cable,' " said Charren, who also praised Markey. "Markey deserves more credit than anybody on this legislation," she said.

Under the measure, broadcasters would "served the educational and informational needs of children in its overall programing." Advertising would be restricted to 10½ minutes per hour on weekends and 12 minutes per hour on weekdays. But the limits would not take effect until after Jan. 1, 1990, and by 1993 the FCC would be authorized to review the standards and modify them if necessary.

During the Senate's action last week, Wirth expressed his frustration with the initiative and stated his preference to see the programing requirement made "stronger and more explicit." Nevertheless, he agreed to support it after receiving a commitment from Senate Commerce Committee Chairman Ernest Hollings (D-S.C.) to hold a series of hearings on a "host of children's television issues."

Hollings also promised that the committee would conduct a study in 1990 to determine whether the renewal standard provision is providing enough of an incentive to increase the "quality and quantity of children's programing," something that Wirth had been pushing for in his proposed amendment.

A licensee must serve "the educational and informational needs of children in its overall programing."

Moreover, Hollings engaged in a colloquy with Wirth to clarify that while broadcasters "can rely upon overall programing," they must also "make some reasonable effort to meet the unique public service needs of the various segments of the child audience, including programing aimed at the young child."

The legislation is the product of nearly two months of intensive negotiations between Markey and the NAB (BROADCASTING, April 4). The networks and the Association of Independent Television Stations are also on board. "Although there were parts of this bill we would have preferred to omit, we did not oppose it in the interest of the child audience and in the interest of compromise," said Benjamin McKeel, chairman of NAB's television board and vice president of television for Nationwide Communications.

Not only did broadcasters work with Markey to reach a consensus, but there were already signs of heightened sensitivity to the issue. NAB announced last week it was launching a national campaign in January to promote a "Family Viewing Month" to "reinforce the medium's educational and entertainment aspects."

But the FCC reacted strongly. FCC Chairman Dennis Patrick called the legislation "both unnecessary and ill-advised, especially considering the pending resolution by the FCC of related rulemaking dockets." Patrick was referring to the agency's comparative license renewal proceeding (see page 51) and its broad inquiry into children's advertising. Moreover, the chairman took issue with the ad limits, saying that they are "considerably below the industry standard." (Under the old NAB code, the limits were 12 minutes per hour on weekdays, but only nine-and-a-half minutes on weekends.)

His comments drew a sharp rebuke from Larry Irving, senior counsel to the House Telecommunications Subcommittee, who said Patrick's statement "smacks of arrogance," and that it is "ridiculous that the chairman of the FCC can not figure out that Congress does not have to wait for the FCC to act." □

Looking ahead to the 101st; more activity likely on fairness, must-carry, HDTV, cable issues

It may be far too early to read the tea leaves for next year, but it does seem a virtual certainty that much of the vigorous Hill oversight of the broadcast and cable industries, which has been the trademark of the 100th Congress, will continue and possibly accelerate when the 101st Congress convenes Jan. 3.

Last week as Capitol Hill prepared for adjournment, communications lobbyists and Hill staffers shared their thoughts with BROADCASTING on what lies ahead in the 101st Congress. There was a general consensus that lawmakers would pick up where they left off concerning the fairness doctrine, must carry, high-definition television, children's television and the issue of cable's growing market power and whether its competitors are being denied access to cable programing. But the ongoing negotiations between Hollywood and the networks over the FCC's financial interest and syndication rules could spill over to Capitol Hill. And the telephone industry's desire to enter the television business may generate some activity.

Reimposition of the fairness doctrine will be a chief priority. House and Senate leaders, Ernest Hollings (D-S.C.), chairman of the Senate Commerce Committee, and John Dingell (D-Mich.), chairman of the House Energy and Commerce Committees, have vowed to see it become law next year. Until that happens, other Hill action on broadcast issues will remain on hold as it has since the FCC abolished the doctrine in 1987.

Broadcasters should prepare for a busy season. Hollings promises to hold a series of hearings on children's television issues. The senator's broadcast reform legislation, introduced in 1987, could serve as a base from which he might act next year. It would impose significant programing and administrative obligations in exchange for a two-step license renewal procedure.

The industry may come under further assault as lawmakers will probably revive a bill that would guarantee that candidates be given a lower political advertising rate. Efforts to tax the industry's use of the spectrum and legislative proposals affecting broadcasters' advertising revenue are other areas of potential Hill action.

Some Hill watchers were predicting that Representative Tom Tauke's (R-Iowa) proposal calling for removal of antitrust restrictions so that broadcasters can come up with a voluntary code to regulate such things as children's television and violence, will gain ground next year. The Association of Independent Television Stations is already backing it. Some industry observers think Tauke's initiative will offer broadcasters an alternative to government regulation.

Tauke told BROADCASTING he will push the measure and is interested in building support outside Congress for the initiative. Senator Paul Simon (D-Ill.) has promised to move his television violence measure again.

With fairness settled, however, broadcasters would likely see a "serious run to codify some form of must-carry rules," predicted one House aide. "I don't know how we'll do must carry," said Larry Irving, senior counsel to the House Telecommunications Subcommittee, who pointed out that it has to be "done carefully" to create a record for rules that will pass constitutional muster.

According to Irving, Subcommittee Chairman Ed Markey (D-Mass.) wants to take a "good look at the status of the telecommunications industry." He intends to take a comprehensive approach to looking at all the issues, said Irving.

The development of high-definition television is another matter the subcommittee will focus on, said Irving.

As for cable, the subcommittee has not developed an agenda, although it will convene the last of three oversight hearings it had planned to hold before adjournment. The FCC has tentatively concluded it should recommend that Congress lift the cross-ownership ban on phone companies providing cable television services in their service areas, and Irving anticipates the matter will draw some interest.

And the FCC is conducting an inquiry into cable's compulsory license which might result in a Hill review of the matter.

As for the 100th Congress and some of the earlier forecasts that the cable industry was in deep trouble, National Cable Television Association President Jim Mooney quickly pointed out that despite greater congressional scrutiny, those assumptions "have not yet manifested themselves of anything tangible."

Mooney admitted there was a fair amount of "cable bashing by various of our competitors and a few members of Congress too." But, he continued, "that is not something that has been peculiar to our industry. Congress exercises a lot of its power through oversight, not just of government agencies, but oversight of industries over which it has jurisdiction. Undeniably we've come in for our share of criticism, but so have a lot of other industries as well."

Nor does he think cable's standing has been harmed by that criticism. The deal struck between cable programers and the National Rural Telecommunications Cooperative (a noncable distributor serving backyard dish owners) was "obviously regarded