

From: Susan Burgess
Sent: Monday, July 09, 2007 12:24 PM
To: 'tom@cwv.com'
Subject: OTP & Fairness Doctrine

Tom,

On your desk I'm leaving you a stack of all the papers I could find concerning OTP's position on the Fairness Doctrine, which I have listed below. This includes the documents that I sent you by email Friday. I have highlighted the documents I believe are most important:

- (1) Aug. 5-6, 1971 – a Scalia memo to CTW explaining what OTP's position on the BEM-DNC decision should be, describing the decision as “a leap towards more pervasive bureaucratic content control . . . more pernicious than the Fairness Doctrine.”
- (2) Jan. 18, 1972 - a CTW Memo to Flanigan saying that CTW's upcoming testimony before the Senate Subcommittee on Constitutional Rights would be a good time for him to present OTP's position on Fairness Doctrine
- (3) Jan. 22, 1972 – a Scalia memo to James Loken concerning the FTC Fairness Doctrine criticizing the FTC's proposal for the FCC to require compulsory counter-advertising.
- (4) Feb. 2, 1972 – CTW's Fairness Doctrine testimony before the Ervin Subcommittee
- (5) March 5, 1972 - a Washington Post article -- Nixon's Top Radio-TV Adviser Would Drop Fairness Doctrine -- which appears to be based on interview CTW gave the Post, not a speech
- (6) May 3, 1972 - a CTW Memo to Flanigan explaining what OTP's position on Fairness Doctrine should be
- (7) an undated news summary w/ a handwritten note from Pete Flannigan asking CTW to explain why he was speaking out on Fairness Doctrine
- (8) Oct. 11, 1972 – a Chuck Colson memo to CTW attaching an article showing why Colson likes the Fairness Doctrine
- (9) July 1974 - a CTW Yale Law Journal review titled "Media Chic" proposing that legislation requiring broadcasters to accept all paid announcements during commercial time w/o discrimination as to speaker or subject matter
- (10) July 2, 1974 – a CTW letter to Warren Magnuson explaining that OTP agrees with proposed legislation allowing broadcasters to offer time to major party candidates without requiring equal time, but believing the bill should apply to all candidates for federal office.
- (11) an undated summary chronology describing important FCC and court decisions and OTP statements on the Fairness Doctrine

Susan