



12/24/75

TW -

Here is the second draft that I worked on. I have yet to go through the articles for quotes, ect. on access (except for one from Arthur Taylor that I did use). I will take care of all that when I return.

The three volumes of Barnouw's book are on order (at \$11.95 each). They should be here by the time I'm back.

Also, I'm supposed to remind you to check on the item in Bill Olsen's manuscript where he incorrectly credits Geller for something. Sid needs the correction.

I'll be in the office Monday the 4th. Hope you had a nice vacation. In the meantime, Merry Christmas and a Happy New Year.

PJ

P.S. - Attached are copies of the replies to our letter received to date.



12/16/75

Bob Smith - N.Y. Times

Mgr., Advertising Acceptability
Dept.

Open to all ads on public issues

Some restrictions - name calling,
inflammatory, offensive, etc!

Opinion advertising - must be adequately
identified

Increase in the last few years in
this type of advertising.

The New York Times

229 WEST 43 STREET
NEW YORK, N. Y. 10036

December 18, 1975

Mr. Peter Furth
Research Assistant
American Enterprise Institute
1150 Seventeenth Street, N.W.
Washington, D. C. 20036

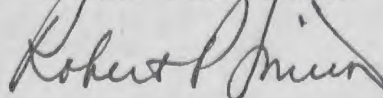
Dear Mr. Furth:

Enclosed, in accordance with our telephone conversation, is a copy of our Standards of Advertising Acceptability booklet. You'll find our policy on the acceptance of opinion advertising set forth on pages eight and nine.

If we can be of any further assistance please let us know.

Sincerely yours,

THE NEW YORK TIMES



Robert P. Smith

Advertising Acceptability Dept.

RPS:fm
Enc.

The New York Times

New York's advertising leader



Standards of Advertising Acceptability

The New York Times

The success of advertising depends upon its credibility. No matter how technically brilliant or compelling an advertisement may be, unless readers believe it, it fails in its purpose.

Likewise, the confidence of readers in a newspaper, its news and editorial columns as well as its advertising columns, depends upon the integrity of those columns.

This is why it is the policy of The New York Times to protect its readers as well as its advertisers by making every effort to bar from its columns commercial advertising that is misleading, inaccurate or fraudulent; that makes unfair competitive statements; or that fails to comply with its standards of decency and dignity.

The Times maintains a Department of Advertising Acceptability whose function is to examine advertisements before they are published. All advertising submitted to The Times is carefully read to see whether it meets the standards of acceptability The Times has developed throughout the years.

If the advertising contains statements or

illustrations which are not acceptable, and which The Times thinks should be changed or eliminated, the advertiser or its advertising agency is notified. If an advertiser refuses to make changes, the advertisement is declined.

Frequently the Advertising Acceptability Department will conduct an investigation to get further information about statements in an advertisement and thus help determine their accuracy. Recognized agencies of investigation, such as the Better Business Bureaus, are consulted. Reports of commercial fact-finding organizations are used to get background information.

In some classifications, advertisers are required to fill out questionnaires before their advertising is considered. These include Financial, Book Exchange and Business Opportunities.

The Advertising Acceptability Department investigates all complaints from readers about advertising in The Times. If investigation proves the complaints to be valid and shows that the business practices of the advertiser are unfair, The Times declines further advertising from that advertiser.

Advertising must sometimes be changed or declined because of the applicability of laws dealing with such matters as libel, copyright and trademark, the right of privacy, the sale of securities, the sale of real estate (particularly subdivided va-

cant lands, cooperative apartments and condominiums), and political advertising.

The following describes some of the kinds of advertising which The Times will not accept:

1. Generally

- Advertisements which contain fraudulent, deceptive, or misleading statements or illustrations.
- Attacks of a personal character.
- Matrimonial offers.
- Unwarranted promises of employment in school advertising.
- Advertisements that are overly competitive or that refer abusively to the goods or services of others.

2. Investments

Advertisements holding out the prospect of large guaranteed dividends or excessive profits, or which solicit investments in nonproducing mining or oil property, oil royalties or pyramid sales operations.

3. Fortune Telling

Advertisements for fortune telling, dream interpretations and individual horoscopes.

4. Foreign Languages

Advertisements in a foreign language (unless an English translation is included) except in special circumstances and when a summary of the advertisement in English is included.

5. Salespersons

Advertisements for salespersons stating that specific sales volume or income will be achieved within a given period of time. Advertisements which do not include the type of compensation to be paid to salespersons such as salary, commission, etc., or which do not describe the articles and/or services to be sold.

6. Discrimination

Advertisements which discriminate on grounds of race, religion, national origin, sex or age.

7. Offensive to Good Taste

Indecent, vulgar, suggestive or other advertising that, in the opinion of The Times, may be offensive to good taste.

This list is not intended to include all the types of advertisements unacceptable

to The Times. Generally speaking, any other advertising that may cause financial loss to the reader, or injury to his health or morals, or loss of his confidence in reputable advertising and ethical business practices is likewise unacceptable.

RETAIL ADVERTISING

1. Competitive Claims

- A. Statements or representations which disparage the goods, price, service, business methods or advertising of any competitor by name, category or trading location are not acceptable.
- B. Statements which make or imply unsupported claims that an advertiser will undersell competitors are not acceptable.

2. "Bait" Offers

"Bait" offers of merchandise wherein the customer is denied a fair opportunity to purchase at the advertised price are not acceptable.

MAIL ORDER ADVERTISING

Mail order advertising is accepted subject to the following conditions:

1. Only merchandise of which delivery within thirty days is assured may be advertised.
2. If delivery is not made within thirty days, customers must be offered an opportunity to cancel their orders with full refund.
3. Full and prompt refunds will be issued to customers who mail back unused merchandise within ten days from the date of receipt. Personalized merchandise is not covered by this rule.
4. Substitution of items without the customer's prior consent is not allowed.
5. The Times may require prospective advertisers to submit samples for inspection.

MEDICAL ADVERTISING

All medical advertising, even of acceptable preparations, is carefully scrutinized.

Before accepting the advertising of any preparation, medication or treatment, The Times seeks the opinion of medical authorities. These include members of its own Medical Department and the recognized local and national medical informa-

tion bureaus.

These medical consultants do not exercise censorship over The Times's columns. The Times applies its own judgment to their information and advice and makes its own decisions.

The Times does not accept the advertising of any preparations which might be habit-forming or contain dangerous drugs or which might lead to self-diagnosis or self-medication of any serious condition or illness.

The Times does not accept medical advertising which contains testimonials, questionable "before and after" illustrations, or copy which goes too far in indicating that doctors "prescribe" or recommend any preparation for a stated illness or condition.

In addition, offers of free medical treatment or exaggerated remedial, relief or curative claims are not accepted.

The Times does not accept the advertising of preparations which may be harmless in themselves but which make grossly exaggerated claims in their advertising or on their labels or in their descriptive pamphlets.

OPINION ADVERTISING

In support of free expression in the realm of ideas, The Times keeps its columns open to those who wish to express

divergent points of view. Under this policy The Times often accepts opinion advertisements with which it vigorously disagrees.

It requires that opinion advertisers stay within the bounds of decency and good taste.

It expects opinion advertisers to avoid inaccurate or misleading statements of purported facts. The volume of opinion advertising is such that The Times cannot check all statements that are purportedly factual. The Times does not vouch for the accuracy of such statements. However, it reserves the right to require opinion advertisers to document factual assertions.

Adequate identification of the sponsors of an opinion advertisement is required. Where the sponsors are not a known organization, as in the case of "ad hoc" committees, a mailing address and the name of at least one responsible representative of the sponsoring group shall appear in the advertisement. Where needed, in the opinion of The Times, to avoid the possibility of misleading its readers, a statement identifying the sponsorship and source of the funds used to pay for the advertisement may be required.

All legal requirements must be met by political advertisers.

If names or pictures of people are to appear in the advertisement, the advertiser must certify that all such persons have granted permission for the use of their names or pictures.

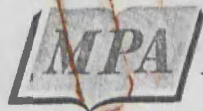
TYPOGRAPHY, FORMAT AND USE OF NEW YORK TIMES MATERIAL

The New York Times maintains a clear separation between news and editorial matter and advertisements. Accordingly, advertisements that might be confused with news or editorial matter will not be accepted.

The Times reserves the right to designate any advertisement as such when, in its opinion, this is necessary to make clear the separation between news and editorial material and advertising.

Other than as specified below the use of New York Times news or editorial content in advertising is not permitted:

1. The use, in whole or in part, of critical reviews written by members of The New York Times staff is permitted. Such material, if reproduced in full, must contain a copyright credit line (© The New York Times Co., 197-) and clearly disclose the identity of the advertiser. The advertisement will be designated as such and a distinctive border will be placed around it.
2. Restaurant reviews may be used as above but must carry the date on which the review appeared.
3. The use of critical reviews written by other than members of The New York Times staff is permitted only if permission is obtained from The New York Times Office of Rights and Permissions.
4. The use, in whole or in part, of New York Times editorials and Op-Ed Page columns written by Times staff members in advertising for charitable or non-profit public service organizations and in political or opinion advertising is permitted. Such material, if reproduced in full, must contain a copyright credit line, as above, and clearly disclose the identity of the advertiser. The advertisement will be designated as such and a distinctive border will be placed around it.
5. Use of texts of speeches or documents as published in The Times is permitted if such texts are not copyrighted.
6. New York Times news reports may be cited in political or opinion advertisements but not in a way that suggests that The Times is taking sides.



Magazine Publishers Association, inc.

Magazine Center / 575 Lexington Avenue, New York, N. Y. 10022 / 212 752-0055

December 16, 1975

Mr. Peter Furth
Research Assistant
American Enterprise Institute
1150 Seventeenth Street N.W.
Washington, D.C. 20036

Dear Mr. Furth:

The magazine publishing industry does not have a general policy on the acceptance of political or public issue advertising. Each magazine publisher establishes his own copy acceptance standards.

Magazines carry both types of advertising. They have not been used extensively for political campaigns mainly because most such advertising is directed to local or state rather than national audiences. There are, of course, regional magazines and local or city publications that might be used.

Enclosed is a tabulation showing the amount of advertising placed in magazines as corporate advertising, as distinguished from product or service advertising. Leading National Advertisers issues a report on corporate or general promotion advertising which can be purchased from them. Their address is Box 525, Norwalk, Conn. 06856. The report lists corporate advertisers, the magazines they used and the space and dollars for the period as well as the magazines carrying the advertising and the space and dollars by publication.

Corporate advertising programs have many different objectives: to increase the prestige and awareness of the company, to educate or inform their public, to build good will. Recently we noticed the enclosed reference to a company that analyzes the copy in this type of advertising. This might be a useful service for you.

Katheryn Powers
Katheryn Powers

enc.

copy

Keeping Track

If you're the kind of corporate executive who wants to know what other corporations are saying in their image ads but don't want to take the trouble of reading them—boy, does Benson & Benson have a service for you.

The Princeton, N.J., research firm is starting a thing called The TRACC Record, which will supply subscribers "with detailed breakdowns of all subjects treated in corporate advertising" on a quarter-by-quarter basis.

Kenneth A. Longman, the former J. Walter Thompson

~~NYT 1/28/75~~

New York Times

1/28/75

man who is president of Benson & Benson, said the firm would get its information by going through 20 business, news and class magazines as well as a few outstanding newspapers. He would report on television, too, he said, if he could figure out a way to monitor it.

Some initial findings from a pilot study show that consumerism, a once popular subject of corporate advertising, has all but passed from the scene. Now energy is the most popular topic of all. The Bicentennial was all but ignored in the first quarter but began showing up in the second and third.

The quarterly reports will cost \$375 each and it is hoped, will keep track of the number of offshore oil rigs that are helping the ecology.



Magazine Publishers Association, inc.

Magazine Center / 575 Lexington Avenue, New York, N. Y. 10022 / 212 752-0055

Advertising #9

GENERAL PROMOTION AND INSTITUTIONAL
ADVERTISING IN MAGAZINES

1959 -
(Add 000)

<u>Year</u>	<u>Expenditure</u>	<u>Change</u>
1959	\$ 56,968	
1960	70,302	+23%
1961	68,555	- 3
1962	65,886	- 4
1963	68,053	+ 3
1964	75,573	+11
1965	72,251	- 4
1966	87,711	+21
1967	92,230	+ 5
1968	86,753	- 6
1969	93,720	+ 8
1970	79,683	-15
1971	64,125	-20
1972	68,222	+ 6
1973	88,740	+30
1974	102,320	+15

Source: Leading National Advertisers Special Reports.

U.S. News & World Report

WASHINGTON

JOHN H. SWEET
PRESIDENT

2300 N STREET, N.W. · WASHINGTON, D. C. 20037

December 16, 1975

Mr. Peter Furth
Research Assistant
American Enterprise Institute
1150 17th Street, N.W.
Washington, D.C. 20036

Dear Mr. Furth:

The answer to your question about our acceptance of political advertising would be that we would apply the same rules to political advertising as we would to advertising of any other type. Mainly, it would have to be in good taste.

Also, with political advertising, we would bend over backwards to make sure that it was labeled as advertising, so that our readers would not confuse it with our regular news pages. This is our policy now and has been in the past.

Sincerely,

John H. Sweet

JHS:sgs

Los Angeles Times

December 17, 1975

Mr. Peter Furth
Research Assistant
American Enterprise Institute
1150 Seventeenth Street
N.W., Washington, D.C. 20036

Dear Mr. Furth:

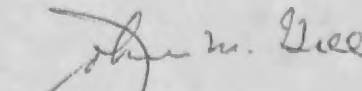
Your letter to Frank Haven has been forwarded for my attention.

We have a fairly simple policy regarding political advertising. Every political ad, regardless of content, must be submitted to our legal department for approval. The ads on controversial public issues may also be submitted to the editorial department as well as legal for their comment . . . especially in areas where claims are made regarding statements, dates, monetary expenditures, etc., etc.

Since we instituted this policy about five or six years ago we have had very few, if any, problems.

I hope this information is of some use.

Sincerely,



John M. Gall
Administrative Assistant to the
Director of Display Advertising

/bc

CBS

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

Robert V. Evans, Vice President
and General Counsel

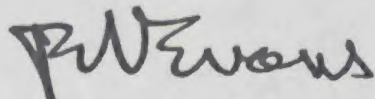
Dear Mr. Furth:

December 17, 1975

In response to your December 11 letter I am pleased to enclose a copy of a July 10, 1974 letter from Arthur R. Taylor, President of CBS, to editors. I believe you will find that Mr. Taylor's letter covers the subject about which you inquire.

With all good wishes.

Sincerely,



Mr. Peter Furth
Research Assistant
American Enterprise Institute
For Public Policy Research
1150 17th Street, N. W.
Washington, D. C. 20036

CBS

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

Arthur R. Taylor, President

July 10, 1974

TO EDITORS:

Should broadcasters be forced to sell advertising time to partisan interests for special pleading on controversial matters of public policy? The United States Supreme Court has said no. Speaking for the majority in ruling on that very issue last year, Chief Justice Burger wrote that "the public interest...would scarcely be served by a system so heavily weighted in favor of the financially affluent, or those with access to wealth."

This point is precisely what is at the heart of the CBS rejection of a bid by Mobil Oil Corporation to buy commercial broadcast time to promote Mobil's position regarding controversial energy issues. Only a year after the Supreme Court ruled in CBS's favor, Mobil has undertaken a campaign against what it calls "the networks' rejection of idea advertising." Mobil contends that the principle at stake is the First Amendment's protection of freedom of speech.

The opposite is the case, however. What is at stake is that other cardinal provision of the First Amendment: freedom of the press. That was the basis of the Supreme Court's 1973 ruling in Columbia Broadcasting System, Inc. v. Democratic National Committee. There, the Court refused to compel broadcasters to sell advertising air time to groups seeking to present their views on public issues. The High Court upheld the validity of the principle under which CBS and many other broadcasters have had long-standing policies that prohibit the sale of advertising time for the presentation of points of view on controversial issues of public importance, except in the case of certain political broadcasts.

The reason that CBS adopted this policy many years ago was simply that broadcast advertising time is limited -- unlike newspaper advertising space or the number of pamphlets that a partisan can distribute. To permit this time to be purchased for propaganda purposes, other than certain political advertising, would mean that those with the most money would get to talk the loudest. It would deluge the airwaves

July 10, 1974

with viewpoints whose claim to broadcast time would be based purely on the ability of their proponents to purchase time for their espousal. It was in recognition of this principle that CBS in the past has turned down the editorial advertisements of many organizations other than Mobil: the Democratic National Committee, the AFL-CIO, numerous oil companies and other major corporations.

Partisans generally feel that their particular views do not receive enough attention in normal journalistic channels, and that is the case here. CBS is aware that the exigencies of the energy crisis have placed Mobil and others involved in difficult positions explaining their policies to the public. CBS News has gone to great lengths to insure that the public hears all sides of this complex situation. CBS News coverage of the energy crisis has, I believe, been fair and objective and has included significant opportunities for the presentation of the views of the oil industry. Between December and May, there were 45 individual appearances by oil industry spokesmen on CBS News television broadcasts. Two of these were interviews with Mobil's President and Mobil's Washington representative (both of whom expressed satisfaction at the way those interviews were handled). Mobil, in fact, rejected a CBS News proposal to feature the company on a 60 MINUTES report on the energy crisis.

Despite those efforts of CBS News, Mobil claims that it must buy time for its special pleading because it cannot get a fair hearing for its views in the news. In other words, Mobil wants to sell its own point of view in the marketplace of its own choosing and on its own terms. Mobil has even offered to buy so-called "equal time" for opposing views if "the request is legitimate." This would, of course, allow the company to retain veto power over not only the choice of "opposition," but over the determination of what issues are discussed as well.

(Mobil also asserts that, by rejecting its television advertisement purportedly designed to "poll" views on offshore drilling, CBS denied Mobil the opportunity to measure public opinion. This is not true. At a fraction of the cost of television advertising time, Mobil could receive a far more scientific and reliable sampling of opinion from any professional research organization.)

July 10, 1974

Certainly nobody, least of all broadcasters, maintains that journalists have done a perfect job on all occasions. But we believe that the way to insure that the public receives the full facts in an unbiased manner is not to turn the job over to the partisan of the issue with the most financial resources, but rather to see that all facts that the public needs are reported fairly and accurately on CBS News broadcasts.

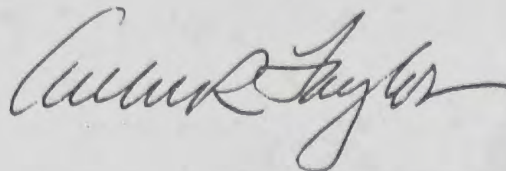
This was the point that Chief Justice Burger was addressing when he rejected the notion "that every potential speaker is 'the best judge' of what the listening public ought to hear or indeed the best judge of the merits of his or her views...." To the contrary, he wrote, "For better or worse, editing is what editors are for; and editing is selection and choice of material."

Far from restricting Mobil or the advocate of any other point of view, CBS will continue to present in the free forum of information those views that merit such coverage. That is the substance of independent journalism.

We bring all this to your attention at this time because there appears to be some misunderstanding of our reasons for taking the position we have, and I want to put the record straight.

With all good wishes.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arthur Taylor". The signature is written in dark ink and is positioned below the typed name "Sincerely,".

REC'D DEC 22 1975

TIME
THE WEEKLY NEWSMAGAZINE

TIME & LIFE BUILDING
ROCKEFELLER CENTER
NEW YORK 10020
(212) JU 6-1212

ADVERTISING DEPARTMENT

December 18, 1975

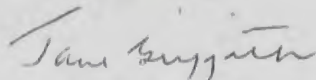
Dear Mr. Furth:

Your letter of December 11 addressed to Mr. Grunwald has been forwarded to this department.

In the past we have accepted both political advertising and advertising of a controversial nature and will no doubt continue to do so. However, we have no written policy on the matter for release.

Thank you for your interest in TIME, Mr. Furth, and I am sorry I cannot be more helpful.

Sincerely,



Jane Griffith
Advertising Editor

Mr. Peter Furth
Research Assistant
American Enterprise Institute
1150 Seventeenth Street, N. W.
Washington, D. C. 20036

/g

REC'D DEC 22 1975

NATIONAL BROADCASTING COMPANY, INC.

THIRTY ROCKEFELLER PLAZA, NEW YORK, N.Y. 10020, CIRCLE 7-8300

BENJAMIN D RAUB
Vice President and Assistant General Attorney

December 18, 1975

Mr. Peter Furth
Research Assistant
American Enterprise Institute
1150 Seventeenth Street, N. W.
Washington, D. C. 20036

Dear Mr. Furth:

This is in reply to your note of December 11, 1975 requesting information relative to NBC's present policy and past history of accepting political advertising or advertising on controversial issues.

For many years it has been NBC's policy to present representative contrasting points of view on controversial issues of public importance on NBC's regular and special news and public affairs programming since NBC believes that such a practice generally meets the public interest goal of providing the public with information on a balanced basis rather than to provide particular advocates with a means of personal expression of their views.

Consequently, it is and has been NBC's policy as a general rule not to sell time on NBC facilities for the presentation of views on public controversial issues and not to permit use of commercial announcement positions for addressing such issues. There are, however, exceptions.

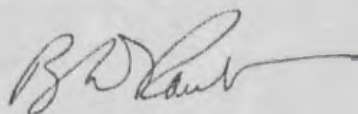
NBC believes that separate and different considerations apply to the political process, because of the special public interest in the political process and the special role broadcasting can play in it. Consequently, during political campaigns, NBC sells time for programs and announcements by

and on behalf of political candidates as well as to political parties for political fund raising. NBC also sells time for programs and announcements dealing with ballot issues to be voted for by the public.

Considerations similar to those applicable during political campaigns may also justify, within reasonable limits, the sale of time for discussion by political spokesmen and for fund raising on behalf of political parties during periods when a political campaign is not actively in progress. In recognition of these considerations, NBC will sell available commercial positions to a significant political party for solicitation of funds for that party, but NBC reserves the right to reject fund raising announcements which also advocate a position on controversial public issues. NBC may sell time periods of five minutes or longer to government officials and spokesmen for significant political parties for presentation of their views on controversial public issues of major importance, provided that such a presentation (a) can reasonably be accommodated within the schedule, (b) will in NBC's judgment add significantly to NBC's overall coverage of the issue, and (c) can be balanced within practical scheduling limitations by selling comparable time that might be ordered by opposing government officials or political party spokesmen.

I trust that the foregoing will be of assistance to you in your project.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "B D Raub", with a long horizontal flourish extending to the right.

Benjamin D. Raub