

# As F.C.C. Members Leave, Nixon's Influence Grows

By LES BROWN

When President Nixon names a successor on the Federal Communications Commission to H. Rex Lee, who resigned last week, he will have appointed six of the seven members of that regulatory agency. His appointees will number a full seven in June, when the term of Robert F. Lee expires. Not

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since the Administration of Franklin D. Roosevelt has the composition of the F.C.C. so borne the stamp of a single President. Since the appointments are for seven years, the effect will be to extend Mr. Nixon's influence upon American communica-

tions policy well beyond his own term of office.

Indeed, decisions to be made by the commission in the coming months in a number of vital areas, including the uses of new technologies, are likely to stand for a generation.

Because of this, political figures such as Senator O. Pastore, Democrat of Rhode Island, and various citizens' organizations are concerned that the commission may become overly representative of one part of the political spectrum, which, they feel, may be tantamount to its having a single point of view.

Senator Pastore, who heads the Senate Communications Subcommittee, has indicated to

associates that he will want to be certain that Mr. Nixon's candidates for the two F.C.C. seats formerly held by Democrats will be filled by genuine Democrats and not by Republicans passing for Democrats.

Under the Communications Act, four members of the commission may be of the President's party, but the remaining three must be of the opposition party, or independents, so as to effect a balance of views.

President Nixon's first appointment to a Democratic seat was Benjamin L. Hooks, a former Memphis judge, who is black. But Mr. Hooks has not identified particularly with the Democratic side of the Commission on public issues.

The Senate Commerce Committee has arranged to hold confirmation hearings on Jan. 23 for President Nixon's second appointment to a Democratic seat, James H. Quello, who is from Michigan, at state like Mr. Hooks' native Tennessee in that party affiliations are not declared by registration.

Although ostensibly a Democrat, Mr. Quello was reportedly a contributor to Mr. Nixon's re-election campaign in 1972, and his nomination to the commission was urged on the President by an influential Republican Congressman from his state, Geraard L. Ford, who is now Vice President.

To further complicate the question of his candidacy for the commission seat formerly held by Nicholas Johnson, Mr. Quello is also a former broadcaster who had served as station manager of WJR in Detroit. This has aroused a number of broadcast reform groups that believe Government regulators should not be drawn from the ranks of the regulated, a sentiment shared by Senator Pastore.

Further, Mr. Quello's nomination is being opposed by several black organizations because in 1971 he had received low grades on sensitivity to black issues in a Capital Cities Broadcasting Company survey of its executives.

Adding to the confirmation difficulties Mr. Quello faces is one not of his own making. The seeming leisure with which President Nixon made the nomination—almost three months after the term of Nicholas Johnson had expired—antagonized Mr. Pastore's subcommittee, which responded by delaying the confirmation hearings four months.

Those hearings are expected to run 7 to 10 days. Citizens groups, minority coalitions, university professors and consumer organizations have asked to testify, and sources at the subcommittee expect that along with those favoring Mr. Quello's appointment, there will be some 30 opposition witnesses.

Among those who have indicated they will testify against the appointment are Ralph Nader, the consumer advocate, and the former commissioner whom Mr. Quello has been named to succeed, M. Johnson.

A number of those who plan to testify have made known

their concern that Mr. Johnson's departure leaves the commission without a representative for the interests of consumers, and H. Rex Lee's resignation leaves the F.C.C. without a champion of public broadcasting.

Now there is another Democratic vacancy on the commission for President Nixon to act upon—that created by H. Rex Lee's unexpected resignation—which some fear could result in another acrimonious hearing if the President should make the choice on a political basis.

The two present vacancies leave the F.C.C. with only five members—four Republicans and one Democrat—to weigh such key pending issues as policy for pay cable, children's television, domestic communications satellites and the development of cable systems.

Also before the commission are reviews of the Fairness Doctrine, the regulation of radio, alleged network dominance of television and new rules for license renewals, along with numerous cases involving telephone and telegraph rates and several knotty questions in the sphere of special communications carriers.

A veteran F.C.C. staff member, when asked how long it would take any new commissioner to develop the expertise to participate in the voting, responded wryly: "They are appointed for seven years, and it takes 14 to understand most of the questions that come before them."

When the two vacant Democratic seats are finally filled, it is a virtual certainty that the widely respected F.C.C. chairman, Dean Burch, a Republican, will submit his resignation, since he has made no secret of his desire to step down by the spring of 1974.

Earlier this week it was reported by Television Digest, a trade publication, that the President was planning to name Neal B. Freeman, vice president and executive editor of King Features Syndicate, to succeed Mr. Burch as chairman of the F.C.C. when he does resign.

Mr. Freeman, a conservative who is serving on the board of the Corporation for Public Broadcasting, issued word yesterday that he had not been asked to take the job as F.C.C. chairman and that, if offered it, he would turn it down.