

VIEWS OF COMMISSIONER JAMES H. QUELLO  
(Re: WAUD - Auburn, Alabama)

It is obvious that this agreement cannot be sanctioned by the Commission in that, among other things, it requires unlawful discrimination in hiring. Beyond that, of course, it inflexibly binds the licensee to subvert his judgment to the requirements of the agreement and improperly places responsibility for programming and/or hiring in the hands of a party other than the licensee.

I hope that the Commission's recently issued policy statement at least has the effect of placing licensees on notice that they cannot bargain away their responsibility. Each licensee must recognize that, in his fiduciary role, he is acting as a steward for the public at large and, therefore, must not and cannot negotiate away his ability to respond to public needs.

By making firm commitments to one party, each licensee must recognize that the rights of other parties within the community can be affected. Therefore, great care must be taken to ensure that judgments are reasonably based upon the facts at hand rather than simply upon the pressures which are brought to bear.