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PAPER NO. 5—WILLIAM G. HARLEY: THE EFFECT OF SECTION 315 AND THE FAIRNESS DOCTRINE ON EDUCATIONAL BROADCASTING

Mr. HARLEY. I would like to begin by saying that the NAEB gives enthusiastic endorsement to the goals which have prompted these informative panel discussions on the Fairness Doctrine and related subjects.

The fair and reasonable discussion of controversial topics is a matter of deep concern and interest to all educators, and the association I represent is proud to participate in these hearing sessions.

The NAEB is the organized professional association of institutions and individuals engaged in areas of educational radio and television in the United States. Its membership consists of universities, colleges, public and private schools, and nonprofit community corporations which operate or hold construction permits for 170 educational radio stations, more than 150 educational television stations, and over 700 closed-circuit television systems and program production centers. Its membership also includes individuals who are classroom and studio teachers, producers, directors, technicians, and researchers involved in educational application of radio and television.

As we at NAEB understand the nature of the problems that arise under the general heading of "fairness," three broad areas of inquiry can be identified. The first of these is the Commission's so-called Fairness Doctrine. The second is the somewhat related, but specialized, problem of editorializing. The third is the matter of political broadcasting under section 315 of the Communications Act.

The principles underlying the Commission's Fairness Doctrine are basic to the philosophy of educational broadcasting; namely, that reasonable opportunities must be provided for the discussion of conflicting views on issues of public importance.

Educational broadcasting has from its inception emphasized that diverse viewpoints on important local, regional, national, and international issues must be actively encouraged. Variety in thought and opinion is the mainspring of an informed American public.

To our knowledge educational stations have been able to adjust without undue difficulty to the specific provisions and procedures of the Commission's fairness doctrine. Although there has been some misunderstanding of the nature of the doctrine, and considerable dissatisfaction with the hypertechnical nature of certain procedures such as the methods and manner of notification in so-called personal attack situations, educational stations are nonetheless readily attuned to the necessity, and indeed the desirability, of presenting opposing conflicting viewpoints on controversial issues.

Responsible discussion of issues under intense debate in the community of nations is healthy, not only in terms of a greater awareness of the issue at hand, but also in terms of a greater receptivity and tolerance for viewpoints by others. An important byproduct of the airing of controversial topics has been an increase in the size and interest of audiences for educational broadcasts.