

December 17, 1986

**SEPARATE STATEMENT
BY
COMMISSIONER JAMES H. QUELLO**

**Re: Inquiry into the Commission's Comparative Licensing,
Distress Sales and Tax Certificate Policies**

Today the Commission launches an inquiry into its comparative licensing, distress sales and tax certificate policies. The primary focus of this inquiry is on the legality of those policies. However, the Commission has also decided that this is an appropriate occasion to assess the success of those policies during the eight years since their adoption. I support these efforts because I believe that both are necessary and proper concerns to the Commission's fulfillment of its public interest obligations.

As I have emphasized before, I remain committed to the Commission's longstanding goal of encouraging and assisting minority and female entry into broadcasting. I have also stated, on other occasions, that I am not inclined to question the wisdom of continuing our minority policies if they are constitutional. To the extent that this Notice of Inquiry contains conclusory statements relating to the legality of our policies, I am not necessarily in accord with those statements and will reserve judgment until I have a record before me. I cannot quarrel, however, with my colleagues' desire to seek comment on whether these policies are indeed accomplishing the worthy objectives that they were designed to achieve. I do, however, place a heavy burden on those that challenge either the constitutionality or the wisdom of our longstanding Commission policy of minority preferences. I intend to study this record very closely before reaching any conclusions on these sensitive issues.