

It would be unfortunate, indeed, if such an important function as the distribution of information should ever fall into the hands of the Government. It would be still more unfortunate if its control should come under the arbitrary power of any person or group of persons. It is inconceivable that such a situation could be allowed to exist.

Much of the regulation of broadcasting in the public interest is intended to prevent undue concentration of control in broadcasting. The diversification doctrine, limiting the number of stations which may be owned by the same interest, serves this purpose. So does the duopoly rule, preventing ownership of two broadcasting stations of the same type in the same community.

The Commission has sought to maximize service and program viewpoints and, thus, to prevent any person or group from exerting disproportionate influence upon public opinion through broadcasting. Commission policies encouraging entry of new program sources, networks, stations, and systems of program service, and competition between all components of the industry have the same purpose. Requiring all-channel receivers was for these purposes.

The concern over undue influence upon public opinion via broadcasting was recognized by the Congress when it provided that the licensed broadcaster could acquire no property interest in the channel and that property in the channels was reserved to the public.

This concern for potential control of public opinion by a few was recognized by the Congress when in section 18 of the Federal Radio Act of 1927, it adopted the policy of equal opportunities in use of broadcast facilities by candidates for public office. The Congress appreciated that radio is a powerful instrument of communication and that misuse of it in political campaigns could cause serious harm in a free society.

Two years later in the *Great Lakes* case, the Commission extended this concept of fairness in political campaigns to broadcasts dealing with controversial issues of public importance. Explaining this extension of the fairness doctrine, the Commission stated:

Again the emphasis is on the listening public, not on the sender of the message. It would not be fair, indeed it would not be good service to the public, to allow a one-sided presentation of the political issues of a campaign. Insofar as a program consists of discussion of public questions, public interest requires ample play for the free and fair competition of opposing views, and the Commission believes that the principle applies not only to addresses by political candidates but to all discussions of issues of importance to the public.

The Commission's extension of the statutory doctrine of fairness in use of broadcasting facilities by candidates for public office to fairness in the presentation of controversial issues of public importance is sound in theory and, I believe, in practice. A political campaign worthy of the name revolves about a core of vital issues which have been considered by the people in the available forums, including broadcasting.

The relationship of the political campaign to the consideration of controversial issues of public importance bears analogy to the iceberg. The campaign speeches are to the small portion of the iceberg above water as the consideration of issues of public importance is to the mass of ice beneath the waves. If it is important to accord candidates for public office equal opportunities via broadcasting, a fortiori, it is important to provide the people an adequate forum via