The effort to shelter children from sex and violence in the media is gaining momentum in Congress. But deciding what's off-limits isn't easy, as Bob Ratcliffe can attest.

As senior attorney in the Federal Communications Commission's mass media bureau, it's Ratcliffe's job to review tapes sent by angry radio listeners and television viewers and decide whether broadcasters have made "indecent" transmissions during hours when children are likely to be awake.

Ratcliffe concedes he has no easy rules to rely upon, just a 29-word definition of indecency; he can also look at past FCC rulings. But even the oft-cited "seven dirty words" aren't necessarily barred from daytime television anymore, he says, while other words may be. "You have to know the entire context in which the material appears," he says.

Recent events suggest that referees like Ratcliffe are likely to be called on more and more. Last week, a federal appeals court upheld the FCC's right to bar indecent material from broadcast during hours when children may be in the audience. In an interview Wednesday, FCC Chairman Reed Hundt said the ruling also means it's "clearly constitutional" for Congress to require the FCC to do the same for violent programming. The Senate Commerce Committee held a hearing Wednesday on legislation that would do just that.

Earlier this week President Clinton endorsed legislation to require television sets to have a "v-chip," allowing parents to block out objectionable programming. Such legislation has already passed the Senate, and House Democrats planned to file a v-chip bill Thursday that would require the FCC to help create a ratings system.

But sorting out the objectionable from the unobjectionable is a task fraught with nuances, subjectivity and judgment calls. Under Ratcliffe, whose decisions are usually endorsed by the full five-member commission, a Seattle television station didn't run afoul of the rules by showing graphic scenes in a sex-education class because the news segment was "legitimate and instructive." But in an earlier case, the FCC fined a St. Louis radio station $2,000 for reading explicit portions of a Playboy interview with Jessica Hahn, who alleged she was raped by evangelist Jim Bakker. Sheep sounds playing in the background "suggested this was a pandering recitation," Ratcliffe says, adding that he takes into account how often risque material is repeated.

Both broadcasters and their critics rail about the unpredictability of such decisions. Steven Bookshester, associate general counsel of the National Association of Broadcasters, says he's given up trying to write guidelines for radio and television stations about what to avoid. He finds it too hard to interpret some of Ratcliffe's indecency decisions - like the one citing a Tennessee rock station that used the slogan: "It takes b- - to rock hard. We keep it harder, longer."
Should one person be the arbiter of taste and fashion for the United States? Bookshester asks.

Ratings systems for the Internet are rapidly being developed by private companies trying to keep ahead of congressional action. The Senate has passed a measure making it illegal to post indecent material on the Internet without trying to ensure minors don't see it. House leaders are considering a measure allowing on-line services to screen material without the legal risk of being considered "active publishers."

Companies developing the rating and screening systems face challenges similar to the FCC's. They could use screening systems that block electronic messages containing vulgarities, but what about implied vulgarities? America Online Inc. and Prodigy Services Co. - a partnership of International Business Machines Corp. and Sears, Roebuck & Co. - now issue warnings to subscribers who mask four-letter words with asterisks.

Surfwatch Software Inc., a Los Altos, Calif., firm that markets a system to screen offensive material from the Internet, makes even more subtle judgments, using a panel of parents and teachers for tough calls. Jay Friedland, vice president of marketing and sales, says the group judged out-of-bounds one risque electronic-chat group called Nancy, in part because the name might attract children. But a World Wide Web site on teenage suicide was judged important enough to leave unblocked, even though it contained sexually explicit material.

Broadcasters fear the gray areas will be even grayer if they have to develop rating systems for violence, language and nudity on TV. If a borderline program was judged violent and blocked by v-chips, it could mean the loss of millions of dollars of advertising revenue.

"It's easy to take the extremes, like 'Texas Chainsaw Massacre,' but what do you do about 'Boyz N the Hood'?'" says Martin Franks, who heads CBS Inc.'s Washington office.

Lawmakers differ about what violence is acceptable. During a hearing last year, senators argued over whether a barroom brawl in the TV comedy "Love & War" was violent or just funny. Wednesday, Democratic Rep. Ed Markey of Massachusetts, an avid supporter of the v-chip, said "parents don't care whether the violence is gratuitous or not." But his Senate colleague, Democrat John Kerry, worried that films about Vietnam or World War II could be blocked if Congress passes an overly broad violence measure.

Those who think a violence-rating system can work point to the networks' growing use of parental advisories about violence, which often get attached to movies and police shows. In Canada, cable systems are testing a viewer-choice device that sits atop a TV set and allows parents to select violence, sex and strong-language levels on a scale of one to nine. "'Bambi' or 'Snow White' is a one, and gratuitous machine-gunning of children is a nine," says Ken Fowler, senior vice president, planning, for Shaw Communications, Canada's second-largest cable concern.
If the FCC ends up policing TV violence, though, it would need a single definition. Its definition of indecency is "language or material that, in context, depicts or describes in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory activities or organs." It's a narrower definition than obscenity, which isn't protected by the First Amendment and can't be shown at any hour.

For violence, Hundt said the FCC could use a "composite" definition from some of the 3,000-odd academic studies of the impact of TV violence on children. That's unlikely to give much comfort to broadcasters; they say one study cited as excessively violent some news footage of a paddling demonstration that didn't even use a real person's posterior.