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## Channeling choice

By Ed Feulner

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"Trust the people." It's a simple concept that any self-respecting American politician will claim to honor. Unfortunately, our government often falls short of this simple credo. And that may explain the FCC's growing power.

The Federal Communications Commission "is charged with regulating interstate and international communications by radio, television, wire, satellite and cable," as its Web site says.

There's no doubt some regulation is necessary. But as the Heritage Foundation has long urged, the FCC should strive to maintain a communications framework in which economic decisions -- and decisions on what to broadcast to the public -- are made by consumers and citizens, not the government.

So it's troubling to hear FCC Chairman Kevin Martin tell Congress he hopes to increase FCC's supervision of television content. Mr. Martin has identified a real problem: too much objectionable material on TV. But he has reached the wrong conclusion: that government must regulate what's on TV.

It wouldn't work anyway, frankly, because the FCC does a poor job of regulating. For instance, last year many local ABC network stations decided to skip airing the film "Saving Private Ryan" because they were afraid the FCC might fine them. (The agency later ruled it wouldn't.)

A free society is best guided from the bottom up, not from the top down -- and certainly not by five unelected FCC commissioners. The fact is, some things -- such as what we watch and listen to -- are none of Washington's business.

Still, Mr. Martin is correct in saying, "Parents need better and more tools to help them navigate the entertainment waters, particularly on cable and satellite TV." But these tools won't come through government supervision. They'll come from free-market capitalism.

A good first step: Ease regulations that limit competition. For decades, cable companies virtual monopolized coverage areas. Direct broadcast satellite systems now provide one source of competition, but there could and should be much more.

Phone companies such as Verizon and AT&T, for instance, want to offer video programming, using Internet technologies. These "Internet-protocol TV," or IPTV systems, would give viewers even more control over what comes into their homes.

Sad to say, regulation slows this new competition. Local cable franchise rules, for instance, mean it could be years before the new competitors can operate nationwide. The federal government can help by getting regulators out of the way.

That's the approach behind the Broadband Consumer Choice Act of 2005, sponsored by Sen. John Ensign, Nevada Republican. It would stimulate competition by eliminating the requirement local governments license cable providers. But the measure has been

bottled up in committee for months.

More choice would certainly help consumers. Right now, parents can block channels they don't want. But if more providers delivered television through different systems, customers might eventually be able to purchase only channels they want, instead of purchasing bundles of channels, as most must now. So you wouldn't need to block a channel: If you didn't want it, it wouldn't be there, and you wouldn't pay for it.

Some suggest the FCC should require cable companies to allow customers to buy only the channels they want. But this top-down approach likely would fail, as do so many government regulatory schemes, and might even lead to fewer choices at higher prices. It would be better to let the market deliver what the consumers want.

Build a better mousetrap, they say, and the public will buy it -- if the government stays out of the way. It's time for policymakers to step back, cut the red tape and give TV viewers choices. They don't need more static from Washington.

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