cases are ample testimony to the varying interpretations of both equal opportunity and fairness, and the industry record in providing sustaining time leaves real doubts.

Since section 315 is no hindrance when there are not more than two candidates, as is most often the case in general elections, how much free time does the industry give when there are only two candidates?

In senatorial campaigns in 1962, an FCC survey[4] showed that television broadcasters did not provide significantly more sustaining time when only two candidates were running. There were two senatorial candidates each in 28 State contests and there were more than two in eight States. Proportionately, as many TV stations in the eight States provided sustaining time for senatorial candidates as in the 28 States.

A like analysis for radio and television in 1966 showed that the average time for major party candidates was about the same whether or not there was a third party candidate. In 1966, of 133 television stations reporting charges of more than $50,000 for paid political broadcasts, 35 percent made no free time available.[5]

While broadcast costs increased, the statistics suggest that the ratio of paid to free program time has been declining, and probably for the same reason—it is more costly to give free time just as it is to buy it.

Of course, statistics may mislead in both directions. On the one hand, some free time that is now provided is not donated in prime-time periods. On the other hand, some free time is offered and is refused by candidates who do not like the formats offered or do not want opponents to get equal exposure.

These are reasons why I wonder how much more time would be utilized if 315 were repealed. Understandably, broadcasters are concerned about format, but should they be in a position to dictate campaign strategy by putting offers of free time on a take-it-or-leave-it basis?

Many candidates would like more exposure than is provided through debates and interviews. Many candidates would like opportunities to speak for themselves on their own terms, even if they attract smaller audiences.

Dr. Stanton says they could buy that time, but what if they don't have the money available or, as likely, the stations don't want to sell them program time? Some stations won't sell program time for the same reason they won't give it free—fear of losing audiences. Thus, broadcasters often are, in effect, in a position to substitute their judgment for that of the candidates.

Dr. Stanton idealizes confrontation politics. Well, it can be exciting for the public, and it probably can bring increased public interest, but to put it bluntly, many candidates are simply not willing to confront either an opponent or an issue, even to get free time.

The cost of political broadcasting is high and rising, and the end is not in sight. There are potential CATV costs as both cities and rural areas get wired and candidates can be sure to reach only their constituents. Color TV will bring higher time and production costs. Yet increasingly, the bulk of money spent on political broadcasting,

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[4] Federal Communications Commission, "Survey of Political Broadcasting, Primary and General Election Campaigns of 1962" (Washington, D.C.; USGPO, 1963), pp. v–viii.

[5] Federal Communications Commission, "Survey of Political Broadcasting, Primary and General Election Campaigns of 1966" (Washington, D.C., USGPO, 1967), pp. 4–5.