

Further, Nebraska Broadcasters are not comforted by the comment, attributed to the FCC, that this Agency "does not *intend* to apply the Fairness Doctrine to other advertised products and services". Historically, the immediate "intentions" of current Commission members might be overlooked, or misinterpreted, by future Commissions. This current action set a dangerous precedent, the implications of which might actually be employed by future Commissions to eliminate, or feasibly nullify, the possible acceptance of advertising from other sources.

Additionally, this action promotes a climate of censorship, whereby business is literally commanded to support, in their public attitudes, a controversial Government position that has not even been unanimously approved by the Congress of the United States—the body that created the agency in question.

Nebraska Broadcasters further aver, that this FCC action represents a confiscation of property, without due process of law.

RESOLUTION

Whereas the Federal Communications Commission in a landmark decision recently ruled that broadcasters who air paid cigarette commercials must provide and even *give* "a significant amount of time" to the presentation of "contrasting views on the issue of the benefits and advisability of smoking", and

Whereas the broadcasting industry has an outstanding record in informing the American people of the contents of the official Surgeon General's report on smoking and the industry has been publicly recognized by both the American Cancer Society and the American Heart Association, two voluntary health organizations vitally concerned with smoking, and

Whereas the ruling of the FCC is broader than the issue on cigarette smoking and is an unwarranted and dangerous intrusion into American business because it erroneously seeks to apply the so-called "Fairness Doctrine" to product advertising which has profound and far-reaching implications for all advertising for the idea that those who disagree with an advertiser's opinion should be provided with free time in which to express their opinions could not only change advertising but end it, and

Whereas the FCC currently stresses that their holding "is limited to this product * * * cigarettes", but what is to prevent its inevitable extension to coffee, many drugs, cosmetics, beer, insect sprays or even automobiles, which can be hazardous if not properly used. Yes, and how long before the FCC would doom broadcasting to progressive enfeeblement by bringing this policy forcefully into politics, granting free time to one candidate to answer paid advertising by his opponent? Or to management or labor in a controversy or to any other adversaries in a public affairs dispute, and

Whereas the so-called "Fairness Doctrine" is an affirmative command to the broadcasting industry to yield a substantial amount of time for propaganda which the Government deems wholesome and we vigorously urge that it is dangerous for a powerful Government commission to take up the lash to compel the broadcasting industry to support a Government position, and that this matter bears constitutional and legal implications touching the very foundation of our theory on government, and

Whereas the ramifications of the Commission's ruling are inestimable—actually shocking, a most frightening assault on the cherished freedom of speech philosophy in this country so: Now therefore be it

Resolved, That the Board of Directors of the Nebraska Broadcasters Association strongly objects to this ruling of the FCC holding that the so-called "Fairness Doctrine" is applicable to cigarette commercials, and be it further

Resolved, That the Nebraska Broadcasters Association urges immediate reconsideration and repudiation by the FCC of the above stated letter ruling or that the FCC make the ruling the subject of a rule making proceeding and that it stay the effectiveness of the application of the ruling until it acts on the rule making petition, and be it further

Resolved, That copies of this resolution be sent by certified mail to President Johnson, all members of the FCC, all members of the U.S. Senate and House Commerce Committees, Senator Roman L. Hruska, Senator Carl T. Curtis, Nebraska Congressmen Cunningham, Martin and Denney, and President Vincent Wasilewski of the National Association of Broadcasters.