

White House Drafts Tough Rules On Contents of TV Programming

NYTimes DEC 19 1972

By ALBIN KREBS

The White House has drafted tough new legislation that would hold individual television stations accountable, at the risk of losing their licenses, for the content of all network material they broadcast, including news, entertainment programs and advertisements.

The draft legislation was interpreted by some broadcasting officials here as the Nixon Administration's boldest effort so far to equip the Government with a strong legal means of keeping broadcasters in line economically and ideologically.

The proposed legislation would supplant regulations of the Federal Communications Commission—sometimes loosely enforced—that govern the operations of TV stations and the networks that supply them with more than 60 per cent of their broadcast material.

The existence of the draft legislation, and the intention of the Administration to introduce it in Congress early next year, without substantial change, were revealed yesterday by Clay T. Whitehead, director of the White House Office of Telecommunications Policy.

In a sharply worded speech at a luncheon of the Indianapolis chapter of Sigma Delta Chi, the professional journalism fraternity, Mr. Whitehead, the ranking White House adviser in the field of broadcasting, condemned "ideological plugola" in network news reporting and said local stations would have to bear responsibility for such matter carried over their facilities.

"When there are only a few

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sources of national news on television, as we now have, editorial responsibility must be exercised more effectively by local broadcasters and by network management," Mr. Whitehead said.

"Station managers and network officials who fail to act to correct imbalance or consistent bias in the networks—or who acquiesce by silence—can only be considered willing participants, to be held fully accountable . . . at license renewal time.



Clay T. Whitehead speaking in Indianapolis.

"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?"

The bite of Mr. Whitehead's remarks led some sources in broadcasting to speculate that the Administration was renewing the controversy begun two years ago with Vice President Agnew's attacks on the networks.

Mr. Whitehead denied at an earlier news conference that the draft legislation was intended as a vindictive assault on the networks, and described it as designed to force broadcasters to take more responsibility for what goes into American homes by television.

'Plain Apoplectic'

Tom Chauncey, president of TV station KOOL in Phoenix, Ariz., said, "I'm just plain apoplectic. If Whitehead really means this, we might as well be living in the Soviet Union. This would mean censorship of news and entertainment, the Government telling us what to broadcast

and telling the people what they should see or hear.

"Washington wants to put the onus on the individual stations, make us afraid to broadcast what the networks feed us. I'd far rather hear Agnew raising hell; at least he's only talking. Whitehead is talking about actually passing oppressive laws."

In his speech, Mr. Whitehead indicated that the proposed legislation was partly in response to broadcasters' efforts to lengthen the terms under which they are licensed by the F.C.C. currently, licenses last three years, but broadcasters want the term extended to at least five years.

"It's been easy for broadcasters to give lip service to the uniquely American principle of placing broadcasting power and responsibility at the local level," he said. "But it has also been easy—to easy—for broadcasterstoturnaround and sell theirresponsibilityalong

with their audiences to a network at the going rate for affiliate compensation.

"The ease of passing the buck to make a buck is reflected in the steady increase in the amount of network programs carried by affiliates between 1960 and 1970 . . . The average affiliate still devotes over 61 per cent of his schedule to network programs."

He accused local stations of exercising little responsibility for the programs and commercials "that come down the network pipe."

"Local responsibility is the keystone of our private enterprise broadcast system operating under the First Amendment protections," Mr. Whitehead said, "but excessive concentration of control over broadcasting is as bad when exercised from New York as when exercised from Washington. When affiliates consistently pass the buck to the networks, they're frustrating the funda-

mental purposes of the First Amendment's free press provision."

The Administration draft, he said, establishes two criteria the individual station must meet before the F.C.C. grants a license renewal:

"First, the broadcaster must demonstrate he has been substantially attuned to the [viewer's] needs and interests in all his programs, irrespective of whether those programs are created by the station, purchased from program suppliers or obtained from a network.

"Second, the broadcaster must show that he has afforded reasonable, realistic and practical opportunities for the preservation and discussion of conflicting views on controversial issues."

"These requirements have teeth," said Mr. Whitehead. He added that the proposed standards "should be applied with particular force to the large TV stations in our ma-

major cities, including the 15 stations owned by the TV networks." The F.C.C. allows each network to own five television stations.

The proposed laws would make it incumbent on the local stations to demonstrate continuing responsibility for what gets on TV screens. "They can no longer accept network standards of taste, violence, and decency in programming," Mr. Whitehead said.

There is no area where station management responsibility is more important than news, he went on, adding:

"When a reporter or disk jockey slips in or passes over information in order to line his pocket, that's plugola. And management would take quick corrective action. But men also stress or suppress information in accordance with their beliefs. Will station licensees or network executives also take action against this ideological plugola?"