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Nixon Aides Cited in TV Antitrust Replies

Los Angeles

The CBS and ABC television networks accused the Nixon administration yesterday of bringing an antitrust suit against them in retaliation for the networks' refusal to "play ball" with the administration.

In legal documents filed here, the two networks said some of their representatives, including CBS White House correspondent Dan Rather, were "quietly and privately threatened" by administration spokesmen.

Among those named as having issued threats were press secretary Ronald L. Ziegler, former domestic affairs adviser John D. Ehrlichman and former special counsel Charles W. Colson.

Rather, in a sworn affidavit, said Ziegler told him in February 1971 that "the television networks were 'anti-Nixon' and that 'they are going to have to pay for that sooner or later, one way or another.'"

Rather's statement added, "On at least one and perhaps two occasions, John Ehrlichman, then assistant to the President for domestic affairs, stated to me, in words or substance, that 'the networks will get theirs, of that you can be sure.' I believe that the first occasion on which Mr. Ehrlichman made such a remark to me was in 1970 or 1971."

The affidavits were filed in response to a suit the Justice Department filed against ABC, CBS and NBC on April 14, 1972.

The suit asks that the three networks be prohibited from syndication activities and acquisition of interests in programs obtained from independent producers.

One portion of the suit alleged that CBS excluded from prime time any entertainment programs in which it had no ownership, and claimed this violated the Sherman Act.

The affidavits were filed in U.S. District Court.

In one of them, former CBS president Frank Stanton said Colson complained about CBS devoting too much time to Watergate and threatened the network with financial ruin.

"In early November, 1972," said Stanton, "Mr. Colson called me on the telephone and said in substance that unless CBS substantially changed its news treatment of the Nixon administration, 'things will get much worse for CBS.' He also said, in substance, 'you didn't play ball during the campaign . . . we'll bring you to your knees in Wall Street and on Madison Avenue.'"

A few days earlier, on Oct. 29, 1972, Stanton said Colson telephoned him to inquire

about the broadcast date for the second of a two-part series on Watergate and "complained bitterly that CBS was devoting too much attention to Watergate in its news reporting."

Stanton said he thought Colson was claiming the Watergate series was unfair and began assuring him that it was fair and balanced.

"As I was doing so, however," said Stanton, "Colson interrupted me and said, in substance, that 'whether the report was fair or not, it should not have been broadcast at all.'"

In 1970, he added, it was Colson who urged CBS to stop its "loyal opposition" responses following presidential addresses. Stanton said Colson indicated "that the administration might seek to deter such broadcasts by FCC regulation, legislation or other means."

The Rather and Stanton affidavits were taken last week, and released yesterday in a memorandum filed for CBS and ABC by a Los Angeles law firm.

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