FCC Scrutiny Imperil Rights, Stanton Asserts

By William Greide Washington Post Staff Writer

The president of CBS television warned yesterday that a Federal Communications Commission trend toward "microscopic investigations" of news content threatens TV's right of free expression under the First Amendment.

Frank Stanton told a Senate subcommittee examining press freedom that recent cases involving the FCC's "fairness doctrine" represent "over-regulation" that could stifle television coverage of public is-

sues.

As examples, he cited a five-month FCC inquiry into a CBS news feafive-minute ture on bull fighting to determine whether "equal time" should be granted to those who disagreed with the broadcast's content.

A Miami station, Stanton said, ran afoul of the "fairness doctrine" for its coverage of the legalized gambling issue after the FCC staff "counted the lines of copy devoted to both sides of the issue and apparently relied on the line count in making its decision that the station should have presented more pro-gambling material."

of-power party could respond and more into areas of the But the others, Ralph Stavins to the President because the First Amendment where I and Richard Falk, are contend-FCC held that the Republican don't think it belongs." ing that their confidential National Committee should Ervin asked: "Isn't that the sources are privileged on the FCC held that the Republican don't think it belongs. the Democrats—"a reply to a ernment—an insatiable thirst have claimed. The institute's reply," Stanton said.

"The commission," the net-



FRANK STANTON ... fears "over-regulation"

work executive complained, "has engaged in microscopic examination of a licensee's coverage of an issue."

In the past, Stanton said, CBS had no difficulty living with the "fairness doctrine" and the standard of fair play to both sides, but the recent cases are "beginning to cases are "beginning to impede the free flow of information."

"The prevailing direction CBS, he said, has been prevented from presenting periodic "Loyal Opposition" Stanton told Sen. Sam I. rvin Jr. (D-N.C.), subcommitbroadcasts in which the out-

for power and more power?"

Stanton told the senator, poenaed, Barnet said.

"You're in a better position than I to sit and judge the government's thirst for

The CBS president also endorsed a proposal for legislation to shield news reporters from federal subpoenas forcing them to reveal confidential sources and material. However, Stanton, like other witnesses, conceded that the problem of subpoenas from federal federal grand juries has dropped sharply since Attorney General John Mitchell issued restrictive guidelines in August of last year.

- Another witness, Richard J. Barnet, co-director of the Institute for Policy Studies, a private research group in private research group in Washington, argued that "public scholars" should be guaranteed the same First Amendment protections as newspaper reporters.

Barnet said that three men associated with the institute's own study of secret policy decisions on the Vietnam war have been subpoenaed by a federal grand jury in Boston investigating the leak of the Pentagon papers, classified documents printed by newspapers in the summer.

One of the three, Leonard Rodberg, has claimed immunity from testifying because of his position on the staff of Sen. Mike Gravel (D-Alaska). get "equal time" to respond to unfortunate thing about gov-same grounds that newsmen bank records were also sub-