

F.C.C. 70-1196

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

In the Matter of
AMENDMENT OF THOSE PROVISIONS OF PART 73
OF THE COMMISSION'S RULES WHICH DE-
SCRIBE AND DELIMIT THE NATURE OF NON-
COMMERCIAL, EDUCATIONAL FM AND TELE-
VISION BROADCAST SERVICE, AND RELATED
MATTERS. (SECTIONS 73.503 AND 73.621)

MEMORANDUM OPINION AND ORDER

(Adopted November 4, 1970; Released November 10, 1970)

BY THE COMMISSION: COMMISSIONER BARTLEY ABSENT; COMMISSIONER ROBERT E. LEE CONCURRING AND ISSUING A STATEMENT; COMMISSIONER JOHNSON DISSENTING AND ISSUING A STATEMENT.

1. By Memorandum Opinion and Order released May 11, 1970 (FCC 70-487)¹ the Commission amended its rules concerning non-commercial educational FM and television stations, particularly with respect to what announcements are permissible or required in connection with the furnishing by other parties of program material or funds for the production of programs or station operation. The new rules were made effective June 17, 1970.

2. On June 3, 1970, the National Association of Educational Broadcasters (NAEB) filed a "Petition for Clarification and/or Modification of Order", seeking either clarification of the rules adopted in the May 11 action, or some modification in their provisions, chiefly with respect to permissible "credits" when private businesses underwrite either particular programs or general ETV station operating expenses covered in Notes 1 and 2 of the rules as amended. Eight areas were mentioned. Pending further consideration of the matters raised in the NAEB petition, the effective date of the rules adopted in May was postponed, first until August 4, 1970 and finally until November 30, 1970.

3. We believe that some of the NAEB's requested clarifications and modifications may be adopted, wholly or partly, without impairing the noncommercial character of educational broadcasting. Therefore changes along the lines discussed in the following paragraphs appear appropriate and are adopted herein.

4. *Conforming the new FM and TV rules as to furnishing funds for program production, and "repeat" programs (paragraphs 3(a) and 3(b) of the NAEB petition)*: The first sentence of Note 1 of Section

¹ 22 FCC 2d 903, 19 R.R. 2d 1501.

73.503, as amended in the May 11 action, provides as to FM stations that:

Announcements of the producing or furnishing of programs or the provision of funds for their production may be made no more than twice, at the opening and at the close of any program.

The italicized language was omitted from the corresponding rule for television, Note 1 to Section 73.621, as NAEB points out in its subparagraph 3(a). The omission was inadvertent, and the same language is being added to the TV rule.

5. In its subparagraph 3(b), NAEB points out that often ETV stations repeat the same program within a short time; e.g., "Sesame Street" may be presented more than once on Saturday mornings. It asks that Note 1 be clarified to make it apparent that credit announcements are permitted at the beginning and end of each broadcast. This was the intent of the rule, and language is added to Note 1 of Sections 73.503 and 73.621 accordingly.

6. *Permissible announcements in long programs.* Note 1 to both the FM and TV rules, as adopted in May, Sections 73.503 and 73.621, states that "credit" announcements concerning furnishing or making possible the presentation of a particular program may be made no more than twice, at the beginning and end of a program. In its paragraph 3(c), NAEB calls attention to programs of long duration, such as the recent "Andersonville Trial", city council meetings, hearings, etc., and it is asked that in such material more frequent announcements be permitted, i.e., once per hour during programs more than an hour in length.

7. We agree that in these cases more frequent announcement should be permitted, to inform the audience of the identity of the person furnishing the material or making its presentation possible. Accordingly, we are changing Note 1 to these sections to provide that, in addition to the announcement at the beginning and end of the program, in the case of programs of more than an hour duration announcements may be made at hourly intervals, but no such additional announcement shall be made where the closing announcement will be made in less than 15 minutes.

8. *Permissible identification of the donor or underwriter.* The Notes added in the May 11 action limit announcements to the identification "by name only" of the person or organization furnishing the program or contributing. In the request contained in subparagraph 3(d) of its petition, NAEB requests that this be relaxed somewhat, to permit a brief descriptive line of identification. It is urged that this is necessary in some cases if the purpose of Section 73.654 of the TV rules (sponsorship identification) is to be met and the "full and fair disclosure of the true identity" of those paying for broadcast matter adequately obtained. NAEB suggests as appropriate brief identifications such as "XYZ Company, stockbrokers and investment bankers", or "ABC, Inc., makers of athletic footwear." It is stated that, for example, on occasion two companies in the same community have almost exactly the same name, and a brief description of the nature of the business of the contributing enterprise is necessary to distinguish it from the other. NAEB also asserts that considerable under-

writing support is contributed by subsidiaries of larger, more identifiable corporations, *e.g.*, "American Home Foods, a Division of General Foods", and that reference to the parent entity would more adequately convey the identity of the underwriter.² It is also claimed that the new rules are inconsistent in some cases, permitting mention of the corporate name but at the same time prohibiting mention of a product, where in some cases, such as Ford and Coca Cola, the corporate name includes the name of the product.

9. With respect to the last point mentioned, the prohibition against product mention was intended only to apply to mention of the product as such, *e.g.*, Ford cars or the carbonated beverage called Coca Cola. If the same name appears in the corporate (or division) name, its use is appropriate to that extent, and the rules are clarified herein accordingly. With respect to the matter of "division" mention, some modification in this respect appears appropriate, since a substantial amount of underwriting is done on the basis of contributions by divisions, *e.g.*, "the Buick Division of General Motors". Such situations have increased in recent years with the tendency toward mergers and acquisitions. Accordingly, the rule is revised to permit mention of a "division" or "subsidiary" instead of the main company, *only if the "division" or "subsidiary" is in fact the donor or underwriter, and if the entity is a bona fide operating division.* These two restrictions are designed to prevent undue use of this device to obtain product mention.

10. With respect to the third point raised by NAEB—permitting a brief descriptive line to be added to the identification by business name—we cannot agree that this is appropriate as a matter of general policy and practice. In our judgment, this is not necessary to provide adequate disclosure to the audience as required by Section 317 of the Communications Act (particularly in view of the "division" mention permitted above) and would tend toward undue commercialization of the medium. In particular, it would appear likely to lend itself to extension of the description to a point which would be virtually the same as "institutional advertising", such as "craftsmen of fine furniture" or "located at 13th and F Streets in Centerville." Accordingly, such material is not permitted under the Notes adopted herein. We recognize that there may be cases such as those referred to by NAEB, where the donor company has a name virtually the same as that of another business in the community. In these cases, a brief description will be permitted to the extent necessary to avoid confusion. These cases can and will be handled on the basis of request for waiver of the rule.

11. *Credit announcements in previously produced material; existing underwriting arrangements.* In its paragraph 3(f), NAEB asks that where material produced before the effective date of the new rule contains underwriting "credit" announcements beyond those permitted under the new provisions, its broadcast should be permitted without the stations having to delete the credits which contravene the new limitations. Otherwise, it is claimed, ETV stations will have to assume the task of reviewing, and if necessary, editing, a large volume of

² In some other requests to the Commission in past years, the matter has been put the other way, that identification of a corporate *division* should be permitted where the contribution has been made by the division rather than the corporation.

material to remove the excessive credits, a heavy burden in time, labor and physical resources on stations already under a heavy financial load.

12. We believe that some relaxation in this respect is appropriate, as to material previously produced and that which is now in production. Accordingly, new Note 3 to Sections 73.503 and 73.621 states that the limitations in Notes 1 and 2 do not apply to program material the production of which was completed before January 1, 1971.

13. NAEB makes a further request in this connection, that *existing underwriting arrangements*, going beyond the limitation adopted, be permitted to be honored, with the new rules applying only to subsequent arrangements. It is urged that any change in these "could well" lead to their cancellation, to the financial detriment of the stations. NAEB asks that a period of adjustment be permitted in this respect, similar to the transitional period often granted by the Commission in connection with new regulation, such as in the proposed abolition of cigarette advertising.

14. We do not agree that any *general* adoption of this principle is warranted. We viewed the rules adopted in May as representing reasonable restrictions and limitations, clearly required in the public interest to preserve the noncommercial character of educational broadcasting. For the most part, and in this respect in particular, we are of the same view. Anything going beyond what is permitted by the new rule is thus objectionable, and should be prohibited. We do not agree that the change involved here is such a radical departure as to warrant an extended "turnaround period", as with the elimination of cigarette advertising. We are permitting existing arrangements (as of November 30, 1970) to continue outside the new restrictions until the end of 1970, just as with program material as mentioned above. In our judgment, this period—some two months from now, and more than seven months from the date of public release of our original action—is a sufficient transitional period.

15. *Applicability of the new rule to credits of noncommercial, non-profit contributors.* Subparagraph 3(g) of the NAEB petition asks that the rule exempt completely, and thus not impose any restriction on, credits for *noncommercial or non-profit* contributors, such as the Corporation for Public Broadcasting, the Ford Foundation, or State or regional entities. It is urged that no restriction on such announcements is needed, to preserve "the essential noncommercial character of these services which permits them to fulfill the unique and important role in our society which they do." Therefore it is asked that no restriction on such announcements be imposed.

16. We agree in large part, since the principal reason for a restriction on "credit" announcements is absent in these cases, as NAEB points out. Accordingly, they are exempted from the new Notes as such. However, we point out that there is another pertinent aspect to this matter: the avoidance of excessive "clutter", which can arise as much from announcements mentioning these sources as from "credits" to commercial underwriters. Educational stations are expected to avoid the excessive presentation of announcements of this character, particularly where they interrupt program continuity. We also point out

that any numerical restrictions in the area are intended to apply only to announcements of a "credit" or "identification" nature, concerning those responsible for furnishing or making possible the presentation of program material. They do not apply to *general public service announcements*, which may be presented on ETV or educational radio through some of the agencies, such as a State urging the prevention of forest fires.

17. *Applicability to ETV "auctions"*. A feature of ETV operation in many cases is the annual "auction", lasting usually from three days to a week. Local businesses, foundations and individuals contribute goods or services which are auctioned on the air. Often, the broadcast time for these affairs is underwritten by a company or group of companies, *e.g.*, one for each day, and the station gives frequent exposure to their products as displayed in the auction area or to a visual image of the name or product, as well as credit announcements. NAEB states that these are highly important activities, both in increasing the station's contact with the community (and getting additional subscribers) and in obtaining money. It is stated that during the year from July 1968 through June 1969, 24 ETV stations held auctions, with a total net income of nearly \$2,000,000 and a median net income of about \$80,000. It is urged that these essential annual events must be specifically excepted from the restrictions of the rules.

18. We agree with NAEB that these activities, still highly important in the financing of a number of ETV operations, should be treated somewhat more liberally than educational broadcasting generally, and accordingly a special Note to the educational FM and ETV rules will govern them. These Notes provide, essentially, that for "auction" periods, the regular rules do not apply to the "auction" broadcasts. No quantitative limit is placed on *aural* "credits" giving the name of the underwriter (and division or brief description if appropriate), or on *visual* exposure of its name, trademark and product or representation thereof, if displayed within the auction area. In "credits" during auction periods, while they may identify particular products or services, any *promotion* of such products or services, beyond that which is required for the specific auction purpose, is inappropriate, and is prohibited.

19. However, while we are relaxing the rules adopted in May to the extent indicated, we believe it also appropriate to express reservations about the public-interest character of these practices. Mention and praise of products and services to this extent is undoubtedly of a somewhat "commercial" nature, closely akin to regular advertising, even though it takes place for only a limited time during the year and is for a highly desirable purpose. Moreover, we are inclined to question whether it is basically in the public interest for ETV stations to devote a number of days each year essentially to the process of promoting products and services, and selling them at the highest possible price. We are not disposed to consider any further liberalization of the rules adopted herein, and, if and when other means of financing ETV operation become better established, we intend to re-examine this practice to see whether auctions should be permitted any longer—at least in the present form.

20. "Note 2" credits for general contributions, particularly by multiple underwriters. NAEB's remaining request (subparagraph 3(e) of its petition) has two specific parts: (1) clarification as to whether Note 1 (individual programs) or Note 2 (general contributions) applies when all or part of a broadcast day is taken up with a particular program or repeats, such as an all-day legislative session or repeats of "Sesame Street" on Saturday mornings; (2) whether the Note 2 requirement concerning three announcements per day for general contributors means three for each of a group of contributors, or a total of three for all. It is also urged that the Note 2 limitation to three announcements is too restrictive, not apprising the audience often enough, and that announcements concerning general contributions, as well as announcements relating to individual programs, should be permitted hourly as well as at the opening and closing of the underwritten part of the day. It is said that if this is adopted, Notes 1 and 2 might well be combined.

21. We agree that some modification of the rule is appropriate in this area, and that announcements of general contributions need not be limited exactly as they have been by Note 2 as adopted in May. Certainly, where only one such contributor is involved in an entire day's program, it does not appear appropriate to limit him to three announcements. We believe that appropriate resolution of the various problems mentioned in the previous paragraph, including that of multiple underwriters, is to permit announcements at the opening and close of the day or segment thereof involved, listing all of the general contributors, and in addition *announcement of one general contributor per hour*. Note 2 to Sections 73.503 and 73.621 is revised to read accordingly.

22. Authority for the rule amendments discussed above, which are contained in the Appendix hereto, is found in Sections 4(i), 303(b) and (r) and 317 of the Communications Act of 1934, as amended. Some of them, the first of two matters mentioned, are clarifying in nature. The rest are substantive changes in at least some degree, but generally they are relaxations of restrictions as compared to the rules adopted in May 1970, in FCC 70-487. Their adoption is required in the public interest, to provide for reasonable identification of those furnishing or making possible the presentation of broadcast material, and at the same time to preserve the noncommercial character of educational FM and television broadcasting. Therefore, we conclude that the prior rule making proceedings usually required by the Administrative Procedure Act (5 U.S.C. § 553) are not required or appropriate. The rules adopted May 6, 1970, with the amendments to the Notes thereto adopted herein, will become effective November 30, 1970, the date they are now scheduled to become effective under the last extension of the "stay".

23. *The Commission's concern with "commercialization" of the educational broadcast services.* While we believe that rule amendments along the lines discussed above are appropriate and can be made without impairing the noncommercial character of these services, nonetheless we are concerned with what appear to be practices and tendencies in the presentation of these "credit" announcements. For

example, we note NAEB's statement that enforcement of the restrictions on permissible "credits" adopted in our May action "could well result" in cancellation by underwriters of their existing agreements. This appears to indicate that, likely to an undesirable extent, contributions by private business enterprises are made in return for substantial exposure. We are also concerned by other developments such as regular association of a particular commercial underwriter—and credits for it—with particular programs, especially where the program involved is one related particularly to the underwriter's products. Aside from the "exposure" aspect of such arrangements, it may well be that they lead toward an undue channelling of educational broadcasting time and effort into programs which are presented because they are likely to draw such support, and which to some extent duplicate the material on commercial stations. The matter of extended and rather commercial "auction" activities is also something we intend to consider in the future, as indicated in paragraph 19. We are not presently beginning a formal inquiry into these matters; but we will study any trends in this respect carefully from now on, to determine whether any further restriction on such credits are needed in the public interest. It follows from these observations that we are not disposed to consider any further liberalization of the rules concerning permissible "credits", beyond those adopted herein.

24. *Announcements required by the May 1970 rules.* The changes in Sections 73.503 and 73.621, adopted in May 1970 (FCC 70-487), included other matters besides the Notes concerning permissible announcements, which are the subject of the NAEB's petition and have been discussed above. These included language in the text concerning the payment of line charges, and specific reference to the station's obligation to make announcements when required to implement the purposes of Section 317 of the Communications Act and the Commission's sponsorship identification rules insofar as they apply to noncommercial operations. Thus, Sections 73.503(d) and 73.621(e), as amended in that action, specifically make applicable to these stations Sections 73.289 and 73.654, the sponsorship identification rules, to the extent they apply to program material furnished or produced by or at the expense of others. This particularly applies where the program material furnished through outside sources relates to a controversial issue of public importance or a political broadcast, in which case an identification of the party responsible for the program is required. These new provisions were stayed in effect along with the Notes involved here. They will now become effective at the same time as the Notes as amended in the present action, and compliance therewith is expected and will be enforced.

25. In view of the foregoing, **IT IS ORDERED**, That, effective November 30, 1970, the Notes following Sections 73.503 and 73.621 of the Commission's Rules **ARE AMENDED**, as set forth in the Appendix hereto.

26. **IT IS FURTHER ORDERED**, That Sections 73.503 and 73.621 of the Commission's Rules, as amended May 6, 1970 (FCC-487, released May 11, 1970), and as further amended herein with respect to the Notes following these sections, **ARE EFFECTIVE** November 30, 1970.

27. IT IS FURTHER ORDERED, That the "Petition for Clarification and/or Modification of Order" filed on June 3, 1970, by the National Association of Educational Broadcasters IS GRANTED, to the extent indicated hereinabove, and in all other respects IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE, *Secretary*.

APPENDIX

In §§ 73.503 and 73.621, the Notes following these sections are amended, and additional Notes are added, to read as follows:

§ 73.503 *Licensing requirements and service.*

* * * * *

NOTE 1: Announcements of the producing or furnishing of programs, or the provision of funds for their production, may be made no more than twice, at the opening and at the close of any program, except that where a program lasts longer than one hour an announcement may be made at hourly intervals during the program if the last such announcement occurs at least 15 minutes before the announcement at the close of the program. The person or organization furnishing or producing the program, or providing funds for its production, shall be identified by name only, except that in the case of a commercial company having *bona fide* operating divisions or subsidiaries one of which has furnished the program or funds, the division or subsidiary may be mentioned in addition to or instead of the commercial company. No material beyond the company (or division or subsidiary) name shall be included. Upon request for waiver of this provision, the Commission may authorize the inclusion of brief additional descriptive material only when deemed necessary to avoid confusion with another company having the same or a similar name. No mention shall be made of any product or service with which a commercial enterprise being identified has a connection, except to the extent the name of the product or service is the same as that of the enterprise (or division or subsidiary) and is so included. A repeat broadcast of a particular program is considered a separate program for the purpose of this Note.

NOTE 2: Announcements may be made of general contributions of a substantial nature which make possible the broadcast of programs for part, or all, of the day's schedule. Such announcements may be made at the opening and closing of the day or segment, including all of those persons or organizations whose substantial contributions are making possible the broadcast day or segment. In addition, one such general contributor may be identified once during each hour of the day or segment. The provisions of Note 1 of this section as to permissible contents apply to announcements under this Note.

NOTE 3: The limitations on credit announcements imposed by Notes 1 and 2 of this section shall not apply to program material, the production of which was completed before January 1, 1971, or to other announcements broadcast before January 1, 1971, pursuant to underwriting agreements entered into before November 30, 1970.

NOTE 4: The provisions of Notes 1 and 2 of this section shall not apply during the broadcast times in which "auctions" are held to finance station operation. Credit announcements during "auction" broadcasts may identify particular products or services, but shall not include promotion of such products or services beyond that necessary for the specific auction purpose.

NOTE 5: The numerical limitations on permissible announcements contained in Notes 1 and 2 of this section do not apply to announcements on behalf of noncommercial, non-profit entities, such as the Corporation for Public Broadcasting, State or regional entities, or charitable foundations.

§ 73.621 *Noncommercial educational stations.*

* * * * *

NOTE 1: Announcements of the producing or furnishing of programs, or the provision of funds for their production, may be no more than twice, at the opening and at the close of any program, except that where a program

lasts longer than one hour an announcement may be made at hourly intervals during the program if the last such announcement occurs at least 15 minutes before the announcement at the close of the program. The person or organization furnishing or producing the program, or providing funds for its production, shall be identified by name only, except that in the case of a commercial company having *bona fide* operating divisions or subsidiaries one of which has furnished the program or funds, the division or subsidiary may be mentioned in addition to or instead of the commercial company. No material beyond the company (or division or subsidiary) name shall be included. Upon request for waiver of this provision, the Commission may authorize the inclusion of brief additional descriptive material only when deemed necessary to avoid confusion with another company having the same or a similar name. No mention shall be made of any product or service with which a commercial enterprise being identified has a connection, except to the extent the name of the product or service is the same as that of the enterprise (or division or subsidiary) and is so included. A repeat broadcast of a particular program is considered a separate program for the purpose of this Note.

NOTE 2: Announcements may be made of general contributions of a substantial nature which make possible the broadcast of programs for part, or all, of the day's schedule. Such announcements may be made at the opening and closing of the day or segment, including all of those persons or organizations whose substantial contributions are making possible the broadcast day or segment. In addition, one such general contributor may be identified once during each hour of the day or segment. The provisions of Note 1 of this section as to permissible contents apply to announcements under this Note.

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NOTE 4: The provisions of Notes 1 and 2 of this section shall not apply during the broadcast times in which "auctions" are held to finance station operation. Credit announcements during "auction" broadcasts may identify particular products or services, but shall not include promotion of such products or services beyond that necessary for the specific auction purpose. Visual exposure may be given to a display in the auction area including the underwriter's name and trademark, and product or service or a representation thereof.

NOTE 5: The numerical limitations on permissible announcements contained in Notes 1 and 2 of this section do not apply to announcements on behalf of noncommercial, non-profit entities, such as the Corporation for Public Broadcasting, State or regional entities, or charitable foundations.

CONCURRING STATEMENT OF COMMISSIONER ROBERT E. LEE

I concur. However, I would have imposed less restrictive limitations on identifications than herein promulgated. It is my concern that such restrictions may curtail corporate participation in educational broadcasting.

DISSENTING OPINION OF COMMISSIONER NICHOLAS JOHNSON

Whether or not "the business of America is business," the education of America, the art and culture of America, the spirit of America need not be business.

When "commercial" radio began all agreed that it offered such a tremendous opportunity for education, information and enlightenment that "it is inconceivable that we should allow so great a possibility for service to be drowned in advertising chatter." Hoover, *Memoirs: The Cabinet and the Presidency*, p. 140, quoted in Barnouw, *A Tower in Babel*, p. 96; ". . . [I] an opposed to direct advertising

on the air . . . stating prices, a direct 'plug' if I may use that term, for one commodity." Merlin Hall Aylesworth, President, National Broadcasting Company, Hearings Before the Senate Comm. on Interstate Commerce on S. 6 [Commission on Communications], Jan. 15, 1930, p. 1705. "Advertising that is done should be done primarily for the purpose of building good will rather than for the purpose of building up direct sales . . . we do not permit direct selling on the air in evening hours." William S. Hedges, President, National Association of Broadcasters, *Ibid*, Jan. 16, 1930, pp. 1752-53. See also Head, *Broadcasting in America*, pp. 122-24. The programming was provided by RCA simply as a public service, a loss leader to help sell radio receivers.

The first break in this commitment was institutional identification of those corporations that made contributions to help sustain the programming expense.

The next was the relation of institutional identification to particular programs, often related to the products of the corporation.

The next stage was the more repeated interruption of programs, the mention of products, and finally that modern-day propaganda art form: the "commercial."

That "non-commercial" broadcasting is well on its way down the same road seems obvious.

Non-commercial television's great strength was to be its availability as an alternative to corporate culture.

We then began to see brief credit crawls mentioning large corporate givers.

Then corporations wanted association with particular shows related to their products: Safeway's sponsorship of the Julia Childs' cooking program, the McCall's Patterns sewing program, TWA's sponsorship of New York City's Channel 13 11:00 p.m. news.

Now they want more mentions throughout the day.

Public broadcasting is still facing formidable problems, despite its prominent programming successes with very little money. Permanent funding divorced from governmental control over content is not a reality—and there is no indication that the present Administration will perform on its obligation to make recommendations to the Congress. The FCC has been lukewarm in asserting its leadership.

The influence of big business and "establishment" domination over public broadcasting is a growing problem as the medium gains in resources and initiative, and turns its attention to controversial issues which are avoided or addressed sporadically by commercial broadcasting. Almost every issue of *Variety* brings stories of public broadcasting's compromises—or the pressures to force those compromises—whether it be in review of certain aspects of American foreign policy, analysis of electric power interconnection and "blackout-brownout" problems, criticism of commercial content in advertising, or now programming on banking and the poor. Speculation regarding the relationship between Mobil Oil's \$1 million contribution to public broadcasting and the coincidental cancellation (or postponement) of the televised Ralph Nader critique of Mobile Oil's commercials is only the latest. See *Variety*, Oct. 7, 1970 p. 25; Oct. 21, 1970 p. 27; Oct. 28,

1970 p. 38. And see *Wash. Post*, Nov. 7, 1970, p. A-16 (banking and the poor). Representatives sit on the boards of directors of many public broadcast entities and their presence is felt in control over programming content. This problem of corporate control and censorship must be addressed with all the courage and wisdom public broadcasting can muster—and resistance to outside pressures must be resolute or public broadcasting will lose its very reason for existence.

If public broadcasting is ever to come close to its potential, the FCC simply must provide the atmosphere and direction which will establish and maintain steel in the backbone of public broadcasting. Corporate giving now provides less than 5% of public broadcasting's income. There will never be an easier time than now to address the issue.

I respect my colleagues sincerity in their expression "this far and no further." I just think we've already gone too far, and that they're going to have a tough time holding the line against those burly professional ball players who are about to come charging down the field.

26 F.C.C. 2a
