

office and had been an established series for that purpose, I suppose we would not have been in trouble on this particular broadcast.

But this was incidental treatment, and I believe incidental is the test word. This was not an incidental treatment of Wallace's candidacy but, rather, an examination of the man and his candidacy and the whole hour was to be devoted to it. This lifted him out of the mainstream where we could treat with him as a candidate.

Mr. WASILEWSKI. On that point, I would like to point out that Mr. Wallace is undoubtedly an avowed candidate announced for the November election, and there are other avowed candidates of minor parties, even though the Democratic Party and Republican Party do not have nominees yet.

But the fact they do not have nominees does not mean, nevertheless, that Mr. Wallace is not a candidate for the November election at the present time.

Dr. STANTON. Mr. Moderator and Mr. Wasilewski, I think there are six or seven candidates already. There is the Peace and Freedom Party, the Prohibition Party, the Socialist Labor Party and the Socialist Workers Party. These are parties who have nominated candidates where we would be in some problem if we were to go ahead with this Wallace broadcast, as I mentioned earlier.

Dr. GOLDIN. One point ought to be clarified on a technical matter: that the broadcaster has absolute freedom in terms of which race he will choose to broadcast. I think there has been some confusion on that point.

He can choose any particular race to put on his station. If he puts on the local city elections, he is not required to go through the whole process of putting on all other political races. Under Louis Lyons' comment, the broadcasters could have started with the congressional races and stopped there, which they chose to do. There is no requirement on the broadcasters to deal with all the races.

Mr. ROBINSON. I would just like to make one point on what Mr. Goldin says. It may be perfectly true that the broadcaster is free to refrain from speaking out on particular candidacies or a particular race. However, the Commission has made it clear that they regard political broadcasting, in the broad sense of the word, as being an element of the public interest. Thus, while there is no specific requirement to broadcast for or against the candidacy of any particular candidate, I would presume that the Commission would look with a jaundiced eye upon a local station that completely turned its back on a local election campaign of some importance.

So I am not so sure that we can simply assume that the broadcaster isn't under some amorphous if you will, duty to speak on these matters.

Dr. GOLDIN. I am glad Mr. Robinson said "amorphous" because when I was with the Commission, one of my responsibilities was to conduct the surveys of political broadcasting, and one of the things that we learned in statistical form, which we knew in other form, was that there are a number of broadcasters who do not participate in any particular election campaign and do not arouse the ire of the Commission or have their renewals in any way threatened.

Mr. ROBINSON. But if I am correct, the Commission did, in its equal time primer, or in one of its policy statements, state something to