LIFE IN THE POP LANE

FCC chief has had quite a year

By Renée Graham, Globe Staff | November 23, 2004

It's the season for Time editors to mull possible candidates for its 2004 Person of the Year. According to the magazine's criteria, the final selection will be "the person or persons who most affected the news and our lives, for good or ill, and embodied what was important about the year, for better or worse."

To that end, among those being considered are filmmakers Michael Moore and Mel Gibson, as well as White House adviser Karl Rove, who has been largely credited as the mastermind behind President Bush's reelection.

Interesting choices all, but here's an even better suggestion -- Michael Powell, chairman of the Federal Communications Commission.

From driving Howard Stern to announce a 2006 move to satellite radio to making ABC affiliates so skittish about airing a film with graphic violence and profanity that more than a third canceled a Veterans Day airing of "Saving Private Ryan," no individual this year has had a greater effect on our cultural lives -- for good or ill, for better or worse -- than Powell.

He was again in the news last week for criticizing ABC's ill-advised opening for "Monday Night Football," featuring a towel-clad Nicollette Sheridan, of "Desperate Housewives," seducing Terrell Owens of the Philadelphia Eagles. The FCC is considering opening an investigation that could result in a fine against ABC.

Created in 1934, the FCC, according to its website, is "charged with regulating interstate and international communications by radio, television, wire, satellite and cable." Yet as this nation continues its unnerving lurch toward conservative sanctimony, Powell, nominated to the FCC in 1997 by President Clinton and designated chairman by President Bush in 2001, has positioned himself as our country's top cop for good taste and cultural propriety.

First, there was Bono's celebratory F-bomb at the 2003 Golden Globe Awards. The FCC's enforcement bureau ruled in January that the profanity was not obscene or indecent because the U2 singer "used the word . . . as an adjective or expletive to emphasize an exclamation," not to describe a sexual act. But that wasn't good enough for Powell, who had the bureau's decision overturned.

Then came the infamous -- and much TiVo'd -- surprise appearance of Janet Jackson's bejeweled right breast at this year's Super Bowl halftime show. Powell was all over TV, decrying "a new low for prime-time television" and "the latest example in a growing list of deplorable incidents over the nation's airwaves."

CBS, which aired the Super Bowl, was summarily slapped with a $550,000 FCC fine, but Les Moonves, copresident of Viacom, which owns CBS, said last week that the network will not pay.

Still, if few people felt sorry for CBS and Jackson's "wardrobe malfunction," that wasn't the case earlier this month when many of this nation's ABC affiliates decided against airing uncensored Steven Spielberg's Academy Award-winning drama "Saving Private Ryan."

The FCC's new Draconian tactics (including larger fines and confusing definitions of what is appropriate for television) frightened station managers into declining to broadcast this highly regarded film, scheduled as a tribute to this nation's veterans, because of its realistic war scenes and profanity. And though the film had previously been aired uncensored, some conservative groups such as the Family Research Council are now demanding that Powell levy fines against the ABC stations that showed the film. Powell has yet to disregard such absurd requests.
(Is it too cynical to believe that what really offended some was the notion of a film, with its graphic depictions of battle, coming into American homes just as US troops were engaged in their most recent offensive in Fallujah?)

Boston's ABC affiliate, WCVB-TV, didn't show "Saving Private Ryan," a decision Paul La Camera, the station's president and general manager, called "painful" and "perhaps not one of our proudest moments."

In a televised editorial Sunday, La Camera said local TV stations "find ourselves in a much changed and increasingly uncertain regulatory environment."

He also voiced hope that the FCC would recognize "how intrusive and chilling some of its recent rulings have become, and in turn, will bring greater definition to the situation," before stations are faced with "the next 'Private Ryan' dilemma."

Of course, with Powell at the helm, there will be other such dilemmas. No FCC chairman in recent memory has wielded as much influence as Powell in his self-appointed role as America's parent, the man ready to snatch away our remote controls. It's one thing to punish a network for an actual offense, but quite another to stir up such a climate of fear and recrimination that stations are nervously pulling worthwhile programming before it even airs. "Saving Private Ryan" is just the beginning.

In Iowa and Nebraska, instead of Spielberg's World War II epic, several ABC affiliates showed the TV movie "Return to Mayberry." Somehow, the selection of that film hardly seems a coincidence. It could certainly serve as a sad commentary on the archaic mind-set the FCC's restrictive rules is promoting, with Powell as an overbearing Barney Fife with too much power and too little desire to use it beyond fostering his own myopic cultural and political agenda.

Rene Graham's Life in the Pop Lane appears on Tuesdays. She can be reached at graham@globe.com.