

We therefore respectfully suggest that the Commission might wish to weigh the possibility of considering the revisions of the rule before proceeding further with the cases now before the Seventh Circuit.

Sincerely yours,

DONALD F. TURNER,  
Assistant Attorney General, Antitrust Division.

## FEDERAL COMMUNICATIONS COMMISSION

### LEGAL ACTIVITIES

The United States and the Federal Communications Commission have filed with the United States Court of Appeals for the Seventh Circuit, a motion to hold in abeyance action on *CBS v. U.S. and F.C.C.*, *NBC v. U.S. and F.C.C.* and *Radio and Television News Directors Association v. U.S. and F.C.C.* in order to permit the F.C.C. to conduct an expeditious rule making proceeding for revision of the Commission's personal attack rules. The motion advises the Court that the filing was in light of further consideration of the rules by the Commission and consultation with the Department of Justice. Commissioner Bartley abstained, Commissioner Cox concurred and Commissioner Loevinger dissented from the Commission's instruction to seek this relief. Commissioners Cox and Loevinger issued statements.

### IN THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Case No. 16,369

RADIO TELEVISION NEWS DIRECTORS ASSOCIATION, BEDFORD BROADCASTING CORPORATION, CENTRAL BROADCASTING CORPORATION, THE EVENING NEWS ASSOCIATION, MARION RADIO CORPORATION, RKO GENERAL, INC., ROYAL STREET CORPORATION, ROYWOOD CORPORATION, TIME-LIFE BROADCAST, INC., PETITIONERS,

v.

UNITED STATES OF AMERICA AND FEDERAL COMMUNICATIONS COMMISSION,  
RESPONDENTS.

Case No. 16,498

COLUMBIA BROADCASTING SYSTEM, INC., PETITIONER,

v.

UNITED STATES OF AMERICA AND FEDERAL COMMUNICATIONS COMMISSION,  
RESPONDENTS.

Case No. 16,499

NATIONAL BROADCASTING COMPANY, INC., PETITIONER,

v.

UNITED STATES OF AMERICA AND FEDERAL COMMUNICATIONS COMMISSION,  
RESPONDENTS.

### MOTION TO HOLD CASES IN ABEYANCE AND TO AUTHORIZE FURTHER PROCEEDINGS

The United States of America and the Federal Communications Commission, respondents in the above-entitled cases, hereby move that these cases be held in abeyance and that the Federal Communications Commission be authorized to conduct further rule making proceedings. The ground of this motion is that the Commission, upon further consideration and consultation with the Department of Justice, has determined, Commissioner Bartley abstaining and Commissioner Loevinger dissenting, to set aside those parts of the rules at issue dealing with personal attacks (subpart (a) and (b)), and to conduct an expeditious rule making proceeding looking toward their revision.