
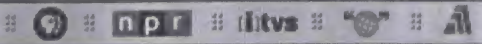

CORPORATION FOR PUBLIC BROADCASTING
STATION SHOWCASE 

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Historical Timeline of Public Broadcasting

- | | |
|-----------|--|
| 1917 | Radio station 9XM, forerunner of today's <u>WHA(AM)</u> , broadcasts from University of Wisconsin |
| 1921 | Latter Day Saints University, Salt Lake City, becomes first school licensed to broadcast |
| 1930-1931 | Depression hits hard, forcing many educational stations off air |
| 1938 | FCC establishes new type of high-frequency broadcast station for noncommercial radio |
| 1945 | FCC reserves 20 channels (88-92 MHz) exclusively for noncommercial FM radio broadcasting |
| 1949 | <u>Pacifica Foundation</u> starts <u>KPFA</u> , Berkeley, CA, first station run by nonprofit community group |
| 1952 | FCC reserves educational channels throughout nation in first allocation of television channels |
| 1953 | <u>KUHT-TV</u> activates in Houston, first noncommercial television station |
| 1962 | Federal government first funds public broadcasting through Education Television Facilities Act |
| 1965 | Carnegie Commission on Educational Television begins landmark study of public broadcasting |
| 1967 | Public Broadcasting Laboratory airs over National Educational Television stations; <u>Public Broadcasting Act of 1967</u> becomes law |
| 1968 | CPB is formed; <u>Mister Rogers' Neighborhood</u> debuts |
| 1969 | Regular national TV program distribution begins, five nights a week; <u>Sesame Street</u> goes on air on public TV; CPB forms <u>PBS</u> |
| 1970 | CPB forms <u>NPR</u> |
| 1971 | <u>The Great American Dream Machine</u> debuts; NPR's <u>All Things Considered</u> premieres |
| 1975 | <u>The Robert MacNeil Report</u> (forerunner of <u>MacNeil/Lehrer NewsHour</u>) debuts |
| 1978 | Satellite program distribution for TV begins |
| 1970 | <u>NPR's Morning Edition</u> premieres |

1977 NEWS INVOLVING CHILDREN PREMIERES

- 1980** *A Prairie Home Companion* debuts; nationwide satellite distribution begins for radio
- 1981** Ambassador Walter H. Annenberg creates the Annenberg/CPB Project with funding of \$10 million per year
- 1983** *Reading Rainbow* premieres
- 1987** *Eyes on The Prize* premieres
- 1989** PBS chooses replacement satellite system for 1990s
- 1990** *The Civil War* captures the nation's attention; NPR chooses satellite system for the 1990s
- 1991** Ambassador Walter H. Annenberg creates the Annenberg/CPB Math and Science Project with funding of \$5 million per year
- 1994** PTV: The Ready To Learn Service on PBS begins
- 1995** CPB creates the Future Funds
- 1996** The Annenberg/CPB Channel begins broadcasting with free professional development programming.
- 1998** Seven public television stations begin broadcasting a digital signal.
- 2000** Annenberg/CPB Channel expands to 24 hours a day, 7 days a week.
- 2002** CPB launches "Where Fun and Learning Click," five Web sites for "tweens"; CPB awards first funds to support public television's digital transition.

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July 24, 1970

Clay T Whitehead nomination as dir of Office of Telecommunications Policy

September 23, 1970

Whitehead sworn in as dir of Telecommunications Policy Office

December 17, 1970, Thursday

White House Office of Telecommunications Policy dir C T Whitehead criticizes FCC as 'pretty vague' arbiter of communications and calls for re-exam of Govt communications policy; is particularly critical of FCC's Fairness Doctrine at Du Pont-Columbia broadcast journalism awards ceremony, NYC

January 8, 1971, Friday

White House Office of Telecommunications Policy dir Whitehead, in policy statement, urges Gov't promote installation of satellite systems for trans-Atlantic and trans-Pacific air navigation; communications satellites as only practical solution to growth of international air traffic which now relies on high frequency radio for communications and control; says with cooperation of State Dept and foreign nations system could become basic, mandatory mechanism of communications and air traffic control over both oceans by 1980; statement paves way for more detailed program proposal by FAA, which is expected to arrange with commercial contractors for installation and mgt of system; success of system seen depending on general use by airlines and aviation administrations of many nations, after its formal recognition by ICAO; prompt implementation of White House policy seen assuring US control of system

February 15, 1971,

Dr C T Whitehead, chief aide to Pres R M Nixon on telecommunications policy, urges cities not grant exclusive franchises to cable TV; scores municipal ownership of cable TV; says White House policy is not set

June 24, 1971,

Pres Nixon names White House committee to chart policy for cable TV industry

July 12, 1971,

Natl Cable TV Assn convention, Washington; cable industry said to see dramatic gains in new FCC rules; believes chance of broadcasting 2 otherwise unavailable programs will sell its services in top 100 markets;

Congress and White House reassertion of interest in cable TV predicted to delay changes industry wants;

Sen McClellan charges threats to delay FCC policy are political; observes 6-man committee Nixon has appointed has more experience in politics than in issues of communications;

Whitehead says purpose of establishing com is not to delay growth of cable TV, but to accelerate development of policy; holds FCC is too involved with minutiae of regulation to deal with significance of cable policy formation;

October 7, 1971

White House Telecommunications Office head C T Whitehead, urging major revision of '34 Communications Act to get Govt out of broadcast programing and begin de-regulation of radio, urges license renewals be based on totality of community service, not on case-by-case complaints, s, Internatl Radio and TV Soc; urges licenses be extended beyond current 3 yrs; says FCC should accept competing bids only for channels whose licenses were revoked or not renewed; says he proposed that Chmn Burch pick 1 or more big cities in which radio assignments and transfers would not be subject to present regulatory inquiries, claiming procedure is superfluous in most cases; says Nixon agrees with 'general tone' of his proposals; Whitehead proposes Congress substitute for fairness doctrine act providing for individuals to use airwaves and assurances that pub will have adequate coverage of pub issues; TV stations approve

October 13, 1971,

Pub Broadcasting Corp and White House aides continue at odds on long-range financing of noncommercial TV; positions of White House exec C T Whitehead and Corp pres J W Macy Jr discussed; current dispute over Pub Broadcasting Service role in showing controversial TV show on FBI noted; discusses dispute over Great Amer Dream Machine segment as example of confusion in situation; PBS is unit of Corp

November 9, 1971, Tuesday

Pub Broadcasting Corp cuts expenditures by about \$2-million, affecting activities of NET and Pub Broadcasting Service, because of uncertainty over future financing of noncommercial TV-radio; corp exec W Duke gives details; notes new pact with AT&T that calls for outlay of additional \$1-million or more a yr for interconnection of stations; move linked to White House aide Whitehead's recent s on pub TV

November 11, 1971

White House Telecommunications Office dir Whitehead's deadline to cable TV indus to reach agreement on current White House proposals for FCC, deemed more restrictive than previous FCC proposals, is near; Whitehead warns issue will go to Cong if no compromise is reached; Natl Cable TV Assn confs on issue; confs set by Natl Broadcasters Assn, which favors White House plan, and Maximum Service Telecasters Assn, which strongly opposes any concessions to cable TV

February 7, 1972

Issue of long-term funding for Public Broadcasting Corp seen taking on pol implications during Pres election yr; US Telecommunications Policy Office dir C T Whitehead, in testimony before Sen subcom, says Nixon Adm does not want to consider any permanent financing arrangement to replace yr-to-yr appropriations until '73; says Adm will approve only 1-yr, \$45-million appropriation for Public Broadcasting until corp's role is redefined; Cong Repubs are concerned that corp will speak out against Nixon Adm since most prominent corp members are Dems

February 11, 1972

J J O'Connor comment rebuts US Telecommunications Policy Office dir C T Whitehead recent statements on public TV; holds public TV offers viewers strong alternative to commercial TV programming

February 11, 1972

White House Telecommunications Policy Office dir C T Whitehead approves 5-yr study to determine if humans are endangered by electromagnetic radiation from such devices as TV sets and microwave ovens; study was recommended by Electromagnetic Radiation Advisory Council, body of nongovernment experts

March 2, 1972

PBS pres H N Gunn Jr vigorously defends public TV's role in public affairs programing against critics 'in positions of real power' who attempt to influence public TV 'on basis of their own personal biases', s, Western Educ Telecommunications Soc meeting, San Francisco; remarks, in wake of recent Cong and White House criticism, appear to be directed at Telecommunication Policy Office dir Whitehead and others who have raised questions about propriety of noncommercial TV's involvement in news and public affairs programing on natl level

April 28, 1972

US Telecommunications Policy Office Dir C T Whitehead scores proposals to ban newspapers from owning broadcast stations

April 28, 1972,

White House Office of Telecommunications dir C T Whitehead condemns as 'tyranical' proposals that fairness doctrine compelling broadcasters to present various sides of controversies be imposed on newspapers, ANPA meeting; holds such proposals to be 'affirmative censorship'; Council of Better Business Burs pres H B Palmer calls for self-regulation as alternative to actions by Cong and Govt agencies to combat decreasing credibility for both business and press; Reprs Reid and Crane rept they share concern about legislating against press but cite problems of getting news coverage

May 2, 1972

White House Office of Telecommunications Policy Dir C T Whitehead repts specialized pubs may be facing stiff ad competition from cassettes and cable TV, Magazine Publishers Assn meeting, Fla

May 16, 1972

Sen Moss scores Nixon Adm official's opposition to proposal which would open tv airwaves to counter-advertising (Amer Ad Fed meeting, Washington, DC, May 15); says White House spokesman, Office of Telecommunications Policy Dir Whitehead, is redefining 1st Amendment by saying public should be allowed to see only 'the best opinions money can buy'; proposal, offered by FTC, would require broadcasters to provide 'a brief segment of prime time on occasion,' some of it free, for counter-advertising; cites assets and liabilities of ad indus; specifically attacks makers of pain-killers (analgesics) as giving 'dangerous incentive for self-diagnosis' and for causing 'pill-popping among the young'; Agric Sec Butz, addressing group earlier, calls for support of Nixon Vietnam policy; execs summarize consumer climate involving ad issues

September 14, 1972

Pres Nixon places his Adm firmly behind efforts of Hollywood unions to force 3 TV networks to cut back on number of reruns programed in prime evening time, Ir to Screen Actors Guild pres J Gavin; contends that unless networks voluntarily reduce amt of prime time devoted to reruns, Adm 'will explore whatever regulatory recommendations are in order'; text of Ir is released to coincide with speech delivered in San Francisco by White House Office of Telecommunications Policy Dir C T Whitehead, who alludes to 'the spreading blight of reruns'; network spokesmen contend spiraling cost of film production in West Coast studios have forced networks to use reruns; NBC pres D Durgin comments on Nixon Ir; Whitehead speech discussed

September 16, 1972

White House Office of Telecommunications Policy Dir C T Whitehead on Sept 15 meets with Screen Actors Guild reprs and other entertainment unions to discuss controversy over TV reruns; says he supports Nixon Adm view that reruns should be reduced to 25% annually, news conf

September 25, 1972

Ed contends FCC should hold hearings before ruling on proposals that limit number of TV reruns during prime evening time; scores White House Office of Telecommunications Policy Dir C T Whitehead recent speech charging that networks increase their profits through reruns; says suspicion exists that Calif unions and votes are 1st consideration of Nixon Adm, not TV viewers

October 9, 1972

Telecommunications Policy Office Acting Gen Counsel H Goldberg Ir scores Sept 25 ed on TV reruns; holds contention that Dir C T Whitehead had 'let it be known' that TV stations should avoid controversial subjects and 'localize' their public service activities is untrue; contends Whitehead questioned use of public funds for politically controversial programs on Govt-supported TV network; holds ed incorrectly implied that office is intruding on authority of FCC

October 11, 1972

NBC pres J Goodman on Oct 11 calls for outright elimination of FCC's Fairness Doctrine as Govt standard for coverage of TV and radio news, speech, Great Issues Forum, Southern Calif Univ; says that since FCC, at urging of Office of Telecommunications Policy dir T C Whitehead, is considering 'deregulation' of radio, Fairness Doctrine could be removed there 1st to make way for its removal from TV; FCC Comr reptd says main reason radio may have to be deregulated is that it has grown so much it is 'unregulatable'

November 30, 1972

White House Telecommunications Policy Office Dir C T Whitehead and his top legal aide H Goldberg on Nov 22 met with officials of 3 TV networks to get them to voluntarily limit number of reruns on TV; network officials involved refuse on Nov 29 to reveal exactly what was discussed at meetings; one official, who asked that his name be withheld, says that Whitehead and Goldberg visited networks to 'indulge in some gentle jawboning at urging of Pres Nixon'; expresses resentment that 'Nixon feels he has right to step in and tell us how to run our businesses'; meeting was in keeping with Nixon's promise to Screen Actors Guild and other West Coast entertainment-indus unions to take active part in campaign to cut number of TV

reruns; CBS Broadcast Group pres J A Schneider and NBC-TV pres D Durgin reptydly met with Whitehouse

December 19, 1972,

White House Telecommunications Policy Office Dir C T Whitehead on Dec 18 discloses that Nixon Adm has drafted legis that will hold individual local TV stations accountable, at risk of losing their licenses, for content of network material they broadcast, including news, entertainment programs and ads, speech at Indianapolis chapter of Sigma Delta Chi luncheon; condemns 'ideological plugola' in network news reporting; Whitehead denies at earlier news conf that proposed legis is intended as vindictive assault on networks; says it is designed to force broadcasters to be more responsible for what they televise into US homes; proposed legis would supplant FCC regulations that govern operations of TV stations and networks that supply local stations with over 60% of their broadcast material; Phoenix, Ariz, TV station KOOL pres T Chauncey and spokesmen for NBC and ABC contend proposed legis is Nixon Adm's boldest effort to equip Govt with strong legal means of keeping broadcasters in line economically and ideologically

December 20, 1972

Key provisions of Nixon Adm's draft bill to amend '34 Communications Act would give broadcasters some important concessions, while at same time imposing on individual local stations increased accountability for content of programs furnished them by networks; provisions are revealed in copy of draft text, obtained in Washington on Dec 19 by NY Times, along with draft of Ir to be sent to HR Speaker and Sen Pres early next yr; existence of proposed legis was disclosed by White House Office Telecommunications Policy Office Dir C T Whitehead in speech on Dec 18; proposed legis would make it possible for station to obtain FCC license renewal without some impediments now experienced and would lengthen term of license from 3 to 5 yrs; would also make it easier for broadcasters to meet challenges to their licenses; FCC would be able to listen to competing applicants for station only after it had taken license away from former owner; broadcasters contend that having to apply for license renewals every 3 yrs is expensive and unfair; provisions of draft bill detailed

December 20, 1972

Ed scores White House Telecommunications Policy Office Dir C T Whitehead's recent speech announcing Nixon Adm's intent to sponsor legis making local TV stations directly responsible for network programs they carry; contends speech will encourage stations to censor major news programs and documentaries that offend Adm; holds proposed legis is example of censorship and suppression through abuse of power to license

December 20, 1972

White House Telecommunications Policy Office Dir C T Whitehead biog sketch; he was born on Nov 13 '38; full name is Clay Thomas Whitehead;

December 21, 1972

T Wicker comment contends that White House Telecommunications Policy Office Dir C T Whitehead's Dec 18 speech announcing Nixon Adm's proposed legis to amend '34 Communications Act removes any doubt that Nixon would take his landslide Pres election victory as mandate for major assault on 1st Amendment; asserts that proposed legis would require stations to demonstrate that they have 'balanced' their news broadcasts to satisfaction of Adm's appointees on FCC

December 23, 1972

Ed scores White House Telecommunications Policy Office Dir C T Whitehead Dec 18 speech disclosing Nixon Adm proposal that will hold local TV stations accountable for network material they televise; contends Adm has proposed changes in licensing practices that circumvent legis auth of FCC; holds major news, documentary and entertainment programs produced by networks would be carefully scrutinized and possibly blacked out if deemed to contain what Whitehead calls 'ideological plugola'; notes that Public Broadcasting Corp pres H Loomis has served notice to public broadcasting stations that their funds will be in jeopardy unless he and his Presidentially apptd bd approve their major programs; asserts voices of Cong and public will have to be heard if broadcasting is not to be turned into domestic counterpart of USIA

December 27, 1972

T R Parker Jr opposes Pres Nixon's proposal, outlined in recent speech by White House Telecommunications Policy Office Dir C T Whitehead, that local TV stations be held accountable for network material they broadcast; proposes that Fed Govt establish nonpartisan public broadcasting corp to support and operate public TV network whose chief duty will be to educate public on vital questions facing nation

December 31, 1972,

Text of White House Telecommunications Policy Office Dir C T Whitehead's Dec 18 speech disclosing Nixon Adm proposal that local TV stations be held responsible for content of network programs they televise

January 11, 1973

J J O'Connor comment contends that White House Telecommunications Policy Office Dir C T Whitehead ltd himself to broad generalities on over-all broadcasting policy in his Dec 18 speech and recent NY Times int; holds Whitehead disclosure of proposed Nixon Adm communications bill and his attack on some aspects of TV content triggered intense debates within TV indus; cites NBC pres J Goodman recent statement asserting that Whitehead speech and Adm bill must be considered separately even though they were presented as pkg; notes Goodman contention that speech continued Adm's calculated attack against network news

January 11, 1973

Text of questions and answers at roundtable discussion held by NY Times editors and reporters with White House Office of Telecommunications Policy dir C T Whitehead; questions involve Whitehead's announcement in Dec that Nixon Adm will ask Cong to amend law now governing broadcasting legis that will alter some ground rules under which FCC now regulates TV indus, such as amount of time that must be devoted to specific program categories

January 12, 1973

White House Telecommunications Policy Office Dir C T Whitehead on Jan 11 reiterates that Nixon Adm bill to change broadcasting laws 'would restore equilibrium to the broadcasting system', speech to over 500 hostile members of TV Arts and Sciences Natl Acad NY chapter; acad turnout is attributed to furor that has arisen over Whitehead's recent speech disclosing Adm bill and criticizing 'elitist gossip,' 'ideological plugola' and 'biased' reptg of TV network news programs; Whitehead says Adm would correct FCC 'instability and uncertainty' in issuing broadcast licenses by taking away much of its power to deny license renewals to broadcasters that have not lived up to comm standards; contends networks wield too much power without

having to answer for their actions; says some people should read G Orwell book 1984 because it points out danger that great many people in 1984 liked to live in manipulated soc; says that soc 'is the opposite of what we intend'

January 15, 1973

C T Whitehead, dir of Telecommunications Policy Office in the White House; says 3 major TV networks, since bombing of N Vietnam on Dec 18, have been flooding the air with left-liberal opinion, indicating lack of balance in news coverage

January 17, 1973

Sen Dem Policy Com tentatively approves resolution on Jan 16, limiting Nixon Adm's use of exec privilege, that would require any White House aide or Cabinet member to 'appear and answer all questions' unless Sen com formally consented to written plea from Pres to excuse official from testifying; under doctrine of exec privilege, White House staff members and, in some instances, officials of Cabinet rank have been shielded from Cong interrogation on ground that their confidential communications with Pres are 'privileged' because disclosure would impair orderly functioning of Govt; under resolution, Adm official who did not wish to testify and cited doctrine of exec privilege would still have to appear before Sen com, barring Pres explanation for his refusal to answer questions; Sen Mansfield announces that he is sending lrs to several public and 'quasi-public' agencies, including Com for Re-Election of Pres, instructing them that all pertinent documents should be 'retained and recovered' for study by Sen com investigating Watergate bugging incident; Sen J O Pastore says that he is eager to give 'very close examination' to proposal by White House dir of telecommenucations policy C T Whitehead that would make local TV stations responsible for content of network news programs they broadcast; says if White House pursues proposal Sen Commerce Communications Subcom will look into matter

January 21, 1973

E W Taylor Jr on White House Telecommunications Policy Office Dir C T Whitehead recent article contends either FCC or telecommunications office should be abolished; says Fairness Doctrine and freedom of airwaves could be enforced under existing rules with only minor changes if FCC was freed of pol manipulation

January 23, 1973

FCC member N Johnson on Jan 22 says that Nixon Adm's proposed broadcast legis is 'very simple deal' designed to keep material unfavorable to Adm off the air, speech, RI School of Design Conf on TV, Communications and Community; describes legis proposed in Dec '72 by White House Office of Telecommunications Policy dir C T Whitehead as fulfilling broadcasters dreams by its proposals for 5-yr license terms instead of 3-yr terms, and by restrictions on FCC's power to set criteria for defining whether public interest is being served by station

February 9, 1973

NBC Pres J Goodman says on Feb 8 that 'some Federal officials are waging a continuing campaign aimed at intimidating and discrediting the news media', speech, Southern Baptist Radio and TV Comm, Fort Worth; cites White House Office of Telecommunications Policy dir C T Whitehead's speech on alleged bias in TV news coverage as example of Govt official whose pronouncements help form 'pattern of action aimed at weakening the press as the public's watchdog'

February 14, 1973

4th annual A I DuPont-Columbia Univ Survey of Broadcast Journalism, dealing with '71-'72 season, finds that Govt assaults on TV news and public affairs programming, combined with nervousness on part of network officials reacting to attacks, places broadcast journalism in state of crisis more profound than it has faced in its 50-yr history; holds that much of blame for decline in news programming performance may be laid to mgt, but must also be shared by sponsors and public; notes that only NBC currently schedules regular news and public affairs hr in prime TV time; rejects allegations that news programs are biased, as was charged by White House Telecommunications Office dir Clay T Whitehead; survey rept was distilled from 1 yr of research into news and public affairs broadcasting by Columbia Graduate School of Journalism special projects div, directed by L Cowan and bd of 7 jurors headed by Dean Elie Abel; rept was edited by M Barrett

February 21, 1973,

White House Telecommunications Policy Office Dir C T Whitehead, under intense questioning on Feb 20, adheres to his proposal that broadcasters be made responsible for content of network newscasts, Sen Commerce (Pastore) subcom on communications hearing; says he should have explained proposal better and used less colorful language when he first presented it; contends broadcasting legis that Nixon Adm will propose soon is aimed at lessening Govt control, not increasing it; says citizen who has complaint about TV programing has no place to go under present system; says broadcasters must take responsibility for their programing; maintains that Adm's legis will be 'clarification of the process' under which FCC hears complaints and renews licenses; indicates there will be extensive clarification of Fairness Doctrine, which requires broadcasters to give equal time for dissenting views

February 23, 1973

FCC chmn D Burch says on Feb 22 that question of whether legis is needed to spell out responsibility of broadcasters to present all aspects of controversial issues is 'terribly difficult and terribly delicate', Sen Communications subcom oversight hearing on FCC; says broadcasters are 'responsible for fairness of everything that goes on the air under existing law'; calls comm's fairness doctrine 'difficult, arcane, but perhaps as good as we can devise'; subcom chmn Sen J O Pastore asks Burch what station mgr with such problem should do if he were presented with network news or public-affairs program that 'some people might question as to its veracity or authenticity'; Burch replies that broadcaster will either have to allow network to present another show with opposing point of view or broadcaster will have to do it himself; Pastore questions possible implications of censorship; Burch says that fairness doctrine comes close to area of censorship in sense that it requires certain things be aired; Pastore says that White House Office of Telecommunications dir C T Whitehead, in his appearance before subcom on Feb 20, was 'a little nebulous' concerning his earlier criticism of TV programming; Burch says FCC is working on its own to make Whitehead's policy statement less ambiguous

March 12, 1973

NY Times editors and reporters question network TV's leading news anchormen, John Chancellor (NBC), Walter Cronkite (CBS) and Harry Reasoner and Howard K Smith (ABC) at roundtable discussion held at Times; discussion includes issues of relationship between Nixon Adm and TV news medium, proposed changes in Govt policy, charges by White House Office of Telecommunications Dir C T Whitehead of bias in TV news reptg, and need for Fed legis to give journalists privilege to withhold

from grand juries either confidential information obtained during news-gathering activities or source of that information

March 14, 1973

Nixon Adm proposes legis increasing broadcast license terms from 3 to 5 yrs and establishing as chief criterion for renewal whether station is 'substantially attuned' to needs and interests of local public; Telecommunications Policy Dir C T Whitehead says localism is basic concept of Amer broadcasting system; bill would make challenge of license renewal more difficult

March 18, 1973,

Comment by Rev Dr E C Parker, dir of Office of Communication of United Church of Christ, on Nixon Adm's apparent assaults on news media; holds that greatest threat of Govt interference to flow of information involves Adm's maneuvers to strip reporters of right to protect confidentiality of news sources; holds that action is deliberate attempt to deprive public of its access to information, and therefore of its ability to participate in making of pol decisions; cites attacks on broadcast media by Vice Pres Agnew and C T Whitehead as evidence that Govt counts on owners and mgrs of broadcasting to accept Govt offer of protection of broadcast licenses in exch for broadcasters' surrendering their 1st Amendment rights; calls on media to reject Govt offer and not to be tempted to trade freedom of speech for their own econ security

March 24, 1973

White House Telecommunications Policy Office Dir C T Whitehead, in lr to FCC Chmn Burch, says 3 major TV networks have resisted Nixon Adm pressure to cut down voluntarily on number of programs they rerun; suggests FCC should conduct full inquiry into matter and consider 'regulatory remedies' to protect public's interest; recommends that FCC immediately rescind its prime-time-access rule, which requires networks to provide no more than 3 hrs of programs in prime evening hrs; lr accompanies study of causes and effects of reruns that was made for Nixon after he concluded last fall that increase in reruns diminished amt of diverse programing and threatened econ health of TV production indus; study finds that number of reruns increased substantially over last decade; Whitehead concedes that principal reason for increased rerun percentage has been increased cost of prime-time TV production

March 31, 1973

G Knox of Network Project, private NYC watchdog orgn, on Mar 30 accuses public TV of encouraging conservative propoganda, Sen communications subcom hearing on proposed legis to authorize 2-yr \$140-million budget for Public Broadcasting Corp; corp has operated on yr-to-yr appropriations since its creation but seeks longer term financing because TV productions often require commitments longer than 1 yr; J Schwarzwald, head of Twin City Area Educ TV Corp and exec sec of Natl Educ TV Assn, demands end to Fed financing of public-affairs programs, which he accuses of promoting liberal bias; urges legis requiring corp to distribute at least 2/3 of its funds to local stations; White House Telecommunications Policy Office Dir Whitehead says Pres Nixon will insist on 1-yr financing for public broadcasting until its leaders agree to devote more funds to local programing; denies accusation by Sen Pastore that he is hostile to public broadcasting

April 2, 1973

FCC on Apr 1 refuses to act as judge of broadcast news objectivity when it declines to require Idaho radion station, KID, to include in its news coverage information on Soviet and Chinese mil support of N Vietnamese in addition to its coverage of US involvement in Vietnam; rejects petition by Idaho listener who complained of lack of such coverage; decision appears to place FCC at odds with 1 objective of C T Whitehead, who touched off controversy last Dec by suggesting that station mgrs and network officials should 'correct imbalance or consistent bias from networks'

April 20, 1973

R B Rogers, Texas industrialist who led public TV stations in struggle for their autonomy against Public Broadcasting Corp, on Apr 19 says improper pol influence was exerted on corp bd by White House Telecommunications Policy Office Dir Whitehead; is uncertain whether Pres Nixon knew of such pol influence; says these questions must be resolved before further progress can be made in attempt to reconcile differences between stations and corp; Rogers, reached by telephone in Portugal, says T B Curtis may have resigned as corp's chmn because of 'improper influence' on bd by Whitehead; resignation of Curtis came in wake of decision by bd to defer action on compromise plan that would have allowed stations to retain primary control over programs fed to them by Public Broadcasting Service; Telecommunications Policy Office previously acknowledged that Whitehead had been in contact with bd members but denied that he 'tried to coerce anyone' into voting in particular way

April 24, 1973

T B Curtis, Public Broadcasting Corp chmn until he resigned abruptly 1 wk ago, says on Apr 23 that White House 'tampered with' corp's ind bd, in express contradiction to assurances that he had recd, int; says it is imperative that bd 'reassert its independence and integrity' by devising procedures that will effectively insulate it from pol pressures; contends that White House Telecommunications Policy Office Dir Whitehead did not respect bd's integrity as he said he would; Curtis's resignation on Apr 14 came in wake of decision by bd to defer action on carefully work-out compromise plan determining operating structure of public broadcasting; plan was designed to adjust relations between PBC and nation's 233 public TV stations; it would have assured that stations would retain large measure of control in public TV's national programing; Curtis was surprised that bd did not agree to plan; thinks bd members were ready to when White House interposed; says 4 members told him that they had been called but does not name individuals who allegedly interfered with deliberations

April 26, 1973

Allegations of improper pressure by White House on Public Broadcasting Corp bd are described as 'phony issue' and 'outrageous' in ints with Repub bd members I Kristol, F Schooley and another member who refuses to be identified; White House Telecommunications Policy Office Dir C T Whitehead spokesman says repts of 'last-min telephone blitz' on members of bd by White House staff are 'totally ridiculous'; telephone calls were allegedly aimed at bd members prior to meeting in which they were to vote on compromise plan for apportioning authority for public TV; bd's decision to defer action on this plan sparked resignation of bd chmn T B Curtis on Apr 14, and led to allegations of White House pressure by Curtis and Texas industrialist R B Rogers, who was major architect of plan

May 8, 1973

RCA Corp chmn R W Sarnoff on May 7 condemns 'unprecedented spectacle of high officials attacking the national news media in general and television network news in particular,' speech at meeting of affiliate stations of NBC, Los Angeles; attributes 'growing intensity of govt assaults on broadcasting' primarily to White House Office of Telecommunications Policy, citing Dec '72 speech made by office dir C T Whitehead; says what Govt wants is 'tamed press'; holds that Govt's efforts to make news media docile rely havily on technique of intimidation

May 18, 1973

T W Moore and J Wrather, members of Public Broadcasting Corp (PBC) bd, on May 17 deny allegations that White House exercised any improper influence on bd but say they have been in contact with White House officials on important issues confronting bd; allegations were raised last mo after T B Curtis, conservative Repub and appointee of Pres Nixon, resigned abruptly as bd chmn; he told NY Times that White House staff members had 'tampered with' bd by contacting several members privately and 'saying God only knows what' to them; F E Schooley, conservative Repub bd member, makes strongest statement yet from within bd, calling for abolition of White House Telecommunications Policy Office, headed by C T Whitehead; 2 other bd members, I Kristol and Repub who declined to be named, previously denied pressure charges; R S Benjamin, Dem, who is vice chmn of bd, says 'White House never brought any pressure on me'; Dr J R Killian Jr, who succeeds Curtis as PBC bd chmn, says he has no 'specific information' about alleged White House campaign to sway bd members' votes; Sen Pastore says PBC bd members are 'strong-minded enough' to carry out their own will

May 22, 1973

Public Broadcasting Service (PBS) acting chief exec R B Rogers on May 21 says major change in present structure of public broadcasting might be necessary to assure its freedom from pol interference; PBS represents managements of over 200 public TV stations currently engaged in negotiations with federally chartered Public Broadcasting Corp (PBC); 2 orgns have recently been engaged in attempt to work out clear division of functions and responsibilities; structural change Rogers conceives could involve abolition of PBC; Rogers, in strongest statement anyone in embattled system has made to date, says 'PBC must be ind of any pol pressures or it should not exist'; says Cong 'has done remarkable job in keeping hands off'; contends best way to assure independence of noncommercial broadcasting is 'long-range financing'; Sen Pastore notes that Nixon Adm has steadfastly resisted 2-yr funding authorization for public broadcasting; says White House Telecommunications Policy Office Dir Whitehead testified that he preferred 1-yr authorization

May 28, 1973

Public Broadcasting Corp chmn Dr J R Killian Jr on May 27 says Watergate scandal and its apparent aftermath of diminished antagonism to press by Nixon Adm may help assure that public broadcasting in US will be 'free of pol control,' int; says pressures have been applied to noncommercial broadcasting by Adm just as they have been applied to other news media; thinks Amer public is going to demand that there be independence for public broadcasting within terms of its Cong mandate; cites Nixon's '72 veto of public broadcasting financing bill and statements by Pres aides C T Whitehead and P J Buchanan as examples of Adm pressures

June 2, 1973

White House Office of Telecommunications Policy dir C T Whitehead on June 1 says he flatly opposes Govt control of broadcast content, June 1 meeting of AP Broadcasters Assn; says such control should come from within profession rather than from Govt; says FCC and Cong already exercise licensing restrictions on broadcasting but that there is no excuse for extending that type of regulation to broadcast content

June 9, 1973

White House office of Telecommunications Policy dir C T Whitehead reasserts on June 8 his belief that broadcasters alone must determine what goes on air without any interference from Govt, speech, Indiana Broadcasters Assn; renews his attack on fairness doctrine and other rules of FCC that have required broadcasters to air both sides of controversies and to carry programming that is at least somewhat diversified; says that trend toward expended role for Fed Govt in broadcasting 'reached its peak' when FCC and cts ruled against Rev Dr C McIntire in his application for license renewal for station WXUR in Media, Pa, essentially for violations of fairness doctrine; expresses some concern that Adm's bill, chaging rules under which broadcaster;s licenses are renewed, might not be enacted

June 13, 1973

White House Telecommunications Policy Office Dir C T Whitehead on June 12 says Nixon Adm still favors 1-yr funding plan for public broadcasting despite recent agreement between Public Broadcasting Corp and Public Broadcasting Service for greater local-station autonomy, testimony before HR communications subcom hearing; gives no assurance that Nixon will not veto 2-yr authorizatn, repeating his veto of '72

July 24, 1973,

White House Telecommunications Policy Office says on July 24 that its Dir C T Whitehead may leave post by end of '73 or shortly thereafter

September 15, 1973

FCC Chmn Burch on Sept 14 proposes to strip comm of its 'unbridled' adm discretion in programing and to substitute 'known guidelines equitably enforced' in licensing TV stations, speech to Internatl Radio and TV Soc, NYC; criticizes FCC for failing 'to produce licensing and relicensing policy that makes sense'; outlines method to end situation in which broadcaster cannot frame programing policy with certainty of satisfying FCC; under proposed system, FCC would promulgate set of performance guidelines requiring stations seeking license renewal to prove they have allocated set percentages of broadcast time to specific categories, such as local programing, news, instruction and culture; Natl Broadcasters Assn opposes guidelines; NBC says it will not oppose guidelines as long as categories are broadly defined; FCC members reptdly have disagreed about wisdom of guidelines, which are opposed by White House Telecommunications Office Dir Whitehead

September 19, 1973

FCC Chmn Burch on Sept 18 receives generally favorable reception from HR Commerce subcom for his proposed new system for measuring performance of TV stations; would like to see Cong and FCC adopt 'formula' system, under which TV broadcasters would be required to set aside specified amounts of airtime for certain categories of programing, such as news and public affairs; station's licenses would be renewed only if they met minimum standards; subcom chmn Repr T H Macdonald lauds Burch proposal; sole critic is Repr C J Brown, who prefers approach that has

been advocated by White House Telecommunications Policy Office Dir Whitehead; Burch denounces Whitehead's license-renewal legis, which would prohibit FCC from establishing programing guidelines as standards for license renewal; says his formula would not be applied to radio stations;

November 10, 1973

Sen L P Weicker Jr on Nov 9 attacks Office of Telecommunications Policy as 'danger to freedom of the press' and introduces legis that would abolish office; Cong experts in communication policy say that legis stands little chance of passage in '73; Weicker, in speech before Sen, says govt should not be in business of reviewing quality and scope on non-governmental communications; says that functions of office could all be handled by FCC; is critical of speech made by former office dir C T Whitehead in which Whitehead appeared to be threatening owners of TV stations with loss of licenses if they did not 'act to correct imbalance or consistent bias from the networks'

November 16, 1973

Repr T H Macdonald, chmn of HR Subcom on Communications and Power, on Nov 15 denounces Nixon Adm's treatment of electronic press and says that Cong is insulation between hostile exec branch and news media, speech, Natl Press Club, Washington, DC; says of TV execs 'There's nothing the executive branch can do to you'; calls for abolishment of White House Office of Telecommunications; says after it was created White House never entered into any discussion of communications policy with Cong, as had been promised, but rather agency's creation enabled exec branch to speak with harsher voice; says of office's dir C T Whitehead that he will be 'different man when the fiscal 1974 budget goes into effect, for approximately half the amount of money he'd asked for from the Congress'

November 29, 1973

White House Office of Telecommunications Policy on Nov 28 reveals plan to set aside ample radio frequencies for emergency med service networks throughout US; Adm spokesmen call it vital 1st step in giving Amer communities kind of integrated emergency med services they need to save thousands of lives yrly among persons stricken by heart attacks and strokes or injured in accidents; many such persons now die because they do not get adequate emergency care before they reach hosp; estimates of number of lives that could be saved each yr if all regions of US had adequate emergency care systems range from 60,000 to 100,000; dir C T Whitehead notes that a few cities already have efficient systems, including 2-way communication between ambulance and hosp and radio equipment for sending vital data on patient's condition from scene of emergency to drs at hosp; HEW Dept Sec C C Edwards says dept is putting high priority on efforts to develop efficient emergency med system through US; Adm plan calls for allocating 38 radio frequencies for emergency med use throughout US; Whitehead says 22 are already available; says new arrangement will require some reallocations, but probably no serious hardships to any current users of radio frequencies involved

December 9, 1973

White House Office of Telecommunications begins campaign to get more state and local govts to adopt emergency phone number 911; makes available booklet by agency's dir C T Whitehead, designed to help in establishing 911 service

December 12, 1973

United Church of Christ Communication Office Dir Dr E C Parker on Dec 10 challenges move by members of Govt agencies to de-regulate radio, speech to Fed Communications Bar Assn, Washington, DC; says most radio stations are in need of regulation because they broadcast extremist propaganda or are guilty of ad abuses; says his office has found that 'extremist propaganda, principally of right-wing nature, is widely disseminated through small and medium-powered radio stations'; calls for 'rescue' of Office of Telecommunications Policy by removing it from White House and making it responsible to Cong; advocates placing office administratively within FCC but allowing it to function independently; proponents of de-regulation have been FCC member R E Wiley, FCC chief counsel J W Pettit and Office of Telecommunications Policy Dir C T Whitehead; they are concerned with burdensome paper work involved in regulating vast number of broadcast stations

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 reptonly 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, reptonly that network officials were 'very much afraid of us' and anxious 'to prove they are good guys'; became public in Nov when Sen L P Weicker Jr released it to press; network officials reacted to it with indignation and seemed to feel challenged to prove their independence and courage to withstand Adm pressures; CBS chmn W S Paley, shortly after Colson memorandum came to light, reversed his 5-mo-old policy barring CBS newsmen from analyzing Nixon speeches immediately after they were delivered

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 more easily achieved than they have been in recent yrs; FCC aide notes that long-pending question of multiple-ownership in media no longer need be considered; advocates of dissolving media monopolies have been Comrs N Johnson and H R Lee, both of whom have resigned

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).

January 25, 1974

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

February 12, 1974

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 gov't begin centralized supervision and coordination of its 653 audio-visual facilities. Finds that 95% of all TV production for gov't was performed in-house while 2/3ds of all film production for gov't during '72 was done by private firms.

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 gov't 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).

July 21, 1974

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 Gov't interference

July 31, 1974

AT&T, at Sen Antitrust and Monopoly subcom hearing, launches counterattack on July 30 against critics in both Gov't 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 nat'l 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 Gov't 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

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

August 15, 1974

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

August 26, 1974

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

September 16, 1974

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'

January 18, 1975

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

BIG BIRD FLIES RIGHT

How Republicans learned to love PBS.

BY KEN AULETTA

A year and a half ago, Pat Mitchell, the president of the Public Broadcasting System, was invited to tea at Vice-President Cheney's house. The federal government is PBS's biggest patron, and Mitchell was happy to accept. There to greet her, on December 11, 2002, was Lynne Cheney, the Vice-President's wife, and Michael Pack, a producer. Cheney has written a number of children's books, and Mitchell especially liked "A Is for Abigail"—Abigail Adams—which was subtitled "An Almanac of Amazing American Women." She knew that Pack, who had made documentaries for PBS, had ties to the Bush Administration; he had recently been nominated by George W. Bush and confirmed by the Senate to serve on the National Council on the Humanities.

After some pleasantries, Pack proposed a series of hour-long television programs aimed at middle-school children. Pack later explained, "We brought Pat Mitchell there to see if it was acceptable to have the Vice-President's wife be on a show on public television." Pack said that the plan was to look "for private funding, not government funding," and he didn't know if Mrs. Cheney would be paid; no one asked whether PBS would help fund the series. Mitchell, Pack added, was "enthusiastic about the project and did not feel it was a problem."

A follow-up meeting was subsequently arranged between Pack and PBS's programming co-chief John Wilson, on January 27, 2003, at PBS's offices, in Alexandria, Virginia. "We were trying to be sensitive to the fact that Lynne Cheney was associated with this," Wilson said. Wilson remembers the proposed title as "Lynne Cheney's History Book." Wilson's deputy, Alyce Myatt, who has since left PBS, had a blunter reaction: "I said it was inappropriate for the second-highest-ranking public official to be requesting time on public television." Wilson confirmed this misgiving, adding, "That was one of the questions hanging over the table—the

appropriateness of a government official or spouse" appearing on public television.

Mitchell recently told me that she was never enthusiastic about the program. "I was enthusiastic about Mrs. Cheney's books, which I give to children," she said. And in the end, Mitchell said, her staff agreed that "it would be a problem having Mrs. Cheney as host." In any event, just weeks after the meeting with Wilson and Myatt, Pack was appointed senior vice-president for television programming for the Corporation for Public Broadcasting, which dispenses federal funding to PBS and local stations, and he recused himself from the project. His wife, Gina Pack, who now runs his company, said of the Cheney proposal, "I haven't done too much on it for a while."

In a way, these conversations were in the spirit of American public broadcasting, which was developed in the nineteen-sixties. Part of its mission has been to bring different points of view to television, and there has never been a series hosted by the wife of a Vice-President—or by any senior government official. The project also might have pleased American conservatives, who suspect public broadcasting—PBS and National Public Radio—of having a left-leaning agenda.

This is no trivial concern. Congress contributes some fifteen per cent of the annual budget—two billion dollars—of PBS and its three hundred and forty-nine member stations. In the Bush era, with Republicans in control of Congress, an organization like PBS, which is perceived as liberal, seems particularly vulnerable. In February, Common Cause warned that conservatives in Congress were planning to slash federal funding for public broadcasting. One target was the weekly PBS program "Now with Bill Moyers," which, since its launch, in January, 2002, has aired more than three dozen stories and interviews exploring how conservative policies have endangered the environment.

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During the Reagan era, the Corporation for Public Broadcasting came under particular scrutiny. Richard Brookhiser, then a C.P.B. board member and a senior editor at *National Review*, urged a "content analysis" of PBS programming, in order to study the purported left-wing bias of public television. When Newt Gingrich was designated the Speaker of the House, in 1995, he denounced public broadcasting as "this little sandbox for the rich," while proposing to "zero-out" its federal subsidies. "The only group lobbying" for public broadcasting, Gingrich said, is "a small group of elitists who want to tax all the American people so they get to spend the money." Some elected officials talked about selling part of the public broadcasting system to investors; Senator Larry Pressler, of South Dakota, wanted to enact legislation to privatize public broadcasting.

This year, however, the anticipated attack from the right never came. When three public-broadcasting leaders—Pat Mitchell; Kevin Klose, the head of NPR; and Robert Coonrod, the president of the C.P.B.—appeared jointly before a House subcommittee in

February, no Republican members mentioned "liberal bias," although Ralph Regula, the chairman of the Appropriations Committee's Labor, Health and Human Services subcommittee, did say that he hoped public broadcasting would remember that "McDonald's made a fortune catering to everyone's taste." Afterward, Regula told me that although he doesn't watch much television, "the children's programs are great. My two-year-old grandchild loves Elmo."

This apparent reversal may have been a pragmatic choice for Republicans. After all, Pressler lost his Senate seat in 1996, and so did other Republicans who had tried to make an issue of public broadcasting. "They came out with

a frontal attack, and what happened?" Mitchell said. "Many"—she thinks nineteen—"didn't get reelected." Edward Markey, of Massachusetts, the ranking Democrat on the House Telecommunications subcommittee, said, "The problem is that once the debate on PBS begins, then Big Bird shows up and says, 'Why are you trying to kill me?'"

For all that, the politics of public

an aide to the President, Johnson believed that a dedicated tax would erect "a moat" between politicians and public broadcasting; he laid out "the most impassioned case" to Wilbur Mills, who was then the chairman of the House Ways and Means Committee. As Moyers recounts it, Mills listened, and when Johnson had finished he said, "Now, Lyndon, you know—you know, Lyndon!—that if

you were still up here you would be on my side. But you know, Lyndon, we're not going to give money to anybody we don't control." Moyers sighed. "We lost the game right there," he said, "because we didn't have the independent fund."

The 1967 Public Broadcasting Act declared that public broadcasting must have "instructional, educational, and cultural purposes" and that it should take "creative risks" and address "the needs of unserved and underserved audiences, particularly children and minorities." The Corporation for Public Broadcasting was established to shield public broadcasting from political pressure. The C.P.B., wholly supported by federal funds, was meant to be a sort of government pay-



Pat Mitchell has been urged to move PBS in a more conservative direction.

broadcasting remain contentious and in many ways unresolved. The American right has stopped trying to get rid of PBS (and NPR, whose audience has grown by some sixty per cent in the last five years). Now it wants a larger voice in shaping the institution.

Public television arose from a conviction that commercial television was often, in the words of a Federal Communications Commission chairman, Newton Minow, "a vast wasteland." President Johnson wanted to model American public broadcasting on the system devised for the BBC—independent, yet with continuing government funding. According to Bill Moyers, who was then

master for PBS and the local stations.

The system was designed to avoid centralized power; the C.P.B. has no authority to tell PBS, NPR, or the local stations what to do; unlike a traditional network, PBS owns no stations and does not produce programs. The stations produce programs but do not control the PBS schedule. (The stations pay PBS annual dues for services and broadcast rights.) And PBS and the stations collect the bulk of their money from membership drives and on-air pledges (which generate nearly twenty-five per cent of their support) and from corporate underwriters, state and city governments, universities, foundations, and a variety of other sources.

But grants from the C.P.B.—espe-

cially those for programming—serve an essential purpose: once PBS or a station has a C.P.B. programming pledge, it can use that commitment to raise additional money from traditional sources. The C.P.B. is run by veterans: Coonrod, the outgoing president, has been with the C.P.B. since 1992 and became its president in 1997; Kathleen A. Cox, who will succeed Coonrod in July, joined the C.P.B. in 1997, after a career as an intellectual-property-rights lawyer. The nine board members, who generally serve six-year terms, are politically appointed—no more than five may be members of the same party—and the choices that the C.P.B. makes behind its theoretically nonpartisan doors are closely watched. The C.P.B. spends sixty-five million dollars on national programming alone. It gives \$29.5 million of this to PBS, \$9.5 million to the Independent Television Service, \$3.2 million to the minority consortia, and exercises flexible control over the rest. Any hint of politics in this distribution makes PBS and its member stations uneasy.

Pat Mitchell, who is sixty-one, became PBS's fifth president in March of 2000, and presides over a staff of nearly five hundred at PBS headquarters. She was the first woman, the first producer, and the first former anchor and talk-show host to lead PBS. At the time of her appointment, she worked for Ted Turner as president of CNN Productions, in Atlanta. She knew little about the Corporation for Public Broadcasting or about "the big issues" facing PBS. She did, however, know a lot about Newt Gingrich, who had stepped down as Speaker and left the House in 1999—and had changed his mind about public broadcasting. "You don't have anything to fear from me," Mitchell recalls Gingrich, a fellow-Georgian, telling her. "Nobody is going to take you guys on again." Gingrich told her that he and his colleagues had underestimated the audience, and support, for public broadcasting. "It became clear to me quickly that public broadcasting was at a crossroads," Mitchell said.

Mitchell, who received a drama scholarship to attend the University of Georgia, was one of several students who sometimes walked to class with Charlayne Hunter-Gault, the first black

female student to cross the color line there. Mitchell married, had a son, divorced, and got her first job in local television in New York, in 1971. From there she went to Boston, Washington, and, in 1979, California, where she became an NBC correspondent. In 1981, she launched her own syndicated talk show, "Woman to Woman," which she later produced as segments on "Today." During the next five years, Mitchell became a familiar face on network television, often filling in for Jane Pauley.

Mitchell, though, was frustrated with the limitations of morning television; she wanted to produce long-form documentaries. She did "Today" pieces from the Middle East, Northern Ireland, and El Salvador. She formed a company and produced documentaries, for the A&E network, ABC, and Lifetime. In 1991, she met with Ted Turner, who was then airing hundreds of hours of documentaries on both the TBS Superstation and CNN. The meeting lasted fifteen minutes—relatively long by Turner standards—and Turner quickly approved her proposal for the documentary "A Century of Women." Soon after, Turner offered her a job supervising documentaries at Turner Broadcasting. She settled in Atlanta, where she met her future husband, and stayed with Turner for the next eight years. When Turner sold his company to Time Warner, in 1996, the documentary unit moved to CNN, where Mitchell oversaw the production of Turner's twenty-four-episode series on the Cold War.

By the time the PBS search committee approached her, Mitchell was ready to move on; she'd seen documentaries and cable news reporting being replaced by celebrity profiles and cheap studio talk, and felt discouraged by Time Warner's preoccupation with profit margins and better ratings. She saw Turner moving away from daily involvement. Always the diplomat, she said, "I'm not critical of my colleagues. I'm critical of the pressure they live under. I started

in television when news divisions were not expected to make lots of money."

PBS has its own financial pressures, but it also has unique strengths. In a recent Roper poll, fifty per cent of American adults ranked public television first among institutions they trusted "a great deal." (Congress ranked last, with ten per cent; the commercial broadcast networks won approval from seventeen per cent.) The largest block of PBS's programming for the past season consisted of eight hundred and one hours of children's programming (thirty-eight per cent); the next largest was public affairs and news coverage (twenty-five per cent). Cultural programming was estimated at six per cent and drama at four per cent. PBS programs are watched each week by an average of eighty-seven million viewers—a small audience by the standards of broadcast television but more than twice that of such basic-cable networks as Discovery and A&E.

Independent producers say that PBS is one of the few places that welcome serious documentaries. Ken Burns, who spends several years on each of the documentaries that he has produced for PBS—he's made twenty or so, including "The Civil War," the most-watched documentary ever to appear on PBS—says that unlike many of his peers, who sometimes cede control to their financial backers, "I can sit here and tell you with the most satisfying professional delight that if you don't like any of my films it's all my fault." For Burns and for such producers as Helen Whitney or David Fanning, of "Frontline," PBS is an indispensable outlet. "If we don't do Rwanda," Fanning said, "no one else will."

During the last decade, Ken Burns alone has produced fifty-five hours of programming. The stations pay PBS annual dues to air the Burns documentaries and such programs as WGBH-Boston's "Frontline," WNET-New York's "Great Performances," and KCET-Los Angeles's Latino drama "American Family." But such programming does not contribute greatly to public television's financial health; critics frequently argue that PBS and the stations ought to profit more from the income and merchandise generated by programs like "Sesame Street."

PBS has lots of other intelligent programming, including "The NewsHour with Jim Lehrer" and Charlie Rose's interview show. It's unlikely that any orga-



nization but public broadcasting would undertake such costly, money-losing ventures as "Great Performances," which costs WNET about a million dollars per hour, according to the station's president, William Baker. But PBS panel shows like "Wall Street Week with Fortune" can be tedious, and its public-affairs programming is sometimes maddeningly polite. Apart from children's shows, PBS's weekly schedule is too often made up of offerings like "Antiques Roadshow," "Suze Orman," films one could find on Turner Classic Movies, and concert tapes—Peter, Paul and Mary or Yanni or Michael Feinstein—that can often be found elsewhere. Two long-running programs—"Masterpiece Theatre" and "Scientific American Frontiers"—may be cancelled in the future, for lack of funds, and viewers in great numbers turn to much maligned commercial television for such first-rate news programs as "60 Minutes" and "Nightline"; to HBO for entertainment of high quality, such as "The Sopranos"; and to the cable channels Trio, Discovery, Bravo, and BBC America for the sort of programming that once belonged only to PBS.

I've never had a White House meeting on the subject of public broadcasting," Kenneth Tomlinson, the chairman of the C.P.B., told me. (Tomlinson, who was appointed by President Clinton on the recommendation of Republican leaders, has ties to the Bush White House.) Lately, however, the C.P.B. has asserted itself more than it has in years.

The C.P.B.'s television-programming grants are supervised by Michael Pack, who attended the meeting with Pat Mitchell and Lynne Cheney. When Pack was a producer, his company, Manifold Productions, made a number of PBS documentaries—among them "God and the Inner City" and "Inside the Republican Revolution: The First Hundred Days"—that were applauded by conservatives. Pack praises "Frontline" and Bill Moyers and Jim Lehrer, but he also told me that his colleagues at PBS and the stations had become too "obsessed with ratings" and that they had "narrowed their voices too much" and needed to include more views, particularly from the right, to "raise the level of discussion." In that way, Pack sees himself as a reformer.

Mitchell has been skillfully solicitous of the Republicans. In February, 2003, she in-

ited Newt Gingrich to give the keynote address to a gathering of public-television station managers in Washington. He told them that he listens to NPR while driving to work in the morning, and said that in an age of "big media" and more channel choices there was an opportunity for public broadcasting to strengthen its community ties. "If you took the three dumbest things done on commercial television last week, you would have an automatic pretty good argument for why we should have some alternative," he said. He got a standing ovation.

"There were people in that room to whom he was the devil incarnate," Mitchell said. "After he spoke... for the next several months no one was quoted more by our general managers than Newt Gingrich."

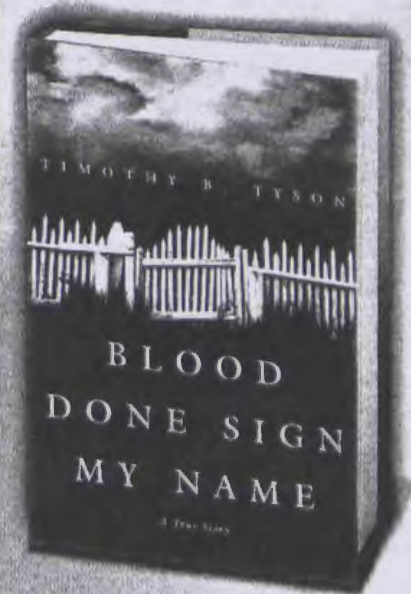
Gingrich had told Mitchell that she did not have enough conservative voices on PBS. This was the prevailing view in Washington, Mitchell believed, and she proposed to Gingrich that he co-host a PBS town-hall program; in particular, she wanted to fill an hour on Friday nights, before the start of "Charlie Rose," at eleven. After several discussions with Gingrich, she telephoned Roger Ailes, the C.E.O. of Fox News, with which Gingrich has a contract as a commentator, and asked to borrow Gingrich on Friday nights. Ailes, as Mitchell recalled it, said, "Are you out of your mind?"

Gingrich acknowledged the discussions with Mitchell. "Pat is making a more serious effort to reach out," he said. In February, 2003, after Pack was appointed to his post at the C.P.B., Mitchell had weekly conference calls between her program staff and his. Together, they worked on fourteen proposals for the Friday-night slot, turning four of these into pilots, including one from WETA-Washington to produce a magazine show hosted by Tucker Carlson, the conservative co-host of CNN's "Crossfire." Pack said that he pushed for Carlson and for a program anchored by Paul Gigot, the editorial-page editor of the *Wall Street Journal*. Carlson's program will begin in June, and Gigot's is expected to debut this fall.

Despite such collaboration, the schism between PBS and the C.P.B. remains. Tomlinson and Mitchell are both Southerners and former journalists, and they both worry about the ill effects of

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—*Kirkus Reviews* (starred review)

"Pulses with vital paradox.... A detached dissertation, a damning dark-night-of-the-white-soul, and a ripping yarn, all united by Tyson's voice."

—*Entertainment Weekly*

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"The new scapegoats are in."

media consolidation—and there the apparent similarities end. Mitchell is an active environmentalist and a close friend of Jane Fonda, Ted Turner's ex-wife; Tomlinson, a former editor of *Reader's Digest*, is a Republican and a friend of Bush's political adviser Karl Rove. When he was asked to assess the job that Mitchell is doing, Tomlinson said, "I really haven't interacted that much with Pat Mitchell."

The stated mission of public broadcasting, Tomlinson said, is "We serve the underserved." Tomlinson defined his audience this way: "Frankly, when I think 'public affairs' in this era, although I think the 'NewsHour' is still unique, it is no longer unique in news and current-affairs programming, because cable has brought just a political richness, for political junkies; at least—everything from Chris Matthews to Brit Hume." He added, "You need people to feel they are getting something on public television they don't get anywhere else. It is absolutely critical for people on the right to feel they have the same ownership stake in public television as people on the left have." Then he cited C-SPAN as a model. "In many ways, C-SPAN is fulfilling the original intent of the founders of public broadcasting," he said. "I want a neutral host."

Even though consumers had more

channel choices than ever, he said, public television could do what commercial television didn't do—produce programs devoted to music and children's education, and programs that "preserve cultural heritages." But he believed that local public affairs constituted the real gap that public broadcasting needed to fill. "Localism, in fact, may be the fight of public broadcasting," he said. It may be a lengthy struggle; only sixteen stations air their own nightly public-affairs programs.

If one person reflects the tension between PBS and the C.P.B., it is Bill Moyers, who has produced programming for PBS since the nineteen-seventies—from "Bill Moyers' Journal" to "Now." Moyers is also a source of public contention. Three days after Republicans swept both houses of Congress in the 2002 midterm elections, Moyers, in a commentary at the end of his program, warned that conservatives will "force pregnant women to give up control over their own lives," will use taxes to "transfer wealth from working people to the rich," and will allow corporations to "eviscerate the environment." Critics like Tomlinson said that Moyers shouldn't be offering commentaries; defenders like Jerold Starr, of Citizens for Independent Public Broadcasting, said that Moyers was providing the "forum for debate and controversy" that

was part of public broadcasting's mission.

During the Senate Commerce Committee's November, 2003, confirmation hearings for Cheryl Halpern, a major Republican fund-raiser and a former member of Voice of America's parent body, to become a board member of the C.P.B., Senator Trent Lott called Moyers's post-election commentary "the most blatantly partisan, irresponsible thing I've ever heard in my life, and yet [the C.P.B.] has not seemed to be willing to deal with Bill Moyers and that type of programming."

"The fact of the matter is, I agree," Halpern replied. She went on to note that the Public Broadcasting Act asked the C.P.B. to advance balanced programming, yet prohibited it from interfering in content. She said that when there were allegations of impropriety at the parent body of Voice of America "we were able to aggressively step in, review the transcript of the potential violation, and initiate penalties."

In addition to Halpern, Bush has appointed to the C.P.B. board another Republican fund-raiser, Gay Hart Gaines, who was a charter member and a chair of Gingrich's political-action committee, GOPAC. Bush has refused to appoint Chon Noriega, a professor of film, television, and digital media at U.C.L.A. and a co-founder of the National Association of Latino Independent Producers, who was recommended in March of 2003 by the Senate Democratic leader, Tom Daschle. Noriega, a Democrat, was interviewed that month by Rebecca Contreras, of the White House Office of Presidential Personnel. He was asked, he remembers, the question that Lott asked Halpern: Was it appropriate for the C.P.B. to intervene in programming deemed politically biased? "It was clear that this was the important question," Noriega told me.

Noriega, who told Contreras that the C.P.B. should intervene only in extraordinary circumstances, has heard nothing about his appointment. A White House spokesperson, Healy Nully, said, "It is my understanding that we have asked for another candidate" from Daschle.

Moyers, who calls himself a liberal, is certainly not neutral, although he is more neutral than PBS's new recruits, Carlson and Gigot. In Moyers's opinion, Bush's new board members are not just politically connected—they are "ideo-

logical warriors." Mitchell was more discreet. "You have to have some concerns that a politically appointed board would be involved in content," she said. Of Halpern's reply to Lott, Coonrod told me that while "Cheryl is entitled to her opinions," he did not think it was "appropriate" for the C.P.B. to police PBS content.

Mitchell, fearing that the politics of public broadcasting were spinning out of control, tried diplomacy. At a breakfast with the C.P.B. board on December 8, 2003, she told the members that she was trying to develop new public-affairs programs. "I told them we viewed our air as an op-ed page," Mitchell recalled. "I also told them we could not do this without money from the C.P.B." Board members attacked Moyers as partisan. One member reportedly screamed, "You've got to get rid of Moyers!" Coonrod said he doesn't remember this incident, and Mitchell said, "I really can't talk about what goes on in confidential meetings." She did, however, recall that she had reminded the members that they were supposed to be "a firewall and PBS was to be the programmer."

Moyers turns seventy this June. Three years ago, he announced plans to leave PBS in 2001. But he decided to stay on after the attacks of September 11th. He put off announcing his departure when he was under assault in the fall of 2003, but on the eve of the February congressional hearing on public broadcasting he decided to announce that he would leave after the November election, to write a book about L.B.J. His impending departure strengthened an impression that the C.P.B. was in the ascendancy—an impression that was reinforced on March 1st, when the C.P.B. announced a major programming initiative, "America at a Crossroads." Under it, up to twenty million dollars will be invested in programs dealing with post-9/11 themes. In addition, Michael Pack said he is hoping to air a culture series hosted by the conservative critic Michael Medved, with a rotating liberal co-host. "This is the first time in my thirty-two years in public broadcasting that C.P.B. has ordered up programs for ideological instead of journalistic reasons," Moyers wrote to me in an e-mail. "So now we have C.P.B. funding two right-wingers, Gigot at the W.S.J. and Carlson at CNN—God bless



them both!—who already own big megaphones in commercial media. How does that make public television different?"

Pat Mitchell said, "I welcome more public-affairs programming on the air," and added, "I'd love to have the twenty million dollars!" Among other choices, she would like to continue funding the Moyers program after he leaves. (David Brancaccio, the co-host of "Now," will be hosting the program, which will be reduced from an hour to thirty minutes.) "PBS will have to make that choice," Michael Pack said, confirming that while the C.P.B. supports the Carlson and Gigot programs, there won't be any financial support for "Now."

Pat Mitchell, who recently signed a new three-year contract, is paid three hundred and fifteen thousand dollars annually to deal with all these problems. Although she claims to be deeply committed to PBS, the Motion Picture Association of America considers her to be among the finalists to replace its longtime president, Jack Valenti.



This past winter, Mitchell was concentrating on PBS's own programming efforts, including an idea for a twenty-four-hour digital news channel. She envisioned it as a mixture of local, national, and international news, documentaries, and commentary, as well as a blend of TV, radio, and online information, and one that would include NPR programming. But one executive involved in the planning said that the venture would cost between thirty and fifty million dollars, and by April Mitchell had a scaled-down model in mind, perhaps just eight hours a day of fresh programming. The initiative is now budgeted at twenty million dollars, but it might not go further unless Mitchell can solicit funding.

When Moyers retires, he hopes to help establish a substantial trust fund for public broadcasting—another step toward liberating it from the pressures of politics, corporate underwriters, and ratings. C.P.B. data show that the federal subsidy for public broadcasting amounts to a dollar and forty-two cents per citizen, while in England it is almost twenty-seven dollars and in Canada almost seventeen. Over breakfast, before a visit to KCET, in Los Angeles, on March

24th, Mitchell attached a dollar figure to the fund. "A five-billion-dollar trust fund gives us the ability to make investments," she said. As digital television replaces the fading analogue model, the Federal Communications Commission plans to auction the analogue spectrum to wireless companies. Mitchell told me that she wanted to use part of these proceeds for a public-broadcasting trust fund, and said she was encouraged by a lunch conversation a few days earlier with Michael Powell, the F.C.C. chairman. "Chairman Powell has offered to be of help here," she said. Jonathan Cody, Powell's legal adviser, was more cautious, and said, "Generally, he understands and supports the idea of exploring a trust fund." Of course, Congress would also have to approve.

Mitchell's views sometimes seem in conflict with one another. She has declared that fund drives weakened public television's claim to be non-commercial, but by last year she had come to believe that she couldn't promote PBS for its intrinsic localism and, at the same time, castigate stations for local fund-raising decisions. Last June, Mitchell, along with Coonrod and station representatives, served on a public-broadcasting task force whose bleak report dismissed the idea of a "silver bullet," such as a trust fund, as a likely solution to PBS's financial problems. So for now Mitchell is willing to settle for more corporate underwriters, even though they tend to fund less adventurous or controversial programming. Underwriting income has declined thirty per cent over the last three years, and in March the C.P.B. relaxed strictures on corporate promotional messages. These strictures limit such messages to just over five minutes, airing at the beginning and the end of a program. This figure compares with more than seventeen minutes of advertising on commercial television.







Mitchell is aware that fund-raising, barely disguised advertising, undistinguished programming, and political compromises carry risks—that what is unique about PBS could be sabotaged. She calls it "the knife's edge." She also believes that a strong case can be made to preserve broadcasting that is unafraid of low ratings and small profits—that a medium to sponsor programs that would otherwise not reach an audience is a necessary counterweight to the commercial airwaves. For better or worse, that mission still belongs to PBS. ♦


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Remarks of President Lyndon B. Johnson Upon Signing the Public Broadcasting Act of 1967

November 7, 1967

Secretary Gardner, Senator Pastore, Chairman Staggers, Members of the Congress, Cabinet, ladies and gentlemen:

It was in 1844 that Congress authorized \$30,000 for the first telegraph line between Washington and Baltimore. Soon afterward, Samuel Morse sent a stream of dots and dashes over that line to a friend who was waiting. His message was brief and prophetic and it read: "What hath God wrought?"

Every one of us should feel the same awe and wonderment here today.

For today, miracles in communication are our daily routine. Every minute, billions of telegraph messages chatter around the world. They interrupt law enforcement conferences and discussions of morality. Billions of signals rush over the ocean floor and fly above the clouds. Radio and television fill the air with sound. Satellites hurl messages thousands of miles in a matter of seconds.

Today our problem is not making miracles--but managing miracles. We might well ponder a different question: What hath man wrought--and how will man use his inventions?

The law that I will sign shortly offers one answer to that question.

It announces to the world that our Nation wants more than just material wealth; our Nation wants more than a "chicken in every pot." We in America have an appetite for excellence, too.

While we work every day to produce new goods and to create new wealth, we want most of all to enrich man's spirit.

That is the purpose of this act.

It will give a wider and, I think, stronger voice to educational radio and television by providing new funds for broadcast facilities.

It will launch a major study of television's use in the Nation's classrooms and their potential use throughout the world.

Finally--and most important--it builds a new institution: the Corporation for Public Broadcasting.

The Corporation will assist stations and producers who aim for the best in broadcasting good music, in broadcasting exciting plays, and in broadcasting reports on the whole fascinating range of human activity. It will try to prove that what educates can also be exciting.

It will get part of its support from our Government. But it will be carefully guarded from Government or from party control. It will be free, and it will be independent--and it will belong to all of our people.

Television is still a young invention. But we have learned already that it has immense--even revolutionary--power to change, to change our lives.

I hope that those who lead the Corporation will direct that power toward the great and not the trivial purposes.

At its best, public television would help make our Nation a replica of the old Greek marketplace, where public affairs took place in view of all the citizens.

But in weak or even in irresponsible hands, it could generate controversy without understanding; it could mislead as well as teach; it could appeal to passions rather than to reason.

If public television is to fulfill our hopes, then the Corporation must be representative, it must be responsible--and it must be long on enlightened leadership.

I intend to search this Nation to find men that I can nominate, men and women of outstanding ability, to this board of directors.

As a beginning, this morning I have called on Dr. Milton Eisenhower from the Johns Hopkins University and Dr. James Killian of MIT to serve as members of this board.

Dr. Eisenhower, as you will remember, was chairman of the first citizens committee which sought allocation of airwaves for educational purposes.

Dr. Killian served as chairman of the Carnegie Commission which proposed the act that we are signing today.

What hath man wrought? And how will man use his miracles?

The answer just begins with public broadcasting.

In 1862, the Morrill Act set aside lands in every State--lands which belonged to the people--and it set them aside in order to build the land-grant colleges of the Nation.

So today we rededicate a part of the airwaves--which belong to all the people--and we dedicate them for the enlightenment of all the people.

I believe the time has come to stake another claim in the name of all the people, stake a claim based upon the combined resources of communications. I believe the time has come to enlist the computer and the satellite, as well as television and radio, and to enlist them in the cause of education.

If we are up to the obligations of the next century and if we are to be proud of the next century as we are of the past two centuries, we have got to quit talking so much about what has happened in the past two centuries and start talking about what is going to

happen in the next century beginning in 1976.

So I think we must consider new ways to build a great network for knowledge--not just a broadcast system, but one that employs every means of sending and storing information that the individual can use.

Think of the lives that this would change--the student in a small college could tap the resources of a great university.

Dr. Killian has just given me an exciting report of his contacts in Latin America as a result of some of the declarations of the Presidents at Punta del Este that he has followed through on and how these Presidents are now envisioning the day when they can dedicate 20 or 25 or a larger percent of their total resources for one thing alone--education and knowledge.

Yes, the student in a small college tapping the resources of the greatest university in the hemisphere.

--The country doctor getting help from a distant laboratory or a teaching hospital;

--a scholar in Atlanta might draw instantly on a library in New York;

--a famous teacher could reach with ideas and inspirations into some far-off classroom, so that no child need be neglected.

Eventually, I think this electronic knowledge bank could be as valuable as the Federal Reserve Bank.

And such a system could involve other nations, too--it could involve them in a partnership to share knowledge and to thus enrich all mankind.

A wild and visionary idea? Not at all. Yesterday's strangest dreams are today's headlines and change is getting swifter every moment.

I have already asked my advisers to begin to explore the possibility of a network for knowledge--and then to draw up a suggested blueprint for it.

In 1844, when Henry Thoreau heard about Mr. Morse's telegraph, he made his sour comment about the race for faster communication. "Perchance," he warned, "the first news which will leak through into the broad, flapping American ear will be that Princess Adelaide has the whooping cough."

We do have skeptic comments on occasions. But I don't want you to be that skeptic. I do believe that we have important things to say to one another--and we have the wisdom to match our technical genius.

In that spirit this morning, I have asked you to come here and be participants with me in this great movement for the next century, the Public Broadcasting Act of 1967.

This act has a host of fathers. Many years ago when I was a Member of the Senate I had a bill prepared--Mr. Siegel drafted it for me--on public television. I had difficulty getting it introduced.

I asked Senator Magnuson to introduce it. He did. I am sorry he can't be here today. But he called me before I came over here and explained to me how happy he was that

this event was taking place.

I don't want to single out any one person, because there are so many who have worked so long to bring this bill into where it is this morning to be signed.

I do want to recognize, though, in addition to Senator Magnuson, Senator Pastore, the Chairman of the subcommittee who has spent many days, weeks, and years in this effort, Senator Cotton, the ranking member of that committee, Chairman Staggers, Congressman Macdonald, Congressman Springer, all of whom have been part of the team that has brought this measure to the White House to make it the law of our land.

I should like to send a very special word of greeting to Mr. William Harley and the National Association of Educational Broadcasters who are gathered out in Denver today and who are participating in this ceremony by remote control.

As I mentioned before, we are honored to have Dr. James Killian here this morning. We are grateful to him and other members of the Carnegie Commission who provided the ideas and inspiration some of which are incorporated in this legislation.

I think I should add that John Gardner came to me in the early days when he was head of the Carnegie Commission, before we brought him in here, and suggested this Commission and asked me to help participate in forming it and making suggestions.

We are indebted to Dr. Gardner for this as we are to many things that he has done to provide leadership in the field of what is really important in the world--the education of our people.

At this time I am going to call on Dr. Alan Pifer who is president of the Carnegie Corporation who has a statement that I hope will be of interest to all of you.

Dr. Pifer.

[At this point Dr. Pifer spoke briefly. The President then resumed speaking.]

If there are any other distinguished and generous people, I will be glad to recognize them. If not, I want to express my personal appreciation to Mr. Douglass Cater of the White House staff for the many months that he has followed this legislation and worked on it.

Note: The President spoke at 11:33 a.m. in the East Room at the White House. In his opening words he referred to Secretary of Health, Education, and Welfare John W. Gardner, Senator John O. Pastore of Rhode Island, and Representative Harley O. Staggers of West Virginia, Chairman of the House Committee on Interstate and Foreign Commerce. During his remarks he referred to, among others, Seymour N. Siegel, director of radio communications in New York City and a member of the broadcasters advisory council to the President.

As enacted, the bill (S. 1160) is Public Law 90-129 (81 Stat. 365).

[Thanks to the [Lyndon Baines Johnson Library](#) for providing the text of President Johnson's remarks.]

Public
Broadcasting Act
1967

Subpart D --Corporation for Public Broadcasting

Sec. 396. [47 U.S.C. 396] Corporation for Public Broadcasting

(a) Congressional declaration of policy

The Congress hereby finds and declares that--

- (1) it is in the public interest to encourage the growth and development of public radio and television broadcasting, including the use of such media for instructional, educational, and cultural purposes;
- (2) it is in the public interest to encourage the growth and development of nonbroadcast telecommunications technologies for the delivery of public telecommunications services;
- (3) expansion and development of public telecommunications and of diversity of its programming depend on freedom, imagination, and initiative on both local and national levels;
- (4) the encouragement and support of public telecommunications, while matters of importance for private and local development, are also of appropriate and important concern to the Federal Government;
- (5) it furthers the general welfare to encourage public telecommunications services which will be responsive to the interests of people both in particular localities and throughout the United States, which will constitute an expression of diversity and excellence, and which will constitute a source of alternative telecommunications services for all the citizens of the Nation;
- (6) it is in the public interest to encourage the development of programming that involves creative risks and that addresses the needs of unserved and underserved audiences, particularly children and minorities;
- (7) it is necessary and appropriate for the Federal Government to complement, assist, and support a national policy that will most effectively make public telecommunications services available to all citizens of the United States;
- (8) public television and radio stations and public telecommunications services constitute valuable local community resources for utilizing electronic media to address national concerns and solve local problems through community programs and outreach programs;
- (9) it is in the public interest for the Federal Government to ensure that all citizens of the United States have access to public telecommunications services through all appropriate available telecommunications distribution technologies; and
- (10) a private corporation should be created to facilitate the development of public telecommunications and to afford maximum protection from extraneous interference and control.

(b) Establishment of Corporation; application of District of Columbia Nonprofit Corporation Act

There is authorized to be established a nonprofit corporation, to be known as the "Corporation for Public Broadcasting", which will not be an agency or establishment of

the United States Government. The Corporation shall be subject to the provisions of this section, and, to the extent consistent with this section, to the District of Columbia Nonprofit Corporation Act [D.C. Code, Sec. 29-501 et seq.].

(c) Board of Directors; functions, duties, etc.

(1) The Corporation for Public Broadcasting shall have a Board of Directors (hereinafter in this section referred to as the "Board"), consisting of 9 members appointed by the President, by and with the advice and consent of the Senate. No more than 5 members of the Board appointed by the President may be members of the same political party.

(2) The 9 members of the Board appointed by the President (A) shall be selected from among citizens of the United States (not regular full-time employees of the United States) who are eminent in such fields as education, cultural and civic affairs, or the arts, including radio and television; and (B) shall be selected so as to provide as nearly as practicable a broad representation of various regions of the Nation, various professions and occupations, and various kinds of talent and experience appropriate to the functions and responsibilities of the Corporation.

(3) Of the members of the Board appointed by the President under paragraph (1), one member shall be selected from among individuals who represent the licensees and permittees of public television stations, and one member shall be selected from among individuals who represent the licensees and permittees of public radio stations.

(4) The members of the initial Board of Directors shall serve as incorporators and shall take whatever actions are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act [D.C. Code, Sec. 29-501 et seq.].

(5) The term of office of each member of the Board appointed by the President shall be 6 years, except as provided in section 5(c) of the Public Telecommunications Act of 1992. Any member whose term has expired may serve until such member's successor has taken office, or until the end of the calendar year in which such member's term has expired, whichever is earlier. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which such member's predecessor was appointed shall be appointed for the remainder of such term. No member of the Board shall be eligible to serve in excess of 2 consecutive full terms.

(6) Any vacancy in the Board shall not affect its power, but shall be filled in the manner consistent with this chapter.

(7) Members of the Board shall attend not less than 50 percent of all duly convened meetings of the Board in any calendar year. A member who fails to meet the requirement of the preceding sentence shall forfeit membership and the President shall appoint a new member to fill such vacancy not later than 30 days after such vacancy is determined by the Chairman of the Board.

(d) Election of Chairman and Vice Chairman; compensation of Board members

(1) Members of the Board shall annually elect one of their members to be Chairman and elect one or more of their members as a Vice Chairman or Vice Chairmen.

(2) The members of the Board shall not, by reason of such membership, be deemed to be officers or employees of the United States. They shall, while attending meetings of the Board or while engaged in duties related to such meetings or other activities of the Board pursuant to this subpart, be entitled to receive compensation at the rate of \$150 per day, including traveltime. No Board member shall receive compensation of more than \$10,000 in any fiscal year. While away from their homes or regular places of business, Board members shall be allowed travel and actual, reasonable, and necessary expenses.

(e) Officers and employees; term of office, compensation, qualifications, and removal; political party affiliation, political test or qualification when taking personnel actions

(1) The Corporation shall have a President, and such other officers as may be named and appointed by the Board for terms and at rates of compensation fixed by the Board. No officer or employee of the Corporation may be compensated by the Corporation at an annual rate of pay which exceeds the rate of basic pay in effect from time to time for level I of the Executive Schedule under section 5312 of title 5. No individual other than a citizen of the United States may be an officer of the Corporation. No officer of the Corporation, other than the Chairman or a Vice Chairman, may receive any salary or other compensation (except for compensation for services on boards of directors of other organizations that do not receive funds from the Corporation, on committees of such boards, and in similar activities for such organizations) from any sources other than the Corporation for services rendered during the period of his or her employment by the Corporation. Service by any officer on boards of directors of other organizations, on committees of such boards, and in similar activities for such organizations shall be subject to annual advance approval by the Board and subject to the provisions of the Corporation's Statement of Ethical Conduct. All officers shall serve at the pleasure of the Board.

(2) Except as provided in the second sentence of subsection (c)(1) of this section, no political test or qualification shall be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, and employees of the Corporation.

(f) Nonprofit and nonpolitical nature of Corporation

(1) The Corporation shall have no power to issue any shares of stock, or to declare or pay any dividends.

(2) No part of the income or assets of the Corporation shall inure to the benefit of any director, officer, employee, or any other individual except as salary or reasonable compensation for services.

(3) The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

(g) Purposes and activities of Corporation; powers under District of Columbia Nonprofit Corporation Act

(1) In order to achieve the objectives and to carry out the purposes of this subpart, as set out in subsection (a) of this section, the Corporation is authorized to--

(A) facilitate the full development of public telecommunications in which programs of high quality, diversity, creativity, excellence, and innovation, which are obtained from diverse sources, will be made available to public telecommunications entities, with strict adherence to objectivity and balance in all programs or series of programs of a controversial nature;

(B) assist in the establishment and development of one or more interconnection systems to be used for the distribution of public telecommunications services so that all public telecommunications entities may disseminate such services at times chosen by the entities;

(C) assist in the establishment and development of one or more systems of public telecommunications entities throughout the United States; and

(D) carry out its purposes and functions and engage in its activities in ways that will most effectively assure the maximum freedom of the public telecommunications entities and systems from interference with, or control of, program content or other activities.

(2) In order to carry out the purposes set forth in subsection (a) of this section, the Corporation is authorized to--

(A) obtain grants from and make contracts with individuals and with private, State, and Federal agencies, organizations, and institutions;

(B) contract with or make grants to public telecommunications entities, national, regional, and other systems of public telecommunications entities, and independent producers and production entities, for the production or acquisition of public telecommunications services to be made available for use by public telecommunications entities, except that--

(i) to the extent practicable, proposals for the provision of assistance by the Corporation in the production or acquisition of programs or series of programs shall be evaluated on the basis of comparative merit by panels of outside experts, representing diverse interests and perspectives, appointed by the Corporation; and

(ii) nothing in this subparagraph shall be construed to prohibit the exercise by the Corporation of its prudent business judgment with respect to any grant to assist in the production or acquisition of any program or series of programs recommended by any such panel;

(C) make payments to existing and new public telecommunications entities to aid in financing the production or acquisition of public telecommunications services by such entities, particularly innovative approaches to such services, and other costs of operation of such entities;

(D) establish and maintain, or contribute to, a library and archives of noncommercial educational and cultural radio and television programs and related materials and develop public awareness of, and disseminate information about, public telecommunications services by various means, including the publication of a journal;

(E) arrange, by grant to or contract with appropriate public or private agencies, organizations, or institutions, for interconnection facilities suitable for distribution and transmission of public telecommunications services to public telecommunications entities;

(F) hire or accept the voluntary services of consultants, experts, advisory boards, and panels to aid the Corporation in carrying out the purposes of this subpart;

(G) conduct (directly or through grants or contracts) research, demonstrations, or training in matters related to public television or radio broadcasting and the use of nonbroadcast communications technologies for the dissemination of noncommercial educational and cultural television or radio programs;

(H) make grants or contracts for the use of nonbroadcast telecommunications technologies for the dissemination to the public of public telecommunications services; and

(I) take such other actions as may be necessary to accomplish the purposes set forth in subsection (a) of this section.

Nothing contained in this paragraph shall be construed to commit the Federal Government to provide any sums for the payment of any obligation of the Corporation which exceeds amounts provided in advance in appropriation Acts.

(3) To carry out the foregoing purposes and engage in the foregoing activities, the Corporation shall have the usual powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act [D.C. Code, Sec. 29-501 et seq.], except that the Corporation is prohibited from--

(A) owning or operating any television or radio broadcast station, system, or network, community antenna television system, interconnection system or facility, program production facility, or any public telecommunications entity, system, or network; and

(B) producing programs, scheduling programs for dissemination, or disseminating programs to the public.

(4) All meetings of the Board of Directors of the Corporation, including any committee of the Board, shall be open to the public under such terms, conditions, and exceptions as are set forth in subsection (k)(4) of this section.

(5) The Corporation, in consultation with interested parties, shall create a 5-year plan for the development of public telecommunications services. Such plan shall be updated annually by the Corporation.

(h) Free or reduced rate interconnection service; access to facilities

(1) Nothing in this chapter, or in any other provision of law, shall be construed to prevent United States communications common carriers from rendering free or reduced rate communications interconnection services for public television or radio services, subject to such rules and regulations as the Commission may prescribe.

(2) Subject to such terms and conditions as may be established by public telecommunications entities receiving space satellite interconnection facilities or services purchased or arranged for, in whole or in part, with funds authorized under this part, other public telecommunications entities shall have reasonable access to such facilities or services for the distribution of educational and cultural programs to public telecommunications entities. Any remaining capacity shall be made available to other persons for the transmission of noncommercial educational and cultural programs and program information relating to such programs, to public telecommunications entities, at a charge or charges comparable to the charge or charges, if any, imposed upon a public

telecommunications entity for the distribution of noncommercial educational and cultural programs to public telecommunications entities. No such person shall be denied such access whenever sufficient capacity is available.

(i) Report to Congress

(1) The Corporation shall submit an annual report for the preceding fiscal year ending September 30 to the President for transmittal to the Congress on or before the 15th day of May of each year. The report shall include--

(A) a comprehensive and detailed report of the Corporation's operations, activities, financial condition, and accomplishments under this subpart and such recommendations as the Corporation deems appropriate;

(B) a comprehensive and detailed inventory of funds distributed by Federal agencies to public telecommunications entities during the preceding fiscal year;

(C) a listing of each organization that receives a grant from the Corporation to produce programming, the name of the producer of any programming produced under each such grant, the title or description of any program so produced, and the amount of each such grant;

(D) the summary of the annual report provided to the Secretary pursuant to section 398(b)(4) of this title.

(2) The officers and directors of the Corporation shall be available to testify before appropriate committees of the Congress with respect to such report, the report of any audit made by the Comptroller General pursuant to subsection (1) of this section, or any other matter which such committees may determine.

(j) Repeal, alteration, or amendment

The right to repeal, alter, or amend this section at any time is expressly reserved.

(k) Financing restrictions

(1)(A) There is hereby established in the Treasury a fund which shall be known as the Public Broadcasting Fund (hereinafter in this subsection referred to as the "Fund"), to be administered by the Secretary of the Treasury.

(B) There is authorized to be appropriated to the Fund for each of the fiscal years 1978, 1979, and 1980, an amount equal to 40 percent of the total amount of non-Federal financial support received by public broadcasting entities during the fiscal year second preceding each such fiscal year, except that the amount so appropriated shall not exceed \$121,000,000 for fiscal year 1978, \$140,000,000 for fiscal year 1979, and \$160,000,000 for fiscal year 1980.

(C) There is authorized to be appropriated to the Fund, for each of the fiscal years 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, and 1993, an amount equal to 40 percent of the total amount of non-Federal financial support received by public broadcasting entities during the fiscal year second preceding each such fiscal year, except that the amount so appropriated shall not exceed \$265,000,000 for fiscal year

1992, \$285,000,000 for fiscal year 1993, \$310,000,000 for fiscal year 1994, \$375,000,000 for fiscal year 1995, and \$425,000,000 for fiscal year 1996.

(D) In addition to any amounts authorized under any other provision of this or any other Act to be appropriated to the Fund, \$20,000,000 are hereby authorized to be appropriated to the Fund (notwithstanding any other provision of this subsection) specifically for the transition from the use of analog to digital technology for the provision of public broadcasting services for fiscal year 2001.

(E) Funds appropriated under this subsection shall remain available until expended.

(F) In recognition of the importance of educational programs and services, and the expansion of public radio services, to unserved and underserved audiences, the Corporation, after consultation with the system of public telecommunications entities, shall prepare and submit to the Congress an annual report for each of the fiscal years 1994, 1995, and 1996 on the Corporation's activities and expenditures relating to those programs and services.

(2)(A) The funds authorized to be appropriated by this subsection shall be used by the Corporation, in a prudent and financially responsible manner, solely for its grants, contracts, and administrative costs, except that the Corporation may not use any funds appropriated under this subpart for purposes of conducting any reception, or providing any other entertainment, for any officer or employee of the Federal Government or any State or local government. The Corporation shall determine the amount of non-Federal financial support received by public broadcasting entities during each of the fiscal years referred to in paragraph (1) for the purpose of determining the amount of each authorization, and shall certify such amount to the Secretary of the Treasury, except that the Corporation may include in its certification non-Federal financial support received by a public broadcasting entity during its most recent fiscal year ending before September 30 of the year for which certification is made. Upon receipt of such certification, the Secretary of the Treasury shall make available to the Corporation, from such funds as may be appropriated to the Fund, the amount authorized for each of the fiscal years pursuant to the provisions of this subsection.

(B) Funds appropriated and made available under this subsection shall be disbursed by the Secretary of the Treasury on a fiscal year basis.

(3)(A)(i) The Corporation shall establish an annual budget for use in allocating amounts from the Fund. Of the amounts appropriated into the Fund available for allocation for any fiscal year--

(I) \$10,200,000 shall be available for the administrative expenses of the Corporation for fiscal year 1989, and for each succeeding fiscal year the amount which shall be available for such administrative expenses shall be the sum of the amount made available to the Corporation under this subclause for such expenses in the preceding fiscal year plus the greater of 4 percent of such amount or a percentage of such amount equal to the percentage change in the Consumer Price Index, except that none of the amounts allocated under subclauses (II), (III), and (IV) and clause (v) shall be used for any administrative expenses of the Corporation and not more than 5 percent of all the amounts appropriated into the Fund available for allocation for any fiscal year shall be available for such administrative expenses;

(II) 6 percent of such amounts shall be available for expenses incurred by the Corporation for capital costs relating to telecommunications satellites, the payment of

programming royalties and other fees, the costs of interconnection facilities and operations (as provided in clause (iv)(I)), and grants which the Corporation may make for assistance to stations that broadcast programs in languages other than English or for assistance in the provision of affordable training programs for employees at public broadcast stations, and if the available funding level permits, for projects and activities that will enhance public broadcasting;

(III) 75 percent of the remainder (after allocations are made under subclause (I) and subclause (II)) shall be allocated in accordance with clause (ii); and

(IV) 25 percent of such remainder shall be allocated in accordance with clause (iii).

(ii) Of the amounts allocated under clause (i)(III) for any fiscal year--

(I) 75 percent of such amounts shall be available for distribution among the licensees and permittees of public television stations pursuant to paragraph (6)(B); and

(II) 25 percent of such amounts shall be available for distribution under subparagraph (B)(i), and in accordance with any plan implemented under paragraph (6)(A), for national public television programming.

(iii) Of the amounts allocated under clause (i)(IV) for any fiscal year--

(I) 70 percent of such amounts shall be available for distribution among the licensees and permittees of public radio stations pursuant to paragraph (6)(B);

(II) 7 percent of such amounts shall be available for distribution under subparagraph (B)(i) for public radio programming; and

(III) 23 percent of such amounts shall be available for distribution among the licensees and permittees of public radio stations pursuant to paragraph (6)(B), solely to be used for acquiring or producing programming that is to be distributed nationally and is designed to serve the needs of a national audience.

(iv)(I) From the amount provided pursuant to clause (i)(II), the Corporation shall defray an amount equal to 50 percent of the total costs of interconnection facilities and operations to facilitate the availability of public television and radio programs among public broadcast stations.

(II) Of the amounts received as the result of any contract, lease agreement, or any other arrangement under which the Corporation directly or indirectly makes available interconnection facilities, 50 percent of such amounts shall be distributed to the licensees and permittees of public television stations and public radio stations. The Corporation shall not have any authority to establish any requirements, guidelines, or limitations with respect to the use of such amounts by such licensees and permittees.

(v) Of the interest on the amounts appropriated into the Fund which is available for allocation for any fiscal year--

(I) 75 percent shall be available for distribution for the purposes referred to in clause (ii)(II); and

(II) 25 percent shall be available for distribution for the purposes referred to in clause (iii)(II) and (III).

(B)(i) The Corporation shall utilize the funds allocated pursuant to subparagraph (A)(ii)(II) and subparagraph (A)(iii)(II) to make grants for production of public television or radio programs by independent producers and production entities and public telecommunications entities, producers of national children's educational programming, and producers of programs addressing the needs and interests of minorities, and for acquisition of such programs by public telecommunications entities. The Corporation

may make grants to public telecommunications entities and producers for the production of programs in languages other than English. Of the funds utilized pursuant to this clause, a substantial amount shall be distributed to independent producers and production entities, producers of national children's educational programming, and producers of programming addressing the needs and interests of minorities for the production of programs.

(ii) All funds available for distribution under clause (i) shall be distributed to entities outside the Corporation and shall not be used for the general administrative costs of the Corporation, the salaries or related expenses of Corporation personnel and members of the Board, or for expenses of consultants and advisers to the Corporation.

(iii)(I) For fiscal year 1990 and succeeding fiscal years, the Corporation shall, in carrying out its obligations under clause (i) with respect to public television programming, provide adequate funds for an independent production service.

(II) Such independent production service shall be separate from the Corporation and shall be incorporated under the laws of the District of Columbia for the purpose of contracting with the Corporation for the expenditure of funds for the production of public television programs by independent producers and independent production entities.

(III) The Corporation shall work with organizations or associations of independent producers or independent production entities to develop a plan and budget for the operation of such service that is acceptable to the Corporation.

(IV) The Corporation shall ensure that the funds provided to such independent production service shall be used exclusively in pursuit of the Corporation's obligation to expand the diversity and innovativeness of programming available to public broadcasting.

(V) The Corporation shall report annually to Congress regarding the activities and expenditures of the independent production service, including carriage and viewing information for programs produced or acquired with funds provided pursuant to subclause (I). At the end of fiscal years 1992, 1993, 1994, and 1995, the Corporation shall submit a report to Congress evaluating the performance of the independent production service in light of its mission to expand the diversity and innovativeness of programming available to public broadcasting.

(VI) The Corporation shall not contract to provide funds to any such independent production service, unless that service agrees to comply with public inspection requirements established by the Corporation within 3 months after August 26, 1992. Under such requirements the service shall maintain at its offices a public file, updated regularly, containing information relating to the service's award of funds for the production of programming. The information shall be available for public inspection and copying for at least 3 years and shall be of the same kind as the information required to be maintained by the Corporation under subsection (I)(4)(B) of this section.

(4) Funds may not be distributed pursuant to this subsection to the Public Broadcasting Service or National Public Radio (or any successor organization), or to the licensee or permittee of any public broadcast station, unless the governing body of any such organization, any committee of such governing body, or any advisory body of any such organization, holds open meetings preceded by reasonable notice to the public. All persons shall be permitted to attend any meeting of the board, or of any such committee or body, and no person shall be required, as a condition to attendance at any such

meeting, to register such person's name or to provide any other information. Nothing contained in this paragraph shall be construed to prevent any such board, committee, or body from holding closed sessions to consider matters relating to individual employees, proprietary information, litigation and other matters requiring the confidential advice of counsel, commercial or financial information obtained from a person on a privileged or confidential basis, or the purchase of property or services whenever the premature exposure of such purchase would compromise the business interests of any such organization. If any such meeting is closed pursuant to the provisions of this paragraph, the organization involved shall thereafter (within a reasonable period of time) make available to the public a written statement containing an explanation of the reasons for closing the meeting.

(5) Funds may not be distributed pursuant to this subsection to any public telecommunications entity that does not maintain for public examination copies of the annual financial and audit reports, or other information regarding finances, submitted to the Corporation pursuant to subsection (1)(3)(B) of this section.

(6)(A) The Corporation shall conduct a study and prepare a plan, in consultation with public television licensees (or designated representatives of those licensees) and the Public Broadcasting Service, on how funds available to the Corporation under paragraph (3)(A)(ii)(II) can be best allocated to meet the objectives of this chapter with regard to national public television programming. The plan, which shall be based on the conclusions resulting from the study, shall be submitted by the Corporation to the Congress not later than January 31, 1990. Unless directed otherwise by an Act of Congress, the Corporation shall implement the plan during the first fiscal year beginning after the fiscal year in which the plan is submitted to Congress.

(B) The Corporation shall make a basic grant from the portion reserved for television stations under paragraph (3)(A)(ii)(I) to each licensee and permittee of a public television station that is on the air. The Corporation shall assist radio stations to maintain and improve their service where public radio is the only broadcast service available. The balance of the portion reserved for television stations and the total portion reserved for radio stations under paragraph (3)(A)(iii)(I) shall be distributed to licensees and permittees of such stations in accordance with eligibility criteria (which the Corporation shall review periodically in consultation with public radio and television licensees or permittees, or their designated representatives) that promote the public interest in public broadcasting, and on the basis of a formula designed to--

(i) provide for the financial needs and requirements of stations in relation to the communities and audiences such stations undertake to serve;

(ii) maintain existing, and stimulate new, sources of non-Federal financial support for stations by providing incentives for increases in such support; and

(iii) assure that each eligible licensee and permittee of a public radio station receives a basic grant.

(7) The funds distributed pursuant to paragraph (3)(A)(ii)(I) and (iii)(I) may be used at the discretion of the recipient for purposes related primarily to the production or acquisition of programming.

(8)(A) Funds may not be distributed pursuant to this subpart to any public broadcast station (other than any station which is owned and operated by a State, a political or special purpose subdivision of a State, or a public agency) unless such station establishes

a community advisory board. Any such station shall undertake good faith efforts to assure that (i) its advisory board meets at regular intervals; (ii) the members of its advisory board regularly attend the meetings of the advisory board; and (iii) the composition of its advisory board are reasonably representative of the diverse needs and interests of the communities served by such station.

(B) The board shall be permitted to review the programming goals established by the station, the service provided by the station, and the significant policy decisions rendered by the station. The board may also be delegated any other responsibilities, as determined by the governing body of the station. The board shall advise the governing body of the station with respect to whether the programming and other policies of such station are meeting the specialized educational and cultural needs of the communities served by the station, and may make such recommendations as it considers appropriate to meet such needs.

(C) The role of the board shall be solely advisory in nature, except to the extent other responsibilities are delegated to the board by the governing body of the station. In no case shall the board have any authority to exercise any control over the daily management or operation of the station.

(D) In the case of any public broadcast station (other than any station which is owned and operated by a State, a political or special purpose subdivision of a State, or a public agency) in existence on November 2, 1978, such station shall comply with the requirements of this paragraph with respect to the establishment of a community advisory board not later than 180 days after November 2, 1978.

(E) The provision of subparagraph (A) prohibiting the distribution of funds to any public broadcast station (other than any station which is owned and operated by a State, a political or special purpose subdivision of a State, or a public agency) unless such station establishes a community advisory board shall be the exclusive remedy for the enforcement of the provisions of this paragraph.

(9) Funds may not be distributed pursuant to this subsection to the Public Broadcasting Service or National Public Radio (or any successor organization) unless assurances are provided to the Corporation that no officer or employee of the Public Broadcasting Service or National Public Radio (or any successor organization), as the case may be, will be compensated in excess of reasonable compensation as determined pursuant to Section 4958 of title 26 for services that the officer or employee renders to organization, and unless further assurances are provided to the Corporation that no officer or employee of such an entity will be loaned money by that entity on an interest-free basis.

(10)(A) There is hereby established in the Treasury a fund which shall be known as the Public Broadcasting Satellite Interconnection Fund (hereinafter in this subsection referred to as the "Satellite Interconnection Fund"), to be administered by the Secretary of the Treasury.

(B) There is authorized to be appropriated to the Satellite Interconnection Fund, for fiscal year 1991, the amount of \$200,000,000. If such amount is not appropriated in full for fiscal year 1991, the portion of such amount not yet appropriated is authorized to be appropriated for fiscal years 1992 and 1993. Funds appropriated to the Satellite Interconnection Fund shall remain available until expended.

(C) The Secretary of the Treasury shall make available and disburse to the Corporation, at the beginning of fiscal year 1991 and of each succeeding fiscal year

thereafter, such funds as have been appropriated to the Satellite Interconnection Fund for the fiscal year in which such disbursement is to be made.

(D) Notwithstanding any other provision of this subsection except paragraphs (4), (5), (8), and (9), all funds appropriated to the Satellite Interconnection Fund and interest thereon--

(i) shall be distributed by the Corporation to the licensees and permittees of noncommercial educational television broadcast stations providing public telecommunications services or the national entity they designate for satellite interconnection purposes and to those public telecommunications entities participating in the public radio satellite interconnection system or the national entity they designate for satellite interconnection purposes, exclusively for the capital costs of the replacement, refurbishment, or upgrading of their national satellite interconnection systems and associated maintenance of such systems; and

(ii) shall not be used for the administrative costs of the Corporation, the salaries or related expenses of Corporation personnel and members of the Board, or for expenses of consultants and advisers to the Corporation.

(11)(A) Funds may not be distributed pursuant to this subsection for any fiscal year to the licensee or permittee of any public broadcast station if such licensee or permittee--

(i) fails to certify to the Corporation that such licensee or permittee complies with the Commission's regulations concerning equal employment opportunity as published under section 73.2080 of title 47, Code of Federal Regulations, or any successor regulations thereto; or

(ii) fails to submit to the Corporation the report required by subparagraph (B) for the preceding calendar year.

(B) A licensee or permittee of any public broadcast station with more than five full-time employees to file annually with the Corporation a statistical report, consistent with reports required by Commission regulation, identifying by race and sex the number of employees in each of the following full-time and part-time job categories:

- (i) Officials and managers.
- (ii) Professionals.
- (iii) Technicians.
- (iv) Semiskilled operatives.
- (v) Skilled craft persons.
- (vi) Clerical and office personnel.
- (vii) Unskilled operatives.
- (viii) Service workers.

(C) In addition, such report shall state the number of job openings occurring during the course of the year. Where the job openings were filled in accordance with the regulations described in subparagraph (A)(i), the report shall so certify, and where the job openings were not filled in accordance with such regulations, the report shall contain a statement providing reasons therefor. The statistical report shall be available to the public at the central office and at every location where more than five full-time employees are regularly assigned to work.

(12) Funds may not be distributed under this subsection to any public broadcasting entity that directly or indirectly--

(A) rents contributor or donor names (or other personally identifiable information) to or from, or exchanges such names or information with, any Federal, State, or local candidate, political party, or political committee; or

(B) discloses contributor or donor names, or other personally identifiable information, to any nonaffiliated third party unless--

(i) such entity clearly and conspicuously discloses to the contributor or donor that such information may be disclosed to such third party;

(ii) the contributor or donor is given the opportunity, before the time that such information is initially disclosed, to direct that such information not be disclosed to such third party; and

(iii) the contributor or donor is given an explanation of how the contributor or donor may exercise that nondisclosure option.

(l) Financial management and records

(1)(A) The accounts of the Corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States, except that such requirement shall not preclude shared auditing arrangements between any public telecommunications entity and its licensee where such licensee is a public or private institution. The audits shall be conducted at the place or places where the accounts of the Corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation and necessary to facilitate the audits shall be made available to the person or persons conducting the audits; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents and custodians shall be afforded to such person or persons.

(B) The report of each such independent audit shall be included in the annual report required by subsection (i) of this section. The audit report shall set forth the scope of the audit and include such statements as are necessary to present fairly the Corporation's assets and liabilities, surplus or deficit, with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the Corporation's income and expenses during the year, and a statement of the sources and application of funds, together with the independent auditor's opinion of those statements.

(2)(A) The financial transactions of the Corporation for any fiscal year during which Federal funds are available to finance any portion of its operations may be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. Any such audit shall be conducted at the place or places where accounts of the Corporation are normally kept. The representative of the General Accounting Office shall have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation pertaining to its financial transactions and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians. All such

books, accounts, records, reports, files, papers and property of the corporation shall remain in possession and custody of the Corporation.

(B) A report of each such audit shall be made by the Comptroller General to the Congress. The report to the Congress shall contain such comments and information as the Comptroller General may deem necessary to inform Congress of the financial operations and condition of the Corporation, together with such recommendations with respect thereto as he may deem advisable. The report shall also show specifically any program, expenditure, or other financial transaction or undertaking observed in the course of the audit, which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the President, to the Secretary, and to the Corporation at the time submitted to the Congress.

(3)(A) Not later than 1 year after November 2, 1978, the Corporation, in consultation with the Comptroller General, and as appropriate with others, shall develop accounting principles which shall be used uniformly by all public telecommunications entities receiving funds under this subpart, taking into account organizational differences among various categories of such entities. Such principles shall be designed to account fully for all funds received and expended for public telecommunications purposes by such entities.

(B) Each public telecommunications entity receiving funds under this subpart shall be required--

(i) to keep its books, records, and accounts in such form as may be required by the Corporation;

(ii)(I) to undergo a biennial audit by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State, which audit shall be in accordance with auditing standards developed by the Corporation, in consultation with the Comptroller General; or

(II) to submit a financial statement in lieu of the audit required by subclause (I) if the Corporation determines that the cost burden of such audit on such entity is excessive in light of the financial condition of such entity; and

(iii) to furnish biennially to the Corporation a copy of the audit report required pursuant to clause (ii), as well as such other information regarding finances (including an annual financial report) as the Corporation may require.

(C) Any recipient of assistance by grant or contract under this section, other than a fixed price contract awarded pursuant to competitive bidding procedures, shall keep such records as may be reasonably necessary to disclose fully the amount and the disposition by such recipient of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(D) The Corporation or any of its duly authorized representatives shall have access to any books, documents, papers, and records of any recipient of assistance for the purpose of auditing and examining all funds received or expended for public telecommunications purposes by the recipient. The Comptroller General of the United States or any of his duly authorized representatives also shall have access to such books, documents, papers, and records for the purpose of auditing and examining all funds received or expended for public telecommunications purposes during any fiscal year for which Federal funds are available to the Corporation.

(4)(A) The Corporation shall maintain the information described in subparagraphs (B), (C), and (D) at its offices for public inspection and copying for at least 3 years, according to such reasonable guidelines as the Corporation may issue. This public file shall be updated regularly. This paragraph shall be effective August 26, 1992, and shall apply to all grants awarded after January 1, 1993.

(B) Subsequent to any award of funds by the Corporation for the production or acquisition of national broadcasting programming pursuant to subsection (k)(3)(A)(ii)(II) or (iii)(II) of this section, the Corporation shall make available for public inspection the following:

(i) Grant and solicitation guidelines for proposals for such programming.

(ii) The reasons for selecting the proposal for which the award was made.

(iii) Information on each program for which the award was made, including the names of the awardee and producer (and if the awardee or producer is a corporation or partnership, the principals of such corporation or partnership), the monetary amount of the award, and the title and description of the program (and of each program in a series of programs).

(iv) A report based on the final audit findings resulting from any audit of the award by the Corporation or the Comptroller General.

(v) Reports which the Corporation shall require to be provided by the awardee relating to national public broadcasting programming funded, produced, or acquired by the awardee with such funds. Such reports shall include, where applicable, the information described in clauses (i), (ii), and (iii), but shall exclude proprietary, confidential, or privileged information.

(C) The Corporation shall make available for public inspection the final report required by the Corporation on an annual basis from each recipient of funds under subsection (k)(3)(A)(iii)(III) of this section, excluding proprietary, confidential, or privileged information.

(D) The Corporation shall make available for public inspection an annual list of national programs distributed by public broadcasting entities that receive funds under subsection (k)(3)(A)(ii)(III) or (iii)(II) of this section and are engaged primarily in the national distribution of public television or radio programs. Such list shall include the names of the programs (or program series), producers, and providers of funding.

(m) Needs of minorities and other groups

(1) Prior to July 1, 1989, and every three years thereafter, the Corporation shall compile an assessment of the needs of minority and diverse audiences, the plans of public broadcasting entities and public telecommunications entities to address such needs, the ways radio and television can be used to help these underrepresented groups, and projections concerning minority employment by public broadcasting entities and public telecommunications entities. Such assessment shall address the needs of racial and ethnic minorities, new immigrant populations, people for whom English is a second language, and adults who lack basic reading skills.

(2) Commencing July 1, 1989, the Corporation shall prepare an annual report on the provision by public broadcasting entities and public telecommunications entities of service to the audiences described in paragraph (1). Such report shall address

programming (including that which is produced by minority producers), training, minority employment, and efforts by the Corporation to increase the number of minority public radio and television stations eligible for financial support from the Corporation. Such report shall include a summary of the statistical reports received by the Corporation pursuant to subsection (k)(11) of this section, and a comparison of the information contained in those reports with the information submitted by the Corporation in the previous year's annual report.

(3) As soon as they have been prepared, each assessment and annual report required under paragraphs (1) and (2) shall be submitted to Congress.

Subpart E--General Provisions

Sec. 397. [47 U.S.C. 397] Definitions

For the purposes of this part--

(1) The term "construction" (as applied to public telecommunications facilities) means acquisition (including acquisition by lease), installation, and modernization of public telecommunications facilities and planning and preparatory steps incidental to any such acquisition, installation, or modernization.

(2) The term "Corporation" means the Corporation for Public Broadcasting authorized to be established in subpart D.

(3) The term "interconnection" means the use of microwave equipment, boosters, translators, repeaters, communication space satellites, or other apparatus or equipment for the transmission and distribution of television or radio programs to public telecommunications entities.

(4) The term "interconnection system" means any system of interconnection facilities used for the distribution of programs to public telecommunications entities.

(5) The term "meeting" means the deliberations of at least the number of members of a governing or advisory body, or any committee thereof, required to take action on behalf of such body or committee where such deliberations determine or result in the joint conduct or disposition of the governing or advisory body's business, or the committee's business, as the case may be, but only to the extent that such deliberations relate to public broadcasting.

(6) The terms "noncommercial educational broadcast station" and "public broadcast station" mean a television or radio broadcast station which--

(A) under the rules and regulations of the Commission in effect on November 2, 1978, is eligible to be licensed by the Commission as a noncommercial educational radio or television broadcast station and which is owned and operated by a public agency or nonprofit private foundation, corporation, or association; or

(B) is owned and operated by a municipality and which transmits only noncommercial programs for education purposes.

(7) The term "noncommercial telecommunications entity" means any enterprise which--

(A) is owned and operated by a State, a political or special purpose subdivision of a State, a public agency, or a nonprofit private foundation, corporation, or association; and

(B) has been organized primarily for the purpose of disseminating audio or video noncommercial educational and cultural programs to the public by means other than a

primary television or radio broadcast station, including, but not limited to, coaxial cable, optical fiber, broadcast translators, cassettes, discs, microwave, or laser transmission through the atmosphere.

(8) The term "nonprofit" (as applied to any foundation, corporation, or association) means a foundation, corporation, or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(9) The term "non-Federal financial support" means the total value of cash and the fair market value of property and services (including, to the extent provided in the second sentence of this paragraph, the personal services of volunteers) received--

(A) as gifts, grants, bequests, donations, or other contributions for the construction or operation of noncommercial educational broadcast stations, or for the production, acquisition, distribution, or dissemination of educational television or radio programs, and related activities, from any source other than (i) the United States or any agency or instrumentality of the United States; or (ii) any public broadcasting entity; or

(B) as gifts, grants, donations, contributions, or payments from any State, or any educational institution, for the construction or operation of noncommercial educational broadcast stations or for the production, acquisition, distribution, or dissemination of educational television or radio programs, or payments in exchange for services or materials with respect to the provision of educational or instructional television or radio programs.

Such term includes the fair market value of personal services of volunteers, as computed using the valuation standards established by the Corporation, but only, with respect to such an entity in a fiscal year, to the extent that the value of the services does not exceed 5 percent of the total non-Federal financial support of the entity in such fiscal year.

(10) The term "preoperational expenses" means all nonconstruction costs incurred by new telecommunications entities before the date on which they begin providing service to the public, and all nonconstruction costs associated with expansion of existing entities before the date on which such expanded capacity is activated, except that such expenses shall not include any portion of the salaries of any personnel employed by an operating public telecommunications entity.

(11) The term "public broadcasting entity" means the Corporation, any licensee or permittee of a public broadcast station, or any nonprofit institution engaged primarily in the production, acquisition, distribution, or dissemination of educational and cultural television or radio programs.

(12) The term "public telecommunications entity" means any enterprise which--

(A) is a public broadcast station or a noncommercial telecommunications entity; and

(B) disseminates public telecommunications services to the public.

(13) The term "public telecommunications facilities" means apparatus necessary for production, interconnection, captioning, broadcast, or other distribution of programming, including, but not limited to, studio equipment, cameras, microphones, audio and video storage or reproduction equipment, or both, signal processors and switchers, towers, antennas, transmitters, translators, microwave equipment, mobile equipment, satellite communications equipment, instructional television fixed service equipment, subsidiary communications authorization transmitting and receiving equipment, cable television equipment, video and audio cassettes and discs, optical fiber communications equipment, and other means of transmitting, emitting, storing, and receiving images and sounds, or

intelligence, except that such term does not include the buildings to house such apparatus (other than small equipment shelters which are part of satellite earth stations, translators, microwave interconnection facilities, and similar facilities).

(14) The term "public telecommunications services" means noncommercial educational and cultural radio and television programs, and related noncommercial instructional or informational material that may be transmitted by means of electronic communications.

(15) The term "Secretary" means the Secretary of Commerce when such term is used in subpart A and subpart B, and the Secretary of Health and Human Services when such term is used in subpart C, subpart D, and this subpart.

(16) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

(17) The term "system of public telecommunications entities" means any combination of public telecommunications entities acting cooperatively to produce, acquire, or distribute programs, or to undertake related activities.

Sec. 398. [47 U.S.C. 398] Federal interference or control

(a) Prohibition

Nothing contained in this part shall be deemed (1) to amend any other provision of, or requirement under, this chapter; or (2) except to the extent authorized in subsection (b) of this section, to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over public telecommunications, or over the Corporation or any of its grantees or contractors, or over the charter or bylaws of the Corporation, or over the curriculum, program of instruction, or personnel of any educational institution, school system, or public telecommunications entity.

(b) Equal opportunity employment

(1) Equal opportunity in employment shall be afforded to all persons by the Public Broadcasting Service and National Public Radio (or any successor organization) and by all public telecommunications entities receiving funds pursuant to subpart C (hereinafter in this subsection referred to as "recipients"), in accordance with the equal employment opportunity regulations of the Commission, and no person shall be subjected to discrimination in employment by any recipient on the grounds of race, color, religion, national origin, or sex.

(2)(A) The Secretary is authorized and directed to enforce this subsection and to prescribe such rules and regulations as may be necessary to carry out the functions of the Secretary under this subsection.

(B) The Secretary shall provide for close coordination with the Commission in the administration of the responsibilities of the Secretary under this subsection which are of interest to or affect the functions of the Commission so that, to the maximum extent possible consistent with the enforcement responsibilities of each, the reporting

requirements of public telecommunications entities shall be uniformly based upon consistent definitions and categories of information.

(3)(A) The Corporation shall incorporate into each grant agreement or contract with any recipient entered into on or after the effective date of the rules and regulations prescribed by the Secretary pursuant to paragraph (2)(A), a statement indicating that, as a material part of the terms and conditions of the grant agreement or contract, the recipient will comply with the provisions of paragraph (1) and the rules and regulations prescribed pursuant to paragraph (2)(A). Any person which desires to be a recipient (within the meaning of paragraph (1)) of funds under subpart C shall, before receiving any such funds, provide to the Corporation any information which the Corporation may require to satisfy itself that such person is affording equal opportunity in employment in accordance with the requirements of this subsection. Determinations made by the Corporation in accordance with the preceding sentence shall be based upon guidelines relating to equal opportunity in employment which shall be established by rule by the Secretary.

(B) If the Corporation is not satisfied that any such person is affording equal opportunity in employment in accordance with the requirements of this subsection, the Corporation shall notify the Secretary, and the Secretary shall review the matter and make a final determination regarding whether such person is affording equal opportunity in employment. In any case in which the Secretary conducts a review under the preceding sentence, the Corporation shall make funds available to the person involved pursuant to the grant application of such person (if the Corporation would have approved such application but for the finding of the Corporation under this paragraph) pending a final determination of the Secretary upon completion of such review. The Corporation shall monitor the equal employment opportunity practices of each recipient throughout the duration of the grant or contract.

(C) The provisions of subparagraph (A) and subparagraph (B) shall take effect on the effective date of the rules and regulations prescribed by the Secretary pursuant to paragraph (2)(A).

(4) Based upon its responsibilities under paragraph (3), the Corporation shall provide an annual report for the preceding fiscal year ending September 30 to the Secretary on or before the 15th day of February of each year. The report shall contain information in the form required by the Secretary. The Corporation shall submit a summary of such report to the President and the Congress as part of the report required in section 396(i) of this title. The Corporation shall provide other information in the form which the Secretary may require in order to carry out the functions of the Secretary under this subsection.

(5) Whenever the Secretary makes a final determination, pursuant to the rules and regulations which the Secretary shall prescribe, that a recipient is not in compliance with paragraph (1), the Secretary shall, within 10 days after such determination, notify the recipient in writing of such determination and request the recipient to secure compliance. Unless the recipient within 120 days after receipt of such written notice--

(A) demonstrates to the Secretary that the violation has been corrected; or

(B) enters into a compliance agreement approved by the Secretary;

the Secretary shall direct the Corporation to reduce or suspend any further payments of funds under this part to the recipient and the Corporation shall comply with such directive. Resumption of payments shall take place only when the Secretary certifies to the Corporation that the recipient has entered into a compliance agreement approved by

the Secretary. A recipient whose funds have been reduced or suspended under this paragraph may apply at any time to the Secretary for such certification.

(c) Control over content or distribution of programs

Nothing in this section shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the content or distribution of public telecommunications programs and services, or over the curriculum or program of instruction of any educational institution or school system.

Sec. 399. [47 U.S.C. 399] Support of political candidates prohibited

No noncommercial educational broadcasting station may support or oppose any candidate for political office.

Sec. 399a. [47 U.S.C. 399a] Use of business or institutional logograms

(a) "Business or institutional logogram" defined

For purposes of this section, the term "business or institutional logogram" means any aural or visual letters or words, or any symbol or sign, which is used for the exclusive purpose of identifying any corporation, company, or other organization, and which is not used for the purpose of promoting the products, services, or facilities of such corporation, company, or other organization.

(b) Permitted uses

Each public television station and each public radio station shall be authorized to broadcast announcements which include the use of any business or institutional logogram and which include a reference to the location of the corporation, company, or other organization involved, except that such announcements may not interrupt regular programming.

(c) Authority of Commission not limited

The provisions of this section shall not be construed to limit the authority of the Commission to prescribe regulations relating to the manner in which logograms may be used to identify corporations, companies, or other organizations.

Sec. 399b. [47 U.S.C. 399b] Offering of certain services, facilities, or products by public broadcast station

(a) "Advertisement" defined

For purposes of this section, the term "advertisement" means any message or other programming material which is broadcast or otherwise transmitted in exchange for any remuneration, and which is intended--

(1) to promote any service, facility, or product offered by any person who is engaged in such offering for profit;

(2) to express the views of any person with respect to any matter of public importance or interest; or

(3) to support or oppose any candidate for political office.

(b) Offering of services, facilities, or products permitted; advertisements prohibited

(1) Except as provided in paragraph (2), each public broadcast station shall be authorized to engage in the offering of services, facilities, or products in exchange for remuneration.

(2) No public broadcast station may make its facilities available to any person for the broadcasting of any advertisement.

(c) Use of funds from offering services, etc.

Any public broadcast station which engages in any offering specified in subsection (b)(1) of this section may not use any funds distributed by the Corporation under section 396(k) of this title to defray any costs associated with such offering. Any such offering by a public broadcast station shall not interfere with the provision of public telecommunications services by such station.

(d) Development of accounting system

Each public broadcast station which engages in the activity specified in subsection (b)(1) of this section shall, in consultation with the Corporation, develop an accounting system which is designed to identify any amounts received as remuneration for, or costs related to, such activities under this section, and to account for such amounts separately from any other amounts received by such station from any source.

**Selected Provisions from the Public
Telecommunications Act of 1992 (Pub. L. 102-356)**

Transition Rules Relating to Term of Office of Board of Directors of Corporation for Public Broadcasting

Section 5(c). (1) With respect to the three offices whose terms are prescribed by law to expire on March 26, 1992, the term for each such office immediately after that date shall expire on January 31, 1998.

(2) With respect to the two offices whose terms are prescribed by law to expire on March 1, 1994, the term for each of such offices immediately after that date shall expire on January 31, 2000.

(3) With respect to the five offices whose terms are prescribed by law to expire on March 26, 1996--

(A) one such office, as selected by the President, shall be abolished on January 31, 1996;

(B) the term immediately after March 26, 1996, for another such office, as designated by the President, shall expire on January 31, 2000; and

(C) the term for each of the remaining three such offices immediately after March 26, 1996, shall expire on January 31, 2002.

(4) As used in this subsection, the term 'office' means an office as a member of the Board of Directors of the Corporation for Public Broadcasting.

Objectivity and Balance Policy, Procedures, and Report

Section 19. Pursuant to the existing responsibility of the Corporation for Public Broadcasting under section 396(g)(1)(A) of the Communications Act of 1934 (47 U.S.C. 396(g)(1)(A)) to facilitate the full development of public telecommunications in which programs of high quality, diversity, creativity, excellence, and innovation, which are obtained from diverse sources, will be made available to public telecommunications entities, with strict adherence to objectivity and balance in all programs or series of programs of a controversial nature, the Board of Directors of the Corporation shall--

(1) review the Corporation's existing efforts to meet its responsibility under section 396(g)(1)(A);

(2) after soliciting the views of the public, establish a comprehensive policy and set of procedures to--

(A) provide reasonable opportunity for members of the public to present comments to the Board regarding the quality, diversity, creativity, excellence, innovation, objectivity, and balance of public broadcasting services, including all public broadcasting programming of a controversial nature, as well as any needs not met by those services;

(B) review, on a regular basis, national public broadcasting programming for quality, diversity, creativity, excellence, innovation, objectivity, and balance, as well as for any needs not met by such programming;

(C) on the basis of information received through such comment and review, take such steps in awarding programming grants pursuant to clauses (ii)(II), (iii)(II), and (iii)(III) of section 396(k)(3)(A) of the Communications Act of 1934 (47 U.S.C. 396(k)(3)(A)) that it finds necessary to meet the Corporation's responsibility under

section 396(g)(1)(A), including facilitating objectivity and balance in programming of a controversial nature; and

(D) disseminate among public broadcasting entities information about its efforts to address concerns about objectivity and balance relating to programming of a controversial nature so that such entities can utilize the Corporation's experience in addressing such concerns within their own operations; and


(3) starting in 1993, by January 31 of each year, prepare and submit to the President for transmittal to the Congress a report summarizing its efforts pursuant to paragraphs (1) and (2).

Consumer Information; Disclosure of Funding

Section 20. Prior to the expiration of the 90-day period following the date of the enactment of this Act [Aug. 26, 1992], the Corporation for Public Broadcasting, in consultation with representatives of public broadcasting entities, shall develop guidelines to assure that program credits for public television programs that receive production funding directly from the Corporation for Public Broadcasting adequately disclose that all or a portion of the cost of producing such program was paid for by funding from the Corporation for Public Broadcasting, and that indicates in some manner that the Corporation for Public Broadcasting is partially funded from Federal tax revenues.

Independent Production Service Funding

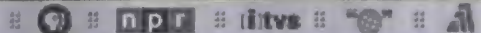
Section 21. In making available funding pursuant to authorizations under this Act [see Short Title of 1992 Amendment note set out under section 609 of this title], any independent production service established under section 396(k) of the Communications Act of 1934 (47 U.S.C. 396(k)) shall, to the maximum extent practicable and consistent with the provisions of the Communications Act of 1934 [47 U.S.C. 151 et seq.], provide such funding to eligible recipients and projects representing the widest possible geographic distribution, with the objective of providing funding to eligible recipients and projects in each State from which qualified proposals are received over the course of such authorizations.

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CPB Appropriation History

Figures shown are representative of millions of dollars.
ie. \$5.0 = \$5,000,000.00

Fiscal Year	Administration Request	House Allowance	Senate Allowance	Appropriation
1969	\$9.0	(b)	\$6.0	\$5.0
1970	15.0	(b)	15.0	15.0
1971	22.0	(b)	27.0	23.0
1972	35.0	35.0	35.0	35.0
1973	45.0	45.0	45.0	35.0
1974	45.0	(b)	55.0	50.0
1975	60.0	60.0	65.0	62.0
1976	70.0	78.5	78.5	78.5
TQ (a)	17.0	17.5	17.5	17.5
1977	70.0	96.7	103.0	103.0
1978	80.0	107.1	121.1	119.2
1979	90.0	120.2	140.0	120.2
1980	120.0	145.0	172.0	152.0
1981	162.0	162.0	162.0	162.0
1982	172.0	172.0	172.0	172.0
1983	172.0	172.0	172.0	137.0
1984	110.0	110.0	130.0	137.5
1985	85.0	130.0	130.0	150.5
1986	75.0	130.0	130.0	159.5
1987	186.0	(b)	238.0	200.0
1988	214.0	(b)	214.0	214.0
1989	214.0	214.0	238.0	228.0
1990	214.0	238.0	248.0	229.4 (c)
1991	214.0	(b)	302.5 (d)	298.9 (d)
1992	242.1	314.1 (d)	340.5 (d)	327.3 (d)
1993	306.5 (d)	306.5 (d)	341.9	318.6 (d)
1994	260.0	253.3	284.0	275.0
1995	275.0	271.6	310.0	285.6 (e)
1996	292.6	292.6	320.0	275.0 (f)
1997	292.6	(b)	330.0	260.0 (f)
1998	296.4	240.0	260.0	250.0
1999	275.0	250.0	250.0	250.0
2000	325.0	300.0	300.0	300.0
2001	340.0	340.0	340.0	340.0
2002	350.0	340.0	350.0	350.0
2003	365.0	365.0	365.0	362.8 (g)
2004	(h)	365.0	395.0	380.0
2005	(h)	390.0	395.0	390.0

2005	(u)	2006	2007	2008
2006	(h)			

Footnotes:

(a) Transition Quarter

(b) Allowance not included in House Bill because of lack of authorizing legislation. Senate allowance considered by House Conferees at conference on appropriation bill(s).

(c) Reduced FY1990 Sequestration.

(d) Includes funds appropriated for the Satellite Replacement Fund.

(e) Reduced from \$292.6 million in PL 103-333.

(f) FY1996 funding reduced from \$312.0 million and FY1997 funding reduced from \$315.0 million in PL 104-19.

(g) FY2003 funding reduced from \$365 million in H.Rpt.108-10.

(h) The Administration declined to request advance funding for CPB.

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