

1974

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NEW YORK TIMES

January 17, 1974, Thursday

SECTION: Page 1, Column 1

LENGTH: 187 words

BYLINE: BY LES BROWN

JOURNAL-CODE: NYT

ABSTRACT:

White House Telecommunications Policy Office releases rept calling for virtual removal of Govt regulations over cable TV in order to give it same freedom-of-the-press status that newspapers, magazines and books have under First Amendment. Rept, prepared under auspices of special Cabinet com established by Pres Nixon in '71, proposes that owners of cable systems be prohibited from producing programs for their own channels and that current restrictions be lifted against cable-TV ownership by TV networks. Rept's key recommendation is that pay cable TV be permitted on unrestricted basis. Clay T Whitehead, Telecommunications Policy Office dir, who is chmn of Cabinet com, says proposals will not receive 'great push' from Adm because of 'reverse effect of such endorsement'. 5 of 7 com members are gone from Adm. Whitehead's departure has been put off by delays in releasing rept, which he considers most significant product of his office. Rept receives support from number of academicians and cable-TV indus officials who attend conf in Washington, DC, sponsored by Aspen Program on Communications and Soc (L).

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NEW YORK TIMES

January 20, 1974, Sunday

SECTION: Section 4; Page 9, Column 4

LENGTH: 10 words

BYLINE: BY CAROLINE RAND HERRON and DONALD JOHNSTON

JOURNAL-CODE: NYT

ABSTRACT:

Rev of Telecommunications Policy Office rept on cable TV.

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NEW YORK TIMES

January 21, 1974, Monday

SECTION: Page 56, Column 1

LENGTH: 23 words

BYLINE: BY LES BROWN

JOURNAL-CODE: NYT

ABSTRACT:

Analysis of White House Telecommunications Policy Office Dir Clay T Whitehead's rept advocating cable TV's freedom from Govt control (L).

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NEW YORK TIMES

January 25, 1974, Friday

SECTION: Page 32, Column 2

LENGTH: 94 words

JOURNAL-CODE: NYT

ABSTRACT:

Ed lauds cable TV rept issued by Cabinet Com on Cable Communications working under aegis of Telecommunications Policy Office. Contends that rept is free of 'ideological plugola' that characterizes Adm's attitude toward broadcasters. Holds rept is practical in its recognition that 'marketplace of ideas' must be opened up without Fed franchises for favored few, complex regulations, or censorship. Says Telecommunications Policy Office Dir Clay T Whitehead and other officials have written document that can have beneficial reverberations for yrs to come.

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NEW YORK TIMES

February 1, 1974, Friday

SECTION: Page 59, Column 5

LENGTH: 66 words

JOURNAL-CODE: NYT

ABSTRACT:

Nixon Adm is preparing 5-yr public broadcasting funding bill calling for graduated annual appropriations to Public Broadcasting Corp that would reach \$100-million at end of 5th yr. '74 authorization of \$50-million would be used as base for scale of yearly increments. Bill specifies that Govt appropriations are to be matching funds. Bill is being drafted by Telecommunications Policy Office.

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WALL STREET JOURNAL

February 11, 1974, Monday

SECTION: Page 9, Column 2

LENGTH: 28 words

BYLINE: BY KENNETH H BACON

JOURNAL-CODE: WSJ

ABSTRACT:

White House Office of Telecommunications Policy proposes guidelines restricting dissemination of prerecorded pol messages to pub by Nixon Adm depts and personnel (M).

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NEW YORK TIMES

February 12, 1974, Tuesday

SECTION: Page 66, Column 1

LENGTH: 172 words

BYLINE: BY LES BROWN

JOURNAL-CODE: NYT

ABSTRACT:

White House Office of Telecommunications on Feb 11 issues rept saying that Fed Govt spent \$375-million in fiscal yr '72 on audio-visual materials--including TV and radio spots--and 2 agencies most involved were Pentagon and USIA. Telecommunications Office dir Clay T Whitehead says that rept reveals surprising dimensions of Govt involvement with modern communications techniques, and calls for immediate attention to 'potential for abuse, for turning public service messages into bureaucratic propaganda'. Pentagon accounts for \$260.2-million of total spent, for training films and other materials, and USIA spent \$77.2-million. Budgets for 13 other agencies that are among largest producers of audio-visual materials in Govt are less than \$10-million each. Rept itself recommends that govt begin centralized supervision and coordination of its 653 audio-visual facilities. Finds that 95% of all TV production for govt was performed in-house while 2/3ds of all film production for govt during '72 was done by private firms.

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NEW YORK TIMES

April 12, 1974, Friday

SECTION: Page 62, Column 5

LENGTH: 177 words

BYLINE: BY LES BROWN

JOURNAL-CODE: NYT

ABSTRACT:

Sen sources say Sen Commerce Com vote on nomination of Rev Luther Holcomb for Dem seat on FCC to replace H Rex Lee is being held up until after Easter recess, partly because of questions raised concerning his pol affiliation. Copies of lr written by Holcomb to Donald M Kendall, chmn and chief exec officer of Pepsico Inc, on May 18 '72 discusses Holcomb's 'total commitment to Pres Nixon for re-election' and his desire to work with Com to Re-Elect the Pres. Copies are distributed to com by Consumer Federation of Amer. Com votes, 14-2, to recommend confirmation of James H Quello to FCC for seat previously held by Nicholas Johnson and of John Eger as deputy dir of Telecommunications Policy Office. 1 Sen is quoted as being concerned that Holcomb may be closet Repub apptd to seat reserved for a Dem'. Similar reservations about Quello's apptmt to Dem seat, since he contributed \$1,100 to Nixon's '72 campaign, noted. Sen sources say there is possibility that com will ask Sen Communications Subcom to reopen hearings on Holcomb's nomination (M).

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NEW YORK TIMES

May 21, 1974, Tuesday

SECTION: Page 33, Column 3

LENGTH: 89 words

BYLINE: BY DAVID BURNHAM

JOURNAL-CODE: NYT

ABSTRACT:

White House Telecommunications Policy Office rept finds that radio waves may affect human health at lower radiation levels than previously believed. Warning comes in agency's 2d rept to Cong on its program to coordinate Govt research aimed at assessing biological impact of radio waves and controlling electromagnetic pollution of environment. Says unless adequate monitoring programs and methods of control are instituted in near future, man may soon enter era of energy pollution of environment comparable to chem pollution (M).

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WALL STREET JOURNAL

June 10, 1974, Monday

SECTION: Page 1, Column 1

LENGTH: 83 words

BYLINE: BY KENNETH H BACON

JOURNAL-CODE: WSJ

ABSTRACT:

K H Bacon discusses efforts of pub interest proponents, including atty A H Kramer, founder of Citizens Communications Center, and former Fed Communications Comr N Johnson, to get access for US pub to press, TV and radio for expression of dissenting views. Describes possible precedent-setting lawsuit, now before US Sup Ct, brought by pol candidate P L Tornillo Jr against Miami Herald for equal space to reply to eds on his '72 candidacy for Fla legis. Summarizes views of media spokesmen (L).

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NEW YORK TIMES

June 10, 1974, Monday

SECTION: Page 1, Column 2

LENGTH: 91 words

BYLINE: BY LES BROWN

JOURNAL-CODE: NYT

ABSTRACT:

Public Broadcasting Corp (PBC) sources disclose that Pres Nixon has rejected White House Telecommunications Policy Office bill for long-range financing of public TV. Say Nixon turned down bill with terse statement, which suggested that Fed support for public TV be scaled down. Proposed legis was sent to Nixon in Apr by Clay T Whitehead before he resigned as dir of office. Whitehead repty is chagrined at Nixon's rejection of bill. Corp sources also disclose that Nixon has nominated Nancy Chotiner for seat on bd of dirs of PBC (M).

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NEW YORK TIMES

June 16, 1974, Sunday

SECTION: Section 4; Page 2, Column 1

LENGTH: 24 words

JOURNAL-CODE: NYT

ABSTRACT:

Rev of Pres Nixon's rejection of bill proposed by Telecommunications Policy Office Dir Clay T Whitehead for long-range financing of public TV.

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NEW YORK TIMES

July 10, 1974, Wednesday

SECTION: Page 1, Column 4

LENGTH: 137 words

JOURNAL-CODE: NYT

ABSTRACT:

Clay T Whitehead, dir of White House office of telecommunications policy, on July 9 criticizes AT&T for using its power to persuade Govt to extend its monopoly in communications. Makes criticism in statement that has been cleared by both Justice Dept and Office of Mgt and Budget. Tells Sen Antitrust and Monopoly subcom that it is unbecoming for co the size and stature of AT&T to use its legal, pol and econ power to extend its monopoly by govt fiat to areas where monopoly is not called for. Says it would not be appropriate for him to comment on merits of allegations of possibly illegal business practices made against AT&T by 38 cos in earlier series of subcom hearings. AT&T spokesman says that time has come to alert public that regulatory decisions that have been taken cannot help but hurt most people (M).

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July 11, 1974, Thursday

SECTION: Page 62, Column 5

LENGTH: 138 words

BYLINE: BY DAVID BURNHAM

JOURNAL-CODE: NYT

ABSTRACT:

White House Telecommunications Policy Office and FCC rept tech and procedural failures marred recent test of civil defense emergency broadcast system. Problems included failure of recorded message that provides receiving points before beginning of recorded script and late starting of test message so that at least 1 network failed to transmit it to 160 radio stations. Test message was distorted as result of being 18-20 decibels louder than standard set. Despite failures Telecommunications official termed test 'qualified success'. Broadcasting official responsible for running test on 1 network charges agency's equipment was not maintained at commercially acceptable standards. Such tests are run at least every 3 mos, but Govt official says next test will not be scheduled until recent breakdown is analyzed (M).

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NEW YORK TIMES

July 21, 1974, Sunday

SECTION: Section 4; Page 2, Column 2

LENGTH: 32 words

JOURNAL-CODE: NYT

ABSTRACT:

Rev of Pres Nixon's approval of Telecommunications Policy Office Dir Clay T Whitehead's bill that will place public TV on sounder financial footing and insulate it from Govt interference (S).

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NEW YORK TIMES

July 31, 1974, Wednesday

SECTION: Page 41, Column 7

LENGTH: 260 words

BYLINE: BY DAVID BURNHAM

JOURNAL-CODE: NYT

ABSTRACT:

AT&T, at Sen Antitrust and Monopoly subcom hearing, launches counterattack on July 30 against critics in both Govt and business who have charged co is too large and too powerful and sometimes uses unfair business methods. Prof Eugene V Rostow, speaking against bill aimed at breaking up concentration of business power in such areas as communications, chemicals and automobiles, says that AT&T and its manufacturing and operating arms are 'reasonable and indeed inevitable system' for maintaining and improving integrated natl and internatl system of communications. Hearings are held several days after Justice Dept acknowledged that its Antitrust Div for last yr has been investigating co for possible antitrust violations and several wks after Clay T Whitehead, dir of White House Telecommunications policy, criticized AT&T for using its power to persuade Govt to extend its monopoly in communications. Rostow attacks many of recent decisions of FCC concerning phone service and legis introduced by Sen Philip A Hart to force businesses in certain key areas to reduce their size. Holds FCC has practiced protection while preaching competition in telecommunications indus. NY Telephone Co vp Frank McDermott Jr says Bell System does not have to condone any policy of anticompetitive behavior. Says he conducted investigation of 121 allegations made to subcom that actions by Bell System had been anticompetitive and found only 4 instances where employes had made statements or taken actions not in accord with corp's policy of fair competition (M).

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NEW YORK TIMES

August 9, 1974, Friday

SECTION: Page 67, Column 2

LENGTH: 47 words

BYLINE: BY LES BROWN

JOURNAL-CODE: NYT

ABSTRACT:

White House Communications Policy Office head Clay T Whitehead resigns, effective Sept 15. Says he has accepted teaching and consulting assignments both at MIT and Harvard Univ. Deputy dir John M Eger will serve as acting dir. Whitehead career sketch. His duties discussed (M).

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NEW YORK TIMES

August 15, 1974, Thursday

SECTION: Page 1, Column 1

LENGTH: 216 words

BYLINE: BY CLIFTON DANIEL

JOURNAL-CODE: NYT

ABSTRACT:

Pres Ford's aides imply that Pres Ford wants power of White House dispersed. Transition team coordinator Donald Rumsfeld emphasizes that team has not concluded its studies and says it would be premature to forecast its conclusions. Another aide suggests that 1 gen theme of team's rept will be 'decentralization' of White House, to restore some authority to Govt agencies and depts. Press sec J F terHorst says Ford has asked Alexander M Haig Jr, Nixon's chief of staff, to stay on indefinitely and that Haig had agreed to do so. Interior Sec R C B Morton says team is trying to cut through whole 'Nixon style' of operations, which he describes as self-contained style that tended to hold everything in Pres's office. Says Ford wants policy to be developed in depts and agencies and then referred to Domestic Council and Mgt and Budget Office. Ford is expected to make changes in Cabinet. Planning for transition began day before Nixon resigned. Meeting was held at home of William G Whyte and was called by Philip W Buchen. Others present were Sen R P Griffin, Bryce N Harolow, former Repr John W Byrnes, **Clay T Whitehead** and former Gov William W Scranton. Group's 1st decision was to recommend that Ford appt J F terHorst as White House press sec. Group named transition team (L).

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NEW YORK TIMES

August 16, 1974, Friday

SECTION: Page 59, Column 4

LENGTH: 43 words

BYLINE: BY LES BROWN

JOURNAL-CODE: NYT

ABSTRACT:

Bd of NYC chapter of Amer Women in Radio and Television recommends that White House's Office of Telecommunications Policy be eliminated. Chapter pres Maurine Christopher sends telegram to Pres Ford calling office 'blatant waste of taxpayers' money' (S).

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NEW YORK TIMES

August 26, 1974, Monday

SECTION: Page 1, Column 2

LENGTH: 89 words

BYLINE: BY JAMES M NAUGHTON

JOURNAL-CODE: NYT

ABSTRACT:

Planning for orderly elevation of G R Ford to Presidency began mos before Pres Nixon decided to resign. Plans, which were kept secret from Nixon and, at 1st, from Ford, were initiated by Ford's closest friend Philip W Buchen. 'scenario' for 1st days of Ford Adm was drafted in June by **Clay T Whitehead** and 3 other men and details of change in Govt were settled 36 hrs before event by assortment of pol and corp friends of Ford who met at home of US Steel Corp vp William G Whyte. Chronology of transition plans. Buchen por (L).

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NEW YORK TIMES

September 16, 1974, Monday

SECTION: Page 1, Column 6

LENGTH: 364 words

BYLINE: BY ANTHONY RIPLEY

JOURNAL-CODE: NYT

ABSTRACT:

Lawyers disagree on Nixon pardon. Prof Philip B Kurland says he thinks pardon is invalid because there was no conviction and suggests Watergate prosecutor Leon Jaworski make a challenge in cts. Amer Bar Assn pres-elect Lawrence E Walsh says it is in natl interest to keep a Pres's pardoning powers broad. Both appear on ABC TV program Issues and Answers. Walsh questions manner and timing of pardon and says he thinks it might have been better if clemency hearings had been held where arguments pro and con could have been fully developed before decision was made. Time (pub) repts that just before White House aides H R Haldeman and John D Ehrlichman resigned in Apr '73, Nixon promised them pardons, which never came through, even though both men pressed Nixon again on subject just before Nixon resigned. Newsweek (pub), citing new evidence from White House tapes, says Watergate prosecutor Leon Jaworski's office now has evidence that Nixon knew in advance of activities of undercover team that later broke into Dem Natl Com hq in June '72. Former White House telecommunications **dir Clay T Whitehead** says he thinks timing of Nixon pardon was mistake, int on CBS TV program Face the Nation. Says transition team worried about concentration of mil officers in White House and about Alexander M Haig Jr's role as chief of staff. Says team felt it would be 'irresponsible' to remove Haig immediately as symbol of change at White House because he was 'too important operationally to the Pres'. Asked if Haig served 'in effect' as 'surrogate Pres' during Nixon's last days, Whitehead says Haig 'had much more power concentrated in any one man than we've ever seen before and far more than would be healthy in normal circumstances'. He says he himself did not quit because he felt sense of duty to Cong and people. In int by US News & World Rept with top Ford aides Philip W Buchen, Robert T Hartmann and John O Marsh Jr, Buchen is asked if extent of Nixon's suffering was main consideration in granting of pardon. Buchen says it was not so much the Nixon suffering as what US would go through 'as they may have had to watch this man go step by step toward the brink' (L).

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NEW YORK TIMES

September 14, 1974, Saturday

SECTION: Page 15, Column 2

LENGTH: 42 words

BYLINE: BY ALBIN KREBS

JOURNAL-CODE: NYT

ABSTRACT:

Clay T Whitehead, former dir of White House Telecommunications Policy Office, to become research associates at MIT and fellow of Inst of Politics at Harvard Univ's John F Kennedy School of Govt. He will write a book on US communication policy (S).

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October 21, 1974, Monday

SECTION: Page 1, Column 6

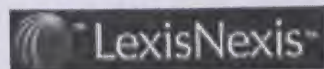
LENGTH: 200 words

BYLINE: BY DAVID BURNHAM

JOURNAL-CODE: NYT

ABSTRACT:

White House Office of Telecommunications Policy acting dir John M Eger scores unannounced Justice Dept decision tentatively approving FBI enlargement of its communication system. Holds decision could result in absorption of state and local criminal data systems into potentially abusive, centralized, fed-controlled computer information system, lr to Atty Gen Saxbe, Oct 20. Maintains that FBI violated understanding with Cong not to act on communications project until complex legis establishing limits and controls over Natl Crime Information Center have been worked out and approved by Cong. Action Eger is scoring was decision by Deputy Atty Gen Laurence H Silberman that Center can begin 'ltd message switching' after developing action plan telling what was to be done and how much it would cost. Eger says expanded communications links will duplicate facilities of Natl Law Enforcement Telecommunications System, cooperative program managed and paid for by 50 states, and allow Fed officials to monitor communications patterns between local and state law enforcement agencies and permit FBI to control and route messages from other Fed agencies to state and local law enforcement groups (M).



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NEW YORK TIMES

November 2, 1974, Saturday

SECTION: Page 58, Column 4

LENGTH: 98 words

BYLINE: BY LES BROWN

JOURNAL-CODE: NYT

ABSTRACT:

Dispute between Public Broadcasting Corp and Public Broadcasting Service (PBS) could threaten 5-yr funding legis for public broadcasting that is currently before Cong. Rift was created by new demands from PBS exec com for redistribution of Fed funds within system in manner that would disturb delicate power balance between 2 orgns. Spokesman for White House Telecommunications Policy Office, which introduced bill, says that several Congressmen have asked whether office will continue to support legis. Says Pres Ford will submit bill as priority legis when Cong reconvenes (M).



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Nineteen seventy-four was marked by Richard Nixon's departure from the White House and Whitehead's resignation as OTP Director. Shortly before resigning the Presidency, Nixon sent Congress the long-range funding plan for public broadcasting Whitehead had promised the Senate during his confirmation hearing four years earlier. Submission of the plan reportedly came only after Chief-of-Staff Alexander Haig convinced Nixon to reverse an earlier decision not to submit the bill to Congress.

On April 2, Whitehead sent a memo to the President recommending submission of a multi-year appropriations bill for CPB to Congress. The proposed legislation mandated a pass-through to the local stations of a substantial portion of CPB's appropriations.

Whitehead's memo described the proposal and the events leading up to it:

In June 1972, you vetoed a two-year, \$150 million public broadcast funding bill. My memorandum of June 11, 1973, spelled out, and you approved, a new Administration approach, premised on the changes of direction in public broadcasting since your veto. Accordingly, in July 1973, you signed a two-year authorization bill for the Corporation for Public Broadcasting (your FY 75 budget sets \$60 million for CPB), and had me seek a consensus on long-range funding. The object was to gain support for a restructuring of public broadcasting to decentralize funding and programming decisions by emphasizing the role of local stations. We have achieved such a consensus and have a bill awaiting OMB clearance, which provides for:

1. long-range funding over a five-year period without annual appropriations but with oversight;
2. a 40 percent matching formula, including ceilings of \$70 million in FY 76 gradually increasing to \$100 million in FY 80, to keep the Federal share from becoming too large;
3. a mandatory pass-through to the local stations of a substantial portion of the Federal match (at least 50 percent by FY 80), to decentralize program control and minimize the network character of the system; and
4. removal of restrictions on using Federal public broadcast funds in cable systems.

The bill would not preclude use of Federal funds for news and public affairs programs. While I share your view that such funds should not be used for this purpose, it would not pass if we attempted to deal with the problem legislatively. The solution is best left to the Board of CPB.

Whitehead's memo went on to cite the advantage of putting forward such a proposal:

The bill offers the most likely way to reduce the danger of centralized control of public broadcasting by either foundation or governmental entities. It is only because of the long-

range funding commitment that public broadcasters now support the restructuring of the system. A two- or three-year bill would provide only increased funding without the reforms. This would carry the issue of public broadcasting structure and funding through to a new Administration--one that may not be as sympathetic to the role of local stations as we are. Additionally, the bill would:

1. remove an irritant in the Administration's relationship with the Chairmen of the Senate and House Communications Subcommittees. Senator Pastore in particular wants the bill, and, if it is not submitted, could drag his feet on our upcoming cable legislation and confirmation of our nominees to CPB. On the republican side, Howard Baker has not expressed much interest; Bud Brown supports the bill, but has some specific points that we will clarify;
2. keep the appropriations at reasonable limits, since it is a consensus bill that the Congress would not want to upset; and
3. facilitate confirmation of our eight nominees for the 15-member CPB Board of Directors in a depoliticized atmosphere.

Thus, Whitehead concluded: "By submitting the bill, we have met our obligation, and, if the Congress does not support this bill, we are free to oppose any other approach to long range funding."

Two days after Whitehead sent his Memorandum for the President to Cole, Whitehead was quoted by the Associated Press as saying he planned to leave government, "just as soon as I can gracefully extricate myself." According to the AP report, Whitehead "is not leaving because of Watergate or disillusionment with government, he says, but simply because 'I've been in government over five years, and I came to Washington with the idea of spending two.'"

On April 30, Cole forwarded Whitehead's memo to the President. In his memo, Cole said Whitehead's proposal for multi-year appropriations was one of four options the President could choose. The memo listed the four:

A. The Whitehead proposal....

B. The OMB proposal. OMB opposes "back door" financing. OMB feels the case for long-range financing can be met through a five-year authorization and single year advance appropriations. The provisions for matching formula and mandated distribution to locals would be retained. This would still subject public broadcasting to the annual budgetary process....

C. Two-year authorization: A simple two-year extension would duplicate the compromise reached July, 1973. Whitehead feels this would be the worst possibility since it would perpetuate public broadcasting through your Administration, but leave it centralized for possible liberal domination in another administration.

D. End public broadcasting. The Corporation for Public Broadcasting is an organization incorporated under the laws of the District of Columbia. Its own authorization will never expire, but it is at least theoretically possible that Federal funding of the Corporation could be ended or phased out. It is extremely unlikely that this option could be successful since support for Federal money in public broadcasting is popular in the Congress.

In early June, Whitehead was informed that President Nixon had rejected the OTP long-range funding plan. Upon learning this, Whitehead sent a memo to General Alexander Haig, who had replaced Haldeman as Nixon's Chief of Staff:

I have been informed that the President has disapproved the long-range funding proposal for the Corporation for Public Broadcasting, which I forwarded on April 2, 1974, and wants

to "end" public broadcasting or submit a "very limited" budget proposal. I strongly disagree. I cannot support such an action, and request an appeal to the President.

Our funding strategy, which is intended to gain substantial involvement by the local stations in the structure of public broadcasting and to assure their direct access to Federal funds, was approved by the President. His budget requests for CPB have increased each year, as have public and corporate contributions to CPB and the local stations. Rightly or wrongly, the commitment to Federal funding of public broadcasting has been made. For the President to attempt to back away from that commitment now is unwise, unworkable, and quixotic. An attempt to do so would isolate the President from public and Congressional opinion, and thus would deprive him of any effective participation in the constructive shaping of public broadcasting policy.

Whitehead also questioned the appropriateness of appointing Nancy Chotiner, the wife of Nixon aide Murray Chotiner, to the CPB Board:

Moreover, the nomination of Mrs. Nancy Chotiner to the Board of CPB, is most inappropriate. While I do not know Mrs. Chotiner personally, and have no adverse information about her, she appears to have no particular qualifications for the Board, and her appointment would be widely perceived as a purely political action. At this pivotal time in the course of public broadcasting's development, this nomination, together with the reversal of direction on funding, would throw public broadcasting back into the political arena--exactly contrary to our efforts over the last five years.

Finally, Whitehead requested a meeting with Haig to discuss these issues:

I was told by your office that I would have an opportunity to discuss these issues with you before they went to the President. I continue to be disturbed that our arrangements for communication policy decision-making are inadequate. In view of these strong considerations, I would like to meet with you (and perhaps Cole and Burch) as soon as possible for a full discussion.

The two men reportedly met on Sunday, June 9.

The next day, the New York Times, quoting sources close to CPB, reported that President Nixon had "flatly rejected" the OTP long-range financing plan and "suggested instead that that Federal support for public television be scaled down."

The Times story was promptly denied by a White House spokesman, who the AP quoted as saying, "(the OTP proposal) is before the President and no decision has been made."

The Times story also generated editorials in the Wall Street Journal, the Washington Post, and other newspapers criticizing the President's reported rejection of the OTP plan.

On June 20, CPB President Loomis met with White House aide Ray Price. One of the things Loomis and Price discussed was insulated funding for public broadcasting. Following their meeting, Loomis sent Price a three-page memo on the subject. In his memo, Loomis said that CPB and others in public broadcasting had participated in the development of the OTP proposal:

This spring, Tom Whitehead and OTP drafted a proposed insulated funding bill that addresses both the problem of insulation and amount of federal money. The Corporation and both the public television and public radio organizations cooperated in the drafting of the bill and approved it, except for the ceilings.

On July 11, Cole informed Whitehead that his April 2 memorandum to the President on public broadcasting financing had been approved.

On July 16, the legislation was submitted to Congress. In Whitehead's letter of transmittal to the Speaker of the House and the President of the Senate, he said:

The establishment of a source of funding to provide long-term, insulated financing has long been seen as an essential goal if public broadcasting is to fulfill its potential of offering diverse and excellent educational radio and television programming, free of government influences. Even before the enactment of the Public Broadcasting Act of 1967, the Carnegie Commission on Educational Television, in recognition of the uniquely sensitive relationship between program content and Federal funding, recommended a plan of permanent financing that would insulate the Corporation and public broadcasting from possible pressure that might naturally result from the annual budgeting and appropriation process.

Since 1967, however, the Congress has quite properly chosen not to institute a long-range funding plan, in view of questions regarding the structure of the public broadcasting system and the policies of the Corporation and the Public Broadcasting Service (PBS). Now, many of these questions have been resolved. Public broadcasting is making important contributions to the nation's life by providing educational and cultural programs of diversity and excellence. The important role of local stations in the hierarchy of the system has been acknowledged in principles and policies adopted by the Corporation and the other national entities that represent local stations.

The time has come, therefore, to affirm the Federal commitment to the principle of public broadcasting with a long-term financing plan that acknowledges its progress and recognizes its potential. The bill the Administration submits today provides for a five-year authorization and appropriation covering fiscal years 1967 through 1980, building upon the current year authorization and appropriation, which continue the increases in funding for the Corporation over the past five years. This multi-year appropriation provision will minimize the possibility of any government scrutiny of or influence on programming that might occur in the course of the usual annual budgetary, authorization and appropriation process. In addition, it will enable the Corporation and local stations to undertake advance program planning with assurance as to the level of Federal funding available in the foreseeable future.

On August 6, Whitehead testified in support of the bill before the Senate Subcommittee on Communications. In his prepared statement Whitehead explained the timing of the Administration's long-range funding proposal:

We did not, however, urge multi-year appropriations prior to this time, since we felt an obligation to see that public broadcasting was developing in line with the goals of the 1967 Act--to do otherwise would be to set in concrete a system which worked at cross purposes to the intention of that legislation. The Administration's recognition of this responsibility was interpreted by some as an attempt to dismantle public broadcasting. But we were not quarrelling with public broadcasting as envisioned in the 1967 Act. We did object to a fixed schedule, real-time public network controlled and programmed in Washington in a manner that made a sham of meaningful local participation.

Despite those problems, this Administration continued its support for the public broadcasting system, recognizing its contributions as well as its shortcomings. Our funding requests for CPB have increased from \$5 million in 1969 to \$60 million for 1975. But we rightly withheld support of a long-range, insulated funding plan until the public broadcast system operated with checks and balances adequate to merit long-term funding without intervening Congressional review.

Over the years public broadcasting changed. The structure of the system and the policies of CPB and the Public Broadcasting Service now reflect the importance of a direct and real local station participation in programming decisions at the national level. We have reached

the point where insulated funding of the system is not only appropriate, it is essential if public broadcasting is to continue its present course to excellence and diversity.

On August 7, Whitehead formally announced his resignation as Director of OTP, effective September 15.

Also on August 7, President Nixon nominated five persons to the CPB Board. The five were: Joseph Coors of Colorado, Lucius Gregg, Jr., of Illinois; Amos Hostetter, Jr., of Massachusetts, Lillie Herndon of South Carolina, and John Whitney Pettit of Maryland. This brought to eight the number of persons Nixon nominated to the CPB Board in 1974; having renominated Irving Kristol of New York, and nominated Virginia Duncan of California, and Durward Varner of Nebraska, earlier in the year.

Two days after submitting the names of the CPB nominees to Congress, Nixon turned over the reins of government to Gerald R. Ford.

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1975

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NEW YORK TIMES

January 16, 1975, Thursday

SECTION: Page 83, Column 1

LENGTH: 37 words

BYLINE: BY LES BROWN

JOURNAL-CODE: NYT

ABSTRACT:

Telecommunications Policy Office acting dir John Eger confirms repts that Pres Ford is considering disposing of 5-yr old office. Eger says he is trying to head off such an action. Background of office discussed (M).

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NEW YORK TIMES

January 18, 1975, Saturday

SECTION: Page 48, Column 5

LENGTH: 106 words

BYLINE: BY LES BROWN

JOURNAL-CODE: NYT

ABSTRACT:

White House sources say Pres Ford, on recommendation of Mgt and Budget Office dir Roy L Ash, has agreed to transfer Telecommunications Policy Office to Commerce Dept instead of disbanding it. Move saves \$9.3-million from exec budget. Sources say Ford's change of mind was influenced by bipartisan protests from Cong, which arose when NY Times reptd that White House was considering the transfer. Cong activity was led by Sen H H Baker Jr. Baker's effort was joined by Reprs L Van Deerlin and C Brown. Telecommunications Office acting dir John Eger fought to prevent transfer. Clay T Whitehead, 1st dir of office, comments (M).

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NEW YORK TIMES

January 26, 1975, Sunday

SECTION: Section 4; Page 16, Column 2

LENGTH: 22 words

JOURNAL-CODE: NYT

ABSTRACT:

Ed on uncertainty of future of Telecommunications Policy Office discusses its background and origins and suggests it be abolished.

Copyright 1975 Facts on File, Inc.
Facts on File World News Digest

February 1, 1975

SECTION: U.S. AFFAIRS; The Administration

PAGE: Pg. 54 C3

LENGTH: 102 words

HEADLINE: Ford retains communications unit

BODY:

White House Press Secretary Ron Nessen said Jan. 17 that President Ford had decided that the Office of Telecommunications Policy "has a role to fulfill in communications and the role is best fulfilled in the White House." It had been reported that Ford was prepared to adopt a plan, advocated by Roy L. Ash, director of the Office of Management and Budget, to transfer the agency and merge its operation and funding with a technical telecommunications office already within the Commerce Department. Several members of Congress, including Sen. Howard H. Baker Jr. (R, Tenn.) protested the transfer.

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NEW YORK TIMES

February 11, 1975, Tuesday

SECTION: Page 38, Column 5

LENGTH: 17 words

BYLINE: BY EDWARD W TAYLOR

JOURNAL-CODE: NYT

ABSTRACT:

Edward W Taylor agrees with Jan 26 ed suggestion that Telecommunications Policy Office be abolished.

Copyright 1975 The New York Times Company: Abstracts
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NEW YORK TIMES

March 22, 1975, Saturday

SECTION: Page 63, Column 4

LENGTH: 132 words

BYLINE: BY LES BROWN

JOURNAL-CODE: NYT

ABSTRACT:

Amer Film Inst dir George Stevens Jr urges Fed action to index and preserve network TV programs in archives, speech to Popular Culture Assn meeting, St Louis. Notes only 5% of all network programs since '48 have been consciously saved. Stresses their importance to future historians. Says networks attach little importance to preserving broadcasts, saving only those they want for excerpting purposes and other short-term needs. Urges White House Office of Telecommunications Policy to issue Pres directive to Library of Cong, Natl Archives, other agencies to give equal stress to visual record of our culture. Calls for creation of comm to develop needed copyright guidelines and devise long-range preservation plan. Calls TV materials preserved by univs and indus orgns limited (M).

Copyright 1975 Facts on File, Inc.
Facts on File World News Digest

June 7, 1975

SECTION: U.S. AFFAIRS; CIA/Surveillance

PAGE: Pg. 397 D1

LENGTH: 539 words

HEADLINE: Plans to link computer banks criticized

BODY:

Separate proposals by the Federal Bureau of Investigation and the Department of Agriculture (USDA) to expand their computer information systems were criticized as unnecessary and damagerous by members of Congress and agencies within the executive branch, it was reported June 4. [See 1974, p. 198A1]

The FBI's proposal to establish a computerized criminal-history system linking up police department records across the nation came under fire in a report by the Law Enforcement Assistance Administration, the Justice Department agency disbursing federal crimefighting grants to state and local governments. The LEAA report, which voiced support for the principle of computerized criminal histories, questioned the advisability of centralizing such information under federal control.

The bureau's proposal, the LEAA report said, raised concern over "(a) the development of the Big Brother system; (b) reduced state input and control over security, confidentiality and use of state-originated data and (c) increased dangers resulting from the use of non-updated, and hence, inaccurate, centrally maintained 'rap sheets.'"

"It is critical to recognize that decisions in these areas raise basic questions re: federal/state relations and the concept of federalism," the report said, adding that "in this connection it is significant to note that the importance of preserving state and local control over law enforcement responsibility had been specifically recognized within the executive branch by Presidents Johnson, Nixon and Ford."

Rep. John E. Moss (D, Calif.), a member of the Government Operations subcommittee on Government Information and Individual Rights, who had made the LEAA report public, also released a copy of a letter, dated May 12, from John Eger, acting director of the White House Office of Telecommunications Policy, to Harold R. Tyler, Jr., deputy attorney general. The FBI proposal, Eger wrote, could evolve into "a potentially abusive, centralized, federally controlled communications and computer information system. Our basic concern is the threat posed by a system which could be used by a federal law enforcement agency to monitor in detail the day-to-day operations of state and local law enforcement authorities."

Moss, who noted that the LEAA report and an FBI response to it had been given to him only after four months of repeated demands, said he would oppose the FBI plan. Sen. John Tunney (D, Calif.), chairman of the Judiciary Subcommittee on Constitutional Rights, expressed similar misgivings over the commputer link-up proposal.

A General Accounting Office study, requested and made public by Moss, recommended that the Agriculture Department be prohibited from going ahead with its eight-year, \$398 million plan to centralize department records. Asserting that USDA officials had begun acquisition of a new computer system before accurately determining their needs, the GAO report said that Congress should be concerned that it had not been fully informed of the plans for the project and because the USDA's computer bank "could pose a serious threat to the privacy of individuals, particularly since such a network might be expanded to link all government computers."

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NEW YORK TIMES

June 16, 1975, Monday

SECTION: Page 54, Column 1

LENGTH: 43 words

BYLINE: BY LES BROWN

JOURNAL-CODE: NYT

ABSTRACT:

White House confirms reports that Robert Wells is Pres Ford's choice to become dir of White House Telecommunications Policy. Expected controversy over apptd discussed. John Eger and Albert L Horley were considered for post. Wells is former FCC Comr (M).

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NEW YORK TIMES

June 30, 1975, Monday

SECTION: Page 55, Column 8

LENGTH: 49 words

BYLINE: BY LES BROWN

JOURNAL-CODE: NYT

ABSTRACT:

Repr T H Macdonald opposes Pres Ford's impending apptmt of commercial broadcaster to head White House Telecommunications Policy Office. Says office should have a dir who is both unpolitical and impartial in telecommunications matters. Ford's intention to appt Robert Wells to post noted (M).

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NEW YORK TIMES

July 1, 1975, Tuesday

SECTION: Page 28, Column 1

LENGTH: 52 words

JOURNAL-CODE: NYT

ABSTRACT:

Ed scores FBI for persisting, despite opposition from White House Office of Telecommunication Policy, Sen Hruska, former Sen Ervin and Law Enforcement Assistance Adm, with plan to give its computerized information system new capacity to permit it to monitor state and local law enforcement communications (M).

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Information Bank Abstracts
NEW YORK TIMES

July 3, 1975, Thursday

SECTION: Page 30, Column 2

LENGTH: 34 words

JOURNAL-CODE: NYT

ABSTRACT:

Ed stresses need for a pol Telecommunications Policy Office dir. Agrees with Repr T H Macdonald's assertion that broadcasting indus should not have power to pick dir of Telecommunications Policy Office.

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NEW YORK TIMES

August 13, 1975, Wednesday

SECTION: Page 51, Column 3

LENGTH: 96 words

JOURNAL-CODE: NYT

ABSTRACT:

Deputy Atty Gen Harold R Taylor Jr says Pres Ford will send Cong proposed legis that would 'work major changes in regulation of trucking indus,' speech to antitrust sec of Amer Bar Assn. Says bill would reduce ICC's control over trucking co routes and charges, and would probably allow trucker to raise or lower rates within certain range. Says Adm task force is drafting similar reforms in regulation of airline indus. Says Justice Dept and White House Office of Telecommunications Policy are developing bill 'to reduce present regulatory barriers' in cable TV. (M).

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NEW YORK TIMES

September 29, 1975, Monday

SECTION: Page 63, Column 2

LENGTH: 96 words

JOURNAL-CODE: NYT

ABSTRACT:

White House Telecommunications Policy Office says potential emergency exists in managing radio frequencies. Institutes government wide campaign to recruit and train personnel. Acts in response to '74 GAO rept indicating that impending personnel shortage could jeopardize US interests at most critical internatl radio conf in 20 yrs and spell trouble for future users of radio frequency spectrum. '74 Civil Service Comm study found that over 57% of Fed Govt's experienced negotiators in field will have left Fed service before next internatl frequency conf in '79 (M).

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NEW YORK TIMES

December 22, 1975, Monday

SECTION: Page 24, Column 4

LENGTH: 269 words

JOURNAL-CODE: NYT

ABSTRACT:

Ford Adm is considering changes in communications law that could lead to fundamental shifts in multibillion-dollar TV indus despite intense opposition from 3 TV networks; immediate target of networks' campaign is study group that has been debating for last 3 mos what steps should be taken to enable pay cable TV indus to compete more effectively with TV indus; study group includes reprs from Domestic Council, Telecommunications Policy Office, Econ Advisers Council and Justice Dept's Antitrust Div; battle focuses on FCC rules that restrict cable TV from bidding on major movies and sports events and limit number of signals they can import from other cities; widespread development of pay cable TV has been recommended by almost every private and Govt study group but Govt rules restricting indus have frustrated access to vast capital necessary to link millions of homes by cable; Natl Broadcasters Assn chmn Wilson C Wearn says freeing pay cable TV from restrictions would impair quality of broadcast services provided by commercial and noncommercial broadcasters; assn vp William Carlisle has sent local broadcasters 2 lrs protesting Adm's study; CBS pres Arthur Taylor, at White House meeting with network officials in Oct, reptdly said that Ford Adm's consideration of cable TV is continuation of Nixon Adm's open hostility to news media; NAB official reptdly told Sen Edward M Kennedy that he would be labeled enemy of broadcasting if he held hearings on cable TV; debate within Adm about cable TV is concentrating on its pol feasibility during election yr and action Adm should recommend to Cong (M)

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WALL STREET JOURNAL

December 23, 1975, Tuesday

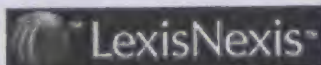
SECTION: Page 4, Column 6

LENGTH: 35 words

JOURNAL-CODE: WSJ

ABSTRACT:

White House Office of Telecommunications Policy recommends that FCC drop its policy of allocating trans-Atlantic-communications traffic between cables and satellites, originally adopted to protect Comsat (S)



Copyright 1975 The New York Times Company: Abstracts
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NEW YORK TIMES

December 31, 1975, Wednesday

SECTION: Page 45, Column 1

LENGTH: 183 words

JOURNAL-CODE: NYT

ABSTRACT:

HR Subcom on Communications has recommended in staff rept that steps be taken to end 'petty squabbling and power plays' among Govt agencies concerned with telecommunications so that there can be effective research and policy development in that field; agencies involved are White House Office of Telecommunications Policy, Commerce Dept's Office of Telecommunications and FCC; according to rept, key staff members of FCC regard with suspicion any policy recommendation or research promulgations by White House agency; cites divided loyalties within Commerce Dept caused by uncertainty over whether that office is serving Asst Sec of Commerce for Science and Technology or dir of White House Office of Telecommunications; White House, of its annual budget of \$8.5-million, pays around \$5.5-million to Commerce Dept office for support services; annual budget for FCC is around \$50-million, but only small portion of that is expended for policy development and research; rept recommends that Pres Ford name permanent dirs for both White House Office of Telecommunications and Commerce Dept agency (M)

L T

New Television Networks

Volume: Volume 6, No. 2

Issue: Autumn 1975

Pages: pp. 607-620

Authors: Rolla Edward Park

Title: New Television Networks

Abstract: A simple model of television network competitive behavior is used to explore the prospects for new networks. Overall, the prospects are not very bright. A fourth network with complete, unhandicapped, nationwide coverage could coexist profitably with the existing three, but the industry would need a severe regulatory restructuring to make such a network possible. Most networks with incomplete coverage would not be profitable, including networks of existing independent stations, cable systems, new VHF "drop-in" stations (suggested by an Office of Telecommunications Policy report), or combinations of these. A network using existing independents plus new UHF stations constructed to give it nationwide coverage may become profitable as the UHF reception handicap continues to drop. None of the new networks considered threatens the profitability of the existing three networks.

JEL Classification

Market Structure: Industrial Organization and Corporate Strategy (6110)
Industry Studies Electrical, Gas, Communication, and Information Services (6352)

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What is this?

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Jasom's booklet - tab 2

- 1956 AT&T Consent Decree
 Allowed to re-enter non telephone industries such as computers and information services
- Required Western Electric and AT&T to license their patents to anyone who wanted them upon the payment of appropriate royalties.
- Allowed others to manufacture telephone equipment which they could actually sell to businesses and residential customers who could attach this equipment to AT&T's telephone network
- 1956 FCC agrees to hear the "Above 890" proposition-whether the private line business should be change by allowing microwave systems employing radio frequencies above 890 megahertz to be used by private (non bell) parties. TV channels and Motorola were at the heart of this market. AT&T fought this on the basis of eventual forced interconnection "cream skimming" of long distance markets.
- 1958 National Aeronautics and Space Act creates NASA
- 1958 DOD launches SCORE
- 1959 FCC announces "Above 890" decision freeing spectrum for non-ATT use. (Common Carrier Division)
- 1960 (October) AT&T seeks satellite permit
- 1961 (May) FCC issues First Report and Order on Satellites in which "some sort of joint venture" limited to ownership by international common carriers warranted serious consideration.
- 1961 (July) NASA signed a cooperative agreement with AT&T to launch TELSTAR; RCA to produce RELAY; and Hughes to produce SYNCOM
- 1962 Satellite Act
- 1962: ATT's Telstar I launched on July 10 and on that same day live television pictures originating in the United States were received in France.
- 1963 (Feb 1st) COMSAT formed
- 1963 MCI decision allows special service common carriers (private lines)
- 1964 INTELSAT negotiations begin
- 1965 80.6% of all US households had telephone service; but only 66% of households with income under \$5k had service

- 1965 COMSAT launches "Early Bird" first satellite for commercial communications including 249 voice grade circuits
- 1965 FCC's issues first report and order in which it asserted jurisdiction over microwave-linked cable
- 1966 The US exported only \$34 million worth of communications equipment, out of a total output of more than \$4 billion--US Department of Commerce (bdsaf-363b(66)-I)
- 1966 FCC Second Report and Order broadened FCC jurisdiction to include cable. The FCC also put restrictions on signal importation due to copyright concerns; which caused in effect the beginning of the "freeze"
- 1966 Lawrence G. Roberts of MIT publishes "Towards a Cooperative Network of Time-Shared Computers" which outlines the ARPANET plan. Worldwide direct telephone dialing has its first public demonstration, a call from Philadelphia to Geneva, Switzerland. (June 15).
- 1966 Western Union pushes to become a national information utility
- 1967 Bell is largest private enterprise in the world; assest of \$37.6 billion, operating revenues of \$13 billion accounting for 42% of total operating revenues of the nation's 50 largest utilities.
- 1967 INTELSAT II, III, IV launched; there are now 9,000 commercial voice grade circuits
- 1967 Western Union obtains approval to offer SICOM and Info-Com computer based services
- 1967 Carnegie Commission on Educational Television releases "Public Television: A Program for Action"
- 1968 The FCC rules, under Section 214 of the Communications Act, that telephone companies must file for a Certificate of Public Convenience before building cable facilities, eliminating a strong competitive advantage of the telcos over cable companies. (13 FCC 2d 448)
- 1968 Fortnightly Corp. v. United Artists Television, 392 U.S. 390 cable systems were held not legally liable for payment for distant signals if they were picked up over the air
- 1968 The FCC freezes development of cable systems in the top 100 markets with an "anti-leapfrogging" notice that cable systems have to obtain permission of any distant station before importing it; cable systems in 35 mile radius of TV stations in smaller markets have to carry nearest network, independent and public stations; while it considers new rules for cable (Community Antenna Television Systems, Inc.,15 FCC 2d
- 1968 Carter-Phone decision
- 1968 USSC upholds FCC jurisdiction over cable as "reasonably ancillary"
US v Southwestern Cable 392 US 157 (1968)

- 1968 Rostow Report issued on Dec 7th
Among the findings:
International Communications:
1. Formation of a single entity for US International transmission seems the most effective organizing principal for the future
 2. Establishing competition between cable and satellite would be "very difficult"
 3. Creation of a single entity should be subject to conditions:
 - a. it should not engage in manufacturing
 - b. it should not provide a domestic satellite program nor have domestic carrier affiliation
 - c. It should be subject to "strengthened Government regulation"
- Domestically
4. A pilot Domestic satellite program should be established and managed by COMSAT
- 1969 (June) President's Task Force on Communications Policy is released.
Among the findings:
1. " We have concluded that strong arguments remain for retaining the public message telephone service as a monopoly of established carriers. However a variety of other, newer communications services can be opened up to greater competitive pressures, promising an added contribution to a high level of overall industry performance without wasteful duplication or loss of service quality.
 2. "continuing developments in terrestrial microwave and coaxial cable technology promise to yield substantial increases in capacity and reductions of cost"
 3. "One of the most important long term trends in the communications industry is the inter-relation of communications and computer technology. The same advances in electrical circuitry that underlie the development of highspeed, high-capacity digital computers--the transistor, the diode, integrated circuits etc.,"
- 1969 The FCC requires cable systems with more than 3,500 subscribers to provide local origination programming. So the
- 1969 The U.S. Supreme Court affirms the FCC "Section 214" ruling which requires telephone companies to file for Certificates of Public Convenience before building cable facilities. (396 U.S. 888)
- 1969 The U.S. District Court in Nevada rules that Nevada can regulate cable through the Public Utilities Commission.
- 1970 Sloan Report
- 1970 IBM controls 3/4ths of computer processors as the industry fights possible FCC jurisdiction
- 1970 (January, 23rd) "Open Skies" Policy comes from a letter to Dean Burch
- 1970 Nixon submits plan to Congress for creation of OTP
- 1970 The FCC permits the merger of TelePrompTer and H&B American, making TelePrompTer the largest cable company in the country. It serves 419,000 subscribers 10% of the industry.

- 1970 OTP proposes " a major telecommunications pilot program to determine the usefulness and economic viability of wideband distribution facilities in alleviating some urgent problems of today's society"
- 1970 Corning Glass demonstrate highly transparent fibers, and Bell Laboratories demonstrates semiconductor lasers that could operate at room temperature; these demonstrations help establish the feasibility of fiber-optic communications.
- 1970 The FCC adopts "anti-siphoning" rules to protect programming on broadcast TV (23 FCC 2d 825)
- 1971 *Computer Inquiry I Decision* (CI-I) permitted communications carriers to transport data over their networks on a regulated basis but not to process it.
- 1971 *Specialized Common Carrier Services Decision* expanded "MCI decision"
- 1971 The Eighth Circuit holds the FCC could not require local origination. (*United States v. Midwest Video Corp.*, 441 F.2d 1322 (8th Cir.))
- 1972 The U.S. Supreme Court overturns an appellate court ruling in favor of the FCC's local origination rules but reaffirms FCC authority over cable. (*United States v. Midwest Video Corp.* (Midwest Video I), 406 U.S. 649)
- 1972 Greyhound's suit against IBM charged IBM with monopolizing the computer leasing market. The court ruled in favor of IBM, though the case was reversed when appealed and settled out of court
- 1971 (Feb) The FCC issued rules that dealt with retransmission of broadcast signals, including government access to and use of non-broadcast cable channels. As well, they established technical standards and divided regulatory jurisdiction between federal and local levels of government.
(This was upheld in *US vs Midwest video corp.* US 649, 675-76 (1972))
- 1973 *IBM v. Telex* came to trial in 1973 and accused IBM of monopolizing the "plug compatible" equipment market (tape drives, disk drives, and add-on memories). The district court ruled in favor of Telex, only to be reversed in 1975.
- 1973 The FCC approves applications to establish domestic communications satellites, a crucial link in cable program distribution.
- 1973 Congress passes anti-blackout legislation which requires that sold-out games in pro football, baseball, basketball and hockey be made available for over the air TV, rather than cable or pay TV.
- 1973 (February) OTP memo expounding on "open skies"
1. There should be no forced merger of international record carriers or of international transmission facilities
 2. Fed regulation of carriers owning international transmission facilities should encourage efficient utilization of both cable and satellite technology without heavily detailed intrusion into the investment and operating decisions of the carriers

3. International services other than public telephone service should be provided on a competitive basis with only such regulatory oversight as is necessary to protect from potentially anti-competitive practices
4. The satellite act of 1962 should be reviewed to determine what changes are needed to reflect the permanent INTEL:SAT agreements, the maturity of COMSAT as a commercial common carrier and the emergence of new satellite services
5. There should be thorough review of authority and procedures of the Executive branch for cable landing licenses and satellite approvals, in order to permit international common carriers to do advance planning and make necessary commitments with their foreign partners with some assurance of federal agreement and to reduce friction in governmental relations with foreign nations on these matters.

1973 CATV "8k systems serving 8 million homes" Community Antenna Television Association (CATA) is organized as a trade association.

1974 OTP releases the Report to the President
Cabinet Committee on Cable Communications

1974 OTP (June) releases "Cable Television Financial Performance Model; Description and Detailed Flow Diagram" BY L Afflerbach, L. Bertman, S. Polk, and F.L. Skinner

1974 Letter from CTW to R.E. Wiley; chairman of the FCC containing an eight point statement of policy thereafter known as "regulation by policy".
"regulation by policy which would lay down for the guidance general but firm, strong but not meddlesome, policies that will govern the regulatory decision when it must be made"

1974 CTW resigns; John Eger assumed role of director until July 1976 when Honser took over as director

1974 Anti-trust suit & 1982 Modified Final Judgement

The government indicated that it brought the 1974 suit because the 1956 consent decree had not prevented AT&T from restraining competition in telephone equipment manufacture, nor protected against antitrust violations in long distance telephone service. AT&T pursued various legal actions to derail this suit, but pretrial action began in 1978, and a new settlement was proposed in 1982. That year the court, under Judge Harold Green, held a hearing on the settlement and released what was officially called "A Modification of Final Judgment."

AT&T was required to divest itself of its 22 operating companies, the local service providers.

AT&T would only be allowed to provide long distance service and would have to face competition from other long distance carriers, such as MCI and Sprint.

Local telephone service was now to be provided by seven regional Bell operating companies

1975 Distribution of satellite programming begins when Home Box Office shows the Muhammad Ali vs. Joe Frazier fight on Sept. 30 to customers in United Artists' Vero Beach and Ft. Pierce, Fla. systems and in American Television and Communication Corp.'s Jackson, Miss. system.

1976 The Copyright Revision Act is passed by Congress. It establishes a "compulsory license" allowing cable systems to retransmit broadcast stations and sets fee schedules for

carrying distant signals for the first time. The cable operator is liable for copyright payments. (17 U.S.C. 101-118)

1976 FCC repeals distant signal "leapfrogging" rules, allowing cable systems to import signals as they choose. (Selection of Television Signals, 57 FCC 2d 625)

1977 U.S. Court of Appeals strikes down FCC rules limiting pay TV, opening the way for expanded cable services. It also suggests that cable may have some First Amendment rights. (*Home Box Office v. FCC*, 567 F.2d (D.C. Cir.) cert. denied, 434 U.S. 329)

1977 The FCC approves the use of 4.5 meter earth station receivers. The ruling permits more cable systems to acquire the equipment necessary to receive nationally distributed programming via satellite. (American Broadcasting Inc., 62 FCC 2d 901)

Regulation of Industry, U.S. Legislation

Communications, 1862–1990

From the first telegraphs to microwave, fiber optics, and satellite transmission, this collection follows the close but often uncomfortable relations between Congress and the nation's electric/electronic communications industry.

No industry could be more "affected with a public interest" than that of sending messages. Yet the paths those messages can take are often limited, either by nature or by cost considerations. The individual user looks for privacy, efficiency, and reasonable prices. And the community depends on its communications for its security, from local emergency services to national defense.

The traditional American preference for unfettered private enterprise has doubtless prompted the pace of innovation and growth in this field, but it has also conflicted with other traditional values. The arena of these conflicts is most often the Congress.

This collection traces the long history of federal communications regulation through the documents created by Congress—not only the statutes but also the committee reports, prints, and related documents behind the statutes.

Regulation first came just after the Civil War, in the form of preferential federal telegraph rates on a line to be built with federal money across the West to San Francisco. From the Post Roads Act of 1866 onward, telegraphy would depend on an increasing variety of permissions and restrictions throughout its history—a troubled history after the rise of the telephone system.

Telephone lines were early recognized as a "natural monopoly" in any given area. The dominant firm, American Telephone and Telegraph, would also monopolize long-distance connections, though under restraints imposed by both federal and state regulators.

Once defined as "common carriers" (in the Mann-Elkins Act, 1910), telephone companies, like telegraph and cable companies (and major forms of transportation) were obliged to provide service even where it was unprofitable. By the 1970s, this would make AT&T vulnerable to competition from unregulated firms such as MCI, which used microwave technology to underbid AT&T for the most profitable long-distance business. When AT&T resisted having to provide local connections for its rivals, the ensuing court decision (1982) mandated the breakup of the old company and a reconfiguration of the industry that would take years to clarify in all its ramifications.

Radio was first regulated only in the interests of ship safety, in the Wireless Ship Act of 1910. Although World War I brought some centralized controls under the navy, and 1919 saw the founding of the giant Radio Corporation of America, the industry was near chaos when the Radio Act of 1927 was passed. It gave the new Federal Radio Commission power to assign frequencies and issue renewable three-year licenses.

The largest landmark in policy and enforcement was the Communications Act of 1934 and its

creation, the Federal Communications Commission, which has from that time been the primary regulator of all common carriers of messages, whether radio, telephone, telegraph, cable, or, later, television and satellites. This collection traces the rapid changes in technology and their impact on the enormous and complex industry that processes information and entertainment not only for Americans but for much of the world.

As the documents make clear, deregulation has also been a significant trend since it began during the late 1970s. It may have reached a crest for the present (cable television's deregulation lasted only from 1984 to 1992), but whatever the future holds, America's place in the world's competition for profitable, efficient, and democratically responsive communications systems will be debated and, to a large extent, determined in the Congress.

A companion printed guide provides access to the collection. The guide contains an introductory essay, a reference bibliography, and detailed indexes by subjects and names, titles, document and report numbers, and Superintendent of Documents numbers.

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12/17/73 N.Y. Times (Abstracts) 75
1973 WLNR 100553

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December 17, 1973

(Nixon Adm's campaign to subdue TV networks effectively came to end late in Oct when 'secret' memorandums on communications strategy surfaced among Watergate documents; memorandums, written by J S Magruder, L M Higby, P J Buchanan and other White House aides, were studded with such phrases as 'get the networks' and with recommendations to use IRS, FCC, Justice Dept and other Govt offices to harass networks and create climate of doubt about their objectivity in news; had impact of documentary proof that there was orchestrated effort in Adm to pressure networks into adopting sympathetic attitude toward White House; Govt offices have become defensive about pursuing actions involving networks since memorandums became public; FCC recently abandoned proposal that networks be divorced from 5 stations that each of them owns; is going forward with proposed rule to prohibit networks from producing their own entertainment shows or from leasing their facilities to outside producers; White House Telecommunications Policy Office's power over broadcast indus reptdly has receded; Telecommunications Policy Dir C T Whitehead has not made significant speech in mos; memorandum that finished it all as far as campaign against networks was concerned was one by former White House special counsel C W Colson to Nixon's chief of staff H R Haldeman; memorandum, dated Sept 25 '70, reptd that network officials were 'very much afraid of us' and anxious 'to prove they are good guys'; became public in Nov wh

----- INDEX REFERENCES -----

COMPANY: CBS INC

NEWS SUBJECT: (Sales (1SA20); Business Management (1BU42))

INDUSTRY: (Advertising & Public Relations (1AD83); Public Relations (1PU66); Advertising Campaigns (1AD39))

REGION: (District Of Columbia (1DI60); USA (1US73); Americas (1AM92); North America (1NO39))

OTHER INDEXING: (BROWN, LES; BUCHANAN, PATRICK J; COLSON, CHARLES W; HALDEMAN, H R; HIGBY, LAWRENCE M; MAGRUDER, JEB S; NIXON, RICHARD MILHOUS; PALEY, WILLIAM S; WHITEHEAD, CLAY T) (WEICKER, LOWELL P JR; SEN) (BUCHANAN; CW; COLSON; IRS; TV; WATERGATE; WHITE HOUSE; WHITE HOUSE TELECOMMUNICATIONS POLICY OFFICE) (Nixon Adm; Telecommunications Policy Dir) (CENSORSHIP; PROGRAMS; TELEVISION AND RADIO)

12/20/73 N.Y. Times (Abstracts) 79
1973 WLNR 90845

New York Times Abstracts
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December 20, 1973

(White House Telecommunications Policy Office Dir C T Whitehead says on Dec 19 that he will resign within 2 or 3 mos and that he desires to leave Govt service; Whitehead says he has not yet informed Pres Nixon of his decision, telephone int; his attitudes towards network news and public broadcasting noted; for 2 yrs, until Watergate developments this yr, Whitehead was perhaps most vocal critic of network journalism in Govt, best known publicly for his charge that news dealt in 'ideological plugola' and 'elitist gossip'; he recommended in '72, with Pres's allocation powers behind him, that Govt-funded system give up production of news and public affairs programs and that it stress local programing in preference to country-wide programming; says among projects he wants to see completed before he leaves include producing bill for Pres's consideraton on long-range financing of public TV and issuing long-awaited cable rept that will recommend natl policy for cable TV, telephone int; forthcoming from Telecommunications Office is recommendation for new legis on citizens' privacy, which would relate to gaps in existing privacy laws that have arisen from advances in technology since laws were written; resignations in FCC, which will cause FCC to be made up predominantly of Nixon appointees, noted; it is expected that because conservative side of FCC has traditionally backed incumbent station operators in most instances of license challenges, that broadcast license renewals will be mor

---- INDEX REFERENCES ----

NEWS SUBJECT: (Legal (1LE33); Technology Law (1TE30); Economics & Trade (1EC26))

INDUSTRY: (Internet Regulatory (1IN49); Internet (1IN27); Internet Infrastructure (1IN95); Internet Infrastructure Policy (1IN62))

REGION: (District Of Columbia (1DI60); USA (1US73); Americas (1AM92); North America (1NO39))

OTHER INDEXING: (JOHNSON, NICHOLAS; NIXON, RICHARD MILHOUS; WHITEHEAD, CLAY T) (LEE, H REX; COMR) (FCC; PRES; TELECOMMUNICATIONS OFFICE; TV; WHITE HOUSE TELECOMMUNICATIONS POLICY OFFICE) (Pres Nixon; Whitehead) (CABLE TELEVISION; GOVERNMENT NEWS POLICIES; LICENSES; NEWS AND NEWS MEDIA; NONCOMMERCIAL TELEVISION AND RADIO; PRIVACY, RIGHT OF; PROGRAMS; STATIONS AND NETWORKS; TELEVISION AND RADIO) (UNITED STATES (1973 PART 1))

COMPANY TERMS: COMMUNICATIONS COMMISSION FEDERAL (FCC); TELECOMMUNICATIONS POLICY OFFICE OF

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1/17/74 N.Y. Times (Abstracts) 1
1974 WLNR 108133New York Times Abstracts
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January 17, 1974

White House Telecommunications Policy Office releases rept calling for virtual removal of Govt regulations over cable TV in order to give it same freedom-of-the-press status that newspapers, magazines and books have under First Amendment. Rept, prepared under auspices of special Cabinet com established by Pres Nixon in '71, proposes that owners of cable systems be prohibited from producing programs for their own channels and that current restrictions be lifted against cable-TV ownership by TV networks. Rept's key recommendation is that pay cable TV be permitted on unrestricted basis. Clay T Whitehead, Telecommunications Policy Office dir, who is chmn of Cabinet com, says proposals will not receive 'great push' from Adm because of 'reverse effect of such endorsement'. 5 of 7 com members are gone from Adm. Whitehead's departure has been put off by delays in releasing rept, which he considers most significant product of his office. Rept receives support from number of academicians and cable-TV indus officials who attend conf in Washington, DC, sponsored by Aspen Program on Communications and Soc (L).
BROWN, LES

---- INDEX REFERENCES ----

NEWS SUBJECT: (Legal (1LE33); Technology Law (1TE30))

INDUSTRY: (Internet Regulatory (1IN49); TV (1TV19); Cable Equipment (1CA96); Entertainment (1EN08); Cable TV (1CA92); Internet (1IN27); Internet Infrastructure (1IN95); Internet Infrastructure Policy (1IN62))

REGION: (District Of Columbia (1DI60); USA (1US73); Americas (1AM92); North America (1NO39))

OTHER INDEXING: (BROWN, LES; FINCH, ROBERT HUTCHINSON; GARMENT, LEONARD; KLEIN, HERBERT G; NIXON, RICHARD MILHOUS; PETERSON, PETER G; ROMNEY, GEORGE W; WHITEHEAD, CLAY T) (RICHARDSON, ELLIOT L; AMB) (CABINET; PRES NIXON; TELECOMMUNICATIONS POLICY OFFICE; TV; WHITE HOUSE TELECOMMUNICATIONS POLICY OFFICE; WHITEHEAD) (Clay; Whitehead) (CABLE TELEVISION; FIRST AMENDMENT (US CONSTITUTION); GOVERNMENT NEWS POLICIES; NEWS AND NEWS MEDIA; PAY TELEVISION; TELEVISION AND RADIO)

COMPANY TERMS: HUMANISTIC STUDIES ASPEN INSTITUTE FOR; TELECOMMUNICATIONS POLICY OFFICE OF

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1/21/74 N.Y. Times (Abstracts) 56
1974 WLNR 105176

New York Times Abstracts
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January 21, 1974

Analysis of White House Telecommunications Policy Office Dir Clay T Whitehead's rept
advocating cable TV's freedom from Govt control (L).
BROWN, LES

----- INDEX REFERENCES -----

INDUSTRY: (TV (1TV19); Cable Equipment (1CA96); Entertainment (1EN08); Cable TV
(1CA92))

REGION: (District Of Columbia (1DI60); USA (1US73); Americas (1AM92); North America
(1NO39))

OTHER INDEXING: (BROWN, LES; WHITEHEAD, CLAY T) (TV; WHITE HOUSE
TELECOMMUNICATIONS POLICY OFFICE; WHITEHEAD) (CABLE TELEVISION; GOVERNMENT NEWS
POLICIES; NEWS AND NEWS MEDIA; TELEVISION AND RADIO) (Analysis)

COMPANY TERMS: TELECOMMUNICATIONS POLICY OFFICE OF

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6/10/74 N.Y. Times (Abstracts) 1
1974 WLNR 82176

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June 10, 1974

Public Broadcasting Corp (PBC) sources disclose that Pres Nixon has rejected White House Telecommunications Policy Office bill for long-range financing of public TV. Say Nixon turned down bill with terse statement, which suggested that Fed support for public TV be scaled down. Proposed legis was sent to Nixon in Apr by Clay T Whitehead before he resigned as dir of office. Whitehead reptdly is chagrined at Nixon's rejection of bill. Corp sources also disclose that Nixon has nominated Nancy Chotiner for seat on bd of dirs of PBC (M).
BROWN, LES

----- INDEX REFERENCES -----

INDUSTRY: (TV (1TV19); Public Television (1PU41); Entertainment (1EN08))

REGION: (District Of Columbia (1DI60); USA (1US73); Americas (1AM92); North America (1NO39))

OTHER INDEXING: (BROWN, LES; CHOTINER, NANCY; NIXON, RICHARD MILHOUS; WHITEHEAD, CLAY T) (CORP; PUBLIC BROADCASTING CORP; TV; WHITE HOUSE TELECOMMUNICATIONS POLICY OFFICE) (Nancy Chotiner; Nixon; Proposed; Whitehead) (FINANCES; NONCOMMERCIAL TELEVISION AND RADIO; TELEVISION AND RADIO)

COMPANY TERMS: BROADCASTING CORP FOR PUBLIC; TELECOMMUNICATIONS POLICY OFFICE OF

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7/10/74 N.Y. Times (Abstracts) 1
1974 WLNR 103901

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July 10, 1974

Clay T Whitehead, dir of White House office of telecommunications policy, on July 9 criticizes AT&T for using its power to persuade Govt to extend its monopoly in communications. Makes criticism in statement that has been cleared by both Justice Dept and Office of Mgt and Budget. Tells Sen Antitrust and Monopoly subcom that it is unbecoming for co the size and stature of AT&T to use its legal, pol and econ power to extend its monopoly by govt fiat to areas where monopoly is not called for. Says it would not be appropriate for him to comment on merits of allegations of possibly illegal business practices made against AT&T by 38 cos in earlier series of subcom hearings. AT&T spokesman says that time has come to alert public that regulatory decisions that have been taken cannot help but hurt most people (M).

----- INDEX REFERENCES -----

NEWS SUBJECT: (Monopolies (1MO68); Legal (1LE33); Antitrust Regulatory (1AN52); Technology Law (1TE30); Major Corporations (1MA93); Economics & Trade (1EC26))

INDUSTRY: (Telecom Carriers & Operators (1TE56); Telecom Regulatory (1TE65); Telecom (1TE27); Manufacturing (1MA74))

REGION: (District Of Columbia (1DI60); USA (1US73); Americas (1AM92); North America (1NO39))

OTHER INDEXING: (WHITEHEAD, CLAY T) (JUSTICE DEPT; MONOPOLY; OFFICE OF MGT; WHITE HOUSE) (Clay; Whitehead) (COMMUNICATIONS; MONOPOLIES)

COMPANY TERMS: AMERICAN TELEPHONE AND TELEGRAPH CO INC (AT&T); JUSTICE DEPARTMENT OF

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7/21/74 N.Y. Times (Abstracts) 42
1974 WLNR 97556

New York Times Abstracts
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July 21, 1974

Section: 4

Rev of Pres Nixon's approval of Telecommunications Policy Office Dir Clay T Whitehead's bill that will place public TV on sounder financial footing and insulate it from Govt interference (S).

----- INDEX REFERENCES -----

OTHER INDEXING: (NIXON, RICHARD MILHOUS; WHITEHEAD, CLAY T) (GOVT; PRES NIXON;
TELECOMMUNICATIONS POLICY OFFICE; WHITEHEAD) (Rev) (FINANCES; NONCOMMERCIAL
TELEVISION AND RADIO; TELEVISION AND RADIO)

COMPANY TERMS: TELECOMMUNICATIONS POLICY OFFICE OF

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7/31/74 N.Y. Times (Abstracts) 41
1974 WLNR 89801

New York Times Abstracts
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July 31, 1974

(AT&T, at Sen Antitrust and Monopoly subcom hearing, launches counterattack on July 30 against critics in both Govt and business who have charged co is too large and too powerful and sometimes uses unfair business methods. Prof Eugene V Rostow, speaking against bill aimed at breaking up concentration of business power in such areas as communications, chemicals and automobiles, says that AT&T and its manufacturing and operating arms are 'reasonable and indeed inevitable system' for maintaining and improving integrated natl and internatl system of communications. Hearings are held several days after Justice Dept acknowledged that its Antitrust Div for last yr has been investigating co for possible antitrust violations and several wks after Clay T Whitehead, dir of White House Telecommunications policy, criticized AT&T for using its power to persuade Govt to extend its monopoly in communications. Rostow attacks many of recent decisions of FCC concerning phone service and legis introduced by Sen Philip A Hart to force businesses in certain key areas to reduce their size. Holds FCC has practiced protection while preaching competition in telecommunications indus. NY Telephone Co vp Frank McDermott Jr says Bell System does not have to condone any policy of anticompetitive behavior. Says he conducted investigation of 121 allegations made to subcom that actions by Bell System had been anticompetitive and found only 4 instances where employes had made statements or taken actions not in

BURNHAM, DAVID

----- INDEX REFERENCES -----

COMPANY: NYNEX CORP

NEWS SUBJECT: (Monopolies (1M068); Antitrust Regulatory (1AN52); Economics & Trade (1EC26))

INDUSTRY: (Telecom Regulatory (1TE65); Telecom (1TE27))

OTHER INDEXING: (BURNHAM, DAVID; MCDERMOTT, FRANK A JR; WHITEHEAD, CLAY T) (HART, PHILIP A; SEN? -1976; ROSTOW, EUGENE V; PROF) (FCC; HOLDS FCC; JUSTICE DEPT; MONOPOLY; NY TELEPHONE CO; SEN; SEN ANTITRUST; WHITE HOUSE) (Eugene; Frank McDermott Jr) (ANTITRUST ACTIONS AND LAWS; COMMUNICATIONS; CORPORATIONS; TELEPHONES)

COMPANY TERMS: NEW YORK TELEPHONE CO; SENATE SUBCOMMITTEE ON ANTITRUST AND MONOPOLY (JUDICIARY COMMITTEE

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8/9/74 N.Y. Times (Abstracts) 67
1974 WLNR 119118

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August 9, 1974

White House Communications Policy Office head Clay T Whitehead resigns, effective Sept 15. Says he has accepted teaching and consulting assignments both at MIT and Harvard Univ. Deputy dir John M Eger will serve as acting dir. Whitehead career sketch. His duties discussed (M).
BROWN, LES

----- INDEX REFERENCES -----

COMPANY: MASSACHUSETTS INSTITUTE OF TECHNOLOGY

REGION: (District Of Columbia (1DI60); USA (1US73); Americas (1AM92); North America (1NO39))

OTHER INDEXING: (BROWN, LES; EGER, JOHN; WHITEHEAD, CLAY T) (EGER; HARVARD UNIV; MIT; WHITE HOUSE COMMUNICATIONS POLICY OFFICE) (Whitehead) (NEWS AND NEWS MEDIA) (UNITED STATES)

COMPANY TERMS: HARVARD UNIVERSITY; MASSACHUSETTS INSTITUTE OF TECHNOLOGY; TELECOMMUNICATIONS POLICY OFFICE OF

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