

We think it is unfair or at least highly unnecessary to proscribe educational broadcasters from enjoying the same privilege that commercial broadcasters have. Furthermore, it is almost redundant and superfluous because the fairness doctrine plus our tax exempt status prevents us from getting very far off base if we did have the opportunity to editorialize.

We just think, along with Professor Siepmann, that all broadcasters, including educational broadcasters, should have maximum scope within which to exercise their initiative and creativity in the program area.

The CHAIRMAN. I might say in response to that, again, that we would not have had a Public Broadcasting Act if this had not been in there. I don't believe that you or any other member here believes that we are going to change that with Federal funds.

There were those on the committee who felt that if the Government put money into Public Broadcasting, it could control it. It was felt better not to have the money in there in the first place, if the Government could influence positions on questions affecting the life of the Nation. I think everyone attending the hearings knew that.

Mr. SIEPMANN. Mr. Chairman, I think it would be a sorry business if the record showed we were in total agreement on anything in these debates. Therefore, to avoid such a situation, I think I should be on the record as repeating what I said yesterday: that with reference to the right to editorialize, I would dissent from Mr. Harley's views. Whether they be educational or commercial broadcasters, it is my considered judgment that they should not have the privilege of personally editorializing as a privilege of the licensee.

The CHAIRMAN. I might add that there are millions of people in this land who feel the same way.

Dean BARROW. Mr. Chairman, the remainder of the papers on the program have to do with one subject—the continued or increased use of the Fairness Doctrine, implications of technological changes such as cable TV, the increased number of broadcasters, suggested improvements in or alternatives to the doctrine, and related Federal Communications Commission policies.

Our first paper on this subject will be presented by Mr. Vincent T. Wasilewski, president of the National Association of Broadcasters.

PAPER NO. 6—VINCENT T. WASILEWSKI: THE EFFECT OF THE FAIRNESS DOCTRINE ON THE BROADCASTING OF PUBLIC CONTROVERSY

Mr. WASILEWSKI. I would like to say that I agree with the principle espoused by Mr. Harley that educational broadcasters should not be prohibited from editorializing.

The Fairness Doctrine is a statement of policy by the Federal Communications Commission that a broadcast licensee has an affirmative obligation to afford reasonable opportunities for the presentation of contrasting viewpoints on any controversial issue which he chooses to cover.

Until as late as 1959, the only statutory basis asserted for the Commission's doctrine was the "public interest" standard of the act. The Commission took the position that fairness requirements are "inherent in the conception of the public interest * * *" In 1959, Congress amended the equal opportunities provision of section 315 to exempt news broadcasts and, in so doing, provided: