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The United States Senate

Committee on Commerce, Science and Transportation

Hearing on “*Rethinking the Children’s Television Act for a Digital Age*”

Good afternoon, Chairman Rockefeller, Senator Hutchison, and distinguished members of the Senate Commerce Committee. Thank you for your leadership in holding today's hearing, "Rethinking the Children's Television Act for a Digital Media Age." My name is Gary Knell, and I am the President and CEO of Sesame Workshop, the nonprofit educational organization that is perhaps best known as the independent producer of *Sesame Street*, now celebrating its 40th anniversary, and *The Electric Company*. We appreciate the opportunity to participate in this very important discussion, examining the intent and effect of the Children's Television Act in the new day of digital media and multiple screens. We are strongly committed to the belief that the media environment we create for our children today will have a lasting impact on their education and health, and ultimately, on our nation's future.

Forty years ago, in 1969, *Sesame Street* was created to help disadvantaged preschool children prepare for school. It was a groundbreaking experiment, proving that the power of television could be harnessed to educate our nation's children. Once described by former FCC Chairman Newton Minow as "a vast wasteland,"¹ television, we discovered in study after study through *Sesame Street*, had the power to positively impact children's educational and social-emotional development.

Understanding the potential benefits of television on our children, Congress passed the Children's Television Act of 1990. In doing so, Congress determined that market forces by themselves had not produced a sufficient amount of educational programming on commercial

¹ Minow, Newton, "Television and the Public Interest." Speech given at the National Association of Broadcasters, Washington, D.C., May 9, 1961. Available at <http://www.americanrhetoric.com/speeches/newtonminow.htm>

broadcast television and that government action was necessary.² Accordingly, one of the legislation's main goals was to increase the amount of educational programming available to children. Another goal was to protect young viewers' vulnerability to commercial persuasion by limiting advertising time.³

Since 1990, the media landscape has evolved such that there now exists tremendous consolidation of children's media in which the top three media companies (Nickelodeon, Disney and Cartoon Network) account for 92% of 6 to 11 year-olds' viewing on the main kids' broadcast and cable networks⁴ and control a lion share of the market on the web. Although these media companies offer our children some excellent entertaining and educational programs, consolidation has made it quite challenging for independent producers to emerge and prosper as the three maintain effective "control" of the means of content and the means of distribution.

Children are not only watching the television screen in the living room, but they are engaging with multiple screens. Television has gone everywhere, it has become interactive, and children are using it. According to the Kaiser Family Foundation, children ages six and under are spending about two hours a day with television, computers and video games, which is just about the same amount of time they spend playing outside and about triple the time they spend with books.⁵ Older children ages eight to 18 years spend six and a half hours a day with media for

² Federal Communications Commission Fact Sheet, "Children's Television Programming," April, 1995.

http://www.fcc.gov/Bureaus/Mass_Media/Factsheets/kidstv.txt

³ Kunkel, D. and Wilcox, B. (2001). "Children and Media Policy" in D.G. Singer & J.L. Singer (Eds.), *Handbook of Children and the Media* (pp. 589-604). Thousand Oaks, CA: Sage Publications.

⁴ Nielsen Media Research. Marketbreaks. 9/28/08-6/29/09. K2-5 & K6-11 Live+7 AA(000). Percentage totals based upon the percentage of AA(000) for each network among the core kids' focused networks (PBS, Nickelodeon, Noggin, Nicktoons, The N, Disney Channel, Disney XD and Cartoon Network).

⁵ Rideout, V., Vandewater, E.A. and Wartella, E.A. (2003). *Zero to Six: Electronic Media in the Lives of Infants, Toddlers and Preschoolers*. Menlo Park, CA: Henry J. Kaiser Family Foundation.

recreational purposes, which is more time than they spend doing anything else, except for sleeping.⁶

Consider how quickly the media landscape is changing. The Pew Research Center's Internet and American Life Project offers an illuminating description of the evolving nature of media in a young person's life today. Imagine a child born in 1990, the year that the Children's Television Act was enacted. It was the same year that the World Wide Web was created. By the time this child was three years old and walking, the first web browser was used. When she was in first grade, instant messaging was available and Palm Pilots emerged in the marketplace. By second grade, blogging had begun. In third grade, TiVo and Napster could be used to access content; by sixth grade, she had an iPod. As a young teenager, at age 13 or 14, she could use social networking sites, tag online content, post photos online and download podcasts. Finally, when she was old enough to get her driver's learning permit, she could post on Facebook to spread the news to her friends.⁷ This child cannot remember a time when television or radio was the only way to access media. To this child, a computer screen is really not much different from a television screen, and in this rapidly evolving digital media world, these screens are converging everyday.

Yet while in some ways the world of children's media has changed completely since 1990, the irony is that, in other ways, it's exactly the same. Media content—whether it's delivered through the television screen, a hand-held device or in a video game—still plays a powerful role in

⁶ Rideout, V., Roberts, D. and Foehr, U. (2005). *Generation M: Media in the Lives of 8-18 Year-Olds*. Menlo Park, CA: Henry J. Kaiser Family Foundation.

⁷ Rainie, Lee, "Teens and the Internet." Presentation of the Pew Internet & American Life Project at the Consumer Electronics Show-Kids@Play Summit. January 9, 2009. Available at www.pewinternet.org/Presentations/2009/Teens-and-the-internet.aspx

children's education and if it is not harnessed to serve children's interests, can play a potentially negative role in their health and social-emotional development. So the issues that Congress raised in 1990 about a lack of children's educational media and an overabundance of marketing to kids are still the very issues that we must address today.

In rethinking the Children's Television Act, therefore, we respectfully request that Congress:

1) Incentivize the creation of more educational content to children across digital media platforms

While it appears that children have more choices available than ever before, the truth is that today's media environment is cluttered with all sorts of programming, some much better than others. From our point of view, there is a real lack of quality, educational content now for school-aged children, especially 6 to 9 year-olds. At a time when it is critical for these children to master certain literacy and numeracy skills, we do not have enough quality content to address this need. If America is to compete in a 21st century global world, as President Obama has stated, our children need a strong, competitive education. Digital media can be a powerful partner.

Just as, looking at television, Congress created PBS and pushed commercial broadcasters to air educational/informational programming, we must now look inside today's tool kit to see how innovative technologies can be deployed to create a learning environment for our nation's children.⁸ That is why we started the Joan Ganz Cooney Center for Educational Media and Research, exploring the ways in which digital media can promote literacy for our 6 to 9 year-olds

⁸ See "Learning English, in Virtual World" *New York Times*, July 20, 2009, p. B7.

and even accelerate their learning through video games, cell phones and other digital media. It is time for media at large to take on groundbreaking experiments in education, similar to the unchartered path *Sesame Street* embarked on 40 years ago, to raise the bar and think creatively on how we educate our children and prepare them for a global world.

Government can play a significant role in ensuring that media is harnessed in innovative ways to enhance and support our children's education. Here is one example. As the Federal Communications Commission considers how to develop a broadband strategy to best serve the nation, the educational needs of children must be a top priority. A national broadband plan must extend beyond hardwiring alone to include a content software strategy so that children can benefit from engaging educational content available online. And beyond the delivery of broadband, Congress should explore ways to ensure the creation of more and better educational content for children that could extend across media platforms and serve as powerful learning tools.

2) Provide a better framework for protecting children's health in the digital age

As children now navigate the digital media landscape, they are now exposed to advertising and marketing across media platforms--on their favorite websites, in video games and on mobile devices. Congress has long recognized children's unique vulnerability to commercial persuasion which is why it set limits on advertising under the Children's Television Act.⁹ These rules should be updated for the digital age to reflect the dramatic changes in the children's media landscape.

⁹ Kunkel, D. and Wilcox, B. (2001). "Children and Media Policy" in D.G. Singer & J.L. Singer (Eds.), *Handbook of Children and the Media* (pp. 589-604). Thousand Oaks, CA: Sage Publications.

One relevant example has been the need to protect our children's health as they face a very serious public health crisis; this is the first generation of children whose life expectancy may be lower than that of their parents due to childhood obesity.¹⁰ While many factors contribute to this crisis, the Institute of Medicine has stated that food marketing is one of them.¹¹ We know that a significant amount of marketing targeted to children, both on television and online, is food products,¹² which nutritionists will tell you are too often not healthy. We also know that advertising and the use of licensed characters to promote certain foods influences children's preferences, purchase requests and consumption habits.¹³

Two years ago, I was asked to lead a joint Senate/Federal Communications Commission Task Force on Media and Childhood Obesity. Working with Senators Tom Harkin (D-IA) and Sam Brownback (R-KS) and former FCC Chairman Kevin Martin, I facilitated discussions with food companies, children's media companies and advertisers, along with public health and children's advocates, aimed at creating voluntary standards to increase exposure to healthy food messages and limit exposure to the unhealthy ones.

While the Task Force made progress in achieving some of these voluntary industry commitments, two key issues were left unresolved. Primarily, we need to implement a uniform nutrition standard for food marketing to children. Right now, food/beverage companies each

¹⁰ S. Jay Olshansky, et al, "A Potential Decline in the Life Expectancy in the United States in the 21st Century," *New England Journal of Medicine*: 352: 11: 1138-1145.

¹¹ Institute of Medicine, *Food Marketing to Children and Youth: Threat or Opportunity*, National Academy of Sciences Press, December 2005.

¹² Rideout, V. (2007). *Food for Thought: Television Food Advertising to Children in the United States*. Menlo Park, CA: Henry J. Kaiser Family Foundation.

Rideout, V. and Moore, E. (2006). *It's Child's Play: Advergaming and the Online Marketing of Food to Children*. Menlo Park, CA: Henry J. Kaiser Family Foundation.

¹³ Institute of Medicine, *Food Marketing to Children and Youth: Threat or Opportunity*, National Academy of Sciences Press, December 2005.

have a different definition for what constitutes a healthy food. This is ultimately confusing to parents and creates a situation where similar foods will be considered “healthy” by one company’s criteria while “unhealthy” by another company’s criteria. Secondly, media companies need to step up their role in protecting children by monitoring their advertising environments. They need to do more to ensure that unhealthy food advertising is significantly reduced. ION Media has already restricted the airing of advertisements that don’t meet nutritional standards in their children’s programming.

Given how much time children spend with media and the pervasiveness of food marketing across digital platforms, Congress should address this issue. The former United States Surgeon General identified childhood obesity as “the fastest growing cause of disease and death in America.”¹⁴ As Congress focuses on health care reform, the prevention of childhood obesity must be a top priority and successful outcomes will be a sure fire way to prevent huge costs to individuals and taxpayers later.

In closing, I want to thank members of the Senate Commerce Committee for their leadership on helping focus attention on the needs of our nation’s children. As we consider how the children’s media landscape has changed over the last 20 years, we must update the Children’s Television Act into a Children’s Media Act, if you will, which supports children’s education in a competitive, global economy and also protects their health. Thank you and I am happy to answer any questions.

¹⁴ Richard H. Carmona, “The Obesity Crisis in America,” Testimony of the United States Surgeon General before the Subcommittee on Education Reform, Committee on Education and the Workforce, United States House of Representatives, July 19, 2003. <http://www.surgeongeneral.gov/news/testimony/obesity07162003.html>