

Remarks by Commissioner James H. Quello

Special for Mark Gunther

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Some recent critical items in the communications trade press have highlighted Chairman Hundt not being supported by other commissioners on recent key issues. It's true in a few circumstances. In each case, the commissioners' votes represented the independent actions of each individual commissioner, certainly not an organized campaign by one or any group of commissioners.

If one considers the total number of agenda and circulate items, I personally, and other commissioners, have agreed much more than we have disagreed with the Chairman's agenda. All of us would like to work in an atmosphere of peaceful co-existence.

After twenty years on the FCC, I have learned that someone who has a different opinion from yours is not automatically an enemy or uninformed obstructionist.

In the FCC, and in government deliberations and decisions generally, it is best to be able to disagree without being disagreeable. It is sometimes difficult to accomplish this with any chairman who considers a dissenting vote a personal affront or an obstruction to his regulatory agenda.



It is presumptuous of me to critique any chairman -- particularly when I have myself served in that capacity for eleven months. All of us have different operating philosophies and methods.

Any chairman has more influence and responsibility than other commissioners. He sets the agenda and has the power to appoint key bureau chiefs and department heads.

From my observations of seven different chairmen and my personal experience as interim chairman and other times as occasional acting chairman, I realized the chairman is not the "chief executive officer" in the same true sense as a corporate CEO. There are four other commissioners all appointed by the President and confirmed by the Senate with equal voting rights for agenda and circulate items and equal claims on input from FCC key personnel and on bureau proposals. The chairman is not the other commissioners' commander-in-chief. Actually, in the final analysis, the chairman is only one vote.

I don't believe any industry could operate expeditiously and efficiently with this type of executive structure.

At the risk of presenting a shocking opinion, I believe the most efficient, expeditious method would be to appoint only one commissioner who would automatically be chairman and, if deemed necessary, give him the authority to appoint four deputies. The chairman would still have the difficult task of implementing administration goals subject to Congressional oversight. The "one-man Commission" concept would be particularly useful if competition renders most FCC functions aside from spectrum allocation, licensing, and interference resolution unnecessary. A multimember Commission brings balance and consensus to major policy decisions, but it would not be necessary if, and when, the FCC becomes primarily a licensing organization. A single commissioner should be thoughtfully considered at some future, less tumultuous time after current commissioners have served their terms.

I have always tried to base my FCC decisions independently on what is most reasonable, practical, decent and legally supportable and best serves both the public and industries that employ the public, rather than reflecting any political philosophy. I also like to quote that great President, FDR, who stated, "Substantial justice must take precedence over legal technicality...." Any chairman pursuing this goal has a difficult task because it requires judgment, vision, and an even-handed, consensus-building demeanor.

Then too, the chairman, whether alone or with other commissioners, must remember that he has to answer to a higher authority -- the oversight committees of the House and Senate.

As an afterthought: What single individual could possibly qualify to practically become the communications czar of America? At the risk of sounding irreverent, it might take someone with all the wisdom, vision and virtues of Socrates to qualify and even that person would be risking drinking verbal hemlock at the hands of Congress, the courts, the press and public and legal activists.

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