

12/14/71

8330-N

CG-668

Mr. William Ray, Chief
Complaints and Compliance Division
Federal Communications Commission
Washington, D.C. 20554

Dear Mr. Ray,

After hearing from you pursuant to my correspondence with Commissioner Nicholas Johnson, I wrote CBS at New York and at Washington. I sent you copies of the correspondence. I asked of CBS time to present the opposite side of the questions raised by Merv Griffin and Percy Foreman relating to the subject of political assassinations, the workings of our system of justice, the rights of the unpopular and indigent defendant and whether or not justice is available to him and all the ramifications that are involved. I think these are important national questions.

While I was away on a long trip I received the enclosed letter from Mr. Leonard Ackerman, CBS attorney, dated November 17. He in effect holds that this is not a "controversial issue." Aside from the obvious refutation of this, it being CBS's policy stand on the subject of political assassinations generally, the Harris poll is an overwhelming contrary argument. In my personal experience CBS has even censored legitimate news on this general subject and specifically on this specific case.

I am, therefore, writing to ask the help of the Commission in getting an opportunity to present the side other than that presented by Mr. Foreman (who was very much parti pris, having been the lawyer who brought what happened to pass), the side CBS has steadfastly refused to air.

Your files should also show that I asked WJZ-TV in Baltimore for the opportunity of presenting this other side, they having aired Jim Bishop on the David Frost Show. I wrote the Frost Show after this first airing. They never responded. Instead they aired Bishop again. I wrote again and was again unanswered. There has been no response of any kind after a month and a half, so here also I ask the Commission's help. In this case also the subject was the King assassination, the avoidance of a trial for James Earl Ray, etc.

Sincerely,

Harold Weisberg

Bud--does not a turn-down provide an opportunity for a hearing, meaning an airing? And should I ask Jimmie to have me ask for time to respond in his name, each show having called him the shooter, something he has never admitted and denies?

CBS

Columbia Broadcasting System, Inc.
51 West 52 Street
New York, New York 10019
(212) 765-4321

Law Department

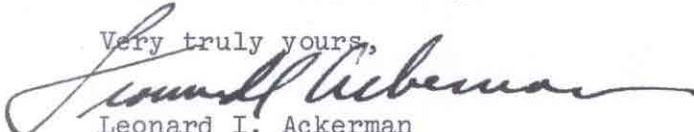
Dear Mr. Weisberg:

This is in response to your recent letter to Columbia Broadcasting System, Inc., concerning your request for "equal time" to respond to a recent appearance by Mr. Percy Forman on the MERV GRIFFIN SHOW broadcast on the CBS Television Network.

We have reviewed your correspondence with Royal E. Blakeman, Esq., attorney for Mr. Griffin, to determine specifically the basis upon which you claim the right to "equal time". As you know, "equal time" is a requirement applicable only to certain broadcasts made by political candidates and is not therefore applicable here. Moreover, upon reviewing that correspondence, it does not appear that there was a discussion of a controversial issue of public importance so as to subject the broadcast to the requirements of the fairness doctrine.

Although, under the fairness doctrine, a licensee is required to provide a reasonable opportunity for the presentation of opposing views on controversial issues, we do not believe that the reference on the MERV GRIFFIN SHOW to the Martin Luther King-James Earl Ray case raised any such obligations. While CBS assumes full responsibility for the content of outside-produced broadcasts, of which the MERV GRIFFIN SHOW is one, in these circumstances we do not believe that your request for time is encompassed within the fairness doctrine, and accordingly, we respectfully decline your request.

Very truly yours,



Leonard I. Ackerman
Attorney

CSG

Mr. Harold Weisberg
Coq d'Or Press
Route 8
Frederick, Maryland 21701

November 17, 1971