

nothing useful or relevant thereto. Call it censorship if you will. In my view the banning of personal abuse over the public airwaves protects the true purpose of the first amendment, which is enlightenment and the pursuit of truth. We should be through with trouble on this front if we restored to the airwaves the good manners of communication of a civilized society.

Thank you, sir.

Dean BARROW. Thank you, Professor Siepmann, for those excellent comments.

Mr. Chairman, during Professor Robinson's paper, a reference was made to a motion in the seventh circuit by the Federal Communications Commission.

Chairman Hyde states that if the committee desires, he will be happy to introduce it into the record.

The CHAIRMAN. It is up to your judgment and his.

Dean BARROW. Would you care to comment on that, Mr. Chairman, and any other matters which have been raised in the presentation of these two papers?

STATEMENT OF ROSEL H. HYDE, CHAIRMAN, FEDERAL COMMUNICATIONS COMMISSION

Mr. Hyde. Chairman Staggers, I think it might be helpful to the study of the subjects under examination, if I would supply for you the motion which the United States has filed in the seventh circuit.

I think I ought to explain why it seemed appropriate to file the motion. I will do so at this time if it meets the pleasure of the committee.

The essential features of the rules, and I am referring to the personal attack rules, are that where a personal attack occurs in the context of a controversial issue of public importance, it is the responsibility of the licensee to notify the person attacked, send him a copy of the script or a summary, and offer him a reasonable opportunity to respond in person.

The basic purpose is to make available to the public the opportunity to hear both sides of important questions, including the personal character of persons advocating a viewpoint when their character is put in issue.

The personal attack rules are thus a part of the general fairness doctrine. The new rules, including editorializing rules adopted at the same time, were challenged by NBC, CBS and, in a third case, by the Radio-Television News Directors Association, and a group of licensees. The United States is a respondent in these cases, together with the Commission.

In discussing the defense of the cases, the Department of Justice, and the Commission, reviewed in detail the question of whether the present form of the rules is the best that could be devised to achieve the Commission's objective.

In connection with this review, the Assistant Attorney General in charge of the Antitrust Division, wrote to the Commission on February 29, 1968, expressing the Department's full support of the Commission on the constitutional and statutory support for the fairness doctrine,