



MEMORANDUM

February 22, 2021

To: Subcommittee on Communications and Technology Members and Staff

Fr: Committee on Energy and Commerce Staff

Re: Hearing on “Fanning the Flames: Disinformation and Extremism in the Media”

On Wednesday, February 24, 2021, at 12:30 p.m. via Cisco Webex online video conferencing, the Subcommittee on Communications and Technology will hold a hearing entitled, “Fanning the Flames: Disinformation and Extremism in the Media.” The hearing will examine the role of traditional media platforms – broadcasters and cable networks - in disseminating disinformation and extremist content to the American public.

I. BACKGROUND

Free speech scholars argue that for a democracy to function, informed debates and the marketplace of ideas must be able to work off of a shared set of facts.¹ Many experts agree that dangerous disinformation about the coronavirus disease of 2019 (COVID-19) and the 2020 presidential election has greatly intensified an already deadly public health crisis, further divided the nation, and fomented an insurrection.² While much of the blame has been placed on the widespread disinformation on social media platforms, industry participants have also noted that broadcast and cable outlets have played a role in the spread of disinformation.³

II. DISINFORMATION ON CABLE AND BROADCAST NETWORKS

According to a Pew Research Center analysis of a periodic survey of more than 10,000 individuals, over 50 percent of Americans get their news primarily from television or radio programming.⁴ On the other hand, less than 20 percent of Americans rely on social media as

¹ See, e.g., Jared Schroeder, *Discerning Truth And Vetting Facts Is The Only Way To Preserve Our Democracy*, The Hill (Sept. 11, 2020).

² The Union of Concerned Scientists, *We Just Witnessed the Dangers of the Autocratic Disinformation Playbook* (Jan. 8, 2021) (<https://blog.ucsusa.org/genna-reed/dangers-of-autocratic-disinformation-playbook>).

³ See *James Murdoch Predicts 'A Reckoning' For Media After Capitol Riot*, The Hill (Jan. 15, 2021).

⁴ *Americans Who Mainly Get Their News on Social Media Are Less Engaged, Less Knowledgeable*, Pew Research Center (July 30, 2020).

their major source of political news.⁵ Some have even gone as far as to argue that traditional media is often the primary driver of disinformation.⁶

A. The Media's Role in the Dissemination of Disinformation

For nearly a year, disinformation regarding the seriousness of COVID-19 and effectiveness of precautionary measures such as mask-wearing and social distancing has helped to worsen the pandemic,⁷ and those who relied on suspect traditional media sources were more likely to believe COVID-19 conspiracy theories.⁸ Most recently, after months of false claims that the November 2020 presidential election was stolen from former President Donald Trump, amplified and repeated on particular traditional media outlets, the world watched in horror as rioters stormed the United States Capitol in an attempt to overturn the results of the election.⁹

It was only after the Capitol riots, and after five people were killed and over 100 wounded, that one radio group which airs programming from many popular talk radio hosts who regularly spread disinformation, distributed a memo telling on-air personalities to stop claiming that the election was stolen.¹⁰ On facing legal action, some cable media outlets have aired segments retracting election fraud claims that were made on their networks.¹¹ Similarly, after facing backlash, a particular broadcast media conglomerate canceled the airing of a segment that claimed Dr. Anthony Fauci helped to create COVID-19, though, this outlet continued to air other disinformation about the pandemic.¹²

B. Incentives and Motivations Behind Media Disinformation

Political economists have argued that the dissemination of disinformation on these traditional outlets is the result of several different factors. First, media outlets are focused on increasing revenue and audience share.¹³ To that end, news and programming that rely on

⁵ *Id.*

⁶ *Mail-In Voter Fraud: Anatomy of a Disinformation Campaign*, Berkman Klein Center (Oct. 1, 2020); Yochai Benkler, Robert Faris and Hal Roberts; *Network Propaganda: Manipulation, Disinformation, and Radicalization in American Politics* (2019).

⁷ *New Research Explores How Conservative Media Misinformation May Have Intensified The Severity Of The Pandemic*, The Washington Post (June 25, 2020).

⁸ Kathleen Hall Jamieson and Dolores Albarracín, *The Relation between Media Consumption and Misinformation at the Outset of the SARS-CoV-2 Pandemic in the US*, The Harvard Kennedy School Misinformation Review (Apr. 2020).

⁹ *The Insurrection Hiding in Plain Sight*, Foreign Affairs (Jan. 14, 2021).

¹⁰ *Talk-Radio Owner Orders Conservative Hosts To Temper Election Fraud Rhetoric*, The Washington Post (Jan. 11, 2021).

¹¹ *Fox News, Newsmax Walk Back Election Fraud Claims After Voting Machine Manufacturer Threatens Legal Action*, Forbes (Dec. 21, 2020).

¹² *Sinclair Yanked A Pandemic Conspiracy Theory Program. But It Has Stayed In Line With Trump On Coronavirus*, The Washington Post (July 31, 2020).

¹³ *See Wormtongue Inc.*, Future Crunch (Jan. 15, 2021).

controversy and division is presumed to be popular.¹⁴ Recently, one cable news channel decreased programming dedicated to news in favor of opinion programming, which tends to be more controversial.¹⁵ Viewers, however, are often confused as to whether the content they see is news or opinion,¹⁶ which can result in confusion and undermine public confidence in the press.

Additionally, local newsrooms have been forced to downsize or shut down completely because of consolidation and declining revenues.¹⁷ Some local outlets have been unable to cover vital health and political stories in their community.¹⁸ Other communities do not have a trusted local news outlet.¹⁹ As a result, some have maintained that this void left by the absence of reliable, local news is being filled by partisan commentary and disinformation.²⁰

Finally, traditional media outlets will often cover demonstrably false statements made by politicians and other public figures because they consider them to be newsworthy.²¹ Media outlets also provide a forum for newsmakers and commentators to communicate lies and disinformation.²² Despite criticism, many traditional media outlets continue to allow for the disinformation in an attempt to follow journalistic standards and present multiple viewpoints on a news story.²³

III. WITNESSES

The following witnesses have been invited to testify:

Soledad O'Brien

Anchor, Matter of Fact
CEO, Soledad O'Brien Productions

Emily Bell

Leonard Tow Professor of Journalism
Tow Center for Digital Journalism, Columbia University

¹⁴ *See id.*

¹⁵ *At Fox News, a Post-Election Shake-Up Brings More Opinion at the Expense of News*, Washington Post (Jan. 18, 2021).

¹⁶ *Confusion About What's News and What's Opinion Is a Big Problem, But Journalists Can Help Solve It*, American Press Institute (Sept. 19, 2018).

¹⁷ *How Right-Wing Misinformation Filled The Void Left When Local Newsrooms Cut Staff*, Media Matters (Dec. 28, 2020).

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Election Beat 2020: How News Outlets Become Misinformation Superspreaders*, Journalist's Resource (Oct. 27, 2020).

²² *See id.*

²³ *The Voter-Fraud Disinformation Campaign*, Harvard Magazine (Dec. 6, 2020).

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