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Before the  
FEDERAL COMMUNICATIONS COMMISSION [JUL 13 1994  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

En Banc Hearings on Children's Television

IN THE MATTER OF:

POLICIES AND RULES )  
CONCERNING CHILDREN'S )  
TELEVISION PROGRAMMING )  
REVISION OF PROGRAMMING )  
POLICIES FOR TELEVISION )  
BROADCAST STATIONS )

MM Docket No. 93-48

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Washington, D.C. 20554

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REVISION OF PROGRAMMING POLICIES FOR )  
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TELEVISION BROADCAST STATIONS )  
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Docket No. 93-48

The above-entitled matter came on for hearing pursuant to Notice before Commissioners of the FCC, at 1919 M Street, N.W., Washington, D.C., Room 856, on Tuesday, June 28, 1994, at 9:05 a.m.

COMMISSION:

- Reed E. Hundt, Chairman
- Susan Ness, Commissioner
- James H. Quello, Commissioner
- Andrew C. Barrett, Commissioner
- Rachelle B. Chong, Commissioner

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23	Panel One Began: 9:05 a.m.      Panel One Ended: 11:12 a.m.
24	Panel Two Began: 11:30 a.m.      Panel Two Ended: 12:55 p.m.
25	Panel Three Began: 2:05 a.m.      Panel Three Ended: 3:45 p.m.

P R O C E E D I N G S

PANEL 1

1  
2  
3           CHAIRMAN HUNDT: Good morning. Welcome to the  
4 Federal Communications Commission En Banc Hearing on  
5 children's television. I'd like to read you something. When  
6 television is good, nothing, not the theater, not the  
7 magazines or newspapers, nothing is better.

8           Since we are here on children's television, it  
9 reminds me of classroom days and I feel that I should pause  
10 now and ask if anyone recognizes this quote, anyone except  
11 Newt Minow who, in fact, said this 33 years ago. This was  
12 part of Newt's famous speech on television broadcasting given  
13 at the first convention of NAB that he attended. He attended  
14 the first NAB meeting during his chairmanship and many people  
15 in the industry regretted it initially; however, they  
16 recovered and Newt's words have lived on.

17           Newt went on in that speech and noted that most  
18 young children spend as much time watching television as they  
19 do in the schoolroom. And he went on and said, "Is there no  
20 room on television to teach, to inform, to uplift, to stretch,  
21 to enlarge the capacities of our children?" And we are asking  
22 very much the same question here today.

23           Just for those of you who need historical context, I  
24 would like to point out that as Newt was giving that speech he  
25 was talking about me, as, at that very moment, I was spending

1 as much time watching television as I was in the schoolroom.  
2 And I thought that Leave It To Beaver was great. In no way  
3 reflective of any wasteland. But Newt went on and mentions  
4 many of the different shows on television and asked if  
5 television could call upon itself to live up to its own  
6 occasionally reached high standards.

7 Under the Children's Television Act of 1990, the  
8 Commission has the obligation and the right to establish  
9 standards to ensure that there is programming on T.V. which  
10 serves the, quote, "Educational and informational needs of  
11 children." In other words, unlike the situation in 1961 when  
12 Newt was speaking, it is the case that the Commission has a  
13 specific mandate now to address at least the educational and  
14 informational needs of children with respect to this pervasive  
15 and all important medium of communication.

16 In our 1993 Notice of Inquiry, we proposed that for  
17 a show to be considered to meet our standards its, quote,  
18 "primary purpose", unquote, would have to be educational.  
19 Pursuant to that Notice of Inquiry, we have received many  
20 learned comments suggesting a variety of standards by which to  
21 judge the quality of children's television. We're also  
22 concerned with the degree to which children's television  
23 actually has access to the television, the degree to which  
24 children are able to view children's television regardless of  
25 the standards.

1           It is even more important to take a look at these  
2 issues in light of our communication's revolution. The  
3 communication's revolution also known as the building of the  
4 information superhighway is probably one of the one or two  
5 most important developments in our economy today. It seems to  
6 me without question that the participation in the  
7 communication's revolution is the only way to fully  
8 participate in our economy and in our society and there should  
9 be, further, no question that children have a right to that  
10 participation. Not exactly the same sense as adults. We  
11 don't expect them to be working 40 hours a week like adults  
12 and we don't expect them to be necessarily using the PC on  
13 their desk connected by a modem like adults. In my family we  
14 expect them to do better than adults in that particular  
15 respect.

16           Well, whether you think children should have a  
17 tricycle or a school bus on the information superhighway,  
18 either way I'm sure everyone agrees that there ought to be  
19 some lane open for children.

20           In this connection, I'd like to remind everyone that  
21 in his State of the Union address earlier this year President  
22 Clinton called on all of us to connect every classroom in the  
23 country to the information superhighway by the end of the  
24 decade. And today we have an historic vote in the House of  
25 Representatives concerning legislation sponsored by

1 Congressmen Dingell, Brooks and Markey and Fields that would  
2 ensure that the President's goal is met. This legislation  
3 would give the country a clear and irrevocable commitment to  
4 competition and would thereby greatly increase access to  
5 viewers who are all programmers and I believe that would  
6 definitely include access for children's programmers.  
7 However, the House's act has not yet been matched by the  
8 Senate. We can only hope and fervently hope that it is the  
9 case. The President signed into law the Communication's Act  
10 of 1994 and that pursuant to that, President Clinton's call to  
11 connect all the classrooms to the information superhighway  
12 will be met. But in the meantime we must realize that the  
13 children's education continues. It exists regardless of  
14 whether that legislation becomes a statute. And, certainly,  
15 our commitment to children's education should not and cannot  
16 begin and end in the classroom. That commitment to children's  
17 education can and should take place in the home as well. And  
18 this is the particular focus of the Children's T.V. Act.

19           Now, when you look at all the positive and all the  
20 pernicious influences over children in our society today, I  
21 think it's fair to say that there's a battle going on for the  
22 hearts and minds of our children. And children realize that  
23 T.V. is the battlefield of that war. Who are the combatants?  
24 Well, they're not enemies of each other but they are on that  
25 field of battle and they include cable and broadcasters and

1 programmers and parents and teachers and advertisers. And  
2 they are all struggling for the hearts and minds of our  
3 children. It is fit and proper then under the Children's  
4 Television Act that we recognize here at the Commission that  
5 T.V.'s power of persuasion brings with it a duty to teach.  
6 And in fulfilling that duty, television will be putting  
7 forward role models that our children can respect and emulate,  
8 in creating fictional situations that will be educational and  
9 informative for our children and giving the opportunity for  
10 teachers of all kinds and all character to use the medium to  
11 reach their children.

12           Remember that old line, "It's 10 o'clock. Do you  
13 know where your kids are?" Well, nowadays it's any time of  
14 day, do you know what your kids are watching? And we need to  
15 recognize in the United States that it's very, very difficult  
16 for the adults to in fact be able to know at all times exactly  
17 what their kids are watching. And this is not anything we  
18 should prolong but just the fact we should recognize as we  
19 approach the issues being presented to us here today.

20           As a former teacher and as a current parent, I  
21 certainly agree with anyone who may assert that when it comes  
22 to kids, you have to reach them in order to teach them. And I  
23 will be interested in hearing how those of us who are making a  
24 presentation today propose to combine the need to captivate an  
25 audience with a desire to educate and inform them.

1 I also believe that the Children's T.V. Act in  
2 effect tells us that the business of educating kids should be  
3 part of the T.V. business. And I hope we will hear today  
4 ideas for how educational television like any programming can  
5 be a possible business. I believe the power to persuade and  
6 influence children can and should be seen as a positive  
7 business opportunity and not as an unwelcome and difficult and  
8 money losing burden. So, I'm interested in hearing about the  
9 business of children's programming.

10 In its context, I'm aware that there's been estimate  
11 that children age 2 through 11 spend or influence the spending  
12 of \$100 billion annually. So, it may well be that producing  
13 quality programming is not only a reward in and of itself.  
14 And I certainly think we could ask for testimony from the  
15 creators of my daughter, Sarah's, favorite show, Barney, who I  
16 understand is the single most popular and well-selling  
17 toothless Tyrannosaurus Rex ever.

18 In this connection, quality programming I think is  
19 the information age's corollary to the issue of car safety. A  
20 number of decades ago, about the same time that Newt Minow was  
21 giving his speech, there was a great fight in this country  
22 between auto makers and those who opposed various safety  
23 controls in automobiles and it was conventional wisdom that  
24 safety had a price, that it was too costly and that customers  
25 wouldn't want to pay for safety. And now in addition to air

1 bags, we have steel rods in the sides of cars and crumple  
2 zones in the front and back and these features are designed in  
3 cars as part of what companies offer as value for the money  
4 that their consumers will offer them. And we see in  
5 advertisements that companies now compete on safety.

6           And I would like to know if anyone today feels that  
7 could come to pass that broadcasters and cable companies would  
8 be interested in competing on offering quality children's  
9 programming as well. Times are changing and sometimes just  
10 the attempt to market a little bit differently proves an old  
11 paradigm is just plain false and a new paradigm takes hold.

12           And near the end of his 1961 speech Newt, who I  
13 think is here today, -- here he is -- oh, Newt. Andy wants to  
14 take exception to your speech but I'm going to continue to  
15 quote. Newt said this, "We need imagination in programming,  
16 not sterility; creativity, not conformity; excellence, not  
17 mediocrity." And those seem to be not only prime words on  
18 which he ended his speech but good words with which we can  
19 begin today's hearings.

20           Let me address procedural matters and then ask my  
21 colleagues if they have opening remarks. And after that I'll  
22 be pleased to introduce our moderator for today's panels and  
23 we'll move right along.

24           We'll have three panels today. The first is  
25 entitled, Educational and Informational Programming And Will

1 We Know It When We See It. The second panel is entitled,  
2 Educational and Informational Programming, How Much Is Enough.  
3 And the third panel is entitled, The Economics of Educational  
4 and Informational Programming for Children.

5           On each panel we had less opportunity to speak than  
6 we had speakers and we will receive all comments and views and  
7 evidence and tapes that anyone wants to provide us. We have  
8 had to limit each panel to approximately eight or nine panel  
9 slots and some need to be divided among speakers. And we had  
10 to limit each panelist to not more than 5 minutes. Many  
11 people had difficulty complying with this because they had  
12 more than 5 minutes worth of things to say. As a lawyer I  
13 remember that old line, "Judge, if you give me more time, I'd  
14 write you a shorter brief". And those who now are working on  
15 6 or 7 or 8 minute presentations have a few minutes to write  
16 that shorter brief. But let me very seriously say that anyone  
17 who feels that they did not have -- do not have under these  
18 rules enough time to make their point should feel free to put  
19 their comments in the record. They will be attended to but it  
20 would be very unfair for anyone to go over that 5 minutes  
21 because it would attenuate the proceedings and threaten other  
22 people's time and you might actually lose the attention of  
23 your audience, would be probably be the most serious  
24 dereliction.

25           In order to keep things moving along, we will have a

1 timer. We will notify individuals when they're allotted time  
2 is up. And the timer is over here. Here is the timer. And  
3 her authority is -- when a speaker's time has expired, the red  
4 light will come on and the speaker will then please finish his  
5 or her sentence and stop immediately or, or be stopped.

6           After all the panelists on the panel have made their  
7 presentations, each commissioner will have 5 minutes to ask  
8 questions. After the commissioners have asked their questions  
9 and that time will include the answer time, then there will be  
10 an opportunity for discussion facilitated by our moderator.

11           It may be the case that people in the audience will  
12 have questions they would like to pose. We are not able to  
13 allow them to ask those questions from the crowd but they  
14 should write the questions on a piece of paper and hand it to  
15 the Commission staff wearing name tags in the audience and  
16 then those questions would pass on to our moderator who will  
17 pose them. If anyone feels that they have questions that  
18 should be asked and answered but they are not asked and  
19 answered, those again could be put into the record and they  
20 will be, in many cases, as provocative as the answers that we  
21 receive in the record. So, we would welcome that.

22           I'm very, very proud and happy to say this is the  
23 first time in the Commission's history that we have had a  
24 proceeding which is being provided closed captioned. And  
25 that's something that we probably should have done earlier but

1 I'm glad we're doing it now.

2           Copies of today's hearing will be available on  
3 videotape from our commercial taping service, Telestan  
4 (Phonetic) International, (301) 731-5355. Written transcripts  
5 will be available from our commercial copying service,  
6 International Transcription Service, (202) 857-3800.

7           As I conclude and before my colleagues address you,  
8 I want to, on behalf of all of us on this side of the dias,  
9 thank the many people here at the Commission who helped to put  
10 on this hearing as well as the main people who have come to  
11 help us learn about these issues by focusing, if I might, on  
12 the people employed by the government. I'd like to recognize  
13 Roy Stewart and his staff and the Mass Media Bureau and  
14 Barbara Chrisman, Larry Miller. Larry's daughter was here  
15 with us today. Elizabeth Hammond, Vicki McCauley. I'd like  
16 to acknowledge Karen Watson, Susan Salad and Audrey Spivak in  
17 the Office of Public Affairs. I'd like to recognize Dan  
18 Oliver and his people, staff, in the audiovisual office.  
19 Thank you all very much. Commissioner Quello, I believe you  
20 have the next honor?

21           COMMISSIONER QUELLO: You bet. Thank you. Today  
22 more than ever before there's an increased awareness on the  
23 part of broadcasting and the general public of the need to  
24 serve the child audience.

25           I believe two major contributors to this increased

1 awareness are, one, the public outcry and attendant publicity  
2 against excessive glamorized sex and brutal violence on T.V.  
3 and radio accessible to children and, two, the Children's  
4 Television Act of 1990 which requires broadcasters to serve  
5 the educational and informational needs of children.

6           From the number of letters received and from  
7 parents, relatives and friends I have spoken to, it is  
8 apparent that the public today is placing a prime priority on  
9 protecting children from excessive T.V. and radio sex and  
10 violence over the general or more general requirement of  
11 serving the educational and informational needs of children.

12           Nevertheless, the Children's Television Act places  
13 an affirmative programming obligation on broadcasters to serve  
14 the educational and informational needs of children. And I  
15 think this is an obligation that most broadcaster are and  
16 should be designated to serving. So, it's this affirmative  
17 obligation that the Commission is exploring today.

18           Today's hearing is promoted by concerns that  
19 commercial broadcasters need to do more, or do better, in  
20 meeting their obligations under the Act. On this score, I  
21 would note that in my judgment, broadcasters have heeded the  
22 public outcry and are now acting responsibly to curb violence  
23 and indecency. There's been a, a definite not only attempt  
24 but I, I think an effective check. I commend their efforts  
25 and urge them to continue. On the programming front, I am

1 also aware that it takes time for children's program product  
2 to reach the market and be available for broadcast. With the  
3 Act now in effect for 2 years, I would note that any perceived  
4 lack of performance on broadcasters' part due to marketplace  
5 lag time is apparently soon over. Indeed, the results of a  
6 study of almost 300 stations conducted by NAB shows that the  
7 amount of regularly scheduled educational and informational  
8 children's programming increased 81% from the Fall 1990, the  
9 year before the Act took effect, to Fall 1993.

10 We should examine steps the Commission could take  
11 now to encourage the amount of desirable children's  
12 programming in the market without risking First Amendment  
13 reversal. In particular, to gather, to explore actions the  
14 Commission and the industry can take to allow broadcasters,  
15 both commercial and public, and program producers to combine  
16 their strengths to make more meritorious children's  
17 programming available to the television audience. PBS has a  
18 track record of producing children's programming that is held  
19 up as the model for others to follow but it is short of funds.  
20 Commercial broadcasters have the funds but their ties to mass  
21 audience demographics and advertising revenues make them, in  
22 the eyes of some, less than perfect presenters of educational  
23 children's programming. And producers have the creative  
24 genius to envision and create but they must be assured of  
25 reasonable compensation for their product. In this regard,

1 the collaboration between LIN Broadcasting, Disney, and PBS,  
2 for the production, promotion and broadcast of Bill Nye, The  
3 Science Guy, is a model for further consideration and actions.

4 I believe there are affirmative steps this  
5 Commission can take to advance the interests of the welfare of  
6 the child's audience without the need for more intrusive forms  
7 of regulation. I would appreciate the insights of the  
8 panelists on how we might effectively go about doing so.

9 I also believe that overly detailed quantitative and  
10 qualitative government requirements that broadcasters program  
11 to meet the educational and informational needs of children  
12 are more subjective, more difficult to implement, and less  
13 defensible intrusions into broadcasters' First Amendment  
14 rights than any other pending legislation or regulation to  
15 control excessive glamorized sex and brutal violence on T.V.  
16 However, Congress has passed the Children's Television Act,  
17 which the FCC must enforce and broadcasters should be  
18 committed to enact.

19 Broadcasters in their own self-interest should be  
20 encouraged by the public to meet the educational and  
21 informational needs of children without a quantitative  
22 governmental mandate that is likely to risk reversal on First  
23 Amendment grounds. I have always been an active proponent of  
24 the public interest responsibilities of broadcasters; however,  
25 I think some rethinking and some revision is in order.

1           From now on, government must carefully consider  
2 whether or not heaping more rules on broadcasters will produce  
3 beneficial results. Indeed, I am becoming increasingly  
4 concerned that a potential three-way parlay of more rules,  
5 more multichannel competition, and more taxes and fees may  
6 substantially damage broadcasters' ability to discharge their  
7 public trustee obligations.

8           In our endeavor to repair perceived deficiencies of  
9 broadcasters' performance, we must bear in mind that American  
10 broadcasting, even with faults that are inherent in any  
11 business, is the most varied, comprehensive, and best service  
12 in the world. Broadcasting also remains the only in-home  
13 informational and entertainment medium free to the public.  
14 Television and radio remain the only media that cost the same  
15 today, free, as they were when they were introduced years ago.

16           Remember, industry entrepreneurship and investment  
17 made the American system of broadcasting the best in the  
18 world, not government underwriting and not government  
19 regulation. Government regulation is necessary to protect the  
20 public against the predation of monopolists and those with  
21 market power. In the multichannel world of today and  
22 increased multichannel world of tomorrow, broadcasters are not  
23 a monopoly. Nor are they scarce, either in absolute number of  
24 broadcast outlets or as one component of a mind-boggling  
25 plethora of electronic and print media, cable, and VCRs, and

1 everything else. They simply do not required continued rigid  
2 government monopoly-type oversight in my mind. And public  
3 policymakers need to consider carefully the implications of  
4 this exploding multichannel and multimedia competition on  
5 broadcasters' incentives to continue to provide universal,  
6 free television service. Overtaxing broadcasters, whether by  
7 additional rules or by regulatory fees not tied to the  
8 regulation broadcasting really warrants, may harm, and not  
9 help, achieve the aims intended.

10           At the FCC's En Banc Children's Television hearing  
11 today, we stand at an important crossroad. We can either  
12 travel the path of more intrusive program content rules and  
13 risk court reversal, or we can develop creative ways,  
14 consistent with the realities of today's video marketplace, by  
15 which broadcasters exercising wide editorial discretion can  
16 voluntarily achieve the types and amounts of children's  
17 programming benefitting the public. I know which path I would  
18 prefer to take but I am looking forward to hearing and  
19 evaluating and learning from the testimony of the panel of  
20 experts today.

21           Thank you.

22           CHAIRMAN HUNDT: Commissioner Barrett?

23           COMMISSIONER BARRETT: Thank you, Mr. Chairman.

24 First of all, I want to compliment all of the people for  
25 taking the time out of their busy schedules to provide us with

1 | what I, what I hope will be helpful information. And I  
2 | certainly want to compliment you, Mr. Chairman, for having en  
3 | banc hearing.

4 |           I also want us to think as we address the issues  
5 | that, as we have spoken so far in generic terms, about  
6 | children's television, I think that we need to keep in mind  
7 | that we are a country with diversity and we have varying  
8 | languages and different dialects within those tongues and,  
9 | certainly, we have different expectations from what people  
10 | expect as relates to children's television because children  
11 | are not generic. They're varying both in ethnicity and  
12 | tongues, if I may. But I also, Mr. Chairman, think that  
13 | broadcasters, I think the majority of them, given the  
14 | petitions that I have seen come before us here, certainly I  
15 | cannot think of one that -- I know of not one that has been  
16 | turned down because of lack of children's programming. And  
17 | most of them, I think, to date, have been filed -- any time  
18 | there's been a nolle -- certainly they have met the mandate.  
19 | And I think that we should proceed somewhat carefully,  
20 | notwithstanding that I'm extremely happy for the information  
21 | but I would hope that we would proceed with some level of  
22 | caution I think to ensure that any remedies or any suggestion  
23 | of any additional remedy fall within those constraints of the  
24 | First Amendment that Commission Quello talked about.

25 |           I also think that we have to keep in mind that

1 | before we take any additional steps, that we have to wonder  
2 | whether or not government ought to be in the contents of it  
3 | and whether the government ought to be in the scheduling. I  
4 | am always uncomfortable when government gets in the business  
5 | of telling people what ought to be in programming and what  
6 | time we ought to show programming. And I often wonder -- I  
7 | had seen an article in the San Diego Union this past Sunday  
8 | which suggests how do we address the issue when in a city like  
9 | Los Angeles or San Diego or Dallas or Houston when we speak in  
10 | generic terms about something called children's television?  
11 | How do we address all, address all of the religious and ethnic  
12 | differences and things like that? That is a heavy burden to  
13 | put on any broadcasting entity. And I think to the extent  
14 | that -- well, from my perspective, it's a purely  
15 | informational. I am pleased to a great extent. Certainly we  
16 | could always see much better from broadcasting but I think to  
17 | the extent that their, their petitions, their applications for  
18 | renewal have flown rather freely I think without very many  
19 | denials or not at all to the best of my knowledge but  
20 | Commissioner Quello knows a great deal more about that than I  
21 | do. I think that this is a helpful en banc hearing, Mr.  
22 | Chairman, but I accept it as, as informational at this point.  
23 | And I think that any other mandates we have to be very careful  
24 | about.

25 |                   On a personal note, Mr. Chairman, I am personally

1 | glad to see Newt Minow. He is the only person I know that is  
2 | alive that can follow the --. And Newt Minow, Mr. Chairman,  
3 | as you and I shared breakfast with him, is a gentleman that I  
4 | have enormous amount of respect for having known him probably  
5 | 30 years. And Newt and I go back a long ways. And he is the  
6 | first person that I called when I was nominated to the FCC.  
7 | And, of course, I got there a day early and sat around and  
8 | I've never known Newt to be late. And finally one of his law  
9 | partners came in and asked me was I waiting on him. And I  
10 | said, yes. He said but I think it's tomorrow. So, that is  
11 | how much respect I have for our --. And I will have a  
12 | statement, Mr. Chairman. Thank you very kindly.

13 |           CHAIRMAN HUNDT: Thank you very much. Commissioner  
14 | Ness?

15 |           COMMISSIONER NESS: Thank you, Mr. Chairman. I want  
16 | to second Commissioner's Barrett's comments thanking everyone  
17 | who has come here today to testify. This is an auspicious  
18 | occasion and I would like to hear everyone's testimony.

19 |           As a parent, as a concerned citizen and a  
20 | Commissioner, I welcome this opportunity to engage the  
21 | industry and the experts in a dialogue on an issue of great  
22 | importance to me, how broadcast licensees can best serve the  
23 | educational and informational needs of children. In the final  
24 | analysis we are judged as a nation by the education and social  
25 | well-being of our youth.

1           Much of today will be spent looking at whether  
2 broadcasters have fulfilled the responsibilities under the  
3 Children's Television Act. Some Congressmen feel that  
4 finishing its ratings how well they have met their programming  
5 obligation. I prefer to view these proceedings as a back to  
6 school night rather than a report card. It is an opportunity  
7 to explore what we can do together as a community to increase  
8 and enhance the program offered specifically designed for  
9 children. There is no doubt that television plays a key role  
10 in shaping young minds. By the time the average 5-year-old  
11 enters the classroom, he or she has viewed more than 4,000  
12 hours of television. The broadcaster is thus presented with  
13 both responsibility and an opportunity. The responsibility is  
14 to serve the special needs of the young mothers of the viewing  
15 audience. The opportunity is to make a real difference in the  
16 way children view themselves in their roles. Some may argue  
17 that the availability of alternatives to over-the-air  
18 broadcasts, such as cable television, video cassette,  
19 educational computer programming, has diminished the public  
20 interest obligation of broadcasters. I think not.

21           Free over-the-air television is unique in reaching  
22 99 percent of American families. In contrast, cable has  
23 penetrated only 60 percent to our households. More  
24 significantly, less than half the families within towns of  
25 15,000 or below subscribe to cable. Free over-the-air

1 television, therefore, is the only effective way to deliver  
2 quality educational programming to all our children,  
3 particularly those who may be most unique.

4           When industry leaders visit my office, I routinely  
5 ask them to describe what their companies are doing in support  
6 of children's television. Many generally are excited by the  
7 innovative programs in production. Others defensively point  
8 fingers at those, at those further up the programming food  
9 chain to justify their own lack of commitment. Funding,  
10 competition, and audience share are the main culprits, in  
11 fact. We need less finger pointing and more action.

12           How can we be a catalyst for production of quality  
13 children's programming? I hope to learn more today about a  
14 variety of financial incentives such as tax certificate, or  
15 public/private programming partnership to fund production.  
16 For example, as was pointed out, Bill Nye, Science Guy was  
17 produced by KTTS T.V., a public broadcasting station in  
18 Seattle but it is syndicated by Buena Vista Television aired  
19 weekly by PBS and partially funded by the National Science  
20 Foundation. I'm interested in hearing about other special  
21 efforts by licensees to produce or support children's  
22 programming that is broadcast by other stations in their  
23 market. This is another way to reach the congressional  
24 mandate.

25           20 years ago when the Commission first looked at

1 children's television, Commissioner Benjamin Hook (phonetic)  
2 observed, we cannot legislate creativity, good taste --  
3 marketplace but we can ensure that broadcasters make a  
4 concerted effort to beneficially serve the needs of the public  
5 including that segment too young to petition or protect  
6 itself. That statement is still valid today. In her  
7 provocative book, The Measure Of Our Success, Mariane Brice  
8 Edelman Lenin (Phonetic), all our children are affected by the  
9 absence of enough heroines and heros in public and daily life.  
10 As the standard for success for too many Americans has become  
11 personal greed rather than common good and after this becoming  
12 up to just get by rather than do what it best. That is our  
13 challenge today. Let us work together, broadcaster, producer,  
14 programmer, advertiser, consumer and the Commission as a  
15 community to embrace the spirit of the Children's Television  
16 Act.

17 Thank you, Mr. Chairman.

18 CHAIRMAN HUNDT: You're very welcome. Commissioner  
19 Chong?

20 COMMISSIONER CHONG: Thank you. It is a great  
21 pleasure to be here today. I dismantled my microphone. I  
22 also thank the Chairman for holding this hearing and I wanted  
23 to personally thank all the panelists who have come today to  
24 testify before us.

25 I've had a crash course on kid's T.V. in the last,

1 oh, about 14 days, and I look forward to continuing my  
2 education with you, the leading advocates and academics on the  
3 topic. Because I am new to the issue, I want to let you know  
4 that I am here on "receive" mode and I have -- intend to  
5 approach this issue with an open mind and I look forward to  
6 hearing all of your thoughts.

7 I usually sleep in on Saturday mornings but a  
8 Saturday ago I woke up at 6 in the morning and I got up and I  
9 watched 2½ hours of kid's T.V. Last Saturday I channel-surfed  
10 using my remote, much like I think kids do. And I wanted to  
11 see what was on at 6 in the morning on Saturday.

12 Well, the first thing I saw was a lot of action  
13 cartoons. And I valiantly resisted watching those for very  
14 long because you know you could only watch Road Runner almost  
15 get squashed by that big rock only so many times.

16 The good news is I did see some very good  
17 educational and informational programming. It was  
18 entertaining and there was lots of good information and  
19 education in it. I will say that it appeared that the bulk of  
20 it was on the public broadcasting station that was on my  
21 particular cable T.V. system. I enjoyed the delightful Sesame  
22 Street show that I saw. I'm especially delighted to have met  
23 Elmo this morning. He's very red. And I also enjoyed Shari  
24 Lewis with her loveable Lambchop. I think kids love these  
25 shows because these shoes talk to them at their level.