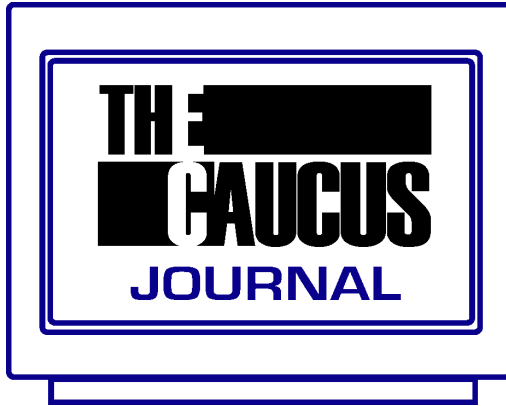
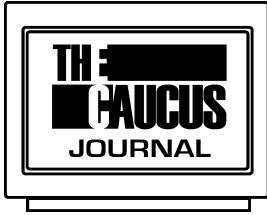


SUMMER 2005



**The Caucus for
Television Producers, Writers & Directors**



The Journal of the Caucus for Television Producers, Writers & Directors

Volume XXIV

Editors: Roger Gimbel, Fay Kanin

Steering Committee 2005

Officers

Vin Di Bona
Chair

Chuck Fries
Bill Blinn
Lee Miller
Co-Chairs

Bonny Dore
Treasurer

Liz Selzer Lang
Secretary

Members

Steve Binder
Lionel Chetwynd
Sam Denoff
Suzanne de Passe
Dennis Doty
David Gerber
Roger Gimbel
Fay Kanin
John Moffitt
Robert Papazian
Dorothea Petrie
Norman Powell
Herman Rush
Greg Strangis

Alternates

Bill Bast
Roy Campanella, II
Bob Finkel
Gary Grossman
Sally Hampton
Robb Weller

Holly Harter
Chair of Associates

Penny S. Reiger
Administrator

Edward Blau
Counsel

Chair's Council

Ted Bergmann
Al Burton
Vin Di Bona
Norman Felton

Chuck Fries
David Gerber
Roger Gimbel
Leonard Hill

Norman Lear
Leonard Stern
Frank von Zerneck

Published by: The Caucus for Television Producers, Writers & Directors

P.O. Box 11236, Burbank, California 91510-1236

Telephone: (818) 843-7572
Email: caucuspwd@aol.com

FAX: (818) 846-2159
URL: <http://www.caucus.org>

Copyright © 2005 The Caucus for Television Producers, Writers & Directors
All Rights Reserved

IN THIS ISSUE

| | |
|--|-----------|
| FROM THE EDITORS | 3 |
| <i>Roger Gimbel, Fay Kanin</i> | |
| CHAIRMAN’S REPORT | 4 |
| <i>Vin Di Bona</i> | |
| WHY WE MATTTTER | 6 |
| <i>Lionel Chetwynd</i> | |
| THE CAUCUS HOSTS TWO IMPORTANT INDUSTRY EVENTS | 8 |
| I’VE BEEN LOST BUT NOW I’M FOUND | 13 |
| <i>Gene Reynolds</i> | |
| COULD “BRAND” PRODUCERS MAKE A COMEBACK | 15 |
| <i>Bill Blinn</i> | |
| BRINGING BACK THE CENSOR | 18 |
| <i>Brian Dyak</i> | |
| IS THE INTERNET IN TROUBLE AND WHO IS TO BLAME? | 23 |
| <i>Jon Rintels</i> | |
| DO FILM FESTIVALS LEAD TO SUCCESS? | 28 |
| <i>Dean Yamada</i> | |
| NEW TECHNOLOGIES | 31 |
| <i>Herman Rush</i> | |
| DEFINING THE FUTURE OF TV | 36 |
| <i>Bob Fisher</i> | |
| CAUCUS MISSION STATEMENT | 41 |
| MEMBERSHIP LIST | 42 |
| THE CAUCUS FOUNDATION | 43 |

FROM THE EDITORS

Roger Gimbel

Fay Kanin

We are pleased to note that the most recent Caucus Journal on the trials and tribulations of making student films was so well received by students and executives alike. Film making even small films have become big business in today's market picture.

We quote the March 06th NY Times, "At a time when street gangs warn informers with DVD productions about the fate of "snitches" and both terrorists and their adversaries routinely communicate in elaborately staged videos, it is not altogether surprising that film school – promoted as a shot at an entertainment industry job – is beginning to attract those who believe that cinema isn't so much a profession as the professional language of the future."

CHAIRMAN'S REPORT – SPRING 2005

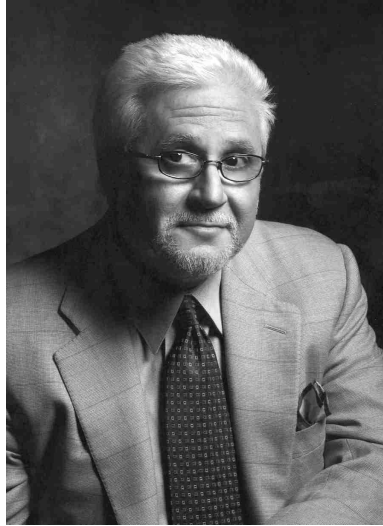
by Vin Di Bona

A flurry of activity continues at The Caucus this spring.

On April 10th, we hosted an awards ceremony, at the Beverly Hills Hotel, honoring FCC Commissioner Michael J. Copps and Congressman David Dreier for their exemplary work in support of difficult issues affecting the creative community here in Hollywood. Joining us as co-presenters of the awards were officials of AFTRA, DGA, PGA, SAG, and WGA.

In presenting THE AMERICAN SPIRIT AWARD, The Caucus has put in place what could be the beginning a coalition of guilds for the purpose of supporting and protecting all our creative, independent, and entrepreneurial issues in Washington. The award will be given on an annual basis to politicians, artists and businesspeople who promote those goals.

“The American Spirit.” It is not just a clever catch phrase, it is a responsibility and an honor we all have the right and duty to protect. Our support of their hard work and



strong opinions give Congressman Dreier and Commissioner Copps the fuel to fan the fires in Washington. Collaboration, coalition and cooperation are vital keys in stemming the tide of consolidation.

Unless you've been a cave dweller for the past decade, you all know how drastically our industry has changed.

Entrepreneurial individuality is on its last breath. Half a dozen companies control the creation, production, distribution and transmission of most television programming. Simply put, that means those who wield the control, control what American families watch.

Americans get most of their news and entertainment, and much of their education from Television. Tens of millions of American families see the same shows, laugh at the same jokes, cheer the same teams, and learn the same history. Television provides the forum through which we learn about our surface differences and root similarities. We see ourselves in the context of the nation. We learn we are not alone in

WHY WE MATTER

by Lionel Chetwynd

America, uniquely, is what it says it is. While the German state is a political expression of the German nation and France the eternal personality of the French, America, unlike these and all the other nation-states of the world, is home to a people bound not by common religion ethnicity or family history. We are tied to one another by ideas – common values entrenched in our founding documents, our legislative and judicial histories and by each generations’ view of the national agenda. For us, then, more than other peoples, the importance of how we describe ourselves to ourselves is of great significance than any other place on earth.

Between 1875 and 1925, America absorbed 47 million immigrants; they expressed their love and understanding of their new country through the then-emerging technologies – nickelodeons, gramophones, crystal radios – toys that grew up to become America’s popular culture. But film and

music was much more than entertainment. It became the vehicle by which America projected its personality to the rest of the world.

While Rome spread its empire at the edge of the sword and the British sent out their grocers and tradesmen, America dispatched Humphrey Bogart and Bette Davis, Elvis Presley and James Dean, and George Gershwin, battalions of gifted artists

who spoke of American freedom and promise. Even films and television that pried into the dark side of our culture inspired countless millions living in societies where such criticism would mean

imprisonment and death.

Our popular culture is a jewel – perhaps the most valuable – in our national patrimony. This body of work and ideas, unfettered by government interference, free to praise or ravage at the will of the creator, is rightfully the envy of the world.

Today is threatened by treaties that

“Our popular culture is a jewel – perhaps the most valuable – in our national patrimony.”

confine us with “cultural exceptions,” by petty domestic squabbles over content and, perhaps most importantly, by a trend toward globalization which seems our work as a commodity that is value-neutral. It is not.

It is not the role of artists to instruct great corporations in how capital should be formed or business organized; but it is our right – indeed it is our obligation – to remind

them that we are the spirit of great people, the children of freedom and the keepers of the flame of the world’s first and greatest democracy.

Protection of the independent and free voice of the American artist is an overriding duty of all Americans, be they in government, big business or the quiet or the private life. Do not drop the torch.



Lionel Chetwynd has over 40 feature and long-form television credits and has written, produced, and directed over 21 documentaries. He has received both Oscar and Emmy nominations, won a Writers Guild of America Award, two Christopher Awards. In 2001, President George W. Bush appointed him to the President’s Committee on the Arts and Humanities.

THE CAUCUS HOSTS TWO IMPORTANT INDUSTRY EVENTS

In the last year The Caucus has sponsored two important industry events; recently a dinner which presented the new Caucus American Spirit Award to FCC Commissioner Michael J. Copps and Congressman David Dreier and in December a Symposium and Panel called, “Everything Old is New Again,” which discussed the latest trends in TV Advertising.

Excerpts from the American Spirit Awards Dinner

Chairman Vin Di Bona: “As we celebrate the extraordinary work of both Commissioner Copps and Congressman Dreier this evening, the mission of The Caucus is to make it clear to our

distinguished honorees that the voice of The American Spirit Award is given in thanks from all the guilds present here tonight who all support their work: AFTRA, DGA, PGA, SAG, WGA, and The Caucus.”

FCC Commissioner Copps: “When I look around this room I see people who labored mightily in the battle against more media consolidation, otherwise known as the battle for media democracy. The creative community has been all over this issue since day one. You’re still on the case and I believe, I truly do, that when the dust settles we can yet enjoy the sweet smell of success on this issue.

Now your voice is needed again and it’s needed more than ever, because we have an opportunity to make a difference and that difference is coming faster than you may think. I think it’s coming this year. With the FCC taking up media consolidation again and with Congress considering a rewrite of the Telecommunications Act, we may be entering a truly decisional year.

Those awful rules that the FCC majority passed two years ago to loosen our media protections have been sent back to us by the courts. That’s the good news. The bad news – where were they sent back to? The same folks who dreamed them up in the first place. We’ve got to make those folks do the job



(L-R) Chuck Fries, David Dreier, Michael J. Copps and Vin Di Bona at The Caucus sponsored American Spirit Awards.

right this time. And we have to make sure they do it now.

Many of you have experienced firsthand the effects of increasing consolidation. You understand that this is about your industry but it's also about your country. And we're not talking about some future threat. We're talking present reality.

Fewer companies own and control more media properties. Big companies already control radio, television, newspapers, and cable, cable channels and cable networks. They own the production of programming. They own its distribution and increasingly they control the very acts of creativity itself.

Go back a short decade or so and two-thirds of primetime programming was independently produced. Now, three-fourths of primetime programming is produced by the networks and affiliated studios.

I worry that anything with the name "independent" on it seems to be on the endangered species list. I worry about the toll this takes on media diversity. I worry about the effects on creativity and whole regions of this broad land. And I see the effects of this wherever I go in the hearings that we've had, people standing up at our town hall meetings at twelve and one o'clock in the morning and telling their often sad stories.

News anchors and radio and TV journalists who are no longer needed as stations are consolidated. Technicians, engineers, all kinds of workers, told that their jobs, their livelihoods, are gone. Independent producers, directors, writers, creators, some with hit shows under their belts, telling me how hard it is to launch new shows in today's

environment. Local recording artists denied a chance to get airtime. You can hear this with Appalachia and the Blue Grass musicians who can't get airtime on the local consolidated owned stations down there. Motown music, jazz and New Orleans – is our country going to be better off when those people are no longer around?

So it's time – it's long past time for the FCC to get serious about adapting media concentration protections that will expand the voices and choices that support our marketplace of ideas and sustain American democracy and American creativity. As part of that proceeding we should consider and set aside twenty-five or thirty-five percent of primetime hours for independent producers and creators.

For my part, I'm going to keep fighting for media diversity. I'm going to keep pushing my colleagues at the FCC for media concentration protections that serve the public interest. I'm going to keep traveling across America to hear from citizens and to make sure that this time we include the American people in the process instead of writing them out like the majority tried to do last time."

Congressman David Dreier: "I'm often criticized for being in the hip pocket of one industry over another. And they often talk about my tie to the technology sector of the economy. And I'm criticized for being tied to the entertainment industry. My argument is a very, very clear one. If I'm in the hip pocket of an industry which is responsible for the creativity that – not just the United States of America but the world enjoys – if I'm in the hip pocket of an

industry which is the only industry in the United States of America that has a surplus in trade with every single nation that it trades with, then I'm proud to be in the hip pocket of that industry.

When we look at some of the challenges we face, obviously trade is a very important component. And we know that getting product into other markets is key. I want anybody to be able to make a television program or a motion picture wherever they want.

In 2001, we saw a dramatic reduction by seventy percent of the hundred and forty-five made-for-TV movies in the United State. And I had to scratch my head and wonder: Why in the world does that happen? Well, it happens because there are countries that want to create a magnet to draw not just from California but from the United States of America what has clearly been our comparative advantage.

It has been an uphill struggle because the view of this industry is that everyone makes twenty million dollars per picture. I like to remind people of what the unemployment rate is among those in the Screen Actors Guild. I also like to remind people of the challenges that exist among all the others who are involved in the background of the industry. And I'll tell you one of the projects that I'm proud to be involved in is the Home of Motion Picture Retirees – something for which we're proud to have been able to get some support. People have this view of Hollywood which is an inaccurate one. And one of the benefits, as we sought our quest to deal with runaway production legislation, is the fact that there

have been lots of pictures made in other states, in Illinois, in Louisiana, that helped build our support.

It's not an issue of protection. It's an issue of making sure that you can compete on a level playing field. Because if that comparative advantage no longer exists here I'm not about to do anything at all to have the Government force it to stay here. But as long as it's here I don't want anybody else to be able to unfairly lure it away."

EVERYTHING OLD IS NEW AGAIN

Excerpts from the Symposium and Panel discussing the latest trends in advertiser-supported TV business models and their effect on the future of TV marketing, development and production.

The panel consisted of moderator Robert Dowling, Editor-In-Chief and Publisher, Hollywood Reporter; Michael Wright, Sr. VP, Original Programming, TNT; Cindy Gallop, Chairman, Bartle Bogle & Hegarty, NYC; Peter Benedek, Partner, UTA; Tom Mazza, President, Madison Road Entertainment; Paul Furia, VP, William Morris Agency; Roy A. Salter – Principal, The Salter Group.

Robert Dowling: "I think choice is one of the most interesting words in the English language because it is metaphorical for what's going on in the world today. If you're a consumer, you have a hundred and twenty channels. There are thirty thousand music albums, eight hundred games, two thousand DVDs, a hundred and seventy-five thousand books published every year and a hundred and seventy-five films released every year.

There are a hundred and seventy-one million wireless subscribers, the Internet, all the digital this, digital that, as well as the DVR, the personal video recorder.

Now that's great if you're a consumer because all the choices we have of things to do are increasing. But if you're a member of The Caucus and a producer or a financier or an advertiser, being on the other side of all that is where the danger lies. The fragmentation in the marketplace is such that people have lost track of where everybody is, who they are, what they're doing. There are so many choices that the numbers are getting smaller for the pieces of the audience, and more expensive. And



(L-R) Participants on The Caucus sponsored Symposium and Panel titled "Everything Old is New Again" included moderator Robert Dowling, Hollywood Reporter and panelists Roy Salter, The Salter Group; Tom Mazza, Madison Road Entertainment; Peter Benedek, UTA; Cindy Gallop, Bartle Bogle & Hegarty NYC; Paul Furia, William Morris Agency; Michael Wright, Turner Network Television

for the advertiser the effect of all this is that it is becoming increasingly more difficult.

The one element that doesn't change is 'time'. There's a limit to how much you can

do at one particular moment. If I'm watching a video, I'm not in the theater. If I'm in the theater, I'm not listening to music. If I'm listening to music, I'm not down at the Laker game. The reality is that when one gains, virtually everyone else loses."

Tom Mazza: "I don't believe we're going back to the Texaco Star Theater. Those days were the days of sponsorship and billboarding and branding. Where I see the future is in integrated entertainment. I don't believe the commercials are going away. A thirty-second spot is a valid way for messages to get across. But I do believe, coupled with integration entertainment, that the messages can get through to the consumer, and television production can financially benefit."

Michael Wright: "We are at our best when we produce an environment where the creators are allowed to create. Our job is to say 'here's our brand; please create it,' not 'here's how to create it.'"

Peter Benedek: "We're in the information business for our typical customary clients, but we're also working on behalf of corporate America. The great successes in this area have come in the alternative area – the reality programming; "Extreme Home Makeover," "Survivor" and "The Apprentice" – those kinds of things. I have yet to see what I would consider a true home run in the scripted area, although I'm waiting to see the Desperate Housewives wear Desperate Housewives jewelry."

Cindy Gallop: "I completely endorse the fact that even in looking to work within the whole arena of advertiser programming, that process has to begin as early as possible.

What does the brand stand for? What is the value? What is the emotional territory surrounding it? How can that be leveraged in a programming context?"

Peter Benedek: "When you go to a movie and the commercials come on, you boo. People boo the commercials. But they sit through the movie and don't care that Coke or whatever car company is mentioned in the body of the piece – if it's well done, it's just part of the entertainment process. And the same thing is going to be true in television."

Michael Wright: "The point of view is that the brand of being in a room, paying a network ad sales person to say now take my money, and now go in for some content, that's not going to work. What's going to work is communication between the brand and the creator. Having that communication between the creative offices and the brand themselves will ensure how much creative content can actually be influenced by the brand, what's the right balance, but also what's the right messaging, and what's the point. How does it actually get to be in the product?"

Cindy Gallop: "Everybody says TiVo is the death of the thirty second commercial. It's only the death of a bad thirty second commercial."

Audience Member: "Peter talked about the difference between motion pictures and television. In "Cast Away" with Tom Hanks, the brand Federal Express was used in the content of the movie. I don't know which came first – Federal Express or the movie. In television there was a time in the Sixties when the FCC was very concerned about disclosure to the public, and now companies are paying two million dollars to get their product integrated into these programs. Has the FCC indicated any concern about this practice?"

Peter Benedek: "I have no idea."

Roy A. Salter: "Your point with the FedEx is a good one. (Director Robert) Zemekis, who made the film, was encouraged by DreamWorks to try to get money for it. He refused to use the Brown, if you will, or the Red. He wanted FedEx, and refused to turn it into a commercial enterprise and refused any money. At the core of it I think it's still creative. People who are creatively in control, who have that much power, can prevent commerce on some level."

Complete transcripts of both the American Spirit Awards and the panel "Everything Old is New Again" are available on the Caucus Website, www.Caucus.org.

I'VE BEEN LOST BUT NOW I'M FOUND

by Gene Reynolds

Recently I attended a Caucus function called 'Everything Old is New Again' featuring a panel of Advertising executives, Agents, Cable network chiefs, and Programmers whose objective was to enhance the presentation of commercial products on television. They were not concerned with the conventional sale of articles during commercial breaks but were interested in

featuring products in the middle of the dramatic portion of shows. They complained of the unfair advantage enjoyed by theatrical films where cars, appliances, cigarette lighters, soft drinks were visible as part of

the dramatic action. They wanted the same for TV. They cried for an even playing field and complained of the restrictions in television limiting the prominent positioning of recognizable commercial products.

The panel predicted that this injustice would be remedied and that in the future, products would get deserved prominence in TV. They wanted to be involved, along with their clients' goods, at an early stage of

production, even as the writer was conceiving the story. If only the creative people would allow them to participate, to contribute at the conception of the work, they could be enormously helpful not only to find ways to feature their goods but to enhance the appeal and excitement of the show.

When one member of the panel argued the emphasis for creative people must always

be on the quality of the work they all agreed the objective would be to produce a hit.

"What a damn fool I've been," I said, giving myself a sharp kick. I have clearly been wasting my time.

For years, I've concerned myself with character, conflict,

premise, story development, atmosphere, irony, counter point, fore shadowing, symbolism, crisis, resolution. What I really needed was a chrome toaster in the foreground.

As I reflected on my stupidity, I realized I had not been an attentive student of the masters. Clearly, Gogol was in the Overcoat business, De Maupassant was hustling Necklaces, Chekhov's Cherry Orchard was

"What I really needed was a chrome toaster in the foreground."

a real estate hustle, Keats was pedaling Grecian urns.

I am grateful to gain enlightenment although it may be arriving a little late in life. There is some comfort in gaining wisdom

even though I may not profit financially. At least there is gratification in learning what Shakespeare was trying to tell us when he wrote, "The sleigh's the thing!"



*Mr. Reynolds received multiple Emmy Awards for Outstanding Comedy and for Best Direction in a Comedy Series for "M*A*S*H*" and Best Dramatic Show for "Lou Grant," for which he also received the Christopher Award. He has received the Humanitas Prize Award for Excellence in Broadcasting.*

COULD BRAND PRODUCERS MAKE A COMEBACK?

by William Blinn

A number of years ago I had the great good fortune to work with Hans Conried, an actor of consummate skill and professionalism, perhaps best known for his portrayal of Uncle Toonoose on the Danny Thomas' "Make Room for Daddy" series. Beyond that, however, Hans amassed an amazing list of credits in radio, television and films, playing every character part one could imagine. Because of his measured tempo and stylish presentation, many thought Hans must be a product of an English schooling program.

In fact, Hans was born and raised in Middle America. His father was a printer in the small town and every spring he and Hans would embark on a trip of great romance and discovery. At that time every small community had some version of a summer theater, some professional, some not so, but all providing entertainment and occasional culture for the long languid evenings of summer. It was, said Hans, an unforgettable educational experience.

"It didn't take long," he said, "Twenty miles, thirty, no more than that. But the accents changed. The politics were different. The newspapers all stood with a different stance." According to my father, even the taste of the local beers changed, as each was brewed with the native waters unique to the

area. "The county was a jewel with a million facets," he said.

"That's gone now. The Holiday Inn, networks news and USA Today and all that these things portend went and homogenized us. We've lost the accents; we've lost the special beers; we've had all the facets smoothed away. We're just a big round boring ball."

I submit the same sanding down process has taken place within the television industry. And it calls for some sort of study.

Surely Bill Gates can fund a think tank whose goal it is to discover the source of the Plague that swept through our work space a couple of decades ago, striking only those who held the position of Story Editor or Head Writer or Story Consultant. Whatever the title, their ranks were thinned out to a merciless degree and I suspect the only survivors are found on Olvera Street next to the aged blacksmith as we arrive to educate the youngest generation on the Way Things Once Were. And because nature abhors a vacuum, others raced forward to fill the void. Clearly, no one knows when parents of future TV producers began mating like sea otters at low tide, but their numbers have increased at a truly alarming rate. This sea change growth in the number of TV producers will shortly have parking valets

placed on the endangered species list.

We all know that much of this onslaught is brought about by the massive changes undergone by the Industry itself. A multiplying of channels and systems demands increased staff and expertise. Yet that said, there is still a numerical imbalance that illustrates our cause for concern.

The hour series, scripted variety, is still an hour long. (Of course it's not; we know it averages somewhere in the 48 minute rant, but we're gathering momentum here and do not have time to scoop up cinders as we go.)

When one looks back on series broadcast only a few seasons ago, one will see two or

three producers,

maybe two

Executive

Producers topping

the credit

masthead, but four

or five per hour

was a lot, a major

Happy Meal of

Egos and above

the remuneration.

A lot.

These are

now hour offerings carrying ten or more producers, sometimes as many as a dozen.

Are the episodes more complicated now, more difficult to mount and display?

Undoubtedly the answer is a thundering, 'yes!' You want to shoot a night scene, you'll

shoot it at night, no more of that day for night half-assed-dom. The audience expects,

and must be given, a hook that reflects a reality largely ignored in prior times. You'll

deal with special effects unknown a decade

ago, with green screen and CGI and post production paint boxes requiring the undeniable show benefit once they're onscreen, are time intensive and demand a hand-on presence when we move around an upcoming corner.

Some of our numbers used to be brand names. That time is gone, possibly never to return.

We knew what a new Jack Webb series brought to the table. It would be straightforward and procedural and by the numbers. Like it, then watch it. Not your cup of tea, then move on. But the Jack Webb name gave us a tilt in the right direction.

A new series

from Norman Lear

would be funny,

addressing current

issues, challenging

stereotypes,

bringing a political

agenda. Like it,

don't like it. You

knew what was

coming because it

was coming from

Mr. Lear.

From Aaron Spelling comes a new presentation. Chances are it will be fast

paced and good looking. Its storytelling will be audience friendly, taking the viewer by

the hand and eschewing contradictions and confusion.

There's a new Stephen Cannell series on Channel Four. We can count on its bright

combination of humor and humanity, clever tales told with enough surprising switchbacks

to keep us there for the prime time

“There are now hour offerings carrying ten or more producers, sometimes as many as a dozen.”

appointment. The time won't be wasted; it's a Steve Cannell show: that's what he does.

Or how about the David E. Kelley debuting tonight? We know it will be laced with dark and acerbic humor, turning its premise on its ear and following each new pathway with exuberant energy. It will be David E. Kelley.

Surely Steven Bochco's work offers a look into a world uniquely his own, equal parts brutal honesty and awareness of our shared fragility and resurrecting hopes. We know the work. It ennobles us.

As our numbers increase in ratio to each production, as we are asked in greater numbers to do dramatized autopsies, it becomes more and more difficult to place our individual fingerprints, our distinctive

creative point of view, out there to be seen and evaluated. There was an opportunity at that time to take an occasional solo turn in the spotlight. That opportunity has now been turned into a wide-angle shot of the curtain call at a "River Dance" matinee.

Little of this has happened as a result of choices we have made. The situations changed, options were limited, and decisions thrust upon us. But we are weaker as a result. As we become greater in number, we are more interchangeable and replaceable and that loss of individuality denies us our close-up, Mister DeMille.

The question has been raised: Does what we do really have any importance? The answer, it seems, is that of course it does. We, on the other hand...



Mr. Blinn has been active as a Writer and/or Producer for the better part of four decades. He has received multiple Emmys, WGA Awards, Golden Globes.

BRINGING BACK THE CENSOR

by Brian Dyak

Politicians have left the starting gate vying for a lead position in a race to shape the future of cultural standards in our great nation. Again the entertainment industry is facing political action that might restrict or impede the entertainment industry's business objectives and creative freedom.

Censorship is bandied about in the halls of Congress in subtle tones. Instead, "indecent," a shroud for censorship, is being used to rile the general public's and special interest groups' attention, making it difficult for lawmakers to find a realistic policy position. With prurient extremes weighing in, Congress is redefining censorship as it chases the entertainment industry. Language, violence, nudity, sex ...all taboo in the creative process...based on whose standards?

Congress is exploiting the media play on indecency because it is almost virtually impossible for an elected official to take a dissenting position on a legislative agenda that prioritizes indecency. It is also a journalistic and media gold mine. At stake for the creative community is the integrity of the creative process and inalienably protected creative freedom.

A few years ago, Lionel Chetwynd, a Board Director of EIC and Caucus member,

invited me to attend an International Film Festival at the Kennedy Center. I will never forget comments of an Eastern European filmmaker who finally had the freedom to create a film haunting his mind's eye – a controversial film that historically could not be made under communist rule. The poster from the festival hangs framed behind my desk with emphasis on the word FREEDOM.

The door has reopened over the past couple of years regarding self-anointed Congressional oversight on how the entertainment industry regulates itself. Let's face it; none of what is going on right now regarding the Congressional intent to put a definition on indecency is new to our industry. It has been going on since the advent of film, throughout the history of television. The crest of the censorship issue is rising in Congress during a post presidential election season. This time it is less plausible to placate the situation, create a smoke screen or acquiesce to Congress for an interim reprieve.

The entertainment industry will always be a convenient target for Congressional members to gain media attention. I often wonder if a member's constituents in a specific Congressional District really care...at all... about their representative's vested interest in any issues or policy concerns that

have an impact on the entertainment industry.

After interfacing with every administration and Congress since President Jimmy Carter, I must admit there are members on both sides of the aisle that are not solely exploiting a discourse with the entertainment industry. A number of key Congressional members see the value of the industry to communicate important information to the public, yet have concern about the intent of content. For politicians, it is a reasonable place to position themselves.

Politicians are “responding to concerns of constituents,” meaning a modest number of citizens using their “outdoor voice” to announce their view of content as an affront to viewers or their perception of the entertainment industry’s influence on young people. Aside from

Congressional and FCC concern over Justin Timberlake introducing Janet Jackson’s anatomy lesson, saving a TV audience from the realities of war that are portrayed in “Saving Private Ryan,” or networks and actors being fined for using words that rhyme with “truck” on air, the reality of Congressional interference setting standards for censorship will not dissipate in the near future.

The general public remains a fragmented yet dynamic audience for TV programs,

movies, DVD, interactive games, and music. Unfortunately, our constituents (audience) – I believe the numbers far exceed politicians’ constituents participating in the indecency Congressional debate – are not engaged in the process. We are hamstrung in our ability to deliver a representative voice based on audience (constituent) participation. This reality places the responsibility on the Caucus, the guilds, and other entertainment organizations to actively participate in whatever way possible while recognizing in the short run that entertainment companies may have no choice

but to protect their business interests through compromise that may somewhat confine the creative community.

The most recent incarnation of regulatory threats to our industry – the Indecency

Hearings of the U.S. Congress and Broadcast Decency and Enforcement Act – makes it clear that policy makers will continue applying pressure to the entertainment media sector and its various content platforms and delivery systems.

The intent of such pressure is to attempt to reshape the content of entertainment to satisfy supposed audience concerns about entertainment’s effects on young audiences, while reflecting contemporary community standards. “Community standards” however,

“...policy makers will continue applying pressure to the entertainment media sector and its various content platforms and delivery systems.”

is a nebulous term, loosely defined by whichever interest group speaks the loudest and uses the political system most effectively at any one time to leverage their personal sense of ideals and values. Today the label “indecent” is being imposed despite the perpetual ambiguities of indecency standards as prescribed by the FCC. Given the diverse nature of each community/broadcast area, a truly applicable definition of indecency must be as broad as the varied composition of the American public itself. Unfortunately, our creative community’s trend toward respecting accurate depiction within the creative process is at risk.

Lawmakers in some states have passed or are attempting to pass legislation to teach high school age students “family preservation classes” to keep nuclear families intact. There is a fear that such policy does not take into consideration blended families, single parents, and same-sex couples – all real familial representations that should be mirrored in entertainment programming if we are to be true to reflecting real life. Dick Wolf, a Caucus member and recipient of the Larry Stewart Leadership & Inspiration Award at the very first PRISM Awards ceremony, stated nine years ago his concerns about government that cut to the chase regarding censorship. Dick very passionately stated his real fear that many of the clips we used for the event and were being honored – clips mirroring societal involvement with drug use and gun violence in very frank ways – might not be able to be aired with the encroachment of government on creative freedom.

I believe, given the current intent of

censorship, the creative community would not be able to deal with these earthy issues of true concern to society in the first place because to truly depict them a writer, a director, a producer must tell the story complete with its underlying truth – sometimes centering on things like addiction, depression, and violence, driven by language, sexual exploitation, and the raunchy realities of the real world. Censorship would white wash the content, misleading the viewer, prohibiting the depiction of realities to parents and, yes, even teenagers who might hear the message that drug and alcohol abuse, violent behavior is a dead end street.

So why do I feel driven to prevent the prohibition of creative freedom? It is quite simple. I spent over ten years as a director of street programs for runaway youth. I advocated for free clinics, centers dealing with teen suicide, battered women and drug abuse. Out of over one thousand youth and parents I dealt with, the realities of a darker side of the real world plagued the intent for reconciliation and recovery. From what I experienced on the street, Beaver Cleaver is dead! It took hard work from the afflicted to find a life that supported their health and contributed to society at large.

Accurate depiction and creative freedom stroll the creative process side by side in the best interests of the viewer. Creative freedom solely for shock value prompts the perennial witch-hunt that ignites political intent toward censorship. From an entertainment value perspective, such exploitation, if successful at the box office or through TV ratings, will be somewhat protected by the realities of audience support. The viewer is and should

be the ultimate censor.

Unfortunately the audience does not show up politically. However, creative freedom is a means to communicating enlightenment and cogent, vital ideas. Creative freedom permits a look at hard issues, problems in society, teen sexuality, the impact of drugs and violence in society and other “untouchables.” Writers, producers and directors can create thought-provoking stories and present challenges to viewers to do something about these tough issues. They can foster a dialog in communities, furthering a debate about how to solve tough health and social issues. This will be utterly impossible if conflict is deterred in storytelling by c e n s o r s h i p imposed because of “outdoor voices” echoing in the halls of Congress.

So what do we do? First we must recognize that regardless of the attacks upon the creative community, there is a vast array of entertainment product that proactively gives the viewing public insight and a heads-up on health and social issues facing society. According to a Kaiser Family Foundation study, most Americans gain knowledge of health issues through television. We should take credit for what we do through storylines, public service and celebrity involvement in causes. We must stand up and be counted for the enormous amount of “good works” put forth by our industry and speak up to those “outdoor voices” being heard as we

stand silent. We should make sure Congressional members, Governors and State Legislators are aware of our industry’s contributions to our culture. We must make the promotion of how our industry gives back a priority – rest assured no one will do it for us.

I would be remiss not to suggest that the Caucus has an opportunity to actualize a tenant of its Mission Statement: “From time to time we will lend our support to other groups and causes that support our mission.” First EIC appreciates the relationship we have had with a number of Caucus members. Second, EIC has clearly demonstrated for over two decades our support of the Caucus mission: to

protect the artistic rights of producers, writers, and directors. Sound familiar?

Action will speak louder than words; receptions, posturing dinners and photo ops are nice, necessary, ego fulfilling, and a great way to feel like one’s making a difference. Taking real action in providing resources and assuring the representation of our industry’s “good works” through a variety of techniques, I believe is a viable approach to neutralizing special interest groups and, in time, the government.

Censorship concerns should be a perennial agenda item for all entertainment industry-based organizations. The agenda should come to life through walking the halls of Congress, touting our contributions

**“Censorship is as real
as we let it be.”**

toward how our industry gives back to society (in the trades and consumer press), and most importantly recognizing that accurate depiction is a contribution our industry makes to tens of millions of people in the best interest of our culture as it exists today.

Censorship is as real as we let it be. Obviously, it is contrary to the freedoms that make our industry and our nation great. Working together we can fix the inaccurate perceptions of our industry by accentuating our positive contributions, simultaneously

protecting the integrity of the creative process. Herman Rush, Chairman of the EIC Trustees and a Caucus member, once said to me, “Brian, maybe it is best to focus on one thing and make it extremely successful.” I propose that a focus on protecting creative freedom will be the one thing that deters the outcome of government intervention into a creative process that is the lifeblood of our industry’s creative output. Together we can instill the value of “the art of making a difference.”



Brian Dyak is cofounder of the Entertainment Industries Council, Inc. (EIC), a not for profit organization created in 1983 to bring the power and influence of the entertainment industry to bear on health and social issues. He is Executive Producer of the PRISM Awards, a television special that recognizes the accurate depiction of substance abuse in entertainment programming. The EIC has program activities in Washington D.C., New York and Los Angeles.

IS THE INTERNET IN TROUBLE AND WHO IS TO BLAME?

by Jonathan Rintels

“There are a handful of executives out there who are the gatekeepers of what gets made and seen – or not. So we just decided to do it ourselves. You’ve already got the largest distribution network in the world already on your desktop, and the end-user experience is getting better every day.” – Daniel Myrick, director and co-creator of “The Blair Witch Project” and “The Strand,” a dramatic series available only on the Internet

“This Internet may be dying.” – FCC Commissioner Michael J. Copps

Many inside, as well as outside, America’s creative community passionately hope and believe that the rapidly approaching Internet of tomorrow – high-speed, low-cost, and utterly pervasive – will empower creators of media to better realize their creative visions and then share them directly with the audience, eliminating the corporate middleman distributor. Or, to hear some indelicately say it, excited voices full of glee, no more “clueless, tasteless, penny-pinching” studio and network “suits” to “muck up” a creator’s vision. No more “exorbitant” distribution costs, gatekeepers, and bottlenecks. No more “warping” a creative vision to appeal to a narrow and finicky demographic of television watchers or to sell the greatest amount of popcorn in theaters that may no longer exist.

That hoped-for nirvana of seemingly unlimited creative power and freedom on the Internet is under attack in Brand X, a case recently argued before the U.S. Supreme

Court. Despite its underwhelming name, Brand X is overwhelmingly significant. It is nothing less than the opening shot in what promises to be an ongoing war between media goliaths and independent entrepreneurs, including creative media artists, over whether the future Internet will be “open,” where a consumer has the freedom to access any website, as is the case today, or whether it will be “closed,” with the consumer restricted to visiting sites approved by – or in business with – a media conglomerate “gatekeeper.”

The outcome of this battle is especially important to the creative community because television and films are converging with and becoming “Internet,” just as music has. And the Internet is fast becoming another, infinitely cheaper way of distributing television and film. While it may take hours to download a feature film on today’s Internet, that’s hardly reason for complacency. Researchers using the Internet2, a super-fast private “next Internet”

that presently links hundreds of colleges and is frequently used for illegal swapping of films, television, and music, recently demonstrated the ability to download a DVD-quality copy of “The Matrix” in 30 seconds. That is the future of distribution, legal and illegal, and it will be here sooner than many think.

Daniel Myrick, co-director and co-writer of 1999’s micro-budget horror hit “The Blair Witch Project,” exemplifies the convergence of television and Internet with his latest project, “The Strand,” an episodic ensemble drama set in Venice, California. Presently, each “webisode” is downloaded from the Internet onto a consumer’s computer in a large file for later viewing; Episode 1 was a 600 MB monster that took three hours to download using my DSL broadband connection.

But after that download completed, if I hadn’t known I was watching a computer, I would’ve sworn I was watching a feature film on television.

The writing, directing, acting, music, production values – the entire production was professional quality work digitally filmed on location in Venice. The budget was \$75,000, which vividly illustrates digital media’s potential to shrink both distribution and production costs. Myrick plans to recoup his costs and earn a profit by selling a license

to view each webisode for 99 cents, as well as sell Strand-related paraphernalia. He says that in the near future, webisodes will be “streamcasted” over the Net, so that viewers can watch in real time, eliminating the need to download a fat file to their computers.

Says Myrick, “For me as a creative, the webisodic format allows me to do so much exploration of characters and story without constraints on language or topic. Unlike a Fox show that needs 3 million viewers a week or it’s canceled, I only need a fraction of that and I can be filming forever. At Sundance, we were the only ones out there

“...if I hadn’t known I was watching a computer, I would’ve sworn I was watching a feature film on television.”

not looking for distribution.” With so much money at risk using more traditional methods of production and distribution, Myrick believes innovation and creativity suffer.

Using the Internet “micropayments” model lowers the risk, thereby increasing the filmmaker’s creative freedom.

Is Myrick’s “The Strand” blazing a trail for future creative artists seeking to distribute their works directly to the consumer via the Internet? And does it illuminate a pathway that producers of existing programming can use to bypass costly distribution gatekeepers and deal directly with the consumer?

Enter Comcast. Comcast is the nation’s largest cable company, serving over 21.5

million homes, approximately 30 percent of the nation's homes that subscribe to cable service. It will soon grow to 23.5 million subscribers if regulators approve its joint purchase with Time Warner Cable of the assets of bankrupt cable operator Adelphia.

Already, in terms of television content, Comcast's high percentage of cable homes served gives it life or death gatekeeper power over which cable television networks receive carriage not just on Comcast, but on any cable television system. Says cable tycoon John Malone, "There's no way on earth that you can be successful in the U.S. distributing a channel that Brian Roberts (CEO of Comcast) doesn't carry, particularly if he has one that competes with it." And the likelihood that Comcast will own a competitive channel is growing, as it seeks to own the content that it distributes, as illustrated by its partnership with Sony in the takeover of MGM, as well as its hostile unsuccessful takeover attempt of Disney in 2004.

As powerful as Comcast is in television, it is no less powerful in terms of the Internet. More Americans receive their broadband Internet from Comcast than any other provider, including telephone companies. For many consumers, their local cable monopoly, of which Comcast is the largest, is the only potential provider of broadband Internet access. For most others, the only other possible broadband option is the technologically-inferior DSL offering from the local phone company.

And that's where the Brand X case comes in. Telephone companies are "common carriers" required by law to open

their lines to competing Internet service providers (ISPs) such as Earthlink, AOL, and Brand X, a small ISP in the San Francisco area. But in a highly controversial ruling, the Federal Communications Commission (FCC) decided cable companies such as Comcast are not common carriers and therefore have the right to exclusively provide Internet access over their broadband cable lines. Brand X successfully sued the FCC in the 9th Circuit Court of Appeals for the right to compete with Comcast to be the ISP for Comcast's cable broadband customers. The Commission, backed by the cable industry, appealed to the Supreme Court.

Often, arcane and mind-numbingly technical distinctions debated in Washington, such as those at issue in Brand X, can have tremendous potential implications for media artists, which they seemingly discover only after it's too late. The Brand X case may be an example. According to Andrew Jay Schwartzman of the Media Access Project, a public interest law firm specializing in media issues, Brand X "will, quite literally, determine the future of the Internet as we know it."

Here's why. If the FCC and the cable companies win Brand X, the Internet for cable customers will no longer be the "open" Internet of today, where customers can surf wherever they want whenever they want. Instead, these cable companies will become their customers' exclusive gatekeepers to the Internet, controlling the terms and conditions of their access.

In a competitive marketplace, consumers who don't want cable's version

of the Internet could easily get their broadband access elsewhere, most likely using DSL from the local telephone company. However, if the FCC and cable companies win Brand X, most observers believe the FCC will quickly grant telephone companies the same right to monopolize the provision of Internet access over their DSL lines. Thus, most Americans who want broadband would have access to just two “versions” of the Internet, with either the local cable or phone company as gatekeeper.

Consider the situation where a cable television company such as Comcast is the exclusive Internet access provider for its customers.

Now, imagine that company’s reaction to Daniel Myrick trying to do an end run around its cable television and film distribution system by sending “The Strand”

directly to its customers, over its broadband pipes, without paying it. Will cable companies stand by idly while content owners such as Myrick use the Internet to undercut their cable television business over their very own cable?

Not if they can help it. And if they win Brand X, they can help it. As monopoly gatekeepers, cable broadband providers will have the power to demand payment from content creators for access to their broadband customers. They will have the power to

divert their customers who try to download “The Strand” to a different download site that they own and operate where they can try to sell them a different program. They can require “The Strand” to reach their customers not by the Internet, but by their cable television Video on Demand (VOD) service. Or they can simply block any and all access to “The Strand.” After all, if “The Strand” is a competitor for the cable company’s television offerings, why distribute it? It doesn’t distribute competing cable channels.

Thus, the implications of Brand X and

the ongoing battle over whether the Internet will be “open” or “closed” can hardly be overstated. FCC Commissioner Michael J. Copps observes, “This Internet may be dying. It may be dying because

entrenched interests are positioning themselves to control the Internet’s choke-points and they are lobbying the FCC to aid and abet them... We seem to be buying into a warped vision that open networks should be replaced by closed networks and that traditional user accessibility can be superseded by a new power to discriminate.

Let this vision prevail and the winners will be entrenched interests with far greater power than they have today to design and control the Internet of the future.”

“And what will the Internet look like if the FCC and the cable companies lose Brand X?”

If the FCC and cable companies win Brand X and ultimately succeed in establishing themselves as gatekeepers and toll collectors on the Internet information superhighway, the result will be an Internet that dashes the high hopes of many creative artists and media producers. Instead of eliminating a distribution gatekeeper, the Internet will simply substitute one gatekeeper for another. For customers unfortunate enough to have no choice for broadband access other than these monopoly gatekeepers, their Internet may bear more resemblance to a “souped-up” cable system than the wide open Internet we enjoy today.

Some analysts believe this “closed” Internet model will resemble the early “walled garden” days of America Online, where its customers were limited to AOL content and there was no way to leave America Online to surf the rest of the Internet. For many consumers, their only choice may be the walled garden of the cable company or the walled garden of the phone

company.

And what will the Internet look like if the FCC and the cable companies lose Brand X? Then, should a cable or telephone company offer a “closed” Internet walled garden to its broadband customers, they can take their business to a competing ISP such as Earthlink or Brand X to access the entire Internet – including “The Strand.” Multiple ISPs will compete on the basis of price, service, and access to the entire Internet, thus preserving and enhancing the “open” Internet we’re familiar with today.

That would certainly make Daniel Myrick and fans of “The Strand” happy, as it would fans of the Internet as we know it today.

If “the price of freedom is eternal vigilance,” then creative media artists hoping to distribute their works over the Internet would do well to follow closely not just Brand X, but the inevitable future battles over whether the Internet will be open or closed.



Jonathan Rintels, Executive Director, Center for Creative Voices in Media, member WGA, west since 1982. Website: www.creativevoices.us

DO FILM FESTIVALS LEAD TO SUCCESS?

by Dean Yamada

Fargo. Nantucket. Muskogee. Name any American city with at least three film enthusiasts and I guarantee they have an annual film festival. It seems like hundreds of new festivals pop up every year, and immediately they attract hundreds of submissions. Multiply the number of festivals around the world by the number of films being submitted and you have massive amounts of money being spent on entry fees alone, which begs the question: What's the point of all these festivals? While many aspiring filmmakers want to launch their careers, there are those who merely want the satisfaction of screening their films before an audience.

Some of my film school peers have questioned the merit of the festival circuit. At school, we were taught to strategically submit our films to the big festivals first, then select a handful of medium-sized regional festivals and finally end with smaller, niche festivals. For student filmmakers who barely have the funds to finish their films, paying an average of \$35 per festival entry fee is the last thing we want to do. I know a lot of students who refused to send their films to many festivals because they couldn't justify gambling their money on entry fees for festivals that wouldn't further their careers anyway.

Other students committed to the festival route, but felt like they had nothing to show for it at the end of the year. After spending thousands of dollars on press kits, entry fees and traveling, most complained of burn out, saying that they were tired of taking superficial meetings in Hollywood that inevitably led to nothing.

When I was first creating the budget for my graduate thesis film "The Nisei Farmer," my faculty mentor asked why there was no money allotted for festivals. I thought, *I just want to finish this film first, then worry about the money for the festivals later.* She told me that there is no reason to make a film if you don't have any money saved for promoting it. Some students simply run out of resources and never get the chance to have audiences around the world watch their films.

Thank God for an organization like the Caucus Foundation which helps alleviate the burden of post-production costs so that deserving students can actually have some money left over to get their films out for recognition. I wasn't confident that my film would get into a lot of festivals, but I decided that I was going to give it every chance to succeed, even if it meant spending a thousand dollars in entry fees.

I spent over a year on the festival circuit,

which culminated last year at USC's biannual First Look Festival. The school recommends having First Look be the final stop so that your film can develop a pedigree of official selections and honors. "The Nisei Farmer" screened at over thirty film festivals and received a few other awards, including the grand prize for best short film at the Rhode Island International Film Festival. For student films, winning the top award at an "accredited" festival is the only way to become eligible for an Oscar nomination in the short film category. Rhode Island is one such festival, so I had fleeting hopes of walking down the red carpet, rubbing elbows with Clint Eastwood and Sean Penn. I never received the nomination, but I also never expected to be recognized with any of the other awards my film had received.

So the question still remains: What are the benefits of film festivals? Getting into high profile festivals like Sundance and Cannes will do wonders for launching your career. Some will get the three-picture deal while others will find financing for their feature film projects, but what about the 95% of us who don't get that chance?

I believe film festivals are a rite of passage for the independent filmmaker. It was something that I had to experience for myself because it's a path I know I'll have

to take with my next project. There's nothing quite like the nervous tension you feel before your film screens, whether it's for the first or tenth time; the camaraderie of connecting with likeminded filmmakers; and learning how to stand in front of a crowd of people and answer the most random questions about your film.

For most of us who make films, our projects are a labor of love. My film is a tribute to my late father, who spent three years of his childhood in a Japanese American internment camp during World War II. Of course, I wanted to share his

story with as many people as possible.

One of the best parts of screening at a smaller festival is traveling to a place you've never been before, interacting with the local cineastes.

It seemed like the

further away I got from Hollywood, the more engaged audiences were. Having people ask intelligent questions after each screening was a big enough reward in itself.

In this age of digital technology, it has never been easier to make a feature-length film and harder to find distribution. For those of us who don't land the studio gig, we can go out and shoot a ninety-minute DV film with no budget, but finding theatrical distribution is like winning the lottery. Most filmmakers will have to prove themselves worthy by not only making a great film, but also by screening at a plethora

"So the question still remains: What are the benefits of film festivals?"

of festivals and winning awards. Even then, a large percentage of independent films never get a decent distribution deal, so screening at festivals can help to self-distribute the film at local theaters. The festival is a tool that independent filmmakers can use to launch their own theatrical run; art house theaters will have a greater chance of booking your film if it has done well at a festival in their city.

Festivals help sell your film and you as a filmmaker. They can grant you credibility. Winning an award at even the most obscure festival will afford you the right to call yourself an “award-winning filmmaker,” and that can only help attract others to hop onto your next project. While some could view festivals as a way to stroke one’s ego, they can also give you the encouragement

to go out and make another. As independent filmmakers and artists, we need all the affirmation we can get.

Having experienced the festival circuit as a student will help immeasurably when it is time to make the rounds again with my first feature film. The relationships we developed with film festival organizers will help us get in again when we come back with our next projects. Festivals love to have their “alumni” return with more ambitious pictures. When I complete my first feature, you can bet I’ll be back on the festival circuit, soaking in the experience while trying to find distribution. And if I get the three-picture deal after that, I’ll give due credit to the festival route—and to the Caucus Foundation for giving me the financial resources to do it in the first place.



Dean Yamada’s pre-film school adventures include teaching English in the mountainous countryside of Japan, traveling by train through Asia and Europe, and instructing children on the ski slopes of Tahoe. He is currently writing, writing and writing.

NEW TECHNOLOGIES AND THEIR IMPACT ON THE CREATIVE COMMUNITY

by Herman Rush

From time immemorial new technologies have had their effect on mankind. Witness the printing press, the Industrial Revolution, the airplane, the automobile, and radio and television just to mention a few.

New technologies historically have always had an impact on the creative community. The 21st century will be no different.

Many of the established pros of the entertainment industry frown upon these intrusions that seem to interfere with their long established creative process. These emerging technologies may be constructive improvements that should be embraced and adopted.

While the established professional may be skeptical, new filmmakers entering the field are not. They more readily accept new technologies since they are not really new nor a change to them.

Prior to the advent of movies at the turn of the 20th century, writers, producers, directors, and performers were stage center, that is the dramatic, burlesque and vaudeville stage. Motion Pictures changed that and a new breed of creative individuals emerged, only to be influenced again with the introduction of the technology of sound. Radio soon entered the field followed thirty

years later by television. The impact on the creative community was tremendous. Stars of earlier years, creative as well as performing, either made the transition from one medium to the other or were left stranded by the wayside. A new breed of creative individuals emerged and new forms of entertainment followed.

Today, we are again faced with the onslaught of new, exciting and stimulating technologies. High definition television, the Internet, Broadband Megabytes of digital processes, Pixels, and now state of the art technology that can transmit television signals and streaming videos to cellular telephones, PDA's, the Internet, and other wireless receptors. As Morse commented when he witnessed the use of his Morse code invention, "what hath God wrought?" In this ever-changing world, content will continue to be King as it has in the past. The technology is merely a means of transmission, a road to reach the masses. Today's society is no longer made up of couch potatoes. We are a mobile society, constantly on the move.

The telecommunications Industry recognized this several years ago with the introduction of cellular telephones. At first, mobile phones were heavy and bulky, useable only in an automobile, i.e. the car

phone. Their use was solely limited to audio communication and only in certain metropolitan sections of the country. Eventually, Mobile telephones became small, lighter, and more effective. Soon, their design included a monitor for text messages, then graphics, today pictures, tomorrow – well that’s what this article is all about. There are 170 million cellular telephones in the United States today. Over 1.5 billion throughout the world. Their production and distribution in a short number of years has far outpaced that of television production and distribution.

Today’s cellular telephones have a multitude of capabilities—they can take pictures, send text messages, connect with your computer for e-mail and more: they have speakerphones, voice activated dialing, voice recording, color displays, web browsing, navigational maps, date books, voicemail, tracking systems, Microsoft Word, Excel, PowerPoint accessibilities, downloading applications, and are now capable of receiving television signals and streaming video.

While the quality being offered by early pioneers in the field limited television transmissions and streaming videos to one

to two frames per second, a far cry from television quality of 30 frames per second to which the mass audience is conditioned. All of this is now changing!

There are several technology companies leading the field in developing technology capable of sending television signals and streaming videos to wireless receptors including cellular telephones and the Internet. Today cell phone users can subscribe, for a minimal monthly fee, to a limited number

of cable television channels, including ABC News, CNBC, The Discovery Channel, The Learning Channel and WSNBC. This service is offered by Mobi TV, a subsidiary of Idetic (a technology company) and available on Sprint (telephone carrier). The technology is primitive, delivery

of only one or two frames per second but subscribers are paying \$9.99 per month for the package. This reminds me of the early days of television when TV sets had mirror reflections and the picture would flicker at times. However, new technology is on the horizon with vast improvements in the reception and resulting image.

Real Networks, located in Seattle, Washington, has now developed a technology that transmits 2 to 4 frames per

“There are over 1.5 billion cell phones throughout the world. Their production and distribution have far outpaced that of television production and distribution.”

second and is offering a content package that includes up to two hours of film clips of news, sports, and weather. While some of these technologies are primitive, out of sync and jerky, they are the beginning and we should applaud their pioneer spirit and foresight. As with all early technologies, however, the pioneers are not always destined to be the victors.

Microsoft has developed a cellular telephone operating system that enables cellular telephones to conduct web surfing complete with email capabilities. It was a natural adjunct to the other successful Microsoft software.

In Atlanta, Georgia, there is a young technology company, SmartVideo Technologies, Inc. that has recently emerged as a potential leader in the field. Using both the Microsoft platform and the Symbian Platform, they have developed a service that sends television signals and streaming videos to cellular telephones with fully synchronized voice to lips at extremely low bandwidth at a minimum of 15 frames per second and to the Internet at 24 frames per second and are doing even more amazing things. Their Internet transmission works with basic analog or dial-up computers, while other companies can transmit only to Broadband, which represents a mere 22% of all computers in the United States.

SmartVideo has developed their technology over the past five years with the Department of Defense and today count as clients, The United States Navy, The State Department, The World Health Organization, Fisher Scientific, Tenneco, Mercedes Benz and other corporations.

This technology could also be used to transmit dailies thousands of miles away to a Producer studio executive not on location with the crew. Or better still, how about the possibility of watching in real time the actual filming of the movie from your office at the studio. Young filmmakers have an open mind to this possibility as well as a multitude of others not yet explored.

Recognizing their capability of transmitting television signals, streaming videos as well as text and graphics, they began to look to the Entertainment and Communications field to introduce their technology to the Networks, Cable Channels, and Hollywood Studios. Today, they are in negotiations with a number of these companies to extend their reach and put their television signals in the hip pockets of their audiences in a state of the art quality.

Imagine the joy of sports fans watching the final inning of a playoff game or the tie breaking quarter of a championship basketball game, or the news enthusiast following a breaking news story while in transit, at the beach or in the mountains, all on their cellular telephone. Imagine a child's delight watching his favorite cartoon while following mom down the supermarket aisle. Picture the investors who can be kept abreast of up to the minute financial information no matter where they might be. And what about the teenagers who can watch their favorite music videos while coming or going to school?

This existing technology is a challenge to the creative community. The real challenge is to address the need for original programming content especially designed

for the cellular telephone with its small monitor, the short attention span of the user, the interactive capability offered by the phone. Producers have already “knocked down the walls of the studios” with location production, now they can throw away the clock as time is not relevant in this new media.

There are already several major and independent program developers addressing original programming content for this emerging “wireless industry.”

There are some new, young, talented individuals emerging as new creative forces to be reckoned with entering the entertainment field and a handful of “old pro’s” standing shoulder to shoulder with them.

Cellular telephones are capable of far more than merely the just delivery of television signals and streaming videos. The newest of these cell phones take digital photos, play electronic mobile games (solo or against a multitude of others), enjoy various ringtone sounds of their favorite musical performers and see their favorite picture or graphic image when they turn on their cell phone.

Digital or mobile games on cellular phones (and on the Internet) are already a rage of teenagers around the world. Such mobile games can be downloaded from a server (the manufacturers or distributor)

directly to the users cellular telephone (or Internet) and charged to their credit card or telephone bill.

Mobile games have emerged as one of the fastest growing applications in the cellular telephone industry. It has grown fifty times—in usage—in a single year. Millions of mobile games are downloaded every month to cellular telephones.

There are a multitude of publishers of mobile games aggressively searching for new games so the potential field for writers and producers is fertile.

There are endless opportunities. There are new challenges to be faced.

So I encourage all to put on their thinking caps. Create new formats, think new ideas, let your imagination run wild.

Imagine the possibilities presented by this new window of opportunity. Think of the creative freedom offered with no time restraints, no standards to follow, and no network executives to deal with (yet).

Further, it’s an even playing field for creative people of all ages. After all, a twenty year old knows no more or less than a sixty year old when it comes to program content for cellular telephones. It’s a new ball game. So new filmmakers; young television producers, directors and writers welcome to today’s emerging technologies and new challenges.

“Who from the old school will survive? Who will create the new hits?”

Who from the old school will survive, who will create the new hits? Who will be left by the wayside? These challenges are the opportunities that the creative community faces.

Who of the new breed will grasp the brass ring and become the wiz kids of the future and walk away with tomorrow's Oscars, Emmys, and Golden Globe Awards?



Herman Rush, former Chairman and Chief Executive Officer of Columbia Pictures Television Group is a seasoned professional in the entertainment industry, with more than 30 years of experience in executive, production and sales positions. Rush was also Senior Vice President of the Entertainment Business Sector of The Coca-Cola Company and a member of the Board of Directors of Columbia Pictures Industries, Inc.

***Why I joined the Caucus ...
by Peter Schankowitz***

What the senior members started three decades ago is even more relevant today. Watching vertical integration and the not-so-subtle impact it has had on diversity of content, made me want to join. I think Vin's and the Caucus' efforts last year to inform the FCC were inspirational.

DEFINING THE FUTURE OF TELEVISION

Cinematographers Share Their Dreams

by Bob Fisher

The birth of television dates back to 1922 when AT&T demonstrated an ability to deliver signals carrying moving images and sound over phone lines. The BBC began broadcasting daily live television programs in 1928. That same year W2XCW, an experimental television station operated by General Electric in Schenectady, New York, began transmitting half hour broadcasts to a handful of viewers three times a week, including *The Queen's Messenger*, the first televised drama. One camera was designated for every actor and another one focused on props that were stacked on a table.

David Sarnoff, the future chairman of the Radio Corporation of America (RCA) and National Broadcasting Corporation (NBC), wrote an essay published by *The New York Times* on July 19, 1930. Sarnoff predicted "television will be a theater in every home" with "benefits for children" and "cultural education." He also envisioned color television bringing art galleries into every household.

The courtship between filmmakers and television traces back to 1934, when Bell Laboratories asked Kodak to develop technology that made it possible to air films on "radio-vision." They responded by developing technology that enabled RCA to deliver Hollywood movies to prototype TV

sets located in 50 homes in New York City in 1935.

Jerry Fairbanks is generally credited with producing the first film show for television in 1947. He created a 17-1/2 minute weekly drama called *Public Prosecutor* for the Dumont network. In 1951, Desi Arnaz and Lucille Ball hired Academy Award-winning cinematographer Karl Freund, ASC (*The Good Earth*, etc.) to create "a film-look" for the *I Love Lucy* series. The quote is by Ted Rich, an editor on the series and other Desilu shows. He eventually became head of postproduction at Warner Bros.

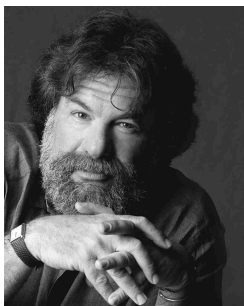
The promise of television as anticipated by Sarnoff has peaked and ebbed many times during subsequent years. FCC Chairman Newton Norman Minow delivered a wake-up call in a 1961 keynote speech at the NAB conference: "When television is bad, nothing is worse. I invite you to sit down in front of your TV set when your station goes on the air ... keep your eyes glued to that set until the station signs off. I can assure you that you will observe a vast wasteland."

The Caucus sponsored a 1995 seminar entitled *Television: Its Impact on Society* in the wake of the FCC mandate for a transition to digital transmission with an HDTV option. Symposium Chairman Charles W. Fries made this prescient observation: "The big

unanswered question is how will new media, including satellite delivery and new cable networks, affect the diversity and quality of programming?"

We asked five award-winning cinematographers to share their best dreams reflecting on the possibilities for the future of television as a theater in the home:

Robbie Greenberg, ASC has compiled such motion picture credits as Youngblood, The Milagro Beanfield War and Free Willy. In the last

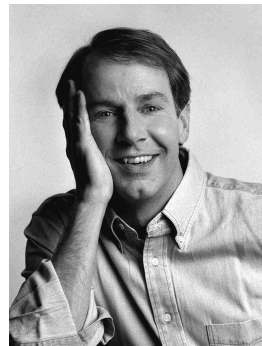


six years, he has earned Emmy Awards for the biopic telefilms Winchell and Introducing Dorothy Dandridge, and other nominations for James Dean and Iron Jawed Angels. Greenberg also took top honors in the annual American Society of Cinematographers (ASC) Outstanding Achievement Awards competition for Winchell, Dandridge and Iron Jawed Angels. All of his award-winning telefilms have aired on Home Box Office (HBO).

GREENBERG: HBO is telling the stories of our times. Their films are attracting top directors, actors and writers, which appeals to me as a cinematographer. No one is asking me to make compromises because these are television movies. I shoot them like they are movies for the cinema. I recently filmed *Warm Springs* for HBO. It's a story about the early life of President Franklin D.

Roosevelt. The director was Joe Sargent, and we had a great cast. HBO is broadcasting all films in 16:9 letterboxed format. That's important, because there is a big difference between an over-the-shoulder shot and a straight close-up that affects the story. I believe the audience for cable movies will continue to grow and that this audience will have high expectations. Every year, more people will have theaters in their homes with high definition and big, flat panel screens. Millions of people are choosing to see movies at home on television and later in DVD format. We need to commit to giving them great stories with the production values they deserve.

Tim Suhrstedt, ASC has earned nearly 70 narrative credits since 1980, including Mystic Pizza, Bill & Ted's Excellent Adventure, The Wedding Singer

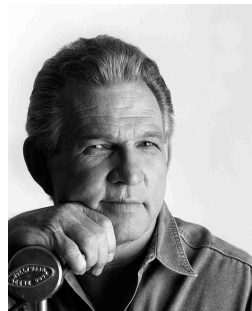


and Office Space for the cinema, and the television series The Wonder Years, Melrose Place, Picket Fences, Ally McBeal and Grey's Anatomy. He earned both an Emmy Award and an ASC Award nomination for his camerawork on the 1994 season of Chicago Hope.

SUHRSTEDT: I think episodic television took a giant leap forward during the early 1980s with *Hill Street Blues*, *St. Elsewhere* and other series that had distinctive looks

appropriate for the stories. It was a period when a lot of shows were working hard to create the rights looks. We are at a crossroads today. Everyone understands why images are important, but we are routinely shooting 14- and 15-hour days to make the schedule and that really takes a toll. Some episodic shows now have two cinematographers, so they each have a week of prep time between shows. One great possibility for the future is that this will become the norm. I believe this would result in both more interesting programs and more efficient shooting schedules. It will give cinematographers time to walk through locations, talk with the directors and pre-rig more efficiently. You will get more production value and shorter days. Another possibility for improving episodic television is getting more consistency in the way shows are aired by the networks. The director, cinematographer, art director, colorist and everyone else work hard to create the right looks for shows. The post facilities send D2 masters to the networks in New York, where the programs air at the scheduled time on the East Coast. Then they are bounced off satellites and downloaded by network engineers in other time zones. By the time a program airs in the Midwest and on the West Coast, it can have different look. I can't explain how frustrating it is when you shoot and time a dark and moody story, and then you see it aired like a bright, flatly lit comedy. That might sound like a small thing, but it affects how the audience reacts to the show on a subconscious level.

Donald M. Morgan, ASC has compiled some 65 narrative film credits since 1973, including the feature films



Dead and Living in New York, Christine and Starman. He has earned Emmys for Murder in Mississippi, Geronimo, Miss Evers' Boys, Out of the Ashes and Something the Lord Made, and other nominations for Elvis, Doublecrossed, The Siege at Ruby Ridge and For Love and Country: The Arturo Sandoval Story. Morgan has also claimed ASC Awards for Murder in Mississippi, Dillinger, Geronimo and The Siege at Ruby Ridge and other nominations for For Love and Country: The Arturo Sandoval Story and Out of the Ashes.

MORGAN: If movies are going to succeed on network television, the images have to be bolder and more cinematic. I was in Texas when a local station aired all the old *Godfather* movies. The audience loved them. HBO has the right idea. They are making movies the same way we make them for the cinema. When I am shooting a film for them, I am there to help the director tell a story. No one is telling us that a scene is too dark, or we need more close-ups. You don't have to dolly in and shoot a close-up in every scene, and the audience doesn't always want to see a character's eyes. Sometimes you want to conceal what they are thinking. Audiences are sophisticated. If someone

turns the light off in a scene, they expect the room to get dark. It's also important for the networks to show films in a widescreen 16:9 aspect ratio, because that allows us to put characters in their environments and compose scenes that pull audiences deeper into the story. I am seeing more interesting lighting and camerawork on some episodic series. That's encouraging. More and more people have theaters with big screens in their homes. If the networks don't give them cinematic films, audiences will be watching DVDs instead.

Tom Del Ruth, ASC has compiled some 70 credits, including such memorable features as The Breakfast Club, Stand by Me, The Running

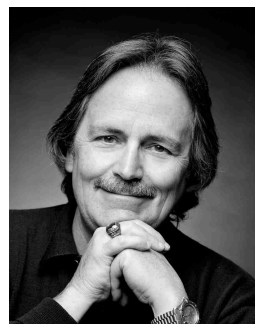


Man, Look Who's Talking and The Mighty Ducks. He has earned two Emmys and three nominations for The West Wing. He added four ASC Outstanding Achievement Awards for The West Wing and ER, and four more nominations for various episodes of The West Wing and one for The X Files pilot.

DEL RUTH: I shot *The West Wing* for five seasons because I loved the stories, scripts and cast. I remember (producer/director) Tommy Schlamme saying that restricting the way I approached lighting would be like telling a scriptwriter they could only use the first 15 letters in the alphabet. I can't think

of a single thing about the way I shoot movies that doesn't also apply to television. I also believe the future of television is broadening from a cinematographer's point of view. My next project is *Code Breakers*, a 35 mm movie with (director) Rod Holcomb that will air on ESPN. Who could have guessed that we would be shooting high-quality movies for ESPN? As a possibility for the future let's think about telling stories with three-dimensional images as a viable option for television. How about interactive dramas? We could shoot the same scenes with different actors in the same role, different twists in the story and with happy or sad endings. Individual viewers could choose their own versions. As another possibility for the future, I would like to see a collective body of network and cable industry executives consult with program producers and channel their collective knowledge into unexplored areas. Why not reach out to the national association of homebuilders and advocate designing homes that incorporate idealized media niches and environments for viewing television programs? I know this is non-traditional thinking, but maybe that's what we need today.

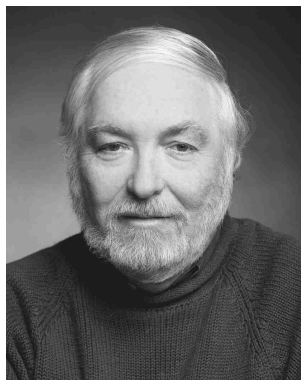
Roy Wagner, ASC has compiled some 40 credits for cinema and television films and episodic series since 1985. He has earned Emmy awards for



the pilot episodes of Beauty and the Beast and Quantum Leap, and other nominations for the miniseries Disaster at Silo 7 and for the series Gun. Wagner also won an ASC Outstanding Achievement Award for the miniseries Drug Wars: The Cocaine Cartel and was nominated for the series Beauty and the Beast. He is currently shooting the hit series House, M.D.

WAGNER: A reason why reality television is succeeding is that the audience can relate with the characters. Audiences have embraced *House* because the scripts are extraordinarily well written and Hugh Laurie is a brilliant actor who plays a character with a compelling personality. The moral is that episodic series can succeed if they are

stories about real characters who are vulnerable and fallible and have conflicts in their lives like all of us do. I have worked on successful shows where the camera was like a character. On *House*, the photography never draws attention to itself. It enhances what the characters say and do on a subliminal level. In one episode, the director felt the script called for a significant amount of handheld shots. Another director took a very noirish, darker approach that was right for telling that week's story. One promising possibility for the future is that as more locations in middle America provide tax incentives for filmmakers, like New Orleans, New Mexico and Arizona do, we'll see that reflected in more of a middle America mentality in both characters and their stories.



Bob Fisher has authored more than 2,000 articles about cinematographers and other filmmakers during the past 30-plus years. He has also moderated many panel discussions at film festivals, conferences and Internet chats for both the American Society of Cinematographers (ASC) and the International Cinematographers Guild (ICG).

CAUCUS MISSION STATEMENT

- Our mission is to protect and actively promote the artistic rights of producers, writers and directors. We actively oppose any interference with these creative rights whether they originate from government, studios, networks, or special interest pressure groups.

- We are opposed to the growing concentration of ownership of development and television production in fewer and fewer hands. When a small number of mega-corporations control the vast majority of the process, diversity of voice is threatened, and our creative rights and our ability to compete as entrepreneurs are gravely endangered.

- We are aware of the powerful impact of television and we will strive to elevate program quality and encourage responsible programming for the public.

- Our continuing task is to increase communication among Caucus members about creative and business issues in the television industry and communicate our concerns to those outside our organization.

- From time to time we will lend our support to other groups and causes that support our mission.

CAUCUS FOR TELEVISION PRODUCERS, WRITERS & DIRECTORS – May 2005

| | | | |
|---------------------|--------------------------|---------------------|----------------------|
| Abbott, Chris | Desiderio, Frank | Ireland, John | Reynolds, Gene |
| Abrams, Gerry | Dunbar, Maura | Isenberg, Jerry | Rich, John |
| Arbus, Loreen | DiBona, Vin | Jaffe, Michael | Rush, Herman |
| Bast, William | Doniger, Walter | Jameson, Jerry | Sacks, Alan B. |
| Bellisario, Donald | Dore, Bonny | Jeffries, Georgia | Sandrich, Jay |
| Benz, Gary | Dortort, David | Johnson, Charles | Sargent, Joseph |
| Bergmann, Ted | Doty, Dennis | Floyd | Sarnoff, Thomas |
| Berzner, John | Downing, Stephen | Kanin, Fay | Schankowitz, Peter |
| Binder, Steve | Felton, Norman | Karpf, Merrill | Schlatter, George |
| Blinn, William | Fenady, Andrew J. | Keach, James | Schultz, Barbara |
| Boden, Bob | Field, Fern | Kemp, Barry | Schwartz, Al |
| Braverman, Michael | Finkel, Robert S. | Lachman, Mort | Selzer Lang, Liz |
| Bright, Kevin | Finney-Johnson, Sarah | Lafferty, Perry | Sertner, Robert M. |
| Bruckheimer, Jerry* | Fontana, Tom | Lathan, Stan | Seymour, Jane |
| Burnett, Mark* | Fries, Charles W. | Levine, Lauren | Shea, Jack |
| Burns, Allan | Gay, John | Leder, Mimi* | Sherman, Harry R. |
| Burrows, James* | Gerber, David | Lovenheim, Robert | Silverman, Fred |
| Burton, Al | Gimbel, Roger | Lux, Dan | Smith, Gary* |
| Campanella II, Roy | Goodson, Jonathan | Markell, Bob | Solt, Andrew |
| Carter, Thomas | Green, Jim | McNeely, Jerry | Spelling, Aaron |
| Cates, Gil | Greenwald, Robert | Marshall, Garry | Spencer, Alan |
| Cherbak, Cynthia | Grossman, Gary | Milch, David* | Stanley, David G. |
| Chermak, Cy | Gurin, Phil | Miller, Lee | Stern, Leonard |
| Chetwynd, Lionel | Guillaume, Donna | Moffitt, John C. | Stevens, Jr., George |
| Cohen, Harold D. | Brown | Moore, Terry | Stone, Scott A. |
| Colla, Richard A. | Halmi, Sr., Robert | Nasraway, Michele | Strangis, Greg |
| Considine, Dennis | Hampton, Sally | Paolantonio, Bill | Telles, Rick |
| Converse, Tony | Hanks, Tom | Papazian, Robert | Thicke, Todd |
| Cooper, Hal | Hart, Tanya | Peterkofsky, Eric | Vincent, Edward |
| Cosgrove, John | Hargrove, Dean | Petrie, Jr., Dan | Duke |
| Cossette, Pierre | Harris, Susan* | Petrie, Dorothea G. | von Zerneck, Frank |
| Culver, Carmen | Harter, Holly | Pierson, Frank | Weller, Robb |
| Curtis, Dan | Hill, Leonard | Powell, Norman | Winkler, Henry |
| Day, Linda | Hopkins, Anne | Pratt, Deborahm | Witt, Paul Junger |
| Denoff, Sam | Horvitz, Louis J. | Price, Frank | Wolf, Dick |
| de Passe, Suzanne | | Rees, Marian | Zinberg, Michael |

* Honorary Member

THE CAUCUS FOUNDATION

Officers

Charles W. Fries – President
Jerry Isenberg – Executive VP
Bonny Dore – Vice President
Fay Kanin – Vice President
Lee Miller – Secretary
Bob Finkel – Treasurer

Directors

John Berzner
Bill Blinn
Roy Campanella, II
Gary Grossman
Holly Harter
Chas. Floyd Johnson
Stan Lathan
Gene Reynolds
Fred Silverman
Michael Zinberg

Advisory Council

Bruce Berke
Leo Chaloukina
Randal Paris Dark
Ric Halpern

If you wish to contribute to The Caucus Foundation, please send donations to The Caucus Foundation, Suite 106, PMB 137, 2829 N. Glenoaks Boulevard, Burbank, CA 91504-2660 or email them at CaucusFoundation@aol.com.

The Editorial Board of *The Journal of the Caucus for Television Producers, Writers & Directors* welcomes letters from its readers.

Publication and distribution of
The Journal of the Caucus for Television Producers, Writers & Directors
is made possible by a grant from Eastan Kodak Company.