


 FEDERAL COMMUNICATIONS COMMISSION  
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 ADDRESS ALL COMMUNICATIONS  
 TO THE SECRETARY

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MAR 21 1945

Mr. George Pepper,  
 Executive Secretary,  
 Hollywood Democratic Committee,  
 1585 Cross Roads of the World,  
 Hollywood 28, California.

Dear George:

John Hamm has forwarded to me for attention your letter of March 2, 1945 concerning the recently announced policy of station KFI, Los Angeles, relative to the employment of news commentators. I am enclosing copies of an exchange of correspondence between the Commission and the station concerning that matter. You will note from the station's response that it does not contemplate a complete discontinuance of news commentaries as such but merely intends in the future to rely entirely upon network commentators furnished by the National Broadcasting Company, with which it is affiliated. So far as the station is concerned, all of its newscasters and news analysts must be employees of KFI.

The adoption of this new policy does not appear at this time to raise any question under the Communications Act. As you undoubtedly know, under our American system of broadcasting, the selection and presentation of program material rests in the discretion of the individual station licensees, subject only to their general obligation to operate the stations in the public interest. However, the Commission does review periodically, upon consideration of its application for renewal of license, the over-all operations of each station to determine if its continued operation will be in the public interest. Of particular importance in that review is the question of whether or not a balanced, diversified program service has been presented by the station.

The established policy of the Commission with respect to matters of this kind is stated clearly in its decision in The Mayflower Broadcasting Corporation case (8 F.C.C. 333), where, in considering an application for renewal of the station's license, the Commission said:

"More difficult and less easily resolvable questions are however, presented by the applications for renewal of The Yankee Network, Inc. The record shows without contradiction that beginning early in 1937 and continuing through September 1938, it was the policy of Station WAAB to broadcast so-called editorials from time to time urging the election of various candidates for political office or supporting one side or another of various questions in public controversy. In these editorials, which were delivered by the editor-in-chief of the station's news service,

no pretense was made at objective, impartial reporting. It is clear -- indeed the station seems to have taken pride in the fact -- that the purpose of these editorials was to win public support for some person or view favored by those in control of the station.

"No attempt will be made here to analyze in detail the large number of broadcasts devoted to editorials. The material in the record has been carefully considered and compels the conclusion that this licensee during the period in question, has revealed a serious misconception of its duties and function under the law. Under the American system of broadcasting it is clear that responsibility for the conduct of a broadcast station must rest initially with the broadcaster. It is equally clear that with the limitations in frequencies inherent in the nature of radio, the public interest can never be served by a dedication of any broadcast facility to the support of his own partisan ends. Radio can serve as an instrument of democracy only when devoted to the communication of information and the exchange of ideas fairly and objectively presented. A truly free radio cannot be used to advocate the causes of the licensee. It cannot be used to support the candidacies of his friends. It cannot be devoted to the support of principles he happens to regard most favorably. In brief, the broadcaster cannot be an advocate.

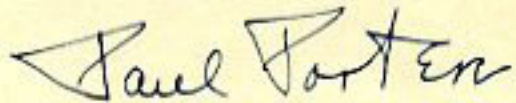
"Freedom of speech on the radio must be broad enough to provide full and equal opportunity for the presentation to the public of all sides of public issues. Indeed, as one licensed to operate in a public domain the licensee has assumed the obligation of presenting all sides of important public questions, fairly, objectively and without bias. The public interest -- not the private -- is paramount. These requirements are inherent in the conception of public interest set up by the Communications Act as the criterion of regulation. And while the day to day decisions applying these requirements are the licensee's responsibility, the ultimate duty to review generally the course of conduct of the station over a period of time and to take appropriate action thereon is vested in the Commission."

Should it develop that the effect of KFI's new policy is an abandonment of the principle of objective presentation of the news and represents the adoption of a definite editorial policy, a violation of the Mayflower holding would be involved and the Commission would take appropriate action.

Should any information come to your attention concerning the operation in practice of the KFI news policy, I would appreciate it

if you would communicate with me.

Sincerely,

A handwritten signature in cursive script that reads "Paul Porter". The signature is written in dark ink and is positioned above the typed name.

Paul A. Porter,  
Chairman.

Enclosures.