

CONCURRING STATEMENT OF COMMISSIONER JAMES H. QUELLO

Re: Nondiscrimination in the employment policies
and practices of broadcast licensees

"A statement of Commission policy regarding equal employment opportunities in broadcasting is, I believe, appropriate and desirable. However, I question whether the Commission's approach produces the clarity and certainty that would facilitate compliance and maximize implementation.

First, the Commission's procedures for dealing with specific complaints from the public are - and remain - woefully inadequate. We simply defer to other jurisdictions whenever possible and avoid any direct Commission response which could be characterized as timely or expeditious. The result, of course, is that complaining parties tend to lose faith in our ability to address their problems through the simple complaint process with the predictable result that other, indirect, costly and time-consuming approaches are employed; i. e., petitions to deny license renewals. I believe the Commission should consider the following:

- 1) Establishment of simple, clear-cut procedures for receiving and expeditiously processing discrimination complaints
- 2) Establishment and enunciation of a threshold standard for evaluation of complaints
- 3) Prescription of a simple, straightforward response procedure for licensees
- 4) Establishment of liaison with EEOC for the purpose of expediting the resolution of complaints where EEOC involvement is necessary or desirable.

Secondly, I would hope that this Commission will, at the earliest possible moment, develop and enunciate a recognizable "zone of reasonableness" standard which will spell out as clearly and straightforwardly as possible exactly what we expect of licensees in this area. Any internal standard developed within this Commission for processing equal employment opportunity matters should also be widely known and understood by the public at large and by the industry concerned. I fail to understand where any constructive purpose is served by continuing to apply some sort of amorphous rule of thumb to these matters.

I am heartened that the Commission is finally coming to grips with what it conceives to be its obligations regarding equal employment opportunities in broadcasting. However, I am concerned that so much time has passed between concept and substance and that more thorough consideration was not given to the two issues I have mentioned."