

Dean BARROW. Chairman Van Deerlin, as we recessed we were discussing how the complaints coming in on the Fairness Doctrine as distinguished from personal attack were handled. I believe the record is not as complete in that respect as it could be and I am sure if Chairman Hyde were requested to do so, he would be glad to comply.

Mr. VAN DEERLIN. It may be admitted for the record.

Mr. HYDE. We will be pleased to supply such a statement.
(The following statement was received by the committee:)

**FCC STATEMENT REGARDING HANDLING OF FAIRNESS DOCTRINE AS
DISTINGUISHED FROM PERSONAL ATTACK COMPLAINTS**

The Commission has considered the question of a licensee's compliance with his obligations under the fairness doctrine and the personal attack rules primarily in the context of specific complaints. Many of these complaints are vague and indefinite. In such cases the complainant is advised of the general scope of the fairness doctrine and/or personal attack rules and the obligations they impose upon licensees. The complainant is also advised that if he wishes to submit additional information which would show that his complaint is within the scope of the fairness doctrine or the personal attack rules, further attention will be given to the complaint.

Where a complaint is specific and raises a substantial question under the fairness doctrine, the personal attack rules, or both, a copy of it is promptly furnished to the licensee and he is requested to submit his comments, usually within 10 days. He is also requested to furnish a copy of his reply to the complainant. The complainant is also notified of our referral of the complaint to the licensee and is given an opportunity, usually seven days, to reply to the licensee's comments on his complaint. This procedure is followed in processing complaints brought under the equal opportunities provision of Section 315 as well as those under the fairness doctrine and the personal attack rules, except that where time is of the essence the matter is handled by telephone or telegram.

Upon receipt of all information the complainant and the licensee wish to submit concerning a complaint under the fairness doctrine or the personal attack rules, a ruling is issued based on the specific factual showing. Thus, general fairness complaints have been considered in the light of the licensee's over-all programming on the specific issue involved and the policies embodied in the fairness doctrine. Complaints as to personal attacks, however, have been considered to determine if the material broadcast constituted a personal attack, as defined by the Commission's rules, and, if so, whether the licensee has followed the procedure required by those rules.

Mr. VAN DEERLIN. Mr. Barrow.

Dean BARROW. Mr. Chairman, the last of the papers is by Professor Jaffe and is on the same subject which we have been considering throughout the day.

Mr. Jaffe.

**PAPER NO. 8—LOUIS L. JAFFE: THE FAIRNESS DOCTRINE, EQUAL
TIME, REPLY TO PERSONAL ATTACKS, AND THE LOCAL SERVICE
OBLIGATION; IMPLICATIONS OF TECHNOLOGICAL CHANGE**

Mr. JAFFE. I want to talk for a moment, by way of clarification rather than opinion, about the question put by Mr. Adams when he asked, is the personal attack regulation inhibitory and then unconsciously repeated the question, asking is this bad?

I don't think inhibitory is the same as bad. Then he further downgraded inhibitory by saying, "Oh, you mean psychological." Of course that is what is meant by inhibitory. Inhibitory, I take it, just goes to the question of fact, will it keep people from speaking, will it keep people from making these charges.