



## AIRTIME

GUEST COMMENTARY

# James Quello, What Would You Do?

I was an FCC commissioner for 23 years and managed to rise to the chairmanship during the 1993 interregnum—after Alfred Sikes left and before Reed Hundt arrived. Now in semi-retirement, I continue to watch closely the doings at the FCC.

Jumping into the FCC's controversial media-ownership proceeding might appropriately come under the banner "Fools Rush In Where Angels Fear to Tread." Nonetheless, at BROADCASTING & CABLE's invitation, I offer here what I would do if I were back at the commission today.

First off, I would remind my fellow commissioners to add those lawmakers with FCC oversight to the Fourth Commandment: It is a good idea to honor them. And then I would pledge to decide this issue independently based on a full FCC record and with practicable common sense.

On media ownership, I would be in tune with Chairman Michael Powell. In deciding the issue, I would rely mainly on the antitrust merger guidelines to protect both diversity and competition, and I would be responsive to market-dominance problems in advertising and the overall economy.

I would also oppose bringing back the financial-interest and syndication rule in any form. Until 1993, the rule barred the major broadcast networks from having any interest in their prime time programming.

Broadcast television and the networks are no longer the dominant players. Today, cable reaches 98% of all television homes, and more than 85% subscribe. Satellite is another fast-growing program-distribution source. Cable with hundreds of different channels has brought undreamed-of programming that responds to every conceivable program want or wish. Also vying for public hearts, minds and eyes: the In-



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ternet, the VCR (in 95% of TV homes) and the new DVD (in 30% of TV homes).

The government should not force the Big Four networks to set aside 25% of prime time for independent producers as those producers are now advocating. This would come at the expense of important news and information programs that are regular features in prime time. If any producer needs advice on how to sell his or her wares, he or she should ask Bochco, Wolf or Kelley.

I would also support the public outcry against excessive sex and violence on TV and become a leading advocate for voluntary corrective action by TV as well as by cable, radio and the Internet. I would warn that our founding fathers did not guarantee First Amendment rights for indecent, obscene purposes harmful to society.

Although it is unpopular to admit, the public itself promulgates sex and gratuitous violence. An audience is essential for cable and TV programmers to survive. Programs don't survive weak ratings. All the majority of the public has to do is tune out explicit sex and violence rather than condemn it publicly and seek it privately. Also,

parents with children must exercise responsibility with personal guidance and more-frequent use of the V chip. A concerned, more responsible public has the power to self-correct excessive sex and gratuitous violence in programming.

I will say it again: The scarcity argument formerly used to justify regulation is no longer valid in today's over-abundant converging multimedia communications marketplace. ■

*Quello served as an FCC commissioner from 1974 to 1997 under six presidents. He was interim chairman for most of 1993.*