

Post 1/12/73

# Public TV Takeover

By John Carmody

The crucial power to decide which programs are supplied to the nation's public television stations was officially taken over yesterday by the presidentially-appointed board of the Corporation for Public Broadcasting (CPB).

The CPB, in a resolution adopted Wednesday, stripped the Public Broadcasting Service (PBS) of almost all of its current programming and scheduling functions. It left the network with the technical role of transmitting programs among the 232 public TV stations.

The decision was announced yesterday at a press conference held jointly by Henry Loomis, CPB president, and Tom Curtis, chairman of the 15-member CPB board.

It followed nearly 18 months of strong Nixon administration, industry and congressional criticism of public

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affairs programming on PBS. About 30 per cent of the network's current prime-time fare is devoted to news analysis and talk shows in that area.

The PBS board chairman, Robert F. Schenkkan, said yesterday that the CPB plan "will not be acceptable to the (station) licensee." Schenkkan, who is president of the Austin, Tex., public TV outlet, called for a special meeting of his board "in the very near future."

PBS is dominated by the station managers in the public TV system. In the past, the 19-member PBS board, which includes 12 station managers, has approved programs and network schedules subject only to CPB board budget considerations.

The role of the powerful station managers in the new setup was not spelled out yesterday. Loomis did say they would have a role in the early "decision-making process." But Loomis suggested that a broader "committee of national organizations" not previously consulted will share in decision-making in the future, presumably further diminishing station managers' power.

The key paragraph in the corporation resolution ordered Loomis to submit "at the earliest possible date a plan to establish, solely within the corporation, the staff and resources neces-

sary for CPB to exercise the authorities and meet the responsibilities vested in CPB under the Public Broadcasting Act of 1967."

Loomis did not put a time schedule on completion of the "plan" but he said he hoped it would not take "many, many months."

He expressed the hope that "many of the PBS staff members will agree to transfer" to the CPB organization when the change is made. About half of the present PBS staff of 120 would be affected by the changeover.

The resolution also called for a "formal, written contract" to be negotiated with PBS spelling out relationships between the parent CPB and the network arm. No such agreement now exists.

The board action followed two days of meetings in Owings Mill, Md. Loomis said the resolution was passed "unanimously." Two members of the 15-member board, all presidential appointees, did not attend the meeting. They were former CPB board chairman Frank Pace Jr. and Theodore Braun, a Los Angeles businessman.

During the 1½-hour press conference, it was also revealed that:

- \$2 million in funds ticketed for public affairs programming for PBS has not yet been allocated for fiscal 1974.

- The CPB board, according to Curtis, "has not debated the issue of public affairs programming" since he was named chairman in August, 1972. A final decision on the public affairs scheduling is expected from next month's CPB board meeting here. The future of the National Public Affairs

Center for Television (NFACT) here will be decided at that time.

- Early estimates of a \$70-million budget for public broadcasting have been cut back to about half that sum, in keeping with Nixon administration edicts on spending.

- Curtis, the former Missouri congressman, is unhappy with the media for characterizing the CPB board as a "Nixon administration" board. He stressed its "independence." Loomis pointed out that until the recent death of board member Sol Haas of Seattle, Wash., the board was made up of a majority of President Johnson's appointees.

- Curtis' "personal view" of program content included a place for public affairs. Loomis, for his part, repeated earlier public statements that he wanted public affairs programming taken away from "topical" areas.

- Loomis now has a video cassette player in his Middleburg, Va., home and watches considerable public TV fare—although his home is still outside the Washington UHF signal area.

- There had been no "pressure" on the Nixon administration from the three major commercial networks to get public broadcasting out of public

affairs programming, according to Loomis.

"Outside consultants" have been brought in by CPB to pursue the "real tough" problem of long-range congressional financing for public TV, as Curtis put it.

The CPB board action drew a quick response from Hartford L. Gunn Jr., the network president. While declining comment on the CPB resolution, he said:

"The issues raised by the corporation's recent decisions in the long run affect the stations, their boards and the American public more directly than the immediate effect they may have on PBS. Ultimately the stations, the corporation and probably Congress will have to resolve these issues."

The PBS stand—that it should remain independent of CPB and retain programming control under direction endorsed by the National Association of Educational Broadcasters (NAEB). The NAEB lobbied successfully for the Public Broadcasting Act of 1967, which created the corporation.

As NAEB and others saw it, the CPB was the administrative "buffer" set up by Congress to keep politics out of public broadcasting. The network, established in 1969 as an "interconnection" for what had been educational TV, took over all functions usually associated with a major network. These included program selection, apparently with the acquiescence of the CPB board, all appointees of then-President Johnson.

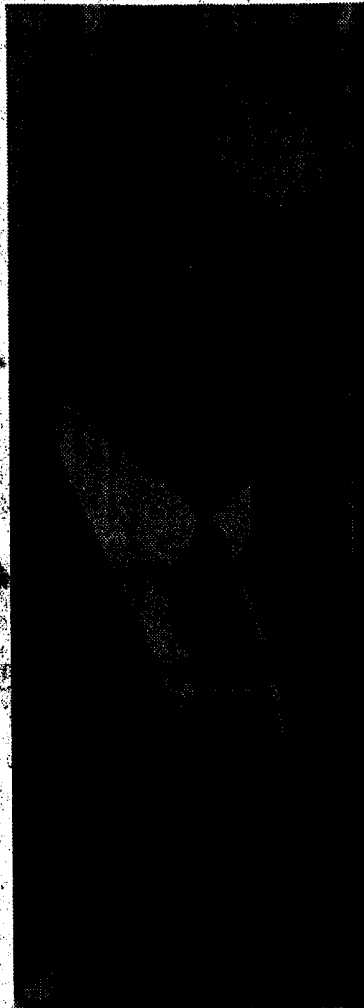
The feud between the two public broadcasting groups has been growing since last summer, following President Nixon's veto of a \$65-million authorization for CPB, then under the helm of John Macy Jr., a Democrat.

Loomis took over in October, and

from the first promised to re-evaluate the relationships of the two groups. In November, the CPB board suddenly announced its own programming decisions for the 1973-74 PBS winter schedule — and the battle lines were drawn.

In late November, Loomis called for "position papers" from both sides in the dispute drawn up by senior staff members. The PBS board on Jan. 5 reportedly softened its stand before sending its position paper onto the full CPB board meeting. Yesterday's CPB resolution showed no change in that organization's strict interpretation of the Congressional mandate.

Other members of the CPB board, in addition to Curtis, Pace and Braun, are: Dr. Gloria L. Anderson, Atlanta; Robert Benjamin, New York; Albert Cole, Pleasantville, N.Y.; Neal Blackwell Freeman, New York; Michael A. Gammino Jr., Providence, R.I.; Joseph D. Hughes, Pittsburgh; Dr. James R. Killian Jr., Cambridge, Mass.; Irving Kristol, New York; Thomas W. Moore, New York; Frank E. Schooley, Urbana, Ill.; Jack Valenti, New York, and Jack Wrather, Beverly Hills.



By Arthur Ellis—The Washington Post

*Harry Loomis, Corporation for  
Public Broadcasting president.*

# A Question Of Control

By Anthony Astrachan

NEW YORK—Clay T. Whitehead insisted yesterday that the Nixon administration did not intend to increase government control of television and radio but to reduce government intervention in broadcasting.

The director of the White House Office of Telecommunications Policy declined to elaborate on his recent warning in Indianapolis that the government might make the renewal of a station's broadcasting license depend on the extent to which it corrected "Ideological plugola" and "elitist gossip in the guise of new analysis" on network programs.

Whitehead, instead, spelled out in detail the four points the administration's proposal to modify the Communications Act of 1934. He spoke before

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a sometimes hostile audience of several hundred at a lunch of the National Academy of Television Arts and Sciences.

The OTP head said the administration proposes that:

- Broadcast license terms be extended from three to five years.
- Comparative hearings by the FCC be eliminated whenever a competing application is filed for the same broadcast service at renewal time.
- The FCC be banned from "restructuring the broadcasting industry" through the license renewal process.
- Predetermined performance criteria not be used by the FCC for the evaluation of renewal applications.

Whitehead referred only at the beginning of his address to the Indianapolis speech which, he said, "some people misinterpreted and, even worse, quite a few people misunderstood." OTP officials have claimed that there was never any intent to turn the network news bias criticisms into a legislative proposal. Rather, OTP officials claim that the proposals spelled out yesterday were "pro-broadcasting"—a view shared by many in the industry.

Nevertheless, yesterday's lunch audience was often unfriendly to the OTP director during the question and answer period following his address.

David Davis, a director for the aca-

demy, said Whitehead's Indianapolis speech recalled the Alien and Sedition Act of 1798, which set fine and jail sentences for putting the government into "disrepute."

Broadcaster Sonny Fox said Whitehead's claim that every housewife knows what an elitist is and what gossip is sounded like "something out of Kafka as told to Laugh-In."

The audience broke into laughter when Whitehead said his policy emphasized local responsibility for a local station meeting its community's needs because "this country has never tolerated excessive concentrations of power in Washington. It doesn't tolerate them in private industry."

Whitehead said his legislation would make the FCC concentrate on just two criteria: the degree to which a station is attuned to community needs and interests, and its provisions of conflicting views of public issues.

But he did not specify how the FCC would judge the way a station meets community needs. In answer to a question, he said the administration did not want to set up a federal standard. He work executives—a significant inclusion left it up to community leaders, network—and local station officials to define this "ascertainment criterion."

Whitehead said that if his proposal did not pass Congress, the administration would settle for naming new FCC members who also believed in reduc-

ing government intervention in broadcasting.

He also said that he thought federal courts would move away from past decisions that ran counter to the thrust of his proposals.

This was in response to a question that quoted a 1968 decision by Chief Justice Warren Burger, then a judge of the Circuit Court of Appeals in Washington.

Burger said that neither the FCC nor stations could control program content beyond the provisions of the law, and added, "talk of 'responsibility' of a broadcaster in this connection is simply a euphemism of self-censorship. It is an attempt to shift the onus of action against speech from the commission to the broadcaster, but it seeks the same result—suppression of certain views and arguments."

Whitehead, referring in his prepared remarks to the proposed legislation, said lengthening of the license renewal period to five years would "inject more stability into the process and allow the broadcaster more time to determine the needs and interests of his local community and plan long-range programs of community service."

He said the change would also reduce the "serious" administrative burden faced by the FCC under the present three-year rule. The commission now has a backlog of 143 TV and radio licenses awaiting renewal, Whitehead said.

*Corporation for Public  
Broadcasting president  
Henry Loomis, above, and  
CPB board chairman Tom  
Curtis, right, speaking yes-  
terday at a press confer-  
ence, where they an-  
nounced that CPB was  
stripping the Public Broad-  
casting Service of almost  
all its current program-  
ming and scheduling func-  
tions.*

*Photos by Arthur Sills—  
The Washington Post*

