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JAN 17 1983

117060

ID #

LLTDDI-01

WHITE HOUSE
COUNSELLOR'S OFFICE TRACKING WORKSHEET

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence
Received (YY/MM/DD)

8212127

Roberts
✓ CNHAMM

Name of Correspondent: Joseph C. Emert

CN Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Radio station WTLR has submitted an application for an increase in power to the FCC over 18 months ago and the FCC has still not made a decision on their application.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
	✓ CNHAMM	O	83101104		C	83102110
	✓ CA FULL	A	8301104		C	8310113
	✓ CU Fiel	A	8310114		C	83102102
	CU AT18	D	8310118		C	83102102
	CU Co Fiel	A	83102102	FF	A	83102102

ACTION CODES:

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- F - Furnish Fact Sheet
to be used as Enclosure

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FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
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Comments: _____

Keep this worksheet attached to the original incoming letter.
Send all routing updates to Central Reference (Room 75, OEOB).
Always return completed correspondence record to Central Files.
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

'83 JAN -5 P3:46

RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: L Individual Codes: 4620 _____

Prime Subject Code: UT 001-01 Secondary Subject Codes: FG 145
BE 003-04 _____

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C	_____	Time: _____	P- _____
DSP	_____	Time: _____	Media: _____

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- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

THE WHITE HOUSE

WASHINGTON

February 2, 1983

MEMORANDUM FOR BRUCE FEIN
GENERAL COUNSEL
FEDERAL COMMUNICATIONS COMMISSION

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Attached Correspondence Concerning
Matter Before the Commission

Attached are copies of a letter to Edwin Meese, Counsellor to the President, from Joseph C. Emert, General Manager of radio station WTLR, and my response. As my response makes clear, this letter is being forwarded for your information and such action as you think appropriate. The White House is not, of course, attempting to interfere in a matter pending before the Commission, and no ~~response is desired.~~

*response to this office is
needed.*

Attachments

THE WHITE HOUSE

WASHINGTON

February 2, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Correspondence from Radio Station WTLR
to Edwin Meese on Pending FCC Matter

Edwin Meese has referred to this office a letter he received from Joseph C. Emert, General Manager of radio station WTLR, a religious-oriented station in Pennsylvania. WTLR applied in the summer of 1981 for FCC permission to increase its power, and now complains that the FCC legal staff has unconscionably delayed acting on its routine application. Mr. Emert notes that he is not seeking White House help to obtain a favorable decision, but only help in obtaining some kind of answer.

I recommend that you respond directly to Emert, advising him of the independent status of the FCC, declining to exert any influence with respect to the WTLR application, and noting that you have forwarded the letter to the General Counsel of the Commission. I have prepared an appropriate reply, a cover memorandum to the FCC general counsel, and a memorandum to Mr. Meese advising him of this disposition.

Attachments

THE WHITE HOUSE
WASHINGTON

Date 2.4.83

Suspense Date _____

MEMORANDUM FOR: Alice

FROM: **DIANNA G. HOLLAND**

ACTION

- Approved
- Please handle/review
- For your information
- For your recommendation
- For the files
- Please see me
- Please prepare response for
_____ signature
- As we discussed
- Return to me for filing

COMMENT

Please return package
in tact for mailing.
Thanks.

THE WHITE HOUSE
WASHINGTON

February 2, 1983

Dear Mr. Emert:

I am writing in response to your letter of December 22, 1982, to Edwin Meese, Counsellor to the President, concerning the Federal Communications Commission matter in which your radio station, WTLR, is involved.

While I can appreciate the importance of this matter to you and to radio station WTLR, and your concern that it be properly resolved, the Federal Communications Commission is an independent regulatory agency. Although the President appoints the members of the Commission, subject to the advice and consent of the Senate, neither he nor members of his staff attempt to influence the Commission's deliberations on particular matters that come before it. This extends to questions of the timing of Commission action as well as the substance. I have, however, taken the liberty of forwarding a copy of your letter to the General Counsel of the Commission.

I appreciate the spirit in which your letter was written, and hope you will understand that neither the President nor members of his staff may seek to influence particular matters subject to the Commission's jurisdiction as an independent agency.

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

Mr. Joseph C. Emert
General Manager
WTLR
315 S. Atherton Street
State College, Pennsylvania 16801

FFF:JGR:aw 2/2/83
cc: FFFielding/JGRoberts/Subj./Chron



WTLR 89.9 FM
STEREO 10,000 WATTS STEREO

315 S. ATHERTON ST. STATE COLLEGE, PA. 16801
(814) 237-9857

CHRIST CENTERED RADIO FOR THE FAMILY

December 22, 1982

117060

Mr. Edwin Meese
The White House
Washington, D.C. 20500

Dear Mr. Meese,

This letter is addressed to you at the advice of Media Relations of the White House Staff. They indicated that you may be able to help us.

WTLR, one of thousands of small radio stations, is very frustrated with the Federal Communications Commission staff, otherwise we would not consume your time with our complaint.

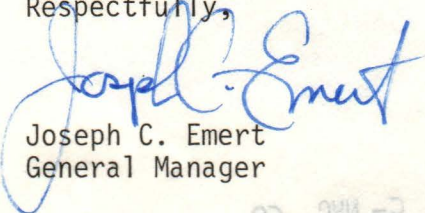
A copy of a recent letter from our Congressman, The Honorable William F. Clinger, Jr., will tell our story well. I have also enclosed a diary sheet which reflects our dilemma. We simply cannot get the staff of the Commission moving! After 18 months they refuse to make a decision on our application which normally would have taken 3 months! They have even refused to put anything in writing.

Mr. Meese, please inform President Reagan of this kind of abuse. He should be aware of this. Please understand that we are not asking for Presidential help to receive a favorable decision from the F.C.C. We are simply asking that this kind of unconscionable bureaucratic bungling not be permitted to go on.

We only request an answer of some kind from the Commission. Your concern and assistance in this matter will be so deeply appreciated.

Thank you so much.

Respectfully,


Joseph C. Emert
General Manager

JCE/rah

.83 711-2 63:00

- June 25, 1981 - WTLR-FM, State College, Pa. submitted minor change application to F.C.C. to increase power from 10KW to 31 KW.
- July 27, 1981 - F.C.C. notified WTLR that application is accepted for filing - File #BPED810625AQ.
- November 20, 1981 - F.C.C. engineering staff cleared application for power increase and acknowledges that the application is a minor change.
- January, 1982 - F.C.C. legal staff freezes application -- because they are waiting for pending rulemaking which could effect the application. WTLR must operate by "current" rules & regs while F.C.C. has the audacity to operate by "future" pending rules... Rules not even approved yet.
- February, 1982 - WTLR, through Mr. Larry Eads of the F.C.C. staff caused the legal staff to restart application processing.
- March 25, 1982 - Commission legal staff froze application again. This is all due to requests to deny our application from WJAC in Johnstown.
- June 9, 1982 - WTLR sent letter to F.C.C. asking for a formal decision to either grant or deny application.
- July, 1982 - WTLR in conversation with Mr. Larry Eads is assured that letter of June 9 will be acknowledged and answered. No answer to date.
- August-November - Continued requesting a decision from the Commission staff even requesting a hearing. Request denied. We ask staff to put their decision not to make a decision into writing ... they refused to put anything in writing.
- December 14, 1982 - Congressman William Clinger & Congressman Bud Shuster wrote to Commission.

WILLIAM F. CLINGER, JR.

23RD DISTRICT, PENNSYLVANIA

WASHINGTON OFFICE
1221 LONGWORTH BUILDING
(202) 225-5121

DISTRICT OFFICES:
SUITE 219
315 S. ALLEN STREET
STATE COLLEGE, PENNSYLVANIA 16801
(814) 238-1776

305 PENN BANK BUILDING
WARREN, PENNSYLVANIA 16365
(814) 726-3910

The Hon. Mark S. Fowler
Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Congress of the United States
House of Representatives

Washington, D.C. 20515

December 14, 1982

COMMITTEES:
PUBLIC WORKS AND
TRANSPORTATION
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT
SUBCOMMITTEE ON SURFACE
TRANSPORTATION
SUBCOMMITTEE ON WATER RESOURCES
GOVERNMENT OPERATIONS
SUBCOMMITTEE ON LEGISLATION AND
NATIONAL SECURITY
SUBCOMMITTEE ON COMMERCE, CONSUMER,
AND MONETARY AFFAIRS

Dear Mr. Chairman:

I have received a concerned letter from one of my constituents, Mr. Joseph C. Emert, General Manager, WTLR 89.9 FM Radio Station, in State College, Pennsylvania, regarding an application for a construction permit filed on June 25, 1981 by the Central Pennsylvania Christian Institute (file #BPED - 810625AQ).

It is my understanding that this application is designated as a "minor change" and, under normal conditions, should take approximately thirty days to process. Further, my constituent has informed me that their application meets or exceeds all published guidelines and rules and regulations of the Commission.

Sometime in November, 1982, individuals in the Mass Media Bureau of the Commission informed my constituent, orally, that they were not going to act on their application, action I might add that has taken over 1½ years, until a final decision was made on the Channel 6 - Education FM proceeding. This proceeding has just been extended from December 6, 1982 until June 6, 1983 and appears that a final decision will not be made until mid-1984!

The Administration has taken a strong stand in favor of reducing the effects regulations have not only on businesses but citizens as well. I truly find the delay which has occurred to this radio station unconscionable, arbitrary and capricious. The Mass Media Bureau has had the audacity to inform this station that they will not put the above-mentioned statements in writing and they will continue to defer action on this application. WTLR has additionally requested a hearing and this has been refused as well. Since I am not able to determine what statutory basis the Commission is utilizing in delaying this action, I would like to urge your help in moving this matter in a more expeditious manner. Certainly, action, whether favorable or not, can be finally instituted so that WTLR can determine whether their station can increase their kilowatts.

Thank you for your consideration in this matter.

With kindest regards,

Sincerely,

William F. Clinger
WILLIAM F. CLINGER, JR.

WFC:mgs

UT 001-01

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) 83102110

Name of Correspondent: Gene Autry

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: opposes the Federal Communications Commission's proposal to repeal the Syndication and Financial Interest Rules restricting certain network practices.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>Co Shop</u>	<u>Charley</u>	<u>ORIGINATOR</u>	<u>83102111</u>			<u>C 83 03 109⁵</u>
<u>✓ FCC</u>		<u>R</u>	<u>8310222</u>	<u>LD</u>		<u>A 83 103 03⁵</u>
			<u>1 1</u>			<u>1 1</u>
			<u>1 1</u>			<u>1 1</u>
			<u>1 1</u>			<u>1 1</u>

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CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: L Individual Codes: 4.200 4.710

Prime Subject Code: VT 001-01 Secondary Subject Codes: EG 128

_____.
 _____
 _____

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C _ _	_____	Time: _____	P- _____
DSP	_____	Time: _____	Media: _____

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- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C.

MAR 8 1983

Handwritten signature

OFFICE OF
THE CHAIRMAN

Mr. Gene Autry
Chairman of the Board
Golden West Broadcasters
Post Office Box 710
Los Angeles, California 90028

Dear Mr. Autry:

This letter is in response to your correspondence of February 2, 1983, to President Reagan concerning the Federal Communications Commission's proposed repeal of the financial interest and syndication rules. These rules were adopted by the Commission in 1970 in an effort to increase the diversity of programming voices and outlets in the field of television broadcasting. According to the Commission's original rationale, the restrictions on network conduct imposed by the rules were intended to help stimulate a robust independent production and distribution industry.

In 1977 the Commission assembled a Network Inquiry Special Staff to analyze, among other things, the effectiveness of the Commission's network regulations. After nearly three years of research, the Special Staff concluded that the financial interest and syndication rules were not appropriate mechanisms to correct the problems perceived by the Commission. The Special Staff recommended that the rules be rescinded. It is important to note, however, that the Commission has not officially endorsed or rejected the Network Staff's conclusions and recommendations.

In order to further examine the conclusions of the Network Inquiry Special Staff, the Commission commenced the instant rule making in June 1982. The Notice of Proposed Rule Making also solicits comments on the extent to which newly developing media technologies may have ameliorated the influence of the networks in the program production and supply markets, thereby obviating the need for the rules. On the other hand, we specifically sought comments on the effects repeal would have on the independent television industry as well as the production and syndication industries. On January 26th of this year, over 125 parties, including Golden West Broadcasters, filed detailed comments supporting their various positions. Reply comments are due on April 26th, and we have scheduled oral presentations for March 14, 1983.

As you may gather, the record in this proceeding is voluminous, and the positions of the interested parties are being presented most ably. Any decision we make on this important issue will be based on the entire record, and you may rest assured that your position will be seriously and fully considered.

Thank you for your interest in this proceeding.

Sincerely,

A handwritten signature in blue ink that reads "Mark S. Fowler". The signature is written in a cursive style with a large initial "M".

Mark S. Fowler
Chairman

THE WHITE HOUSE OFFICE

REFERRAL

FEBRUARY 22, 1983

SCI
MMB
~~MMB~~
2715

TO: FEDERAL COMMUNICATIONS COMMISSION

ACTION REQUESTED:
DIRECT REPLY, FURNISH INFO COPY

DESCRIPTION OF INCOMING:

ID: 123825
MEDIA: LETTER, DATED FEBRUARY 2, 1983
TO: PRESIDENT REAGAN
FROM: MR. GENE AUTRY
CHAIRMAN OF THE BOARD
GOLDEN WEST BROADCASTERS
POST OFFICE BOX 710
LOS ANGELES CA 90028

RECEIVED
FEB 22 1983
MARK S. FOWLER
CHAIRMAN

SUBJECT: OPPOSES THE FEDERAL COMMUNICATIONS
COMMISSION'S PROPOSAL TO REPEAL THE
SYNDICATION AND FINANCIAL INTEREST RULES
RESTRICTING CERTAIN NETWORK PRACTICES

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN
TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE
UNDERSIGNED AT 456-7486.

RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE
(OR DRAFT) TO:
AGENCY LIAISON, ROOM 91, THE WHITE HOUSE

SALLY KELLEY
DIRECTOR OF AGENCY LIAISON
PRESIDENTIAL CORRESPONDENCE



GOLDEN WEST BROADCASTERS

5858 Sunset Boulevard • Post Office Box 710 • Los Angeles • California 90028
(213) 462-7373

(213) 460-5676

GENE AUTRY

Chairman of the Board

February 2, 1983

123825

My dear Mr. President:

I have been reluctant to write to you considering the more pressing problems facing you and our country today; however, my letter is prompted by a situation which has arisen which would have an extremely adverse effect on the independent television industry.

The Federal Communications Commission is about to repeal the so-called Syndication and Financial Interest Rules restricting certain network practices. This issue is of grave concern to many parties, including producers, advertisers, guilds and so on. I cannot speak for all of them but, as an operator of independent television stations, I do know our business is in jeopardy.

I am sure you are well-versed on this matter and can understand what the repeal of these rules would do to the independent operator. Furthermore, since these rules were established, every segment of the business has prospered including the networks. Why then does the FCC want to eliminate rules which are working and working well.

I know you cannot take a public position on this, but it seems worth some study by your staff. I will certainly appreciate your consideration.

With my warmest personal regards,

Gene Autry
Gene Autry

*The Honorable Ronald Reagan
The White House
Washington, D. C.*

ID # 124013
LT 001-01

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
Date Correspondence Received (YY/MM/DD) / /

Name of Correspondent: L. Donald Shields

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: is concerned about proposals by the FCC to reallocate radio channels

ROUTE TO:		ACTION	DISPOSITION
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD
<input checked="" type="checkbox"/> <u>PA/BLAC</u>		ORIGINATOR	<u>83101105</u>
		Referral Note:	<u>C 83103107</u>
<input checked="" type="checkbox"/> <u>FCC</u>		<u>R</u>	<u>83102115</u>
		Referral Note:	<u>A 83102123</u>
			<u> / / </u>
		Referral Note:	<u> / / </u>
			<u> / / </u>
		Referral Note:	<u> / / </u>
			<u> / / </u>
		Referral Note:	<u> / / </u>

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DSP	_____	Time: _____	Media: _____

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 V - Telephone
 X - Miscellaneous
 Y - Study

P.L.O.L.A.

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

FEB 23 1983

IN REPLY REFER TO:

61230
IC 83-1030
002666

L. Donald Shields, President
Southern Methodist University
Dallas, Texas 75275

Dear Mr. Shields:

This is in response to your correspondence addressed to President Reagan expressing concern about proposed reallocation of the Instructional Television Fixed Service (ITFS) band (General Dockets 80-112 and 80-113). You state that such technology plays a key role in strengthening our nation's defense and economy through advanced training of scientists and engineers. You also question the need for new entertainment channels when the public already has a wide choice of mass media channels. We wish to assure you from the outset that the Commission recognizes the importance of scientific, engineering and other training courses provided through the ITFS.

As background, the 2500-2690 MHz band consists of thirty-one MHz television channels and a like number of 125 KHz return channels. Twenty-eight of these channels are presently assigned to the ITFS; the remaining three channels are assigned to the Private Operational Fixed Microwave Service (OFS). The Multipoint Distribution Service (MDS) is presently assigned two 6 MHz channels in the 2150-2162 MHz band. These two 6 MHz channels are only available in the fifty largest metropolitan areas of the country. In the rest of the country the MDS is assigned one 6 MHz channel and one 4 MHz channel in the 2150-2160 MHz band. A 4 MHz channel is not large enough to transmit a standard television signal. Thus, in most areas of the country MDS effectively has only one channel.

In General Docket No. 80-112 the Commission proposed to reallocate the 2500-2690 MHz band for shared use by the ITFS (11 channels), the MDS (10 channels) and the OFS (10 channels). The Commission also requested other channel allocation proposals. Enclosed is a copy of the Notice of Inquiry, Proposed Rulemaking and Order (Notice) released May 2, 1980 in this docket. After a review of the facts, the Commission found that many of the channels reserved for ITFS were vacant and that several stations had not been operational for several years (see paras. 15-17, 28-36 and Appendix B of Notice). The Commission tentatively concluded that the 2500-2690 MHz band would be used more efficiently if it were shared by ITFS, MDS and OFS (see para. 52 of Notice). Before making a final decision concerning this matter, the Commission requested comments on a number of specific questions set forth in Appendix C to the Notice.

Mr. L. Donald Shields

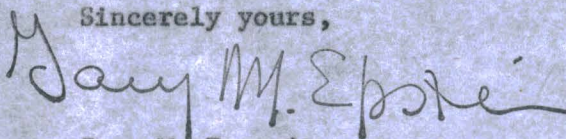
2.

General Docket No. 80-113 addressed engineering issues affecting MDS, OFS, and ITFS. A copy of the Notice of Inquiry and Proposed Rulemaking in this docket is also enclosed for your convenience.

On February 10, 1982 Microband Corporation of America (Microband) filed a three-volume proposal concerning issues raised in General Dockets 80-112 and 80-113. Microband proposed removing 3 groups of 4 channels each from the present ITFS allocation and allocating them for use in the MDS. Commission staff are currently reviewing comments filed by a number of parties on the Microband proposal.

Because the issues about which you are concerned are before the Commission staff in rulemaking proceedings, I cannot at this time comment on their probable outcome. However, a copy of your correspondence has been included in the Commission's public file in the referenced proceedings. I trust you will find the foregoing and enclosed helpful. If I may be of further assistance, please let me know.

Sincerely yours,



Gary M. Epstein
Chief, Common Carrier Bureau

Enclosures

✓ bcc: Sally Kelley
Director of Agency Liaison, Room 91
Presidential Correspondence
The White House
Washington, D. C. 20500

CCB
2666

T H E W H I T E H O U S E O F F I C E

REFERRAL

FEBRUARY 15, 1983

TO: FEDERAL COMMUNICATIONS COMMISSION

ACTION REQUESTED:
DIRECT REPLY, FURNISH INFO COPY

DESCRIPTION OF INCOMING:

ID: 124013

MEDIA: LETTER, DATED DECEMBER 16, 1982

TO: PRESIDENT REAGAN

FROM: MR. L. DONALD SHIELDS
PRESIDENT
SOUTHERN METHODIST UNIVERSITY
DALLAS TX 75275

SUBJECT: IS CONCERNED ABOUT PROPOSALS BY THE PCC
TO REALLOCATE RADIO CHANNELS

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN
TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE
UNDERSIGNED AT 456-7486.

RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE
(OR DRAFT) TO:
AGENCY LIAISON, ROOM 91, THE WHITE HOUSE

RECEIVED

FEB 16 1983

MARK S. FOWLER
CHAIRMAN

SALLY KELLEY
DIRECTOR OF AGENCY LIAISON
PRESIDENTIAL CORRESPONDENCE

124013



December 16, 1982

The President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

Technology plays such a key role in strengthening our nation's defense and economy that educators are working with industry to provide advanced training for scientists and engineers already in the work force. Unfortunately, a vital link in that joint program is in peril.

I am referring to proposals by the Federal Communications Commission to reallocate radio channels used by the Instructional Television Fixed Service (ITFS). The FCC plans to open these channels now used solely by school districts, universities, hospitals, etc., to commercial use for transmitting pay-TV programs, principally adult movies.

The FCC's rationale for invading instructional channels is that they are "under-utilized." Perhaps there are places where ITFS channels are not yet used, just as there are cities where UHF TV channels may still be vacant. Nevertheless, I am informed that in many metropolitan areas there is heavy and growing use of ITFS channels.

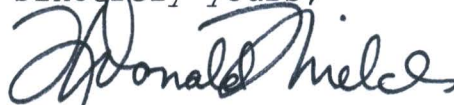
In the Dallas/Fort Worth area, for example, SMU and other universities are using eight ITFS channels to send courses to 1,000 scientists and engineers in 20 corporate classrooms located at such firms as General Dynamics, LTV, Rockwell, TI, etc. An additional six channels are used by 33 school districts transmitting to 315 school buildings with 155,000 students. Yet still another channel is used by the University of Texas Medical School to send courses and lectures to five hospitals. Because some of these channels are already used 14 hours per day, it is anticipated that, as funds become available, other channels will be activated.

The President of the United States
December 16, 1982
Page 2

The public already has a wide choice of mass media channels-- regular TV, subscription TV, Cable TV, Satellite TV, etc.-- therefore, it is unclear to me why new ones are necessary. If, however, the FCC deems it in the public interest to provide additional entertainment channels, must this be done at the expense of the nation's educational processes? It would seem more appropriate to use channels already allocated for entertainment purposes, such as UHF TV.

Mr. President, I hope you share my concern for the protection of Instructional Television and will suggest that the FCC consider other portions of the radio spectrum to meet what they apparently perceive as a need for additional entertainment outlets.

Sincerely yours,



L. Donald Shields
President

cc: Mr. Edwin Meese III
Counselor to the President

/ak



OFFICE OF
THE ADMINISTRATOR OF
VETERANS AFFAIRS

VETERANS ADMINISTRATION

WASHINGTON, D. C. 20420

January 18, 1983

125833

1140

UT001-01

FG 276

VA 003

*Em
Suzi**

CF

FILED

**follow-up to
my call to
Harry
CHF
has
report
file*

Honorable Craig L. Fuller
Assistant to the President for
Cabinet Affairs
White House, West Wing
Washington, D. C. 20500

Dear Craig:

In reference to the CBS "60 Minutes" show Sunday evening, the Department of Medicine and Surgery is reviewing the matter thoroughly at this time.

We should have this thorough review completed by the end of the week.

Sincerely,

Harry

Harry N. Walters
Administrator

1260
 ID # 125988
UT001-01

**WHITE HOUSE
 CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
 Date Correspondence Received (YY/MM/DD) 83 102 17

Name of Correspondent: Alfonse D'Amato

MI Mail Report User Codes: (A) PRES (B) _____ (C) _____

Subject: Express concern in regard to an NBC report about Soviet involvement in the plot to assassinate The Pope; "We would appreciate a report about the CIA's behavior in uncovering or suppressing evidence of the KGB's role in the plot. We hope your Foreign Intelligence Advisory Board will also look into this problem. A Senate Intelligence Committee hearing may also be appropriate"

ROUTE TO: _____ ACTION _____ DISPOSITION _____

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>LA DURBE</u>	ORIGINATOR	<u>83 102 18</u>	<u>KD</u>	<u>A</u>	<u>83 102 20</u>
<u>NS/SECRETARIAT</u>	<u>R</u>	<u>83 102 21</u>	<u>LD</u>	<u>C</u>	<u>83 103 21</u>
_____	_____	<u>1 1</u>	_____	_____	<u>1 1</u>
_____	_____	<u>1 1</u>	_____	_____	<u>1 1</u>
_____	_____	<u>1 1</u>	_____	_____	<u>1 1</u>

- ACTION CODES:**
 A - Appropriate Action
 C - Comment/Recommendation
 D - Draft Response
 F - Furnish Fact Sheet to be used as Enclosure
 I - Info Copy Only/No Action Necessary
 R - Direct Reply w/Copy
 S - For Signature
 X - Interim Reply
- DISPOSITION CODES:**
 A - Answered
 B - Non-Special Referral
 C - Completed
 S - Suspended
- FOR OUTGOING CORRESPONDENCE:**
 Type of Response = Initials of Signer
 Code = "A"
 Completion Date = Date of Outgoing

Comments: ER NSC # 8301260

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: 0001 Media: L Individual Codes: 1220 _____

Prime Subject Code: UT 001.01 Secondary Subject Codes: PR 016.01 CO
JL 003.01
CO 170.

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C		Time: _____	P- _____
DSP		Time: _____	Media: _____

SIGNATURE CODES:

- CPn - Presidential Correspondence
 - n - 0 - Unknown
 - n - 1 - Ronald Wilson Reagan
 - n - 2 - Ronald Reagan
 - n - 3 - Ron
 - n - 4 - Dutch
 - n - 5 - Ron Reagan
 - n - 6 - Ronald
 - n - 7 - Ronnie

- CLn - First Lady's Correspondence
 - n - 0 - Unknown
 - n - 1 - Nancy Reagan
 - n - 2 - Nancy
 - n - 3 - Mrs. Ronald Reagan

- CBn - Presidential & First Lady's Correspondence
 - n - 1 - Ronald Reagan - Nancy Reagan
 - n - 2 - Ron - Nancy

MEDIA CODES:

- B - Box/package
- C - Copy
- D - Official document
- G - Message
- H - Handcarried
- L - Letter
- M - Mailgram
- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

NATIONAL SECURITY COUNCIL

TO NSC/S

Please close out.
It was handled
directly by
De Gaffenreid.

Peter Jones

NSC/S PROFILE

UNCLASSIFIED

ID 8301260

RECEIVED 24 FEB 83 14

TO PRESIDENT

FROM D'AMATO, ALFONSE M

DOCDATE 31 JAN 83

SYMMS, STEVE

31 JAN 83

KEYWORDS: CONGRESSIONAL

USSR

VATICAN

INTELLIGENCE

SUBJECT: REQUEST FURTHER INFORMATION ON THE ATTEMPTED ASSASSINATION OF THE POPE

ACTION: RECOMS TO NSC/S

DUE: 28 FEB 83 STATUS S FILES

FOR ACTION

FOR CONCURRENCE

FOR INFO

SOMMER

DOBRIANSKY

KIMMITT

DE GRAFFENREID

FORTIER

COMMENTS ** WE RECOMMEND SENDING THIS TO STATE FOR DIRECT REPLY

YES NO OTHER.

REF#

LOG

NSCIFID

(M /)

ACTION OFFICER (S) ASSIGNED ACTION REQUIRED DUE COPIES TO

C 3/21 no action required per Sommer

February 23, 1983

Dear Senator Symms:

On behalf of the President, I would like to acknowledge and thank you for your letter dated January 31, which was received here on February 17. Your letter requests specific information, and urges that certain actions be taken, on the subject of KGB involvement in the attempted assassination of Pope John Paul a year and a half ago.

Please know that your letter is now being shared with the appropriate officials, and that thorough consideration will be given to the issues you have raised. I assure you that we appreciate your serious concern with respect to this matter.

With best wishes,

Sincerely,

Kenneth M. Duberstein
Assistant to the President

The Honorable Steve Symms
United States Senate
Washington, D.C. 20510

KMD:CMP:nap

cc: w/copy of inc, NSC Secretariat -- for DIRECT response
(with copy to Ken Duberstein)

WH RECORDS MANAGEMENT WILL RETAIN ORIGINAL INCOMING

February 23, 1983

Dear Senator D'Amato:

On behalf of the President, I would like to acknowledge and thank you for your letter dated January 31, which was received here on February 17. Your letter requests specific information, and urges that certain actions be taken, on the subject of KGB involvement in the attempted assassination of Pope John Paul a year and a half ago.

Please know that your letter is now being shared with the appropriate officials, and that thorough consideration will be given to the issues you have raised. I assure you that we appreciate your serious concern with respect to this matter.

With best wishes,

Sincerely,

Kenneth M. Duberstein
Assistant to the President

The Honorable Alfonse D'Amato
United States Senate
Washington, D.C. 20510

KMD:CMF:nap

cc: w/copy of inc, NSC Secretariat -- for DIRECT response
(with copy to Ken Duberstein)

WH RECORDS MANAGEMENT WILL RETAIN ORIGINAL INCOMING

United States Senate

WASHINGTON, D.C. 20510

125988

January 31, 1983

83 FEB 17 P 8: 17

The Honorable Ronald Reagan
President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

On January 25, 1983, NBC television showed a documentary narrated by Marvin Kalb about Soviet involvement in the plot to assassinate the Pope. It was a very good program, which clearly established the evidence linking the Soviet KGB to the plot against the Pope. One statement at the end of the show by Mr. Kalb caught our attention in particular.

Kalb stated that CIA aides in Rome were trying to discourage journalists from pursuing promising leads on the KGB's role in the assassination plot. If accurately reported, the CIA's behavior in this case is very puzzling.

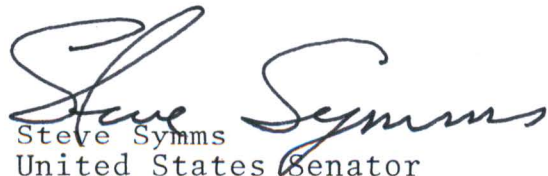
Mr. President, this plot has enormous implications for U.S.-Soviet relations and the prospects for arms control negotiations.

Accordingly, we respectfully request that this be investigated. Specifically, we would appreciate having a report about the CIA's behavior in uncovering or suppressing evidence of the KGB's role in the plot. Further, we hope your Foreign Intelligence Advisory Board will also look into this problem. A Senate Intelligence Committee hearing may also be appropriate.

Respectfully yours,



Alfonse M. D'Amato
United States Senator



Steve Symms
United States Senator

ID # 126372
LLT 001-D1

**WHITE HOUSE
 COUNSELLOR'S OFFICE TRACKING WORKSHEET**

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
 Date Correspondence Received (YY/MM/DD) 83102116

CN Hamm

Name of Correspondent: Thomas E. Bridge

CN Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Writer is concerned over the content of the Armed Forces Radio and Television broadcasts in Europe.

ROUTE TO:		ACTION	DISPOSITION			
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<input checked="" type="checkbox"/>	<u>CNHAMM</u>	<u>O</u>	<u>831021²²</u>		<u>C</u>	<u>831031</u>
<input checked="" type="checkbox"/>	<u>DOD</u>	<u>R</u>	<u>83102124</u>		<u>A</u>	<u>831031</u>
			<u>1 1</u>			<u>1 1</u>
			<u>1 1</u>			<u>1 1</u>
			<u>1 1</u>			<u>1 1</u>

- ACTION CODES:**
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 - I - Info Copy Only/No Action Necessary
 - R - Direct Reply w/Copy
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 - X - Interim Reply
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- A - Answered
 - B - Non-Special Referral
 - C - Completed
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- FOR OUTGOING CORRESPONDENCE:**
- Type of Response = Initials of Signer
 - Code = "A"
 - Completion Date = Date of Outgoing

Comments: _____

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 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: L Individual Codes: 1161 4800

Prime Subject Code: 44 001-01 Secondary Subject Codes: 00 001-05
ND 002

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C	_____	Time: _____	P- _____
DSP	_____	Time: _____	Media: _____

SIGNATURE CODES:

- CPn - Presidential Correspondence
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- n - 4 - Dutch
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- n - 6 - Ronald
- n - 7 - Ronnie

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- n - 2 - Nancy
- n - 3 - Mrs. Ronald Reagan

CBn - Presidential & First Lady's Correspondence

- n - 1 - Ronald Reagan - Nancy Reagan
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- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study



ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

PUBLIC AFFAIRS

9 MAR 1983

Mr. Thomas E. Bridge
President, The United Cause, Inc.
5465 William Flynn Highway
Gibsonia, Pennsylvania 15044

Dear Mr. Bridge:

Thank you for your letter to Mr. Meese. The points you made interested me (I am the authority responsible for American Forces Information Service) and I am looking at the matter closely as a result. I tried to phone you yesterday but was unable to get through.

Yours very truly,


Henry E. Catto, Jr.

OSD Correspondence Branch

HECatto/kp/2E800/79312/8Mar83

T H E W H I T E H O U S E O F F I C E

REFERRAL

FEBRUARY 24, 1983

TO: DEPARTMENT OF DEFENSE

ACTION REQUESTED:

DIRECT REPLY, FURNISH INFO COPY *Sum*

DESCRIPTION OF INCOMING:

ID: 126372

MEDIA: LETTER, DATED FEBRUARY 10, 1983

TO: EDWIN MEESE

FROM: MR. THOMAS E. BRIDGE
PRESIDENT
THE UNITED CAUSE, INC.
5465 WILLIAM FLYNN HIGHWAY
GIBSONIA PA 15044

SUBJECT: WRITER IS CONCERNED OVER THE CONTENT OF
THE ARMED FORCES RADION AND TELEVISION
BROADCASTS IN EUROPE

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN
TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE
UNDERSIGNED AT 456-7486.

RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE
(OR DRAFT) TO:
AGENCY LIAISON, ROOM 91, THE WHITE HOUSE

SALLY KELLEY
DIRECTOR OF AGENCY LIAISON
PRESIDENTIAL CORRESPONDENCE

W03438



THE UNITED CAUSE, INC.

5465 William Flynn Highway
Gibsonia, Pennsylvania 15044
Area Code 412-443-5928

126372

February 10, 1983

The Honorable Edwin Meese, III
Counsellor to the President
The White House
Washington, D. C. 20050

Dear Mr. Meese:

You might recall my telegram of January 21st with regard to the Armed Forces Radio and Television. I have been in Germany for several weeks from time to time - from the period of November 1982 to February 1983. From my point of view, and I spent quite a number of hours making certain that I listened and watched Armed Forces Radio and Television, I could not possibly convey to you, Mr. Meese, the aggravation, disappointment, and embarrassment I experienced as a result of this observation.

First of all, I served in the Korean War and remember the Armed Forces Radio and/or media available to us, and I am sure, it was not managed or tainted in any way as a propaganda measure...and, I remember clearly the media during World War II. But, forgive me, the garbage that is being fed to the troops and to the public at large in Europe by Armed Forces Radio and Television could not possibly be an accident. During their presentations, they state that the material is made up of United Press, Associated Press, news services, and public relation sources of the United States Armed Forces. In my mind, the questions would be, "Who is selecting these particular items? Who is managing the continuity in programs as well as news?" For example, from the initial announcement of the Russian satellite return to earth, at least every hour it was announced as a matter of news. And, of course, raised the normal concerns and consternation by Americans in Europe, for the announcement was that the satellite would land somewhere in the United States and at a (nearly) specific time. At the

The Honorable Edwin Meese, III
February 10, 1983

Page 2

estimated time of re-entry, a sporting event was being aired, for say three hours. At no time in that period was there any mention of this impending disaster. People who were with me at the time were beside themselves, confused, and had a more heightened concern by the fact that this very urgent situation was suddenly dropped. There were many others, similar in nature, but, of course, dealing with other subjects. I believe this points up a management problem. Comparing the news one hears at home, of which we all pretty much know, leaves a lot to be desired. The news that I listened to in Europe was particularly negative, leaving one without hope or appreciation for things at home whatsoever.

The Donahue program that I mentioned in my telegram, about which I had my secretary telephone the Armed Services Radio in Washington before I wired you -- she was told that a balance is selected so that the service personnel are kept aware of all events at home, and to that my response is "Nonsense!" There are literally hundreds of programs in the United States, first of all, that could never be aired because of the one Armed Services channel and it would be stretching the point to include the Donahue Show as part of America's balance. If being balanced is to include the Donahue Show, then the rest of America is severely unbalanced!

Truly, Mr. Meese, I appreciate the enormity of your duties and responsibilities and at first consideration, this might seem as one of the smaller problems; but, the crowning blow occurred when I was enroute home. My seat placed me next to a young Second Lieutenant who puts in quite a bit of time in the field and on the boarder. I solicited his opinion of the Armed Services Radio and Television and before I finished my remarks, he was quick to tell me in one word....disgusting! The rest of his remarks pretty much agree with what I am attempting to convey to you.

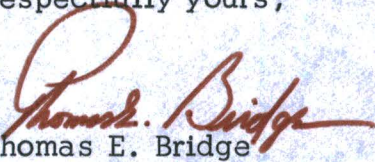
Frankly, I do not know what my attitude would have been back in 1950 when I had begun my tour of duty if I were fed a diet of this negative, hopeless type of anti-American propaganda. Of course, I am not suggesting that we do the reverse of what I am condemning and manage an unreal, rosy world of stories for our people, but I do very seriously believe that those responsible for this communication are either very confused, negligent, or are purposely attempting to manage a dismal America.

The Honorable Edwin Meese, III
February 10, 1983

Page 3

I do hope that when you are able to have someone look into this that my concerns prove to be well founded.

Respectfully yours,


Thomas E. Bridge
President

TEB:ss

EAGLE-A

TYPE-ERASE

25% COTTON FIBER USA

ID # 128612
LLT001-01

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
 - H - INTERNAL
 - I - INCOMING
- Date Correspondence Received (YY/MM/DD) 83103107

Name of Correspondent: Paula Hawkins

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: writes on behalf of the Associated Industries of Florida, who would like for the President to participate in a brief satellite television look-up on 4 April 1983.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>LADUCA</u>	ORIGINATOR	<u>83103107</u>	<u>KD</u>	<u>A</u>	<u>83103110</u>
<u>FRED</u>	Referral Note:				
<u>RYAN 185</u>	<u>A</u>	<u>83103110</u>	<u>FR</u>	<u>A</u>	<u>83103307</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				

ACTION CODES:

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- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure
- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
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- X - Interim Reply

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- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: _____

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RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: L Individual Codes: 1220 _____

Prime Subject Code: UT 001-01 Secondary Subject Codes: PR 016-01 _____

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C	<u>1220</u>	Time: _____	P- _____
DSP	_____	Time: _____	Media: _____

SIGNATURE CODES:

- CPn - Presidential Correspondence**
 - n - 0 - Unknown
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 - n - 3 - Ron
 - n - 4 - Dutch
 - n - 5 - Ron Reagan
 - n - 6 - Ronald
 - n - 7 - Ronnie

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 - n - 0 - Unknown
 - n - 1 - Nancy Reagan
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 - n - 1 - Ronald Reagan - Nancy Reagan
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- M - Mailgram
- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

March 30, 1983

Dear Senator Hawkins:

Thank you for your message which was forwarded to me by Mr. Kenneth Duberstein.

The President appreciates your interest in the request that he participate in a satellite television hook-up with the Associated Industries of Florida on April 4.

Although he would like to accommodate your request, heavy demands on his schedule preclude his doing so. He does want you to know, though, he appreciates your thoughtfulness in writing and sends you his best wishes.

Sincerely,

FREDERICK J. RYAN, JR.
Director, Presidential
Appointments and Scheduling

The Honorable Paula Hawkins
United States Senate
Washington, D.C. 20510

FJR:SM:jzf
FJR-19A

March 10, 1983

Dear Senator Hawkins:

Thank you for your letter of March 3, requesting that the President participate in a satellite television hook-up with the Associated Industries of Florida on April 4.

Your interest on behalf of this group are appreciated, and please know that your request will receive every attention by the President's Scheduling Office. I have asked that you be contacted as soon as we are able to make a determination.

With best wishes,

Sincerely,

Kenneth M. Duberstein
Assistant to the President

The Honorable Paula Hawkins
United States Senate
Washington, D.C. 20510

KMD:CMP:MDB

cc: w/copy of inc to Fred Ryan - for further action

WH RECORDS MANAGEMENT HAS RETAINED ORIGINAL INCOMING

✓ cc: w/copy of inc to Ed Rollins - for input FYI

✓ cc: w/copy of inc to F. Whittlesey - for input FYI

WKS-19A

March 10, 1983

Dear Senator Hawkins:

Thank you for your letter of March 3, requesting that the President participate in a satellite television hook-up with the Associated Industries of Florida on April 4.

Your interest on behalf of this group are appreciated, and please know that your request will receive every attention by the President's Scheduling Office. I have asked that you be contacted as soon as we are able to make a determination.

With best wishes,

Sincerely,

Kenneth M. Duberstein
Assistant to the President

The Honorable Paula Hawkins
United States Senate
Washington, D.C. 20510

KMD:CMF:MDB

cc: w/copy of inc to Fred Ryan - for further action

WH RECORDS MANAGEMENT HAS RETAINED ORIGINAL INCOMING

cc: w/copy of inc to Ed Rollins - for input

cc: w/copy of inc to F. Whittlesey - for input

THE WHITE HOUSE
WASHINGTON



Date: _____

FOR: BILL SADLEIR
FROM: KENNETH M. DUBERSTEIN
SUBJECT: Invitation to the President

APPROVE: _____ DISAPPROVE: _____

COMMENTS:

*Refer to Rollins &
Public Liaison*

United States Senate

WASHINGTON, D.C. 20510

128612

March 3, 1983

Kenneth M. Duberstein
Assistant to the President
The White House
Washington, D.C. 20500

Dear Ken:

The President will be receiving a request from the Associated Industries of Florida, which is a most prestigious business group in our State. They would like to have the President participate in a brief satellite television hook-up on the 4th of April, preferably in the morning between 8:00 - 9:30 a.m.

Your assistance in expediting this request will be most appreciated. If you have any questions relating to this matter, please do not hesitate to contact me or my Administrative Assistant, John Mica.

Sincerely,



Paula Hawkins
United States Senator

PH/pam

cc: Lee Atwater
Ed Rollins

Send

X
NANCY CLARK REYNOLDS

WEXLER, REYNOLDS, HARRISON & SCHULE, INC.
SUITE 600
1317 F STREET, NORTHWEST
WASHINGTON, D. C. 20004

(202) 638-2121

The Arts/Television/Leisure B1



Prime-Time Power Plays

Fear & Lobbying in TV Land Over Profits & FCC Rules

By Tom Shales

X
IF THE television networks of this fair country devoted half as much time and money to improving their programs as they spend trying to increase their profits, prime time would be Shangri-La and no one would ever want to leave it.

But the networks' great concern now has nothing to do with upgrading programming. They are obsessed rather with Fear of the Future, and the competition the coming television explosion—cable, pay-cable and other alternatives—will bring. As part of their strategy to insure themselves against threats real and imagined, the networks are lobbying with all their might and money for repeal of rules adopted in 1970 by the Federal Communications Commission (FCC) that prohibit them from controlling or making money from the syndication of programs they have already aired.

Hollywood producers, who sell programs to networks, usually at a loss, and then hope to make money later with syndication sales, look upon this network scheme as something even more horrible than another attack by the Pacific Ocean on their Malibu beach houses. In fact, many of them feel repeal of the rules would force them out of business entirely.

Like everything else in modern life, this great furious mess will eventually end up in the courts, but in the meantime, the battle being waged in Washington over the rules is among the most passionate and extravagant in the history of American enterprise, with the networks and their colossal power on one side, and the producers fighting, sometimes for their very economic lives, on the other. East (New York, where the network corporate headquarters are) is meeting West (Hollywood, where the producers are) the way Ali met Frazier.

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The purse consists of roughly \$800 million annually in syndication revenues but also an important claim on the future. The future of telecommunications in this country will to a large extent be the future of this country. Enormous forces are now at work dividing that future up. Seen from this broader perspective, the battle over syndication rights is but a skirmish in a great and continuing war, but it is a skirmish being fought with everything but the neutron bomb.

The 1970 Financial Interest and Syndication Rules have worked well and to the public's benefit. They have fostered a huge and growing independent production business in Hollywood—thus multiplying possible sources of programming—and they have encouraged increased competition in television by bolstering the fates and fortunes of independent stations, those not affiliated with networks, throughout the country.

However, Reagan-appointed FCC chairman Mark Fowler, the mad monk of deregulation, is doing all he can to railroad the repeal through. It is not unprecedented for the FCC to behave like The Fourth Network, as much a friend to commercial broadcasting as the EPA allegedly has been to some polluters. But Fowler's plan is particularly nervy; it basically amounts to welfare for the networks. And for months it has looked as though Fowler would get his way. Now, however, there is growing doubt he will be able to deliver the commission votes he was counting on.

It seems the cries of outrage from Hollywood have not gone unheard. There are even reports that some of President Reagan's old Tinsel Town cronies have appealed directly to him at the White House and found a sympathetic ear.

Fowler's may in fact be the only sure vote for full repeal. There is talk now of compromise, of repealing the rules but with provisos, one of which would prohibit the networks from "warehousing" reruns—holding them off the market, after their network runs, in order to increase their value—or from showing favoritism to their own affiliates when selling reruns into syndication. But Arthur Price, president of MTM Enterprises in Hollywood, says the warehousing issue is meaningless (even a network executive calls it "a red herring") and that there is wide disagreement even on a definition of the term. The producers would oppose the so-called compromise just as vehemently as complete repeal. One moderately feasible solution would simply give the networks a percentage of rerun revenues, and no voice in deciding to whom or when they are sold. The producers oppose that, too.

In an effort to thwart Fowler and what appeared to be a runaway train, Reps. Timothy Wirth (D-Colo.) and Henry Waxman (D-Calif.) this week announced plans to introduce legislation that would override the FCC and forbid repeal of the rules for five years. The bill would also prohibit, during the same period, repeal of the prime-time access

rule, which limits network prime-time programming to three hours Monday through Saturday, four hours on Sunday. It's another rule the networks want tossed out.

The System

As the system works now, the "M*A*S*H" reruns viewers see on local stations—to cite one example—were sold to those stations not by CBS, which ran the show in prime time, but by 20th Century-Fox Television, which produced it. CBS made its money from "M*A*S*H" by selling advertising during its 11 happy years on the network. When the much-watched 2½-hour finale to "M*A*S*H" was shown last month, less than two hours of that time period was devoted to actual program material. The rest was network and affiliate commercial time. CBS may have taken in \$12 million on that one broadcast alone.

Production companies often lose money even on hit shows while they're playing first-run on the network. "Mary Tyler Moore," according to MTM's Price, showed not a penny of profit for the company during the seven years it played on CBS, while the network made millions. MTM lost money on each episode because the "license fee" paid MTM by CBS did not cover costs; this kind of deficit financing is common TV production practice. MTM made its money back later, when the show left the network and reruns were syndicated to local stations—but because the show began before the rules took effect, Viacom, then a CBS subsidiary which the network was required to sell off, gets 35 percent of those revenues.

Norman Lear revolutionized television and enriched American popular culture with "All in the Family," rejected by all three networks three years before CBS finally bought it (after a change in top management). But "Family" also began before the rules took effect and Viacom gets its 35 percent cut for syndicating the reruns. In addition, when the original deal was made, CBS was able to demand that Lear make the program using CBS-owned facilities, Lear says, thus increasing his costs. Lear, of course, opposes the repeal and spoke at an FCC open hearing last week, though he calls it "a mockery" partly because Fowler's mind, Lear thinks, is "1,000 per cent made up."

The networks want the ad revenues from the network showings and they want the syndication money, too. And to judge from the massive, costly, exhaustive lobbying and pressure campaign they have mounted, they will stop at nothing to get everything. Indeed, if the syndication rules are repealed, it is widely believed the networks will next attack the FCC rule that restricts them to outright ownership of no more than five stations each. Fowler reportedly favors repeal of that one, too. The man is a veritable Santa Claus and the broadcasting industry wants Christmas every day.

"You talk about greed!" gasps Jack Valenti, president of the Motion Picture Association of America (MPAA) and a principal spokesman

Fear & Loathing In TV Land

for the Hollywood producers opposing repeal of the rules. "If the networks take over this, it will absolutely be the end of competition." Should the rules be repealed, Valenti says, small independent production companies will be crushed and many independent television stations obliterated.

Many producers of TV shows say that the system as it stands isn't perfect. But they say repealing the FCC rules would give the networks not just more control, but virtually complete control. Dozens of industry, consumer, religious, labor and minority groups have joined together in coalitions to fight the incomparably well-heeled network effort, but FCC chairman Fowler went so far as to change the FCC's own procedures in his efforts to help the networks out. Under customary practice on matters of this magnitude, the FCC hears what are called oral arguments after all written comments have been submitted by interested parties. But there's a problem for Fowler. Two FCC commissioners thought to be pro-network on this issue, Stephen A. Sharp and Joseph R. Fogarty, will leave the commission at the end of June, when the FCC shrinks from seven members to five. That would make it tougher for Fowler to get the syndication rules revoked. So the oral arguments were heard early and FCC sources expect a decision before the end of June.

"It's outrageous," says Valenti. "It is unprecedented to hold oral arguments until reply comments are in. Fowler did this with no notice at all. We've got it on the records so if we have to, we can go to an appeals court and hang him." Samuel A. Simon, executive director of the Telecommunications Research and Action Center (TRAC), says, "It seems like Fowler's rushing it because he wants it to come out the way he wants it" and says Fowler's "unusual and extraordinary procedures . . . discouraged some people opposed to the repeal from coming to the hearings and testifying. They thought it was just a farce."

The networks boohoo that the rules as they stand prevent them from competing with new technologies that threaten them. They say that pay cable gold mines like Time Inc.'s Home Box Office can make bigger and better deals with top producers because HBO is allowed to share in the ancillary revenues of programs it shows. And this unfair competitive situation, the networks claim, will impair their ability to lure the top people and top shows, and free TV will plunge into decline (*Whattttt??? It'll get worse???*).

MTM's Price says television will become worse indeed if the rules are repealed. "What you're going to see is a diminishing of production values," he predicts. "Why would anybody continue to make productions of the caliber of [MTM's]

Street Blues' and 'St. Elsewhere' when you've got a partner down the road who's going to take away your profits? I'm not going to make another 'Hill Street' under those conditions."

Asked if "Hill Street Blues" operates at a deficit as "Mary Tyler Moore" did, Price says, "I think we're going to build a monument with the deficits from that show."

And as for network claims about unfair competition from HBO and other pay TV companies, Price says, "The networks are actually forcing the speed with which everybody goes to work in pay television, because producers will figure, if you're going to gamble, you're better off gambling with some guy who doesn't have his hand in your pocket."

Other opponents of repeal say the "free TV" argument is pure smoke. They point out that all three networks are heavily invested in cable TV anyway. But the networks have gone to minority and citizens' groups claiming that their beloved free TV is endangered—and also, not so incidentally, promising more specialized programming for them if they join in supporting repeal. An NBC spokesman says groups "representing 33 million people" support the repeal. Simon says, "That is an outright and unadulterated lie." And he accuses the networks of virtually bribing such groups to join their ranks before the FCC.

Of the networks' promises to increase minority programming once the allegedly inhibiting rules are revoked, Lear says, "If it wasn't so serious, you could hurt yourself laughing. Where have the networks been on this one? It was so hard to get them interested in 'Sanford and Son' [a show with a black cast] you wouldn't believe it. The fact that they can say they need more money to get minorities on the air ought to get the whole Congress laughing."

There is nothing in the financial interest and syndication rules that prevents the networks from doing minority programming and nothing in repeal of the rules that would guarantee or encourage more.

Pieces of Cake

It could be said the television networks operate this way: They want to have their cake, eat it too, and then eat *your* cake. On the one hand the networks are saying they need legislated relief to protect them from incursions by newly emerging media. On the other, they boast that they will remain for years to come America's primary source of news and entertainment.

"When they go to their security analysts and to their stockholders, the networks say, 'We're going to be the dominant medium for the foreseeable future, we're going to have 70 to 75 percent of the marketplace, and our audience is going to be larg-

er in 1990 than it is today," says Valenti. "Then they go before the FCC and say, 'Hey fellas, if you don't give us this freedom, we're going to be dead, these cable guys are going to kill us.'" CBS' own research estimates that in 1990, the three networks will be taking in from \$15 billion to \$20 billion, while the pay cable industry will earn in the neighborhood of \$6 billion to \$8 billion, with the networks still commanding 70 percent of all prime-time viewing.

Why should Mr. and Mrs. America give a hoot about all this acrimonious rigamarole, this clash of titans? As TRAC's Simon says, it's perceived in some quarters as a fight involving "one Rolls-Royce against another Rolls-Royce." Valenti charges the FCC encouraged this impression in the way it set up the panels for last week's day of hearings. "I think they want it to appear like it's the networks vs. Hollywood, Goliath against Goliath," Valenti says. "But that isn't true. It's the big producers who will survive, while the small ones won't." Valenti predicts Paramount TV ("Happy Days," "Winds of War") will suffer but survive, whereas companies like Lorimar ("The Waltons") will go under. "The independent syndicators won't survive, either, and some of the independent television stations won't. And the advertisers who will end up paying more money for commercial time will pass that along to their customers."

Valenti says an MPAА survey shows that "in all markets where there are two or three strong independents, the ad rates as a whole have gone up half as fast as those markets where there is one or less independent station in the market place." The syndication rules have helped these independent stations prosper. John Rose, vice president and general manager of WDCA-TV in Washington, told the FCC that "the last 10 years have seen the greatest growth in number and prosperity of independent TV stations in history." In 1971, Rose says, independent stations as a group lost \$24 million. In 1980, combined profits of independent stations totaled \$159 million. And have the networks suffered as a result? It doesn't appear so. According to figures supplied to the FCC by Valenti, total network revenues grew 312 percent from 1970 to 1981 and during roughly the same period, network profits grew by 550 percent.

Awww, the poor little networks!

The repeal of the rules would have an effect on what viewers see on their TV screens, because it would give the networks even more control than they now have over program content and over what is available—not just on network stations, but on independent stations throughout the country. The potential harm to the viewing public was summed up in a statement about the proposal from Action for Children's Television (ACT), one of dozens of consumer and industry groups opposing the change. Wrote ACT president Peggy Charren, "The financial interest and syndication rules cannot guarantee TV program diversity, but repealing the rules would automat-

ically concentrate more power in the hands of the commercial networks. That can only lead to less diversity, less concern for the public, and less programming for young audiences."

It may not sound like such a great public service to ensure that off-network shows be readily available to independent TV stations. After all, shouldn't the independent TV stations create their own shows, instead of just buying and airing network hand-me-downs? In fact, the money they make with the off-network shows has helped independents band together and finance such acclaimed productions as last year's Emmy-winning "A Woman Called Golda" starring Ingrid Bergman and enabled them to buy such network-rejected, high-toned productions as "Smiley's People," starring Alec Guinness.

The fight goes on. There are indications it is getting dirty. Simon says NBC not only refused to participate in a TRAC conference on the subject, but tried to "sabotage" it by urging others not to participate. An NBC spokesman says that is "absolutely not true" and that NBC chose not to participate because it perceived TRAC as a partisan, anti-network group. Ironically, Grant Tinker, chairman of NBC, was head of MTM Enterprises when the rules were enacted. He is now in the odd position of defending the repeal, and will probably do that when he faces an audience of Hollywood producers for a speech in late April at the TV Academy in Los Angeles.

Valenti says the Hollywood community speaks with one voice on this one. "In the 17 years I've been on this job, I've never seen the mutually antagonistic industry that I preside over so unified." He also confesses, "The heat of battle makes me work harder" and says the networks have hauled out "the 16-inch guns" for the current campaign.

He has few kind words for FCC Chairman Fowler. "The rules that have protected the powerless are the rules that he's trying to change," says Valenti. "I think it's wrong for all the power in communications in this country to be wielded by a very, very few people."

"I wrote a letter to Fowler. I said, Mister Chairman, I just want to ask you three questions. If you can answer these questions honestly, then I'd be satisfied with whatever decision you make. Question No. 1—What is the public interest reason that compels the abolition of a rule that has worked so well for 13 years? What is there in the public interest? The FCC doesn't exist for the networks and it doesn't exist for producers. It's there to serve the public."

"Question No. 2—Will the abolition of this rule create more competition in the marketplace or less? If you believe, as I think most Americans believe, that competition is in the interest of the consumer, then you have only one way to vote."

"And third, do you think it is in the public interest to give the networks more power, or less power? Answer those questions, Mister Chairman, and I'll be most satisfied with the way you vote, if your answers track with your final decision."

So far, no reply.

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March 23, 1983

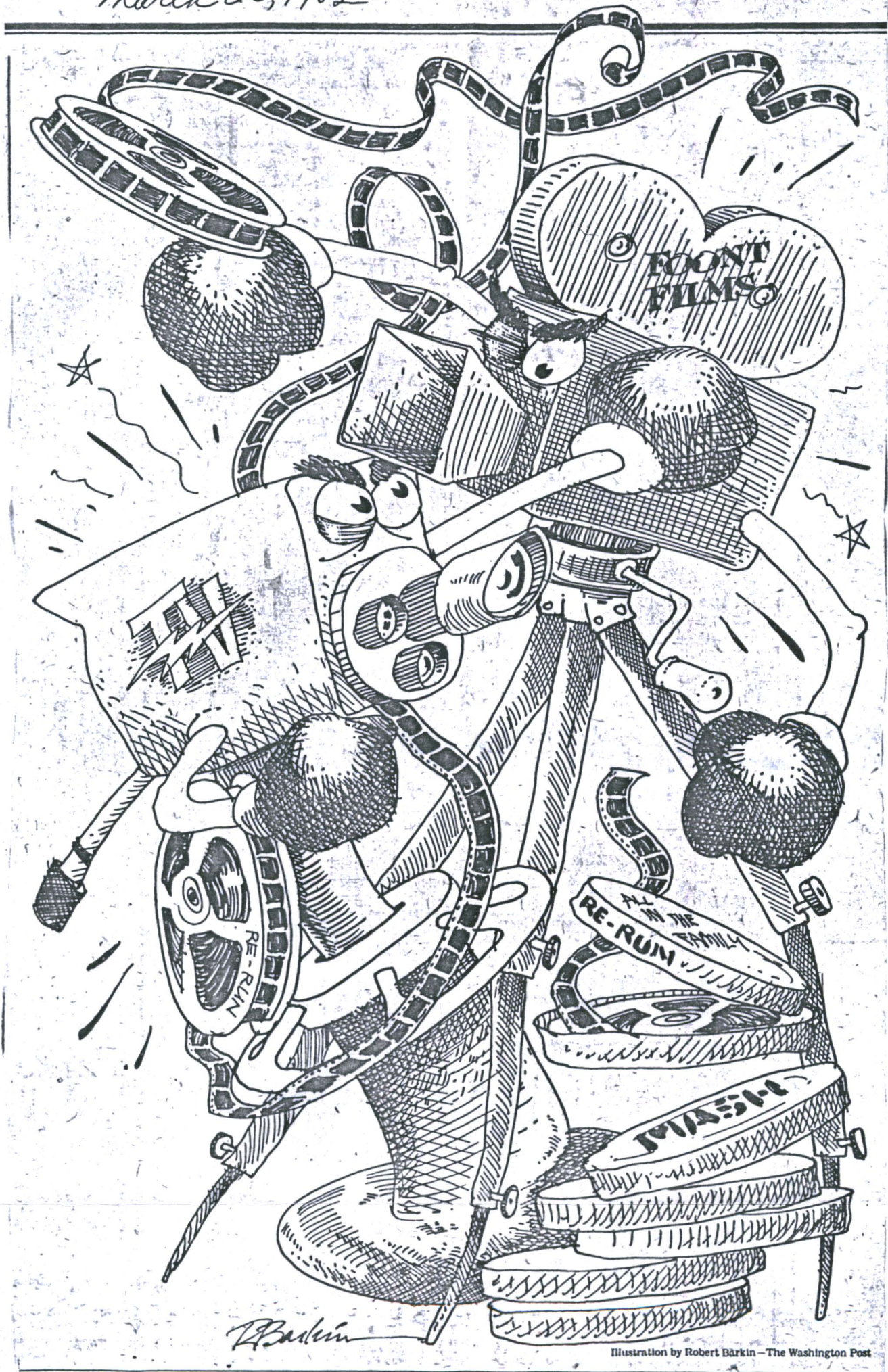


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