

ADDRESS BY COMMISSIONER JAMES H. QUELLO
BEFORE THE FEDERAL COMMUNICATIONS BAR ASSOCIATION
SEPTEMBER 9, 1974

THE FRESHMAN YEAR: IMPRESSIONS

DISTINGUISHED MEMBERS OF THE
FEDERAL COMMUNICATIONS BAR ASSOCIATION AND
GUESTS -- I HAVE TO ADMIT TO CONSIDERABLE
CONCERN OVER WHAT APPROACH TO TAKE IN SPEAK-
ING TODAY BEFORE THIS "MASSIVE CONCENTRATION
OF LEGAL EXPERTISE AND INFLUENCE.

THE TITLE OF MY TALK "THE FRESHMAN
YEAR: IMPRESSIONS" WAS A PAST-DEADLINE COM-
PROMISE TO EXPEDIENCY AFTER A PAINSTAKING
SEARCH FOR SOMETHING BETTER -- OR AT LEAST
MORE PROVOCATIVE. I THOUGHT OF "OVERVIEW
OF OVERSIGHT"; OR "A FIRST QUARTER REPORT
TO SEN. PASTORE -- OR A MORE INTIMATE FOLKSY

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APPROACH LIKE "A LETTER TO UNCLE JOHN" --

BUT THE UNCLE WOULD ONLY BE WISHFUL THINK-
ING. AND I WOULDN'T WANT TO RISK POSSIBLE
DISINHERITANCE OR DISAFFECTION FROM A FAN-
TASIZED UNCLE SO RICH IN COMMUNICATIONS LORE
OR SO RESPECTED IN GOVERNMENT CIRCLES. I
ALSO THOUGHT OF A "DANNY THOMAS MONOLOGUE
ON THE FCC" -- THIS AD LIB APPROACH POSSESSED
ADVANTAGES OF MINIMIZING THE DRUDGERY AND
RESPONSIBILITY OF A FORMAL WRITTEN PREPARA-
TION. I THOUGHT OF "OUR JOINT OPPORTUNITIES
IN COMMUNICATIONS" -- BUT IT SEEMED A LITTLE
TOO PRESUMPTUOUS FOR ME AND PROBABLY DULL
FOR YOU.

SO I DECIDED AS LONG AS MY PERSPECTIVE ON FCC ISSUES AND PROBLEMS WILL NECESSARILY BE MORE JOURNALISTIC THAN LEGALISTIC -- WHY NOT TELL IT LIKE IT IS -- OR AT LEAT^S LIKE I SEE IT. LET ME SHARE WITH YOU MY IMPRESSIONS AND OBSERVATIONS DURING MY FIRST FEW MONTHS AND IN THE PROCESS I'LL PASS ALONG SOME OF MY VIEWS ON KEY ISSUES BEFORE THE COMMISSION. WHAT IMPRESSED ME MOST RIGHT AT THE START -- AND "IMPRESS" IS NOT QUITE THE WORD -- IMPACT OR JOLT WOULD BE MORE APPROPRIATE -- WAS THE CONFIRMATION PROCESS.

YOU SEE, YOU HAVE AS YOUR SPEAKER TODAY SOMEONE WHO HAS THE DUBIOUS DISTINCTION

OF SURVIVING THE LONGEST CONFIRMATION
HEARING ON RECORD -- LONGER THAN PRESIDENT
FORD'S HEARING FOR THE VICE PRESIDENCY OR
SECRETARY OF STATE KISSINGER. BUT, OF COURSE,
THEY WERE TRYING FOR RELATIVELY PLACID,
NON-CONTROVERSIAL JOBS.

AS YOU KNOW, I WAS CONFRONTED WITH
A MASSIVE "PETITION TO DENY" MY CONFIRMATION.
WHEN THE PUBLICITY BROKE -- AND THE VOLUME
WAS HEAVY (RELATE HUMOROUS INCIDENTS) ETC.
THINKING BACK I NOW REALIZE THE LENGTHY
HEARINGS PROVIDED ME WITH A FULL OPPORTUNITY
TO PRESENT MY CASE BEFORE AN OBJECTIVE
JURY OF SENATORS ON THE COMMUNICATIONS
SUB-COMMITTEE. FROM ONE STANDPOINT, THE

HEARINGS WERE EDUCATIONAL IN THAT I BECAME AWARE OF SOME OF THE LOGICAL CONCERNS OF THOSE OPPOSING A NOMINEE FROM THE BROADCAST INDUSTRY. HOWEVER, I WAS DISILLUSIONED, TOO BY DISTORTED CHARGES AND FACTS THAT FORTUNATELY WERE DISCOUNTED BY MEMBERS OF THE SENATE COMMITTEE. I BECAME AWARE FOR THE FIRST TIME THAT SOME CITIZENS' GROUPS ARE PRIMARILY ADVOCATES FOR THEIR OWN PRIVATE VERSION OF THE PUBLIC INTEREST AND THAT A FEW INDIVIDUALS DEPEND FOR THEIR EXISTENCE ON PROMOTING AND EXPLOITING DISCONTENT. HOWEVER, SOME CONSUMER ACTIVISTS REPRESENT A SIZEABLE

CONSTITUENCY WHOSE VIEWS MERIT CAREFUL
CONSIDERATION IN FCC DELIBERATIONS. SOME
OF THEIR PROPOSALS HAVE SERVED AS CATALYSTS
AND HAVE BENEFITED THE PUBLIC. HOWEVER,
THEIR VIEWS SHOULD NOT BE THE SOLE, OR EVEN
DOMINANT, FACTORS IN DETERMINING PUBLIC
INTEREST. THERE ARE MANY OTHER CONSUMER
VIEWPOINTS AND PUBLIC GROUPS, MANY IN DIS-
AGREEMENT WITH CONSUMER ACTIVISTS, THAT
MUST ALSO BE CONSIDERED IN DETERMINING TOTAL
PUBLIC INTEREST. THERE IS CONSIDERABLE
DISAGREEMENT AMONG MANY INTELLIGENT
INDIVIDUALS AND ORGANIZATIONS OF SINCERE
INTENTIONS AND WORTHY PURPOSES AS TO WHAT

DOES CONSTITUTE "THE PUBLIC INTEREST" ON ANY GIVEN ISSUE. THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY WHICH THE COMMISSION IS CHARGED BY LAW WITH PROTECTING, MUST NECESSARILY REPRESENT A SENSITIVE AND DELICATE BALANCING OF THE VARIED AND COMPETING INTERESTS OF THE DIFFERENT GROUPS IN SOCIETY, IN ORDER TO ARRIVE AT A DETERMINATION OF WHAT IS TRULY IN THE OVERALL PUBLIC INTEREST.

NATURALLY, WITH MY BACKGROUND I CAN'T AGREE WITH GROUPS STRONGLY ADVOCATING THAT THE COMMUNICATIONS INDUSTRY AND OTHER MAJOR INDUSTRIES BE SUBJECTED TO DAILY REGULATORY DECISIONS MADE EXCLUSIVELY BY

AGENCY APPOINTEES WITHOUT FIRSTHAND KNOW-
LEDGE OF THE INDUSTRY OR OF BUSINESS GENERALLY
-- OR WITHOUT A FULL APPRECIATION OF THE
PRACTICAL IMPACT OF THEIR DECISIONS AND
ACTIONS. (I FAVOR A NEW, SOCIALLY CONSCIOUS
FREE ENTERPRISE SYSTEM OVER PATERNALISTIC
GOVERNMENT CONTROL.)

I'M GRATEFUL FOR MY BROADCAST
EXPERIENCE. AT LEAST I CAN UNDERSTAND ABOUT
65% OF THE FCC AGENDA WITHOUT PROLONGED
BRIEFING. HOWEVER, EVEN WITH SOME EXPERIENCE,
THE DELIBERATIONS AND DECISIONS ARE AWESOME.
YOU REALIZE THAT SOME OF THE INTERESTED
PARTIES IN HEAVILY-CONTESTED FCC ISSUES ARE
GOING TO OBJECT TO YOUR DECISION EITHER WAY.

IT HAS BEEN SAID THAT A MAN IS JUDGED BY HIS FRIENDS -- WHICH IS TO SAY THERE IS NO WAY OF JUDGING AN FCC COMMISSIONER. ALL YOU CAN DO IS STUDY ISSUES OBJECTIVELY, EVALUATE ALL THE EVIDENCE AND TRY TO ARRIVE AT DECISIONS OR RECOMMENDATIONS THAT BEST SERVE THE TOTAL PUBLIC INTEREST.

ANOTHER EARLY IMPRESSION IS THAT FCC COMMISSIONERS MEET SUCH INTERESTING AND IMPORTANT PEOPLE (NOT ALWAYS SYNONYMOUS). YOU HAVE TO MEET A FEW TO GET THE APPOINTMENT, BUT YOU MEET MANY MORE AFTER. FOR EXAMPLE, I WAS IMPRESSED WHEN MR. JOHN DEBUTTS, DYNAMIC CHAIRMAN OF THE BOARD OF AT&T, PAID A COURTESY CALL. (RELATE

HUMOROUS ANECDOTE). MY GUIDING PRINCIPLE
IN COMMUNICATIONS DECISIONS AND DELIBERATIONS
-- OVERSIMPLIFIED, BUT BASIC -- "WHATEVER
OFFERS THE AVERAGE PERSON THE BEST SERVICE
AT THE MOST REASONABLE PRICE"...TALKS EASY,
BUT IMPLEMENTS HARD WITH ALL KINDS OF
RAMIFICATIONS, ETC.

A FEW WEEKS AGO I ATTENDED A SIGMA
DELTA CHI DINNER IN WASHINGTON -- SAT AT THE
SPEAKERS TABLE WITH THE THEN VICE PRESIDENT
GERALD FORD (RELATE STORY).

NOW ON TO ISSUES THAT IMPRESSED ME
MOST EARLY IN MY FRESHMAN YEAR: THE TWO
MOST SIGNIFICANT ISSUES TO COME BEFORE THE
COMMISSION SINCE I HAVE BEEN THERE HAVE BEEN

THE FAIRNESS DOCTRINE AND NEWSPAPER-BROADCASTING CROSS-OWNERSHIP ISSUE.

THE COMMISSION HAS REVISED, AND HOPEFULLY, SIMPLIFIED THE FAIRNESS DOCTRINE. THERE WERE MANY PROPOSALS PRESENTED TO THE COMMISSION. SOME PROPOSED WEEKLY ACCESS TIME TO INSURE DISCUSSION OF CONTROVERSIAL ISSUES; (SECTION 315(a) STATES THAT AS A PUBLIC TRUSTEE, THE LICENSEE HAS A DUTY "TO AFFORD REASONABLE OPPORTUNITY FOR THE DISCUSSION OF CONFLICTING VIEWS ON ISSUES OF PUBLIC IMPORTANCE"); SOME PROPOSED FAIRNESS OPPORTUNITIES TO COUNTER DECEPTIVE OR UNFAIR ADVERTISING (THAT NEVER SHOULD BE ACCEPTED BY ANY MEDIA IN THE FIRST PLACE) -- MANY

OTHER PROPOSALS, SOME WITH LOGICAL REASONING, WERE MADE. I ADMIT I CAN'T UNDERSTAND THE LOGIC OF MORE AND MORE REGULATION AND CONTROLS TO GUARANTEE FREEDOM. I ADMIT TO SOME AMBIVALENCE REGARDING A DOCTRINE WHICH CAUSES A GOVERNMENT AGENCY TO INTERFERE IN ANY WAY WITH RIGHTS GUARANTEED BY THE FIRST AMENDMENT. THE FIRST AMENDMENT WAS WRITTEN, AFTER ALL, TO PROTECT THE PEOPLE FROM GOVERNMENT INTRUSION INTO OUR INHERENT RIGHTS TO FREEDOM OF SPEECH AND RELIGION AND THOSE RIGHTS MUST BE PROTECTED. PHILOSOPHICALLY, I BELIEVE BROADCAST JOURNALISTS ARE ENTITLED TO THE SAME FREEDOM AS JOURNALISTS IN OTHER MEDIA, AND THAT THEY HAVE DEMONSTRATED

OVER THE YEARS THEIR ABILITY TO ACT
INDEPENDENTLY AND RESPONSIBLY.

THE FEDERAL COMMUNICATION COMMISSION
IS CHARGED, HOWEVER, BY STATUTE, WITH THE
RESPONSIBILITY OF MAINTAINING A CLIMATE OF
FAIRNESS IN THE USE OF BROADCAST FACILITIES
AND THAT RESPONSIBILITY MUST BE MET. IN THE
OFTEN-QUOTED LANDMARK "RED LION" DECISION
OF 1969, THE SUPREME COURT AFFIRMED THE
CONSTITUTIONALITY OF THE FAIRNESS DOCTRINE.
ALSO, THE COURT HELD THAT QUOTE: "DIFFERENCES
IN THE CHARACTERISTICS OF NEWS MEDIA JUSTIFY
DIFFERENCES IN THE FIRST AMENDMENT STANDARDS
APPLIED TO THEM." THE COMMISSION SEEMS TO

HAVE BEEN GIVEN CONSIDERABLE LATITUDE IN INTERPRETING AND ENFORCING THE "FAIRNESS" CONCEPT. HOWEVER, MY POSITION IS THAT WE SHOULD PROMOTE FREEDOM OF SPEECH RATHER THAN TO ERECT A STRUCTURE OF RULES AND REGULATIONS SO CUMBERSOME TO PUBLIC AND BROADCASTER ALIKE THAT THEY HAVE THE EFFECT OF LIMITING, RATHER THAN PROMOTING, THIS PRECIOUS FREEDOM.

I BELIEVE THAT THE FAIRNESS REPORT WHICH HAS BEEN ADOPTED BY THE COMMISSION DOES ACCOMPLISH THE PROTECTION WHICH CONGRESS MANDATED IN THE ACT AND, YET, DOES NOT IMPOSE A HEAVY REGULATORY BURDEN ON ANYONE CONCERNED. BROADCASTERS WHO ARE CONCERNED

ABOUT FIRST AMENDMENT PROTECTION SHOULD HAVE NO TROUBLE LIVING WITH THIS NEW INTERPRETATION OF THE DOCTRINE EVEN THOUGH THEY MAY SHARE MY PHILOSOPHICAL VIEW -- AND THE PUBLIC WILL CONTINUE TO HAVE ASSURANCE THAT A VARIETY OF VIEWPOINTS WILL BE PRESENTED ON EACH SIGNIFICANT ISSUE OF PUBLIC IMPORTANCE.

HAVING SAID THAT, I WILL ADMIT THAT I LIVED COMFORTABLY AS A BROADCASTER WITH THE FAIRNESS DOCTRINE AND IN FACT HAD AN "OPEN DOOR" ON ANYONE WHO WANTED TO DISCUSS CONTROVERSIAL ISSUES. I WOULD NOT FAVOR ABOLISHMENT OF THE DOCTRINE AS MUCH AS IT OFFENDS MY JOURNALISTIC SENSIBILITIES. THERE

MUST BE REASONABLE BALANCES AND COUNTER-BALANCES TO PROTECT AGAINST POSSIBLE UNDUE INFLUENCE OF (1) GOVERNMENT OR (2) PRIVATE INTERESTS OR EVEN PUBLIC INTEREST ACTIVIST GROUPS WITH THEIR OWN PRIVATE VERSION OF PUBLIC INTEREST.

OF COURSE, I WAS MOST IMPRESSED IN EXPERIENCING MY FIRST FULL-FLEDGED FCC ORAL ARGUMENT -- ON CROSS-OWNERSHIP OF NEWSPAPERS AND BROADCASTING FACILITIES.

I HAVE TO ADMIT THAT I WAS ENCHANTED BY THE LOGIC, REASONING, WORDSMANSHIP AND SKILLED PRESENTATION OF MEMBERS OF THIS ASSOCIATION. IT WAS THE FIRST TIME I HAD SEEN

YOU IN ACTION FROM THE PERSPECTIVE OF A
COMMISSIONER AND IT WAS AN ENLIGHTENING
AND MEMORABLE EXPERIENCE.

HOWEVER, THE JURY IS STILL OUT ON
THIS ISSUE -- IT IS INAPPROPRIATE TO STATE OR
SURMISE ANY CONCLUSIONS. BUT, I WILL REPEAT
TWO STATEMENTS OR OBSERVATIONS THAT I MADE
DURING THE ARGUMENT ON THE PUBLIC RECORD --
I PRO AND I CON. I'M ON RECORD AS STATING
I DON'T BELIEVE THERE IS ANY PUBLIC OUTCRY
FOR DIVESTITURE -- THAT I DOUBTED, FOR EXAMPLE,
THAT A PUBLIC REFERENDUM AS TO WHETHER OR
NOT THE WASHINGTON POST SHOULD DIVEST ITSELF
FROM ITS TV PROPERTY WOULD CARRY. I ALSO
NOTED THAT NOT A SINGLE TV STATION OR NEWSPAPER

COMPETING WITH A COMBINATION TESTIFIED THAT IT WAS COMPETITIVELY DISADVANTAGED OR ECONOMICALLY INJURED. ON THE OTHER SIDE, I WAS BOTHERED TRYING TO RECONCILE THE COMPLETE AUTONOMY OF OPERATIONS TESTIFIED TO BY TV STATION EXECUTIVES WITH THE LICENSEE RESPONSIBILITY THAT REQUIRES ASCERTAINMENT, INVOLVEMENT AND DIRECTION. I ASKED THE QUESTION (STATE QUESTION) -- THE REPLY WAS INCONCLUSIVE. DURING MY CONFIRMATION HEARING, I STATED THERE ARE SO MANY VARIABLES FROM MARKET TO MARKET THAT CROSS-OWNERSHIP MAY NOT LEND ITSELF TO SWEEPING GENERAL RULES AND MUST BE DEALT WITH ON A CASE-TO-CASE BASIS. DURING THE ORAL ARGUMENT, IT WAS APPARENT THAT MANY

CROSS-OWNERSHIP OPERATIONS EXCELLED IN SERVING THE PUBLIC. ON THE OTHER HAND, THERE WERE SOME CONCENTRATIONS SO EXTENSIVE THAT ONE MIGHT QUESTION THE AMOUNT OF INDEPENDENT AND DIVERSE VIEWPOINTS AVAILABLE TO THE PUBLIC IN THAT LOCALITY.

WHILE ON THE SUBJECT OF NEWS SOURCES, I'D LIKE TO COMMENT ON THE INCREASING IMPORTANCE OF BROADCAST JOURNALISM. I BELIEVE THE MAJOR IMPACT OF TV AND RADIO ON THE AMERICAN WAY OF LIFE TODAY IS IN NEWS AND NEWS ANALYSIS -- NOT IN ENTERTAINMENT PROGRAMS, AS ENJOYABLE AS THEY MAY BE. I THINK YOU WILL AGREE THAT BROADCASTING IS MOST REMEMBERED AND RESPECTED

FOR ITS HOURS OF EXCEPTIONAL JOURNALISM --
AND THAT THE GREATEST BENEFIT MOST AMERICANS
DESIRE AND EXPECT FROM BROADCASTING IS INFORMATION.
RECENT RESEARCH INDICATES MORE
AMERICANS ARE GETTING NEWS FROM TV AND RADIO
THAN NEWSPAPERS. THIS POTENTIAL FOR MOLDING
PUBLIC OPINION POSES AN ENORMOUS RESPONSIBILITY
AND CHALLENGE.

IT SEEMS THAT OWNERS, EXECUTIVES
AND MANAGERS SHOULD MORE AND MORE ASSUME
ROLES OF PUBLISHERS AND EDITORS-IN-CHIEF
RATHER THAN SUPER SALES MANAGERS, SHOW
BUSINESS PRODUCERS OR FINANCIAL EXPERTS;
THEY ARE ALL VITAL AND IMPORTANT FUNCTIONS
BUT NONE WITH THE IMPACT ON AMERICAN LIFE

OF NEWS AND OBJECTIVE NEWS ANALYSIS. IT IS MY BELIEF THAT THERE SHOULD BE MORE TOP-LEVEL MANAGEMENT EMPHASIS ON NEWS AND PUBLIC AFFAIRS. I ALSO BELIEVE GENERALLY SPEAKING THAT STATIONS AND NETWORKS SHOULD HAVE LARGER NEWS STAFFS CAPABLE OF MORE INVESTIGATIVE AND MORE DETAILED "ON-THE-SPOT" REPORTING. A MICHIGAN JUDGE, IN DENYING COURTROOM ACCESS TO TV CAMERAS, MENTIONED THAT HE OBJECTED TO TELEVISION'S HASTY AND SPORADIC 1 SHOT 1 MINUTE COVERAGE OF IMPORTANT CASES MORE THAN THE INTRUSION OF TV CAMERAS IN THE COURTROOM. (DISCUSS MEETING WITH MICHIGAN BAR ASSOCIATION).

I WAS QUOTED, WHEN FIRST CONFIRMED,
THAT I WOULD NOT CURB NEWS COMMENTARY ON
THE PRESIDENT'S OR VICE PRESIDENT'S SPEECHES.
-- (THAT DOESN'T SEEM TO BE A PROBLEM ANY-
MORE). I BELIEVE IN FREEDOM OF SPEECH AND
FREEDOM OF THE PRESS. I BELIEVE NEWSMEN
HAVE THE RIGHT TO BE WRONG AND THAT NEWS
EXECUTIVES HAVE THE RESPONSIBILITY OF SEEING
THAT THEY'RE NOT WRONG TOO OFTEN. I BELIEVE
THAT NEWSMEN HAVE THE RIGHT AND OBLIGATION
TO SEEK THE TRUTH -- THE FACTS -- BUT I'M
OFFENDED BY ARROGANCE OR RUDENESS ON THEIR
PART. I ALSO BELIEVE THAT FREEDOM OF SPEECH
APPLIES TO GOVERNMENT OFFICIALS -- THEY
SHOULD HAVE THE RIGHT TO CRITICIZE THE PRESS
WITHOUT RAISING THE OMINOUS SPECTRE OF CENSORSHIP

I ALSO BELIEVE TV VIOLENCE MUST BE CURBED AND MORE EMPHASIS PLACED ON THE "CRIME" DOESN'T PAY" THEME. I REALIZE THE NO-CENSORSHIP PROVISION OF THE COMMUNICATIONS ACT PREVENTS PRIOR RESTRAINT BY THE GOVERNMENT IN THE AREA OF PROGRAMMING. WE CAN'T HAVE CENSORSHIP, BUT BROADCASTERS, AND PARTICULARLY NETWORK EXECUTIVES AND PRODUCERS, MUST EXERCISE THE GOOD JUDGMENT THAT WILL OBVIATE ANY PUBLIC DEMAND FOR GOVERNMENT INTERVENTION IN PROGRAMMING.

IF SOME FUTURE RESEARCH IRREFUTABLY ESTABLISHES A DIRECT COROLLARY BETWEEN EXCESSIVE VIOLENCE ON TV AND THE EXCESSIVELY HIGH CRIME RATE, "JAWBONING" MIGHT WELL BE

SUPPLANTED BY CORRECTIVE ACTION. IF THE NEED IS GREAT ENOUGH, CONGRESS DOES HAVE THE POWER (AND PERHAPS THE OBLIGATION) TO ACT TO CORRECT ABUSES.

I APPLAUD THE BROADCAST INDUSTRY'S NEW CODE FOR CHILDREN'S PROGRAMMING. IN MY EARLY PUBLIC APPEARANCES, I WAS QUOTED AS SAYING THAT COMMERCIALS ON CHILDREN'S PROGRAMS SHOULD BE CAREFULLY SCREENED AND JUDICIOUSLY REDUCED. THEY HAVE BEEN JUDICIOUSLY REDUCED; NOW I HOPE AND TRUST THEY WILL BE CAREFULLY SCREENED. I AM GLAD TO NOTE, TOO, THAT SOME NETWORKS ARE NOW SUBTLY INJECTING MORE EDUCATION INTO ENTERTAINMENT PROGRAMS FOR CHILDREN. I BELIEVE THE NETWORKS AND THE NAB

HAVE DEMONSTRATED THEY CAN ACT RESPONSIBLY
THROUGH SELF-REGULATION.

I CAN'T LET THIS OPPORTUNITY PASS
WITHOUT GIVING YOU MY PERSONAL PHILOSOPHY
ON THE PUBLIC SERVICE INVOLVEMENT BY STATION
EXECUTIVES. I REALIZE THAT THE ALL IMPORTANT
SHOWING FOR A STATION'S PUBLIC INTEREST RECORD
IS WHAT IS ACTUALLY BROADCAST ON THE AIR---
PROGRAMMING THAT MAKES A SHOWING AT LICENSE
RENEWAL TIME IN THE NEWS, PUBLIC AFFIARS AND
OTHER CATEGORIES. I STILL BELIEVE THIS SHOULD
BE THE PRIME CONSIDERATION. HOWEVER, I BELIEVE
OFFICIAL RECOGNITION SHOULD BE ACCORDED
STATIONS WHOSE BROADCAST EXECUTIVES AND
PERSONNEL TAKE THE EXTRA TIME AND EFFORT

TO BECOME PERSONALLY INVOLVED---WHO ASSUME
ACTIVE ROLES IN COMMUNITY CHARITABLE, EDUCATIONAL, RELIGIOUS, GOVERNMENT OR CIVIC PROJECTS---
EXTRA PUBLIC INTEREST BROWNIE POINTS, IF YOU
WILL, FOR COMMUNITY INVOLVEMENT ABOVE AND
BEYOND THE CALL OF ASCERTAINMENT DUTY. SOME
KIND OF FCC CREDIT FOR TIME CONSUMING SERVICE
OR GOVERNMENTAL STUDY COMMITTEES, ON BOARDS
AND COMMISSIONS, OR AS CHAIRMAN OF PROJECTS.

TO GIVE A CONCRETE EXAMPLE EVERYONE
CAN UNDERSTAND---LET'S TAKE A MAJOR PUBLIC
SERVICE DRIVE LIKE THE COMPREHENSIVE ANNUAL
COMMUNITY CHEST OR TORCH DRIVE FUND IN ALL
COMMUNITIES THROUGHOUT AMERICA. IT IS CALLED
THE UNITED FOUNDATION IN DETROIT WHERE THIS

COORDINATED "GIVE ONCE FOR ALL" CONCEPT WAS
FOUNDED IN 1949. ALONG WITH SCHEDULING
AND RUNNING FILM FOR THIS OR OTHER MAJOR
CHARITIES, I'D LIKE TO SEE THE TV-RADIO CHAIRMAN
CONDUCT MEETINGS, EXCHANGE IDEAS, GET COMMIT-
MENTS FROM STATIONS, PICK UP THE TAB FOR A
LUNCH, IF NECESSARY. THEN ACTUALLY CREATE,
PRODUCE AND DISTRIBUTE ANNOUNCEMENTS,
DOCUMENTARIES AND FILM CLIPS TO OTHER STATIONS.
THE LEADING, MORE PROFITABLE, BIG STATIONS
COULD ROTATE THE CHAIRMANSHIP RESPONSIBILITY.
AND I BELIEVE STATIONS WITH THE LARGEST AUDIENCE
AND PROFITS SHOULD VOLUNTEER SUBSTANTIAL
COMMITMENTS OF TIME AND MONEY, FIRST TO
PROGRAMMING AND THEN TO PUBLIC SERVICE
INVOLVEMENT.

I'D LIKE TO SEE THE COMMISSION
RECOGNIZE AND ENCOURAGE THIS TYPE OF
INVOLVEMENT. WE SHOULD ADOPT A POLICY
OF SENDING LETTERS OR CERTIFICATES OF
COMMENDATION TO STATIONS FOR PERSONAL
PUBLIC SERVICE OR CIVIC INVOLVEMENT ABOVE
AND BEYOND THE CALL OF ASCERTAINMENT OR
LICENSE RENEWAL PERCENTAGES. A COPY SHOULD
BE FILED IN THE STATION'S RECORDS.

THE BROADCASTER HAS A UNIQUE OPPOR-
TUNITY BECAUSE OF THE FACT HE CONTROLS SUCH
A VITAL MEDIUM TO BECOME A LEADER IN HIS
COMMUNITY. IT HAS ADVANTAGES. (QUOTE ADVANTAGES)

MANY BROADCASTERS ARE CIVIC ACTIVISTS
AND PERSONALLY INVOLVED AND SHOULD BE RECOGNIZED

A FEW CAN'T TAKE TIME AWAY FROM THE ALL TIME-
CONSUMING BUSINESS OF SALES AND MAKING MONEY---
TO THEM PUBLIC SERVICE IS JUST A MANDATORY BUT
ANNOYING STOP ON THE ROAD TO HIGH PROFITS. I'M
SORRY TO SAY I'VE HEARD SOME SAY WE TAKE CARE
OF ALL PUBLIC SERVICE CRAP AFTER MIDNIGHT.
(THERE SHOULD BE EXTRA RECOGNITION FOR PRIME
TIME PUBLIC SERVICE PROGRAMMING). THEY FORGET
THEY ARE LICENSED TO SERVE PUBLIC INTEREST, NOT
PRIVATE GAIN. NOW I DON'T BELIEVE THERE IS
ANYTHING WRONG WITH PROFITS BUT LET'S REGOG-
NIZE THOSE WHO PLOW A SUBSTANTIAL PART OF IT
BACK FOR THE GOOD OF THE COMMUNITY---AND
LET'S ENCOURAGE, AND EVEN PROD, THOSE WHO
DON'T. THIS GROUP HERE HAS ENORMOUS POWERS
OF INFLUENCE---YOU CAN DO MORE THAN MERELY
KEEP CLIENTS OUT OF TROUBLE. YOU CAN RECOMMEND

AND HELP IMPLEMENT AN AFFIRMATIVE POLICY IN
TOTAL PUBLIC SERVICE.

SINCE JOINING THE COMMISSION, I'VE
HAD OCCASION TO MEET A NUMBER OF FORMER
COMMISSIONERS AND, OF COURSE, I'VE HEARD A
GREAT DEAL ABOUT MANY OF THE FORMER COM-
MISSIONERS I NEVER HAD THE CHANCE TO MEET.
IT WAS INTERESTING TO ME TO FIND OUT SOME-
THING OF THE MAKEUP AND QUALIFICATIONS OF
THOSE WHO PRECEDED THE COMMISSIONERS CUR-
RENTLY SERVING. IT WAS ALSO INTERESTING TO ME
IN MY OWN APPROACH TO THE JOB.

IN MY CONVERSATIONS AND MY READING,
I STARTED FANTASIZING ABOUT THE MAKEUP OF AN
"IDEAL COMMISSION AND I DECIDED, AS AN EXERCISE

TO PUT TOGETHER THE INITIAL NOMINATIONS FOR A
COMMISSION HALL OF FAME MADE UP ONLY OF THOSE
WHO HAVE NOT SERVED IN THE CURRENT YEAR OF 1974. I
HAD THE BENEFIT OF THE EXPERIENCE AND
COUNSEL OF A NUMBER OF PERSONS CLOSE TO
THE COMMISSION OVER A CONSIDERABLE PERIOD
OF TIME. I HAVE PROMISED NOT TO REVEAL THE
SOURCES---BUT IT INCLUDED JOURNALISTS AND
LAWYERS WHO HAVE HAD MORE THAN 20 YEARS
EXPERIENCE WITH, OR EXPOSURE, TO THE FCC.
FROM THIS COMPOSITE OF VIEWS, I HAVE PUT
TOGETHER AN "ALL-TIME" COMMISSION WHICH,
ADMITTEDLY, IS THE PRODUCT OF MANY HIGHLY-
SUBJECTIVE JUDGMENTS AND SUBJECT TO DISSENT

FROM ANY QUARTER WHATSOEVER. I'D LIKE TO
SHARE WITH YOU THE RESULTS OF MY SURVEY.

SINCE THERE SEEMS TO HAVE BEEN A
PREPONDERANCE OF DEMOCRATS SERVING ON THE
COMMISSION OVER THE YEARS AND WITH PARDONABLE
PARTIALITY TO MY OWN PARTY, MY FIRST "HALL
OF FAME" WOULD HAVE AS ITS CHAIRMAN, A
DEMOCRAT, ALBERT WAYNE COY. MR. COY CAME
TO THE COMMISSION IN 1947 FROM A NEWSPAPER
BACKGROUND. HE GUIDED THE COMMISSION THROUGH
THE DIFFICULT YEARS FOLLOWING WORLD WAR II
DURING WHICH COMMUNICATIONS TECHNOLOGY AND
INTERNATIONAL COMMUNICATIONS WERE IN A STATE
OF FLUX, TO SAY THE LEAST, AND THE UNITED
STATES EMERGED AS THE WORLD LEADER IN

COMMUNICATIONS. MR. COY IS REGARDED BY MANY AS THE ARCHITECT OF OUR PRESENT TELEVISION SYSTEM. THE FACT THAT HE BECAME A BROADCASTER SUBSEQUENT TO HIS SERVICE ON THE COMMISSION SHOULD NOT BE HELD AGAINST HIM.

THE CHOICE, ON THE REPUBLICAN SIDE, WOULD INCLUDE FRED FORD WHO CAME UP THROUGH THE RANKS AND RETAINED AN ABILITY TO WORK WELL WITH THE STAFF DURING HIS SERVICE FROM 1957 TO 1964. MR. FORD WAS, IN LARGE MEASURE, RESPONSIBLE FOR THE COMMISSION'S PROGRAM POLICY STATEMENT WHICH WAS THEN PROMULGATED IN THE EARLY SIXTIES DURING THE CHAIRMANSHIP OF NEWTON MINOW. MR. FORD IS ALSO CREDITED WITH AN UNUSUAL ABILITY TO APPLY COMMISSION

PRECEDENT TO HIS DELIBERATIONS...FOR WHICH
I ENVY HIM.

ANOTHER OF THE DEMOCRATS ON THE
LIST IS T.A.M. CRAVEN WHO SERVED DURING THE
CRITICAL WAR YEARS FROM 1937 TO 1944, AND
THEN, AGAIN, FROM 1956 UNTIL 1963. ASIDE
FROM BEING THE ONLY COMMISSIONER IN HISTORY
TO SERVE TWO SEPARATE TERMS, MR. CRAVEN WAS
A DISTINGUISHED AND RESPECTED ENGINEER WHO
DEVELOPED AN INTEREST AND CONSIDERABLE
EXPERTISE IN THE BUDDING SATELLITE COMMUNICA-
TIONS INDUSTRY. HE ALSO SERVED AS THE COM-
MISSION'S REPRESENTATIVE TO MANY INTERNATIONAL
CONFERENCES AND, THUS, HELPED TO SHAPE THIS
NATION'S ROLE IN INTERNATIONAL COMMUNICATIONS.

BACK ON THE REPUBLICAN SIDE, WE WOULD INCLUDE ROSEL HYDE WHO HOLDS THE RECORD FOR THE LONGEST SERVICE ON THE COMMISSION AND WHO IS HIGHLY RESPECTED FOR HIS JUDICIAL TEMPERAMENT. HIS ADMINISTRATION OF THE COMMISSION WAS BOTH REASONABLE AND FAIR AND HIS DEDICATED EFFORTS RESULTED IN THE LIFTING OF THE TV FREEZE AND IN EXPEDITING SEVERAL HUNDRED INITIAL TV APPLICATIONS.

ANOTHER OF THE DEMOCRATIC NOMINATIONS WOULD GO TO FRIEDA HENNOCK WHO WAS VARIOUSLY DESCRIBED AS A "GADFLY" AND "ACTIVIST", BUT WHO MADE A LASTING CONTRIBUTION IN THE RESERVATION OF SCARCE SPECTRUM SPACE FOR EDUCATIONAL PURPOSES. HER CAUSES WERE THOSE

GENERALLY FAVORING THE UNDERDOG...AND
THEY INCLUDED THE EMERGING---SLOWLY
EMERGING, AS IT TURNS OUT---UHF TELEVISION
INDUSTRY. SHE SERVED FROM 1948 to 1955. MS.
HENNOCK WAS ALSO THE FIRST WOMAN TO SERVE
ON THE COMMISSION.

BACK ON THE REPUBLICAN SIDE, I WOULD
INCLUDE EDWARD MOUNT WEBSTER, ANOTHER ENGI-
NEER WHO HAS BEEN DESCRIBED AS DEDICATED,
EARNEST AND SERIOUS. MR. WEBSTER HELD THE
RANK OF COMMODORE IN THE U. S. COAST GUARD
BEFORE HIS APPOINTMENT TO THE COMMISSION.
DURING HIS TENURE, FROM 1947 UNTIL 1956, HE
REPRESENTED THE COMMISSION AND THE NATION
AT INTERNATIONAL CONFERENCES ON MARITIME AND
AVIATION COMMUNICATIONS POLICY.

AND LAST WE HAVE A TIE VOTE WITH TWO HIGHLY RESPECTED DEMOCRATIC COMMISSIONERS OF DIFFERENT PHILOSOPHIES -- OUR ALL-TIME "HALL OF FAME" COMMISSION WOULD INCLUDE LEE LOEVINGER AND/OR KEN COX. KENNETH A. COX WAS A FORMER LAW PROFESSOR, SENATE COMMITTEE COUNSEL, AND CHIEF OF THE BROADCAST BUREAU. HE WROTE THE REPORT OF THE SENATE'S INQUIRY INTO TELEVISION ALLOCATIONS AND CONTRIBUTED, AS A COMMISSIONER FROM 1963 TO 1970, TO MANY CURRENT COMMISSION POLICIES. HE IS WELL KNOWN FOR HIS HARD WORK AND HIS SERIOUS APPROACH TO THE COMMISSION'S WORK. AS A MATTER OF FACT, HE IS STILL HARD AT WORK ON COMMISSION POLICY.... BUT ON THE OTHER SIDE, LEE LOEVINGER WAS AN EMINENT

LAWYER AND A FORMER JUDGE. HE WAS BRIGHT CHALLENGING, ARTICULATE, WROTE EXCELLENT LEGAL OPINIONS AND THOSE SURVEYED CONSIDERED HIM ONE OF THE BEST INFORMED AND EFFECTIVE COMMISSIONERS. INCIDENTALLY, STANDING IN THE IMMEDIATE WINGS FOR THE NEXT NOMINATIONS, FROM THE STRONG VOTE THEY RECEIVED, ARE BILL HENRY, NEWTON MINNOW AND PAUL PORTER.

THAT'S ONE VERSION OF THE INITIAL NOMINATION FOR A MYTHICAL "HALL OF FAME."

YOU MAY HAVE NOTICED, IT INCLUDES ONE FORMER NEWSPAPERMAN-BROADCAST EXECUTIVE, TWO ENGINEERS, AND FOUR LAWYERS. IN SPITE OF SOME LACK OF BALANCE, I BELIEVE IT WOULD BE A

A GOOD COMMISSION WITH THE VARIED TALENTS
AND SKILLS NECESSARY TO SERVE THE PUBLIC WELL.

I HAVE NO ASPIRATIONS TO MAKE ANY
ALL-TIME LIST OR MYTHICAL HALL OF FAME. I
AM PRIVILEGED TO CURRENTLY SERVE WITH COM-
MISSIONERS WHO SHOULD BE INCLUDED ON SUCH
FUTURE LISTS---ALL I HOPE TO DO IS TO BE
DILIGENT IN MY WORK, FAIR AND OBJECTIVE IN
MY DELIBERATIONS AND DO A CREDITABLE, RESPONSIBLE
JOB SO THAT A FUTURE INDUSTRY CANDIDATE WON'T
HAVE THE TROUBLE I HAD IN BEING CONFIRMED.