. While a more textured study of local news is welcome, we have identified a number of errors in the study. Furthermore, although the empirical conclusions are open to different interpretation, as other reviews note as well, findings that put cross-ownership in a positive light are highlighted. At best, the study should be treated as preliminary in nature.