

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

OFFICE OF COMMISSIONER
JAMES H. QUELLO

June 2, 1987

Mr. Patrick Pritchett
17711 Falkirk Lane
Huntington Beach, CA 92649

Dear Mr. Pritchett:

In your letter of May 27, 1987, you attempt to vilify me as an instrument of "the self-appointed guardians of morality" who are seeking to "suppress great works of literature such as 'Huckleberry Finn', 'The Catcher In the Rye' and many others in the name of narrow minded paranoid moralism." Unfortunately, your misinformed outrage was apparently derived from a garbled account of my views published in the Wall Street Journal.

In a REQUEST FOR RULING, Pacifica Foundation announced that it had "scheduled for broadcast the reading of a text which contains the following words and phrases: 'kissing my bottom,' 'frigging,' 'come three or four times with that tremendous big red brute of a thing,' 'spunk,' 'put it into me from behind...like the dogs do it,' 'wash in my piss,' 'titties,' 'fuck,' 'shit,' 'my hole is itching me,' 'lovely young cock,' 'fucked yes and damn well fucked too,' 'stick his tongue 7 miles up my hole,' 'lick my shit.'" While the pleading from Pacifica suggested neither the context nor the work in question, some of the Commission's "ill-informed...lower-echelon flunkies" immediately recognized it as Ulysses. The fact that those words were used in Joyce's Ulysses, of course, does not suggest that they could not be used in a quite different context. Since the Commission, at that time, was not provided with the context, my initial judgment was limited by the information provided. Of course, I must reserve final judgment until I have thoroughly reviewed the totality of the record.

Your discourse on Judge Woolseys vintage obscenity ruling is interesting but irrelevant O it simply makes no difference that the language in context is not obscene since were talking indecency and a statute prohibiting it during times when children can be expected to be listening to the radio and being exposed to language or material that depicts or describes in terms patently offensive as measured by contemporary community standards for broadcasting sexual or excretory activities or organs and so yes we must use that test and not Miller to find the broadcast to be indecent or not O I concede the commission can make no obscenity finding but must consider under the case

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law whether the language is indecent and broadcast at a time of the day when young children yes innocent babes are likely to hear and we must make a determination based on the record before us and O that's the law Mr Pritchett whatever you may think and whether you want it enforced I am sworn to uphold the law and enforce it and yes I said yes I will; Yes.

Sincerely,

James H. Guellio
James H. Guellio

cc: Alexander Cockburn,
c/o L.A. Weekly