

## Summary of Written Statement Kevin J. Martin

Television today contains some of the coarsest and most violent programming ever aired—and more of it. Indeed, the networks appear to be designing programs to “push the envelope” *and* the bounds of decency. At the FCC, we used to receive indecency complaints by the hundreds; now they come in by the hundreds of thousands. Consumers, particularly parents, are increasingly frustrated and, at times, outraged.

Something needs to be done. We need to provide parents with better tools to help them navigate the entertainment waters. The FCC needs to be more responsive. We need to provide parents with more tools to watch television as a family and to protect their children from violent and indecent programming. I propose four steps:

**1. Aggressively enforce the law.** For over a year, I have been calling on the Commission to aggressively enforce our statutory mandate against obscene, indecent and profane language. Our fines have been inadequate. We need to make the decision to air indecent or profane language a bad business decision. The Commission should levy higher fines by fining violators “per utterance,” not per program. I also strongly support the pending legislation to increase fines. We also should enforce the statutory prohibition against profanity, and respond to the hundreds of thousands of pending complaints. It doesn’t matter how tough our fining authority is if we don’t actually enforce the rules.

**2. Affirm local broadcasters’ ability to reject inappropriate programming.** We need to grant the network affiliates’ request to clarify that our rules protect a local broadcaster’s ability to refuse to air programming that is “unsuitable” for its local community. This ability is critical to those local broadcasters that want to keep coarser network programming off the air in their communities. Network affiliates provide a natural check on the control of network programming in the marketplace, rather than through direct government oversight of network content.

**3. Urge broadcasters to reinstate the family hour.** For over a year, I have been urging broadcasters to devote the first hour of prime time to family-friendly programs that parents and children could enjoy together. The Commission also should put out for comment Paxson Communications’s proposed voluntary Public Interest Code of Conduct, which includes the concept of a Family Hour.

**4. Address cable and satellite programming.** With more than 85% of homes receiving their television programming from cable and satellite providers, we need a comprehensive solution. Over a year ago, I urged cable and satellite operators to help us address this issue. Thus far, there has been no response. Something needs to be done. Cable and satellite operators could offer an exclusively family-friendly programming package. Alternatively, cable and DBS operators could offer programming in a more a la carte manner; they could permit parents to request not to receive certain programming and reduce the package price accordingly. I am sympathetic to the many people calling for the same rules to apply to everyone—for a level playing field. If cable and satellite operators continue to refuse to offer parents more tools such as family-friendly programming packages, basic indecency and profanity restrictions may be a viable alternative that also should be considered.