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Nixon assault on First Amendment clear in TV plan

NEW YORK — If there was any doubt that President Nixon would take his landslide victory as a license for a major assault on the First Amendment, it has been removed by the clever proposals put forward by Clay Whitehead for the gutting of broadcast journalism.

Whitehead, the President's principal aide on what the White House calls "telecommunications," has proposed legislation which offers a substantial economic bonus to television station owners. It would require them to seek renewal of their federal licenses every five years, instead of three; and it would permit the Federal Communications Commission to listen to competing applicants for a television channel only after the FCC already had taken the channel away from a former licensee. Both provisions would substantially relieve broadcast licensees of the burden of showing that they were providing better service than some challenger might.

With that peculiarly smooth brand of deception that seems to characterize so much of what Richard Nixon touches, a spokesman for Whitehead explained blandly that in return for this "relaxed approach" individual broadcasters would have to accept "more responsibility" for the network programs they run.

Not very subtle

Whitehead did not trouble himself with

such subtlety in his speech to the Sigma Delta Chi journalism fraternity in Indianapolis. "Station managers and network officials who fail to act to correct imbalance or consistent bias in the networks, or who acquiesce by silence," he said,

Tom Wicker

"can only be considered willing participants, to be held fully accountable . . . at license renewal time. Who else but management can or should correct so-called professionals who confuse sensationalism with sense and who dispense elitist gossip in the guise of news analysis?"

Translated from the baloney, this means that when stations apply for renewal of their federal licenses the new Nixon bill would require that they demonstrate that they had "balanced" their news broadcasts to the satisfaction of the administration's appointees on the FCC.

Even accepting for the purpose of argument—and it is intellectually painful to do so—the ludicrous proposition that the networks do dispense "elitist gossip" instead of news, and "sensationalism" rather than "sense," would it follow that the remedy for such villainy should be government regulation of the content of news broadcasts? Of course not; that would be to set a goat to guard the cabbage patch; nevertheless, no mistake should be made but that is precisely

what this autocratic administration now is proposing.

It is a clever proposal moreover, on at least three counts. The first is that station owners who themselves may have little concern for the First Amendment, or news, or public affairs, are offered the carrot along with the stick; as long as they do not care about being censored, their economic security and freedom from competition will be enhanced.

The second is that the Whitehead proposal probably is more feasible politically and less blatant ideologically than the alternative—which some network lawyers and officials have been fearing, in the wake of the landslide—of an anti-trust attack on network news operations. Such an attack, it should be borne in mind, is already under way on network entertainment broadcasts.

A clever proposal

Finally, this is a clever proposal because even if Congress sees it for what it is and rejects it, the networks and the station owners would be less than sensible if they did not also recognize it as one more manifestation of this administration's determination to reduce or control the power of television journalism—which may well be, as the maverick FCC commissioner, Nicholas Johnson, put it, "the only national institution remotely capable of serving as a check on abuses of presidential power." As what

Johnson called "Nixon's war on the networks" continues, they and their station affiliates would be remarkable indeed if they did not to some extent retreat, re-trench and take heed of their peril. And that's all Nixon would like to accomplish, anyway.

Immense power

It is true, of course, and it is implicit in Johnson's estimate of them, that the network news services have immense power; since power is always likely to be abused, the networks have been occasional sinners—although many of us may think their sins have been more often of omission than commission. But no local station can cover the war in Vietnam, or the presidential election, or the Apollo flight, or riots in a dozen cities at once, or any of the myriad national and international stories that the networks can, do and should cover.

It was Whitehead who substituted gossip and sensationalism for clear evidence, of which there is none, that the networks have intolerably abused their power. And the American people will be the losers if the managers of the local stations that run network news are to be made so nervous that they harass the networks to be less controversial, stop running network news, or protect their licenses with government-approved counter-programming.

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