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CONGRESS AND MASS COMMUNICATIONS:

An Institutional Perspective

A STUDY

CONDUCTED FOR THE

JOINT COMMITTEE ON
CONGRESSIONAL OPERATIONS

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Printed for the use of the Joint Committee on Congressional Operations

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WASHINGTON : 1974

JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

CONGRESS OF THE UNITED STATES

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REPRESENTATIVE JACK BROOKS, Texas, *Vice Chairman*

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LETTER OF TRANSMITTAL

HON. LEE METCALF, *Chairman, and*
HON. JACK BROOKS, *Vice Chairman,*
Joint Committee on Congressional Operations,
Washington, D.C.

DEAR SIRs: In recent years, there has been growing concern over an apparent lack of public knowledge about the proper institutional functions and responsibilities of the Congress and about the work it does. Such an "information gap" will inevitably produce serious consequences, both for the legislative branch itself and for American society as a whole.

In December of 1972, Representative Jack Brooks, then Chairman of the Joint Committee on Congressional Operations, requested the Congressional Research Service to prepare a study of congressional capability for utilizing the communications media more effectively in communicating to the American people. With the approval of the Joint Committee, and pursuant to its authority under section 203(h) of the Legislative Reorganization Act of 1946, as amended, the Service entered into a contract with Mr. John G. Stewart, who agreed to undertake the committee's assignment. Patricia N. Gray and Lynne P. Brown assisted Mr. Stewart in the research, interviewing, and writing for the report.

We hope that Mr. Stewart's report, which follows, will make a significant contribution to public examination and discussion of this important problem.

LESTER S. JAYSON,
Director, Congressional Research Service.

(IV)

PREFACE

Congress, in exercising its responsibilities as a co-equal and independent branch of the Federal government, has a substantial stake in being able to communicate with the American people effectively.

This is particularly the case in light of the massive and highly sophisticated use of mass communications by the President and the Executive branch. Whether measured in numbers of people or by annual budgets (approved by Congress), the capacity of the executive to communicate its views is staggering. And this capacity grows relentlessly with each new administration, contributing at the same time to the growing imbalance between executive and legislative power.

Moreover, the President possesses a unique potential for dominating the communications media and, ultimately, public discussion of critical policy issues. Most susceptible to such domination is the most powerful of the media—network television—which projects the presidential image and voice into the living rooms of most American families. By virtue of his office, the President is routinely granted prime television time by a simple request to the three commercial networks. But the Congress, even if it is controlled by the party which does not control the White House is given no such routine access.

Except for the press operations of individual Members, usually limited to the media of a district or state, Congress follows a communications approach that is essentially passive. Whatever information reaches the American people about the Congress is the result largely of journalistic initiative. Only on rare occasions has the Congress taken an opportunity to present its case, using its own spokesmen, directly to the people.

As survey findings indicate, most Americans today have only the most general sense of the constitutional role that Congress performs and few citizens have any clear conception of how Congress carries out its legislative responsibilities. Nevertheless, surveys also point up another important fact: Americans increasingly favor a shift in influence in our democratic system toward their National Legislature.

Clearly, we stand at a moment in American history when the nation's elected representatives in Congress must do everything possible to make their actions understood and credible to our citizens.

This background study is part of a broader review of Congress and Mass Communications undertaken by the Joint Committee on Congressional Operations. Its purpose is to:

- (1) Describe the existing imbalance between Executive and Legislative Branch communications capabilities,
- (2) Identify and analyze some of the consequences of this imbalance; and
- (3) Suggest and evaluate various ways that Congress might more effectively communicate the meaning of its constitutional role and daily activities to the American people.

The emphasis throughout is on institutional questions as opposed to the problems of media access faced by the individual Senator or Representative. Included are a number of proposals for wider dissemination of congressional news in the print media and more extensive photographic and broadcast coverage of Senate and House activities.

Prepared at the Joint Committee's request, the study was conducted by John G. Stewart under a contract with the Congressional Research Service of the Library of Congress. As was noted above, this is a background study; it does not represent the views of, nor contain recommendations by, the Joint Committee on Congressional Operations. We do believe, however, that Mr. Stewart's findings will serve to stimulate discussion of ways that Congress, as an institution, might improve its capability to communicate with the American people through the media.

LEE METCALF, *Chairman.*

JACK BROOKS, *Vice Chairman.*

CONGRESS AND MASS COMMUNICATIONS: AN INSTITUTIONAL PERSPECTIVE

Summary

Section I—Introduction.—This section examines the consequences of the fact that the American people possess only the dimmest sense of the institutional role and duties of Congress. Many factors contribute to this situation but one of the more important is the way Congress is generally portrayed in the news media. More often than not, it is seen as an unreasoning obstructionist to presidential initiatives rather than as a co-equal branch of government exercising its proper constitutional responsibilities.

But the problem runs deeper: the American people today give evidence of growing doubt and antagonism toward elected public officials at all levels. Congress is included in this indictment. At the same time, however, there is evidence of a serious information gap between governmental institutions, such as Congress, and the people. This lack of information, combined with a good deal of misinformation, is one factor in producing the public's cynicism, hostility and alienation toward government—its people and institutions. Many traditional methods of informing the public available to Members of Congress—speeches, letters, constituent services, newsletters, etc. are not major sources of public information, as documented by a recent study of public attitudes released by the Senate Subcommittee on Intergovernmental Relations.

Therefore, the times seem appropriate for Congress to examine the process whereby its institutional role is communicated to the people and to consider ways for improving this process. A basic premise of the study is that greater public knowledge and understanding of the legislative process is likely to enhance not only the institutional position of Congress but will also provide Members of Congress with an opportunity, now often denied, to affect public sentiment on major governing decisions. On the basis of the evidence discussed in this section, major attention should be directed to television news and the press—the media most relied upon by the people and the one key institution in American society to increase significantly its level of popular respect since the mid-1960s.

Section II—Executive Initiatives.—From the early years of the 20th century, the President and the Executive branch have recognized that technological developments in communications created important new tools for influencing public attitudes. Presidents of both parties, beginning with Theodore Roosevelt, have developed the press conference and the radio and television appearance into major weapons in their efforts to win the public to their point of view.

Beyond the personal initiatives of the President, however, the entire Executive branch has built an impressive array of communications and public relations facilities. The smallest bureau is now likely to have

at its disposal a communications operation that exceeds the resources available to Congress at the institutional level. In 1971, the Office of Management and Budget estimated that 6,144 federal employees were engaged in full-time public relations work at an annual cost of at least \$165 million. But this figure failed to disclose a wide variety of communications activities carried on under different labels and descriptions.

The combination of presidential initiatives and the accumulation of communications resources by the Executive branch pose a serious threat to the balance of powers between the separate and co-equal branches of the national government.

Section III—Legislative Initiatives.—The reluctance of Congress to emulate the President and the Executive branch in developing its capacity to communicate with the people is not of recent origin. In the earliest years of the Republic, Presidents actively supported partisan newspapers while Congress made few, if any, attempts to get its views to the people. Indeed, the Senate functioned entirely in executive session for the first five years.

Today Congress has provided a barely adequate level of facilities for journalists, especially those of the broadcast media. The broadcast media usually has access to public sessions of Senate and House committees but all broadcast and photographic media are barred from covering regular sessions of the full House and Senate. Moreover, instances of congressional innovation and experimentation in mass communications at the institutional level are rare.

But there is a growing concern among Members of Congress over imbalance in communications capability between the Executive and Legislative branches, as evidenced by testimony at a number of hearings where certain aspects of the problem were examined. At this writing, however, the imbalance between the branches continues to exist. The working facilities that can be made available to the media; the professional communications staff that is available to assist print, broadcast and photographic journalists; the ground rules that restrict the kinds of congressional activity open to coverage; the internal resources and staff to develop communications materials from an institutional perspective; and the broadcast access that is granted to Congress to present its side of public issues—in all these areas Congress remains at a serious disadvantage compared to the President and the Executive branch.

Section IV—Congress and Broadcast Access.—By virtue of his position as single spokesman for the Executive branch, the President enjoys the advantage of access to the broadcast media that traditionally is granted upon his request. Public law and administrative regulations severely restrict the direct access that is available to everyone else, including spokesmen of Congress. The fairness doctrine and the equal-time aspects of Section 315 of the Communications Act of 1934 supposedly insure that the public hears both sides (or more) of controversial issues, but that no person or group enjoys an automatic right of response to a presidential broadcast appearance. The fairness doctrine, so the rationale goes, is concerned with issues, not personalities. Hence, broadcasters have only the obligation to deal fairly with issues that are raised in a presidential broadcast. In answering

congressional requests for free broadcast time to respond to a presidential address, the networks argue—usually successfully—that issues raised by the President are given balanced treatment on their regular news programs, interview programs and news specials.

Whatever its merits, this agreement does not go to the heart of the matter. The President can routinely present his views to the people, directly and in his own words, with simultaneous coverage by three networks, public television, independent stations and radio. Congressional views, for better or for worse, must first pass through the filter of network news organizations, usually appearing in highly fragmented and episodic form. The end product of this system is to give the President a distinct advantage in terms of scope of broadcast coverage and impact of message.

Section V—Choices for Change.—The proposals in this section arise from the premise that the American people will find it difficult to understand the specific decisions and actions of Congress if its institutional role in the constitutional system is unclear. It can be argued that if citizens are to achieve a more accurate sense of Congress and its institutional role, they should have more opportunities to see Congress carrying out its constitutional functions.

This approach suggests a number of techniques and procedures that Congress might employ in improving its communications capabilities, all of which are examined in greater detail in the body of the study. Congressional committees, for example, could move more hearings out of Washington and use local and regional broadcast facilities. The House and Senate could experiment in different ways with permitting greater access to floor proceedings to the broadcast and photographic media. There is a growing body of experience in this regard among other countries, the United Nations and state legislatures on which Congress could draw. There is no reason to assume, at the outset, that procedures could not be devised that would result in dignified and effective coverage. But it should also be recognized that congressional floor proceedings are very different from many other representative assemblies.

It should be stressed that the various broadcast media would have different kinds of broadcast coverage: networks would be primarily interested in highlights for their news programs whereas public television and public radio would be more likely to cover entire debates on a specific subject. Local broadcasters would be interested primarily in coverage of individual Senators and Members. The study examines the problem of providing such coverage with minimum disruption in the House and Senate chamber, as well as insuring standards of performance that are fair to all concerned—the House and Senate, the Members of Congress individually, the news media and the American people.

Other proposals that are examined include the creation of a congressional information service in the Library of Congress, authorization of instructional films to improve the quality of teaching about Congress, the creation of a Congressional Broadcasting System, holding of general debate on specific issues in the House, and installation of a closed-circuit television system to monitor floor proceedings.

Various solutions are available to equalize the imbalance between the President and Congress in the area of direct access to network television and radio. Some proposals would require legislation by Congress; others could be achieved by voluntary negotiation between congressional leaders and the networks. However, one factor should be noted: a decision by Congress to permit coverage of floor proceedings by the broadcast media is closely related to the problem of congressional spokesmen gaining greater direct access to network television and radio. More than likely, expanded coverage of Congress will be cited by the networks as a further reason for turning down requests by congressional spokesmen to answer a presidential address or to present the congressional viewpoint on a given subject.

The study also notes the inadequate working conditions for the broadcast media, especially on the Senate side of the Capitol, the lack of a central press briefing area open to all news media comparable to the facilities at the White House, and the lack of full-time communications staff available to the party conferences or caucuses in both Houses.

SECTION I

Introduction

“In this and like communities, public sentiment is everything. With public sentiment nothing can fail, without it nothing can succeed. Consequently, he who molds public sentiment goes deeper than he who enacts statutes or pronounces decisions.”

—ABRAHAM LINCOLN.

Congress is engaged in both enacting statutes and molding public sentiment. And the public sentiment that Congress helps to mold is clearly a vital factor in determining the laws that are passed.

While Congress is not without its weaknesses, the proposition can be advanced that most Members are honest, hard working, intelligent and dedicated to serving their districts, states and nation. While legislative procedures are at times cumbersome and unresponsive to public need, the larger picture is one of a representative body that conducts its affairs with reasonable dispatch, a concern for the facts, and a serious desire to accommodate the web of conflicting interests that surround any national issue. For all its acknowledged shortcomings, Congress is a more effective and responsible legislative body than many people believe.

Opinion polls, for example, consistently disclose two realities about the public's view of Congress: (1) a generally uncomplimentary sense of congressional performance and (2) a low level of public knowledge about the membership and activities of the national legislature. In 1971, pollster Louis Harris reported that “dissatisfaction with the job done by Congress reached a record high for recent years among the American people.” Those interviewed were asked to rate the performance of Congress. The results:

[In percent]

Year	Positive (excellent, pretty good)	Negative (fair, poor)	No opinion
1971	26	63	11
1970	34	54	12
1969	34	54	12
1968	46	46	8
1967	38	55	7
1966	49	42	9
1965	64	26	10

But this is no recent phenomenon. Earlier public opinion polls conducted by George Gallup tell much the same story :

[In percent]

Year	Good	Fair	Poor	No opinion
1964	58		33	9
1963 (December)	27		51	22
1963 (October)	34		49	17
1958	30	42	12	16
1955	40	41	5	14
1954	32	39	16	13
1953	33	35	14	18
1948	23	36	26	15
1947	21	36	25	18
1946	23	40	37	
1945	20	35	21	24
1944	27	45	13	14
1943	33	29	20	18
1939	57		43	

The three decades charted by these Harris and Gallup surveys have been times of war and inflation, peace and recession, hardship and prosperity. But, through it all, Americans have sustained a generally low opinion of their national legislature, with only occasional deviations, such as in the mid-1960s, from this pattern.

If criticism of Congress and its activities is widespread, so is popular unfamiliarity with the institution, its membership, its procedures, and its duties under the Constitution. A recent study by the Subcommittee on Intergovernmental Relations of the Senate's Committee on Government Operations—*Confidence and Concern: Citizens View American Government*—supplied new data to support this proposition. The structure of Congress, for example is unclear to many persons. In a poll for the study conducted by Louis Harris and Associates, 62 percent stated that Congress is made up of the Senate and House, but 20 percent believed Congress consisted of the Senate, House *and* the Supreme Court. Eight percent thought Congress was just the Senate and 6 percent just the House. Eight percent had no idea whatever of the structure of Congress. Forty-one percent were unable to name one U.S. Senator from their state; 61 percent were unable to name a second Senator; and 54 percent were unable to name the House Member from their district.

There are many factors contributing to public unfamiliarity with Congress and its members. For example, teaching about Congress at the elementary, secondary and college levels has traditionally been poor, especially in comparison to teaching about the Presidency. These early patterns in the educational process are continued in the generally poor coverage of Congress by all the news media. The process of news gathering on Capitol Hill, discussed in more detail in Section V of this study, tends to encourage the news media to simplify and stereotype what is actually taking place in the Senate and House. As R. H. Davidson *et al.*, point out in *Congress in Crisis: Politics and Congressional Reform*, "Covering is frequently haphazard and tends merely to reinforce general public images." Three common practices are noted: politics and politicians are downgraded; the Senate receives more publicity than the House; the President receives more publicity than either the Senate or the House. Davidson notes that "exaggeration and misinformation about Congress passes for intelligence." But

it is on the basis of this exaggeration and misinformation that the public generally renders its verdict on congressional performance. And, as we have seen, the verdict usually is harsh.

The study by the Intergovernmental Relations Subcommittee provided new insight into the public's sources of information about government and politics. Harris reported that television news is depended upon more than any other medium, followed by newspapers, radio news and news magazines. Activities directly under the control of Members of Congress, such as lectures, mailings, newsletters, and the like, accounted for only a small percentage of the information sources that people rely upon. The subcommittee study reported:

Information sources that people depend on "a great deal" to find out what is going on in government and politics

	Total (percent)
Television news-----	65
Newspapers -----	52
Radio news-----	39
News magazines-----	25
Talking to friends-----	21
Special reports and publications-----	13
Local church-----	9
Lectures, formal talks-----	7
Lectures and mailings from elected officials-----	6
Business publications-----	6
Union publications-----	5
Private newsletters-----	4
Local political grapevine-----	4
Political party publications-----	3

On the basis of this information, the study noted in an observation: "Given this pattern of media dependence, the challenge clearly is to the media with the strongest powers of penetration to bring more information to an electorate which now feels it does not have the facts."

In a foreword to the study, Senators Edmund S. Muskie and Edward J. Gurney offered their interpretation of the situation that exists between the process of mass communication and the people's view of government and politics. It is worth quoting their observations in full:

"(1) Depending primarily on televised and daily newspaper coverage of politics and government policy, Americans, by their own admission, are not up-to-date on the activities of government at any level and feel only moderately more conversant with the affairs of their community than with those of the country at large. Public officials showed themselves aware of this basic problem.

"(2) Most people know their Governor and his political affiliation, but a smaller majority can correctly identify one of their U.S. Senators. Only a minority know both Senators and their party ties, as well as the Congressman in their district. The ability to identify these key figures declines as income and education levels drop.

"(3) Television news and newspaper reporting are the dominant sources from which Americans get their incomplete information about government and politics. And while nearly three-fourths of the people say they have received useful, informative mailings from a Congressman or a Senator or both, only six percent depend on such information or other special news sources 'a great deal' to shape their impressions of current events.

“(4) Public officials are trying hard to reach their constituents—through personal contacts, open office doors, speeches and newsletters. But, says the report, ‘it is evident that these channels of communication have not been adequate and likely that other avenues remain to be explored.’ ”

Criticism of Congress and its performance, together with a lack of public knowledge about its structure, membership and activities, are not new phenomena on the American political scene. But the study of public attitudes conducted by the Subcommittee on Intergovernmental Relations emphasized another dimension that must be taken into account. To quote one of the study’s principal conclusions: “The American people’s loss of confidence in their government has reached severe—even majority—proportions today, but, at the same time, the American people overwhelmingly believe that government at all levels can be made to work effectively and well.” Fifty-five percent of the adult public described itself “as alienated and disenchanted, feeling profoundly impotent to influence the actions of their leaders.” Harris also found since the mid-1960’s a general decline of popular respect for the leaders of key institutions in society, both public and private (television news and the press being the lone exceptions to this general pattern of decline).

LEVELS OF CONFIDENCE IN PEOPLE RUNNING KEY INSTITUTIONS

[In percent]

	1973	1972	1966
Great deal of confidence:			
Medicine.....	57	48	72
Higher educational institutions.....	44	33	61
Television news.....	41	17	25
Military.....	40	35	62
Organized religion.....	36	30	41
U.S. Supreme Court.....	33	28	51
U.S. Senate.....	30	21	42
Press.....	30	18	29
Major companies.....	29	27	55
U.S. House of Representatives.....	29	21	42
Organized labor.....	20	15	22
Executive branch of Federal Government.....	19	27	41

It should be noted, however, that the Supreme Court, the Senate and the House have gained respect since 1972, even though they remain considerably below the levels achieved in 1966. Only the Executive branch has continued to decline, a pattern that would seem to reflect the President’s continuing problems with Watergate and related issues.

The American people have sustained a healthy capacity to question the wisdom of their political leaders and to subject their political institutions to the heat of popular pressures. But the recent growth of popular cynicism and alienation concerning democratic institutions and processes—a feeling that elected representatives can no longer be trusted and that government, at all levels, no longer cares about the average citizen—is more troubling. These attitudes, quite different from the traditional American skepticism about government and politics, could be signs that the bonds of mutual trust and confidence that hold a democratic system together are weakening. It is clearly alarmist to forecast the collapse of our constitutional structure or anything

approaching such a development. But neither should these signs of popular disaffection be ignored, and for one basic reason: the capacity to govern effectively, whether in the legislative or Executive branch, is directly related to the public's sense of trust and confidence in its elected officials and democratic institutions. To the degree that trust and confidence are eroded, however slowly, the persons charged with the responsibilities of running the country will find their jobs more difficult and their opportunities for constructive governmental action reduced.

Congress, moreover, has an additional factor to consider. Over the past fifty years, the Executive has moved vigorously to expand its capacity for communicating with the citizens of the United States. Successive Presidents of both political parties have been especially innovative in using technological advancements such as radio and television as instruments in achieving their political and governmental objectives. Elmer E. Cornwall, in his book *Presidential Leadership of Public Opinion*, says it well: ". . . A process of interaction between the developing media of communication and their generalized impact on the one hand, and growing presidential use of them on the other, has altered both the center of gravity of the national government system and the frame of reference of the public in viewing government." The existing imbalance in political power between the legislative and executive branches can, in part, be explained by the Executive's more frequent and more effective use of the mass communications media. President Nixon's problems in generating public support for his position in the Watergate affair should not obscure the more basic fact that the President's capacity to communicate with the people far outstrips that normally possessed by Congress.

In part, this situation is a product of Congress, as an institution, failing to appreciate fully the important role played by the mass communications media in the functioning of the American democratic system. Although this lack of appreciation by Congress has produced especially severe consequences in the last half-century, its roots can be traced to the origins of the Republic, as illustrated by the comparative performances of the President and Congress in the earliest years of the nation. More recently, the congressional response to the communications revolution has been limited. For instance, Committees of both Houses may be covered by the broadcast media and Members of Congress occasionally request time from the networks to present their viewpoints. But little thought and attention has been devoted to the more fundamental problem of communicating the congressional viewpoint more effectively on a daily basis or, more generally, to filling the institutional vacuum that surrounds its activities. The Executive, for its part, routinely receives substantial sums of public money to support an enormous public relations apparatus and the President's requests for broadcast time are routinely approved by the commercial and public networks and many independent stations.

There are, then, various factors to consider in a study on Congress and mass communications. Today the American people evidence considerable doubt and antagonism toward elected public officials at all levels. Congress is included in this indictment. At the same time, however, there is evidence of an information gap between governmental institutions, such as Congress, and the people. This lack of information,

combined with misinformation, appears to be a significant factor in the public's cynicism and hostility. Many traditional methods for informing the public—speeches, letters, constituent services, newsletters, etc.—are not sufficient by themselves as remedies.

But there is another and more encouraging dimension of current public attitudes that must be taken into account. Questions asked by Louis Harris for the Intergovernmental Relations Subcommittee's study disclose that the people have *not* lost faith in the basic structure of American government nor have the people despaired of making these institutions live up to their expectations. The study says: "In the forest of the disenchanted, there are actually sturdy trees of faith and traditional trust. Americans who evidence doubt about the quality of both life and political leadership nonetheless believe strongly that government can work and should continue an active, innovative role in society." Specifically, the study found that ninety percent of Americans—and a like percentage of State and local officials—are convinced that government can work effectively and well.

In a nationwide survey conducted in November 1973, the University of Michigan's Institute for Social Research discovered substantial sentiment for reducing the power of the Presidency and increasing the influence of Congress. Forty-four percent of the people felt that the President's influence should be cut back, compared to 46 percent that wanted to see an increase in congressional influence. In terms of this study on Congress and mass communications, such a finding would seem to suggest the importance of Congress finding new and more effective ways of bringing congressional viewpoints to the attention of the public.

But the problem is not limited simply to communicating more facts about personalities or the status of legislation. Facts, as such, have little to do in determining the public's "feel" for the operations of a political or governmental institution. There is, as a consequence, a more fundamental level of concern that must be considered.

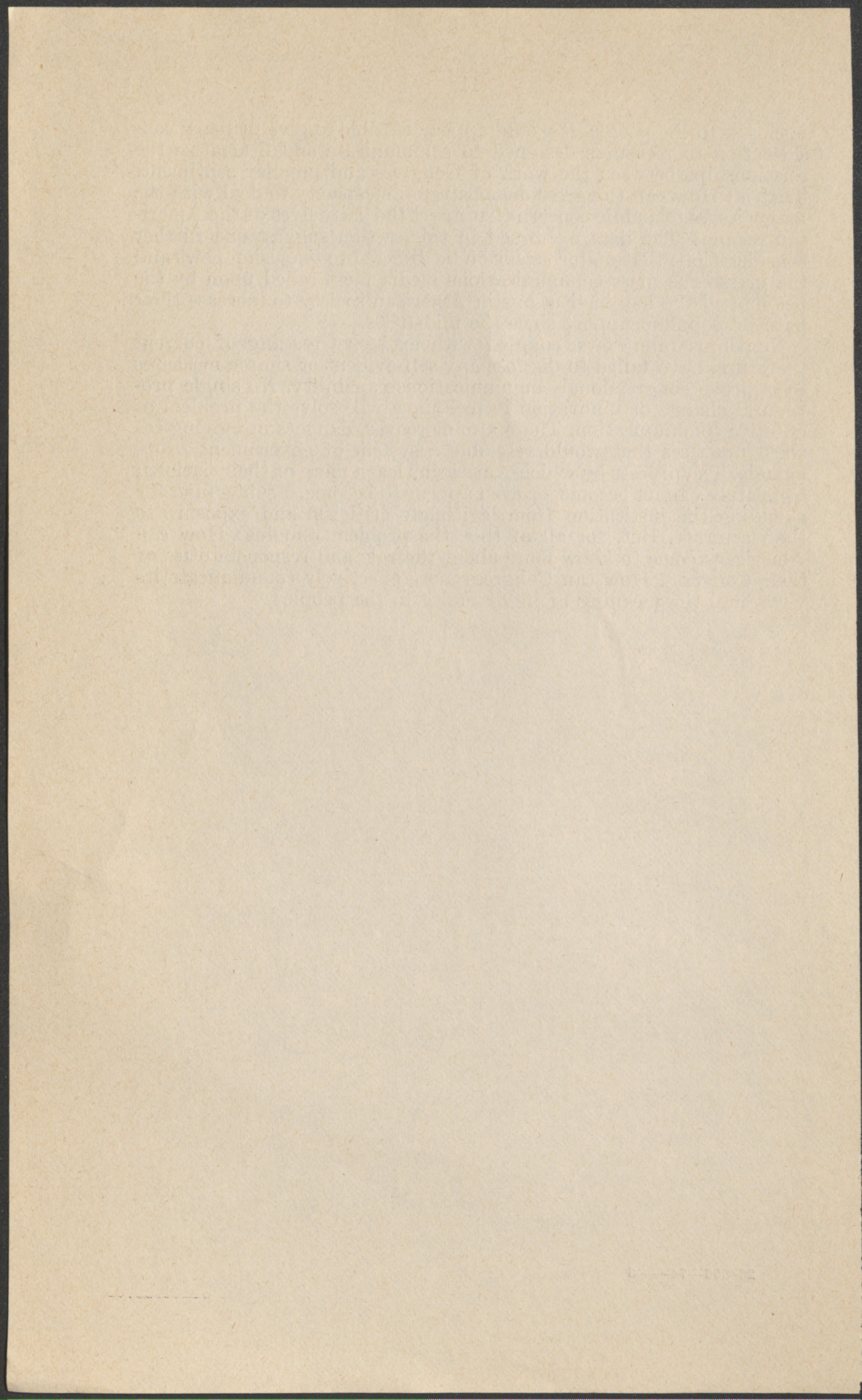
The American people cannot be expected to understand the specific decisions and actions of Congress if its institutional position in the constitutional system is unclear. The notion of Congress as a living institution, representing the people in their great diversity, is communicated dimly, if at all, through the news media or in the classroom. This means that the responsibility of Congress to act independently of the President and the Executive branch often is not understood. Hence, Congress tends to be seen in a negative light, as an obstructionist to the initiatives of the President, rather than as a co-equal branch of government exercising its unique constitutional duties.

In sum, the times seem appropriate for Congress, as an institution, to look seriously at the process whereby its day to day activities are communicated to the people and to consider ways of improving this process. This goal should be two-fold: (1) to improve the public's knowledge about Congress as it deals with daily problems of concern and (2) to convey a greater sense of the institutional dimension of the legislative process.

There is clear evidence to suggest that greater public knowledge and understanding of the legislative process will enhance not only the institutional position of Congress but will also provide Members with an opportunity, now often denied, to affect public sentiment on major governing decisions. If, as is often alleged, the legislative branch

is closest to the people, it would appear sensible to give primary consideration to measures designed to communicate and dramatize the relationships between the work of Congress and popular sentiment. That is: How can Congress demonstrate its capacity to deal with the major issues of public concern that affect the daily lives of the American people? The data examined in this section suggest one further consideration: that major attention be directed to television news and the press—the mass communications media most relied upon by the people and the key institutions in American society to increase their level of popular support since the mid-1960s.

Numerous interviews, coupled with extensive reading of current literature, have failed to disclose any self-evident or simple measures to improve congressional communications capability. No single procedural change or innovation in technique will solve the problem of effective communication. There are, moreover, dangers in moving toward practices that would resemble a system of government propaganda. The process by which Americans learn more of their national legislature cannot become, or even appear to become, a subterfuge for shielding the institution from legitimate criticism and exposure to the electorate. But, for all of this, the problem remains: How can Americans come to know more about the role and responsibilities of their Congress. How can Congress more effectively communicate its views and the meaning of its diversity to the people?



SECTION II

Executive Initiatives

"Nothing affects more the balance of power between Congress and the President than whether the one or the other is the principal source of news and explanation and opinion."

—Douglass Cater in *The Fourth Branch of Government*.

Senator J. William Fulbright, testifying in behalf of his 1970 Senate resolution to authorize congressional access to network television, echoed Douglass Cater's sentiments. "Communications is power," said Fulbright, "and exclusive access to it (by the Executive branch) is a dangerous unchecked power."

Few would argue that the astounding growth of executive power in the 20th century relative to Congress can be explained simply by the greater and more effective use of the mass communications media by the President and the Executive branch. But it is a fact that the Executive, far more than the Legislative branch, has seized on the burgeoning communications industry and put its resources to more effective use in the exercise of presidential and executive duties. A significant parallel exists between the growth of the executive power and the greater use of the techniques of mass communication by the Executive. If, as many persons now believe, a dangerous imbalance exists between the effective governing power of the Executive and Legislative branches, the Executive's greater and more effective use of mass communications media and techniques must be considered as a factor in causing this imbalance.

THE HISTORICAL ROOTS

The Executive's capability to command extensive resources in the field of mass communications stems from two major factors: (1) the initiative demonstrated by Presidents of both parties to adapt communications techniques to the exercise of their official and political responsibilities, and (2) the ability of the Executive to secure from Congress considerable financial resources to equip government departments and agencies with communications experts and facilities.

The phenomenal growth of the Executive's capability for public relations and mass communications is by no means solely the product of the Nixon Presidency. These trends have been underway for generations. Indeed, the present issue is a manifestation of two more basic questions: How does a democratically-elected government inform the people of actions taken in their name and with authority they have bestowed? How does government rally public support for its decisions and actions? From the earliest days of our constitutional system, these questions have necessarily been faced by the Executive and

Legislative branches. But the Executive branch has been far more active and imaginative in its efforts to find answers, especially in the context of the communications revolution that has taken place in this century.

James E. Pollard, writing in *The Presidents and the Press*, observed: "... From the beginning of the Republic, the Presidents have seen the necessity for meeting the need of an informed public opinion and each in his own way has dealt with the press according to his lights and demands of the time." In the early years, however, these presidential efforts did not always yield the desired results. George Washington principally confined his contacts with the 18th century collection of gazettes, newspapers and periodicals to running advertisements—most frequently for a cook at Mount Vernon. He wrote of allowing for certain "effervesences" on the part of newspapers, but came to discover that this usually meant putting up with bitter and vindictive attacks. Disillusioned, the first President tended to treat the press with ill-concealed disdain.

Jefferson proclaimed that if asked to choose between government without newspapers or newspapers without government, he would unquestionably select the latter arrangement. But, as President, Jefferson became disgusted with the "licentiousness" of the press; by the end of his administration he maintained that he rarely read any papers. Those he did receive were wanted for the advertisements that contained "the only truths to be relied on in a newspaper."

The intensely partisan nature of newspapers and periodicals in this country's early history restricted their utility as a medium for reliable public information. It was usually considered beneath the dignity of the presidential office to engage in combative journalistic maneuvers, although Jefferson—behind the scenes—actively encouraged the establishment of partisan newspapers more favorable to his party and his cause, a strategy discussed more fully in Section III.

This pattern of highly partisan activity in the field of political communications was sustained through most of the 19th century. Several Presidents, notably Jackson and Lincoln, achieved a degree of success in using partisan newspapers as administration organs. But, more commonly, Presidents were frustrated in their efforts to use newspapers as a means of portraying to the country the accomplishments of their administrations.

By all accounts, the Presidency of Theodore Roosevelt signalled a major turning point in the area of the Executive's relations with the press. There was, for example, a marked change in presidential attitude: from passive and begrudging acceptance to active and enthusiastic utilization of the press. Much of this change can be attributed to the personality of President Roosevelt himself. He had an instinctive awareness of the "public" and a natural expertise in handling reporters and editors. He actively courted the media, singling out favored correspondents for friendly chats, holding impromptu meetings to discuss current affairs, revealing his ideas and hopes for the country, letting the nation catch a glimpse of the man and his thoughts.

Theodore Roosevelt's Presidency coincided with another important development. The preceeding two or three decades had seen rapid improvements in the practices and technology of newspapers. Those papers that, in the past, had spoken to a particular party or faction

were the inevitable result of a small and selective audience. As the technology of publishing evolved, circulation increased to meet the demands of a growing market and a rising literacy rate. By the turn of the century, newspapers had become a large scale enterprise and a greater degree of journalistic independence was not far behind.

Woodrow Wilson was also an agent of change, but in his own distinctive and rather intellectual way. He did not possess the fiery assurance of Roosevelt, and, in keeping with his academic reserve, he was more concerned with the content rather than the process of conveying information. He energetically employed the printed media to explain and seek endorsement for his war policies and he was largely successful through the Committee on Public Information in opening new channels to the American people. During Wilson's Presidency, the outlines of the modern press conference began to emerge. But Wilson personally disliked what he considered the rather crude antics of the press, and after the war and the failure of his peace initiatives, a broken and disillusioned man, he severed all direct ties with the press and the public.

Harding revived the practice of the press conference, adding the encumbrance of the written question and demanding attribution to the nebulous "White House spokesman", thereby disguising the source of the news obtained and removing the threat of embarrassing blunders. Despite his reputation for reticence and his apparent lack of sense of publicity, Calvin Coolidge was a consistent user of the White House press conference. He held meetings with reporters twice a week during his entire stay in office. Hoover began enthusiastically, but the oncoming depression carried with it increasing frustrations that dampened his relations with the press and led to his seeing reporters less and less frequently as his term progressed.

By the time Franklin D. Roosevelt assumed the Presidency, the American people had become accustomed to looking to the White House as a focal point of government and to the President as the principal initiator of policy. The public now expected constant and up-to-date information concerning the events that now so intimately touched their lives. The press looked to Washington and the White House for the news and guidance to satisfy their readers. And the President, in need of a forum to explain his views, to sell his policies and to gain confidence and support, welcomed the attention.

FDR once offered this definition of political leadership: "persuading, leading, sacrificing, teaching always, because the greatest duty of a statesman is to educate." He quickly recognized the potential importance of the press conference in achieving this goal. Roosevelt set out to convert the press conference into a consistent, yet flexible, device to act as a sounding board for his new plans and ideas and also to serve as a vehicle for disseminating information and guiding and convincing the nation. The members of the press were regularly invited into his office, and Roosevelt would probe, joke, explain, elaborate and filibuster, if necessary, always giving the reporters a first-hand sense of his proposals. During 12 years in office, Roosevelt met with the press 998 times, an average of about 83 conferences each year.

After FDR, presidential meetings with print journalists seemed to become an integral part of the Presidency. Truman held his first con-

ference only five days after assuming office and he met with the press an average of 46 times each year for a total of 324 press conferences. President-elect Eisenhower set off a lively controversy by intimating that he was reevaluating the press conference forum with a view to curtailing it. Once in office, however, Ike held them regularly, although less frequently than Roosevelt or Truman. He met with the press a total of 193 times, an average of 24 per year.

During the Kennedy years, the frequency of press conferences was about the same: 65 meetings in slightly less than three years. Lyndon Johnson met the press 158 times in five years, an average of 32 times per year. Richard Nixon, on the other hand, has averaged only seven press conferences per year in the first four and one-half years of his Presidency. However, as President Nixon's use of the press conference forum decline, his use of television and radio in prime viewing hours rose sharply from the levels established by his predecessors.

THE ADVENT OF RADIO AND TELEVISION

In much the same fashion as Presidents fashioned the press conference into a valuable tool of office, they were quick to perceive the significance of talking directly to the people over radio and, eventually, television.

It is believed that Wilson was the first President to deliver a speech on radio. Harding made a number of radio addresses in the two years of his Presidency. Coolidge continued the practice and, according to Edward W. Chester in *Radio, Television and American Politics* (Sheed and Ward, 1969), Silent Cal reached an estimated 50 million persons in one eight-month period. Hoover rejected a suggestion that he make a weekly report to the people on radio but he still used the new medium from time to time. As with the presidential press conference, further progress awaited another Roosevelt.

Roosevelt quickly transformed radio into his most valuable instrument of popular reassurance and persuasion. He was eager to master the necessary broadcasting techniques of speech, timing and intonation and he reached out to a growing audience of listeners. Over the airwaves, FDR developed a rapport and intimacy with the American people that has yet to be paralleled. He delivered his first radio message at the conclusion of his initial week in office in 1933. In his first term, Roosevelt delivered three more fireside chats, with four addresses in his second term and 12 in his third. By the 1940s, FDR was reaching an estimated 60 million people with each fireside chat. In addition, hundreds of his speeches to Congress and other groups were also carried live on radio. In 1936, he arranged for a 9:00 p.m. joint session of Congress so that a larger listening audience could hear his state of the union message.

President Truman was the first Chief Executive to use television in the exercise of his office (Roosevelt had appeared on television at RCA's experimental television exhibition at the New York World's Fair in 1939) and his successors—Eisenhower, Kennedy, Johnson and Nixon—have consistently added new dimensions to the presidential use of this powerful communications medium. Truman made the first direct telecast from the White House in his announcement of the Food

Conservation Program. He subsequently used television to report on such events as the outbreak of the Korean War and the government's seizure of the steel companies. In 1950 he permitted television cameras to cover a Cabinet meeting.

President Eisenhower, like Truman, used television to report to the nation in times of international and domestic crisis. He also approved such innovations as a round-table discussion among the President and his principal Cabinet officers, as well as a conversation between the President and Secretary of State John Foster Dulles. Eisenhower also permitted filmed coverage of his press conferences, although the film was scrutinized for bloopers by Press Secretary James Hagerty prior to its release to the networks.

President Kennedy possessed an unusually attractive television personality and he used the medium with greater frequency and more favorable results than his predecessors. To exploit this asset, he initiated the live televised press conference and the informal videotaped "conversation" with network news correspondents. Mrs. Kennedy escorted a sizeable television audience on a tour of the White House. The President permitted film cameras in his office to record discussions with Attorney General Robert Kennedy over civil rights problems in Alabama. And his foreign travels were fully documented by network film cameras.

Even though President Johnson never found a television format or style that suited his personality, he still used the medium extensively and experimented with a number of approaches. In particular, Johnson brought television into the daily work of the Presidency, such as the time in April 1964 when he interrupted early evening programs to report on the railroad labor negotiations. He scheduled his state of the union message before an evening session of Congress in order to attract a larger television viewing audience, an updating of FDR's evening presentation on radio. Johnson signed into law on television some of his proudest legislative achievements—the Civil Rights Act of 1964, the voting rights act, the immigration legislation, and Medicare. The weddings of both his daughters were covered by the television networks.

President Nixon brought to the Oval Office more television experience than any of his predecessors, and he lost little time capitalizing on this asset. As President-elect, he introduced his Cabinet to the American people on television. As President he held live televised press conferences in the prime evening viewing hours and he made extensive use of televised addresses in prime time to defend his foreign and domestic policies. Nixon was the first President to veto a bill on television. And his trips to China and Russia received record-breaking live and videotaped coverage. He was the first President to permit a live televised conversation with network correspondents. He also revived presidential use of radio to reach particular audiences with a specific message, such as housewives with a talk on inflation, or when he felt the need to cut back on his extensive use of network television. President Nixon's 1973 state of the union message was read to Congress by a clerk, but the President delivered a series of short radio messages on the highlights of the address.

Based on records of the National Broadcasting Company, the last four Presidents have appeared on television the following number of times:

PRESIDENTIAL APPEARANCES ON NETWORK TELEVISION

President	Number of appearances	Number of prime time appearances	Percent in prime time
Eisenhower (8 yr).....	78	27	35
Kennedy (2 yr 11 mo).....	87	5	6
Johnson (5 yr 1 mo).....	98	21	21
Nixon (through Aug. 15, 1973).....	60	35	58

Source: National Broadcasting Co.

These statistics reveal two major facts about presidential use of network television: (1) all four Presidents have used television extensively in the exercise of the office, and (2) President Nixon has made far greater use of television in prime viewing hours than any of his predecessors. President Kennedy and Johnson often interrupted daytime television for a brief message on a fast-breaking event; these messages frequently lasted no longer than five to ten minutes. Presidents Eisenhower and Nixon, in particular, preferred the longer and more formal message delivered in the evening.

In general, Presidents have been well-served by television in terms of building public support for their policies. In 1970, public opinion analyst Louis Harris compared levels of support before and after a President went on network television to defend a particular decision. Harris reached this conclusion: "The pattern is so consistent, with so few exceptions, that it is probably fair to conclude that Presidential use of television almost automatically gives him an important advantage." Consider the following examples:

LEVELS OF PUBLIC SUPPORT BEFORE AND AFTER PRESIDENTIAL APPEARANCES ON NETWORK TELEVISION

Date and event	Percent supporting policy	
	Before	After
Kennedy announces nuclear test ban treaty July 26, 1963.....	73	81
Johnson explains Gulf of Tonkin incident in Vietnam Aug. 1, 1965.....	42	72
L. B. J. announces resumption of bombing on Vietnam Jan. 31, 1966.....	61	73
Nixon announces policy phased troop withdrawals May 14, 1969.....	49	67
Nixon plea for support of his Vietnam policy Nov. 3, 1969.....	46	51
Nixon announces Cambodian strike by U.S. troops Apr. 30, 1970.....	7	50
Nixon announces withdrawal of troops from Cambodia May 27, 1970.....	47	56

Source: The Harris Survey, Sept. 3, 1970.

President Nixon's televised appearances in 1973 relating to the Watergate case would seem to provide an exception to this pattern. To a degree this is true. But this fact only suggests that the mass communications media cannot automatically generate popular support for any position of policy the President chooses to adopt. In the end, the people make judgments about the wisdom or the foolishness of any given policy and these popular judgments ultimately determine the level of support or opposition. Moreover, it should be noted that Congress, through the extensive network coverage afforded the Senate's Select Committee on the Watergate affair found it possible to

bring to popular attention a version of the facts that often conflicted with the President's version. In most cases, the President's version would have been the only one that reached the people directly through simultaneous network coverage. It can be argued that the opportunity for Congress to go directly to the people in this instance was one factor in President Nixon's relative lack of success in his televised appearances.

STAFFING THE EXECUTIVE BRANCH

As a succession of Presidents perfected their capacity to use print and broadcast media in the exercise of their office, the Executive branch was developing an impressive communications capability quite apart from that commanded by the President.

For example, in a memorandum from the White House to the heads of federal departments and agencies, dated November 1, 1965, President Johnson expressed his desire to improve government service to all citizens. In his view, government agencies would better respond to the need of the people if "more lines of communication" were opened to the public. His memorandum called for expanded channels of communication, plus greater coordination of departmental communications activities. But this approach served primarily to increase White House control over the government's information services. A study conducted by the *National Journal* (July 24, 1971) suggested that the Executive information services were "more concerned with publicizing presidential policies and putting the Administration in the best possible light than providing the public and the media with legitimate information."

In a November, 1970 memorandum to the heads of the Executive departments and agencies, President Nixon questioned the appropriateness "of using taxpayer's money for the purpose of promoting and soliciting support for various agency activities." He called for sharp curtailment of such "self-serving and wasteful public relations activities" and a cutback in funds. President Nixon also informed the agencies that he was directing the Office of Management and Budget (OMB) to investigate the various agencies' public relations activities with a view toward curbing "extravagances" in this area.

President Nixon's memo raises an interesting point. According to a 1913 statute (5 U.S.C. 54) it is illegal for any agency or department to engage in public relations activities or hire public relations officers. The President's specific reference to "public relations" in his message meant that, in effect, he was asking for budget reductions in an area that was already forbidden under law. Pursuant to the President's directive, OMB attempted to compile information on the agencies' activities, asking for information on monetary and personnel expenditures in the public relations field. Not surprisingly, it proved to be a difficult task. Since "public relations" is a term assiduously avoided in agency budgets—because of the 1913 statute—most such activities have been traditionally labeled "public information" or "public affairs" services. Many federal employees work only part-time on public relations functions and their titles rarely reflect their actual duties. Furthermore, neither the Budget of the United States nor individual agencies maintain separate accounts for public information activities. OMB Director Caspar Weinberger put it this way:

The reviews brought out the difficulties inherent in formulating a useful definition of public relations and identifying expenditures and personnel attributable to these activities. . . . In fact, the public information area, by its very nature, involves large numbers of people having unrelated job titles and duties and giving only some portion of their time to activities which might be construed as public information.

In any event, the 1971 OMB estimate identified 6,144 federal employees as engaged full-time in public relations work at an annual cost of at least \$165 million. According to the figures compiled by OMB, the Department of Defense was the heaviest spender (\$48 million), with the Department of Health, Education, and Welfare running a distant second (\$33 million). In functional terms, most of the money was spent in the category labeled as "Agency Activities" that is defined by OMB as "work involved in the development and presentation of information relating to the activities of the agency". By category of public relations activity, the heading "Other" drew most of the funds—that is, activity not associated with other specified categories, such as press contacts, broadcasting, advertisements, exhibits, films, publications and speeches. The only specific example of "Other" offered in the OMB report was "handling of requests for information in personal contacts with individuals." It is a confusing situation, to say the least.

Since President Nixon's order, Administration spokesmen have claimed a savings of \$33 million and the elimination of 1,771 "public relations" employees. But the accuracy of these figures and the value of the report itself has been questioned. For example, the staff director for the House Subcommittee on Foreign Operations and Government Information commented: "We don't think this is a real saving. We have reason to believe people allegedly taken out of the public relations area were merely shifted around or given new titles and are carrying out the same function." The Subcommittee also revealed that according to a survey it conducted—during the same three-year period as the OMB report—more than \$77 million was spent or authorized just in *outside* public relations contracts.

Mike Causey, Federal columnist for the Washington Post, offered his assessment:

Federal officials assigned to the cutting chore soon discovered that nobody has, or ever will have, the vaguest idea of what the government spends on public information, or even a proper definition of what public information is. They also found that they were up against one of the toughest, most flexible arms of the government octopus.

CONCLUSIONS

Successive Presidents, especially those of this century, and the Executive branch as a whole have consistently sought to use the mass communications media in the pursuit of their constitutional duties. With each technological breakthrough—mass circulation newspapers, radio or television—the time lag has been short before it has been added to the President's arsenal of governing tools.

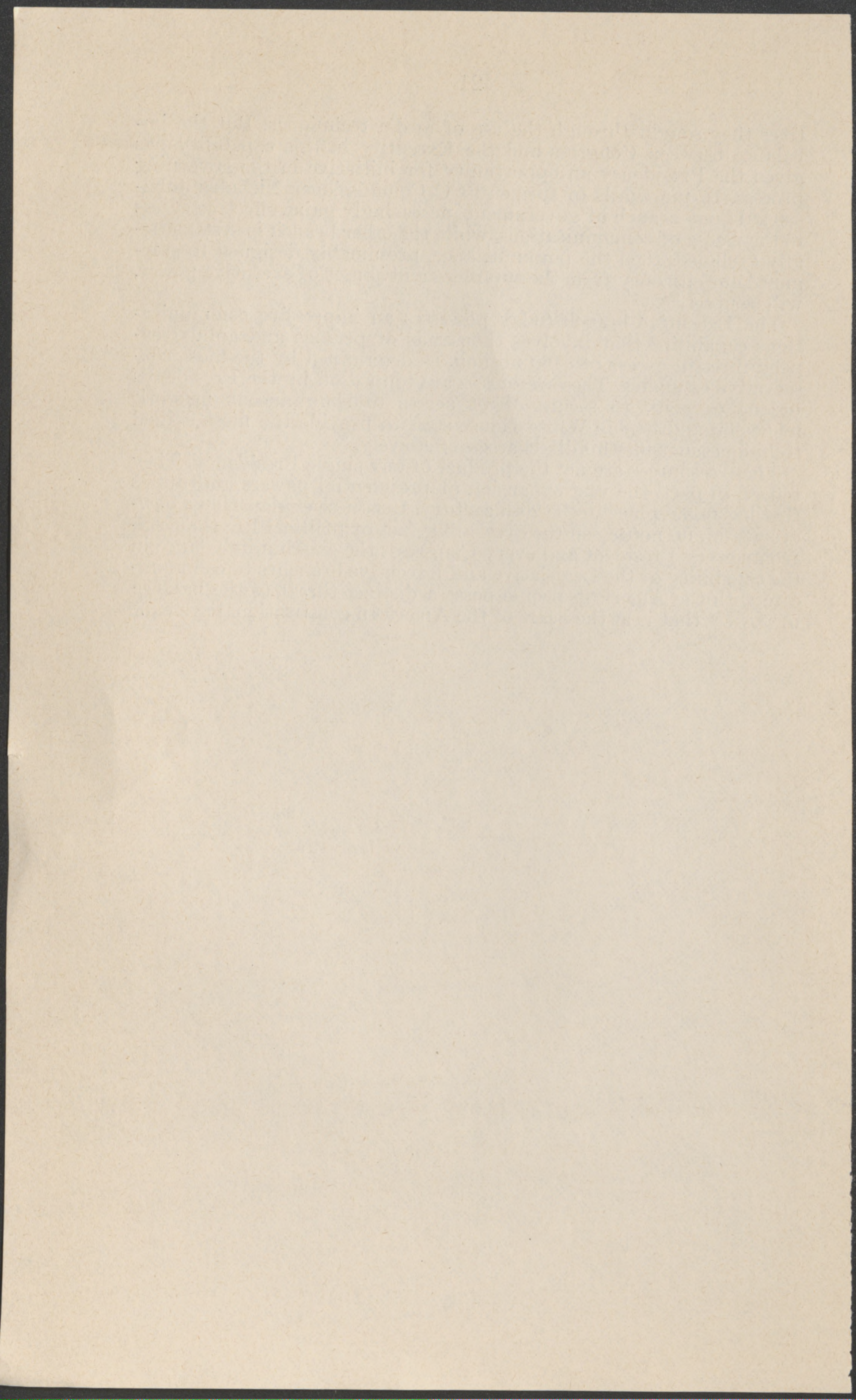
Today, the smallest and most inconsequential bureau in the Executive branch is quite likely to have at its disposal a press and public relations capacity that exceeds the institutional resources available to either the Senate or House.

Of course, every President has not been popular with the people all of the time nor have Presidents achieved all the political objec-

tives they sought through the use of media techniques. But the imbalance between Congress and the Executive in this capability has given the Presidency an opportunity for initiative in the governing process. In the words of former FCC Commissioner Nicholas Johnson: "If one branch of government increasingly gains effective access to the media of communications, while the other branch is systematically excluded, then the power balance, presumably designed to safeguard our citizenry from the tyrannies and abuses of executive power, will be upset."

The Executive branch today possesses an impressive communications capability that involves thousands of persons and annual expenditures in excess of \$160 million, as determined by the most conservative estimates. These resources are topped off by the President's unique capacity to secure direct access to simultaneous network television and by his White House staff to provide the most skilled techniques in using this direct access effectively.

These resources are not the product of any single Presidency. They reflect, in part, the vast expansion of presidential powers and duties that has taken place in the 20th century. But these explanations, however valid, do not lessen the overriding fact of political life that confronts every President and every Congress: the existing imbalance in the capability of the Legislative and Executive branches to communicate with the American people poses a distinct threat to the balance of powers that is at the heart of the American constitutional system.



SECTION III

Legislative Initiatives

"It is to be lamented that the Editors of the different Gazettes in the Union do not more generally and more correctly . . . publish the debates in Congress on all great national questions and this with no uncommon pains, everyone of them might do."

—George Washington.

Despite George Washington's plea for broader and more accurate reporting of Congress, the press of that era adopted an approach that has persisted to this day: the President was the focal point of their interest; congressional activities were relegated to second rank, or lower. But it is also noteworthy that even in these early years, the President demonstrated far greater initiative in trying to secure the kind of press coverage that served his political ends.

These historical parallels, however, should not be overdrawn. The practice of journalism today has changed radically from the highly personalized and intensely partisan efforts of the late 18th and early 19th century. But this much can be said: for decades the reporting of Congress was erratic and unreliable. It was often impossible for interested citizens even to find out what Congress was doing in a given subject area. As late as the 1830s, the principal records of Congress were little more than personal letters prepared by various editors, correspondents, and even Members of Congress themselves and published in newspapers or journals. Although the reports that appeared in the Congressional *Globe* in the mid-19th century achieved a greater degree of accuracy, it was not until 1873 that Congress established the Congressional *Record* as its own compendium of floor debates, motions, votes, legislation introduced, committee reports and extraneous material of one kind or another.

The early Presidents were more direct and exercised more initiative in dealing with the press. They would generally seek out a friendly editor, attach him to the government payroll in some capacity, and then channel their personal views and opinions through the favored publication. This tactic was seen as necessary to respond to the partisan broadsides of newspapers supporting the opposition political faction. Jefferson's anointing of the *National Intelligencer* under the editorship of Samuel Harrison Smith, for example, was such an arrangement. It generally turned out that the most authoritative reports on Congress were also found in the newspaper favored by the President.

Even the right of the press to report congressional activities was not explicitly acknowledged in the early years. The Congress met in secret during the Revolutionary War and afterwards. The Federal Convention of 1787 likewise closed its doors to the public and the

press. However, the House of Representatives of the First Congress that convened in April 1789 voted to admit reporters to its sessions. But the Senate continued the tradition of secret sessions for five more years, barring not only the press and public but also Members of the House.

To some persons, the Senate's practice seemed outrageous. In February 1793, after a motion to open the doors had again been defeated, Philip Freneau, editor of the *National Gazette*, wrote in exasperation:

. . . Remember my fellow citizens, that you are still freemen: let it be impressed upon your minds that you depend not upon your representatives but that they depend upon you, and let this truth be ever present to you, that secrecy in your representatives is a worm which will prey and fatten upon the vitals of your liberty.

Freneau went on to compare the Senate to Britain's House of Lords and suggested that ". . . the Peers of America disdain to be seen by vulgar eyes, the music of their voices is harmony only for themselves and must not vibrate in the ravished ear of an ungrateful and unworthy multitude." Finally, on February 20, 1794, the Senate voted to open its galleries to the press and public. This decision signaled a major change in the nature and role of the Senate in national affairs.

Since these early years, the relationship between Congress and the press has been one largely of mutual toleration, occasional harassment and a grudging willingness by Congress to provide the basic facilities that the press has needed to operate. Make-shift press arrangements in the public galleries, interspersed with periods of direct access to the House and Senate floor, eventually gave way to permanent and larger press galleries in the enlarged House and Senate Chambers that opened in 1857 and 1859, respectively. At the same time, procedures for press accreditation were spelled out in the House and Senate rules. At first, overall direction of the press was vested directly in the Speaker of the House and the Senate's presiding officer. This authority subsequently was given to the Standing Committee of Correspondents in the early 1880s. A radio (and later television) correspondents' gallery was added in the House and Senate in 1939, a periodical gallery in 1947 and a photographers' gallery in 1950.

THE CURRENT SITUATION IN CONGRESS

Contrasting with the awareness demonstrated by Presidents of the critical role that mass communications would play in the governing process, Congress has followed a much more passive course. Innovation by Congress in mass communications at the institutional level is rare and hard to find. A Senate resolution that provided for the appointment of a public relations officer passed in 1938, but no such position exists today in either House. Nor do the majority and minority parties in either House maintain a professional communications staff. There is, for example, no Director of Communications of the Legislative Branch comparable to the position that now exists in the Executive Branch.

In 1947, television cameras were permitted in the House chamber to cover the opening session of the 80th Congress. A panel of four Members of Congress—two Republicans and two Democrats—also analyzed the proceedings and discussed the work of Congress for the coming year. The *New York Times* of January 4, 1947, carried this report of the event:

WASHINGTON, Jan. 3.—Congressional leaders acclaimed the importance of the medium of television in bringing to the American people first-hand views of their Government in action.

In a special televised interview preceding the opening, four members of the House spoke of the televising at the opening sessions.

Rep. Charles A. Halleck of Indiana, new majority leader, said: "I think it is mighty fine that on this occasion the opening proceedings are being carried out to the country in this fashion."

Rep. Sam Rayburn of Texas, new minority leader, congratulated those "who brought television in and those who are conducting the proceedings under it now."

"It is a great occasion for me, and also for the people out there who will hear and see," he added . . .

Two of the latest in highly sensitive "image orthocon" electronic cameras were aimed at the proceedings from various points of vantage, with the result that television audiences in New York, Philadelphia and Washington viewed the ceremonies clearly. A pre-session interview with House leaders was carried on with two similar cameras in an ante-chamber of the House.

The views were so clear that a bandage could be seen on a finger of the House tally clerk as the voting proceeded.

The scenes were rebroadcast in New York by WNBT of the National Broadcasting Company; WABD, station of the Allen B. DuMont Laboratories; and WCBS-TV of the Columbia Broadcasting System. The program was carried from Washington to New York and Philadelphia stations by coaxial cable . . .

This coverage of the 80th Congress was a television first—and last—since film and electronic cameras have never again been permitted in either chamber to cover a regular congressional session. There is irony, to say the least, in the fact that Congress does permit coverage of *presidential* addresses to joint sessions of the Congress in the House chamber, as well as speeches by other non-congressional dignitaries, such as astronauts and visiting heads of state.

Currently, the lone example of regular television programs originating on Capitol Hill that attempts to deal with Congress in its institutional dimension is produced by a Member of Congress, Rep. Lester L. Wolff (D., N.Y.), a former television executive. Videotaped in the House recording studio, *Ask Congress* features Wolff as moderator and various Members of both parties as guests, discussing the work of Congress in specific subject areas. Participants on the program frequently answer written inquiries from constituents. The finished program is distributed for a nominal service charge to commercial stations and it is shown as a public service feature. The roster of participating stations varies from two to twenty, depending on the time of year and the tempo of activity in Congress. It is significant that the entire *Ask Congress* project is possible only because Rep. Wolff and his office staff assume all the production burdens, even to mailing the videotapes to the participating stations. There are no staff or facilities, even in the House recording studio, to carry out these basic logistical tasks.

The working areas for the print, broadcast and photographic journalists are maintained in separate galleries in the House and Senate and administered by gallery superintendents. The space allocated to daily newspapers, under the supervision of the Standing Committee of Correspondents, is more adequate than the space available to radio and television correspondents, photographers and the periodicals, presumably because the newspapers were around when the Capitol was enlarged in the 19th century. The working area for radio and television on the House side due to a recent remodeling effort,

is more adequate than on the Senate side (a matter discussed more fully in Section V). But the physical limitations of the Capitol make it impossible for any of the network news organizations to maintain permanent production staff on Capitol Hill or to maintain electronic cameras on a permanent basis. For many years the Radio and Television Correspondents' Gallery has attempted, without success, to expand their working quarters on the Senate side. Neither House of Congress maintains a central briefing area for the print or broadcast journalists, such as exists in the White House and almost every Executive agency. As a consequence, much of the television and radio coverage of Congress occurs on the Capitol lawn or in assorted hallways, anterooms and conference rooms. The internal communications services that are provided, such as the Senate and House recording studios, are geared to the needs of individual Members and not those of the institution.

In this sense, Congress today lacks the physical facilities and the institutional expertise to use the mass communications media with effectiveness. The working conditions for broadcast journalists, in particular, are barely adequate on the House side and seriously inadequate on the Senate side. Nor is there a professional staff in either the Senate or House to work with print or broadcast journalists in developing stories from the perspective of the party caucuses or conferences, or the institution of Congress.

Both the Senate and House forbid radio, television or photographic coverage of regular floor sessions. The House permits cameras to cover ceremonial joint sessions of Congress such as are convened to hear the state of the union message or to honor other dignitaries. Any Senate committee meeting that is open to the public may be broadcast or filmed according to rules that the committee may adopt. In the House, committees are open to coverage if approved by a majority of the committee members and in accordance with the specific guidelines approved in the Legislative Reorganization Act of 1970 and set forth in clause 33 of Rule XI.

RECENT CONGRESSIONAL PROPOSALS

Despite the seeming unconcern of Congress as an institution for developing better ways of using the communications media in carrying out its legislative duties, individual Members of the House and Senate have become increasingly concerned over various aspects of the problem. In the past decade the general subject has arisen in four sets of congressional hearings: (1) hearings on the Legislative Reorganization Act of 1965, (2) hearings on the Legislative Reorganization Act of 1970 (held in 1969), (3) hearings by the Senate Subcommittee on Communications on Senator Fulbright's S.J. Res. 209 in 1970, and (4) hearings by the *Ad Hoc* Committee on Congressional Reform, chaired by Senators Adlai Stevenson and Charles McC. Mathias, held in 1972. In 1973, the issue was also discussed briefly by several of the witnesses appearing before the Select House Committee on Committees, chaired by Rep. Richard Bolling.

1965 Hearings.—A number of Members of Congress testified on the general subject of ways Congress could bring its views to the people with greater impact. Examples of this testimony before the Joint Committee on the Organization of Congress:

Rep. Robert Ellsworth proposed that the House and Senate rules be amended to permit telecasting and broadcasting in the House and Senate chambers. He noted that, in comparison with the President, Congress was not making the impression on the national consciousness that its importance and power justified.

Senator John McClellan said: "To me television is a media of news. It is a media of disseminating information just like radio, just like the press members who sit at the table and who are present in the galleries and make notes and from that they publish the news. I don't see how you can very well deny one news media the same rights you accord to the other."

Senator Jacob Javits, one of the more persistent advocates of permitting broadcast coverage of selected sessions of the Senate, once again proposed this type of coverage. Along the same line, Senator Joseph Clark suggested that significant debates in both chambers be televised live.

Other Members of Congress who supported coverage of congressional sessions by the broadcast media were Representatives David King, Roman Pucinski, Weston K. Vivian, Ken Hechler, Albert Quie and Durward Hall.

Some Members focused their attention on improving the internal communications on Capitol Hill. Rep. Ed Edmondson suggested that the House use electronic tape recorders for preserving all floor debates, for greater accuracy and historical records. He also proposed that sound on film records be made of all major debates in the House and Senate. Rep. Sam Gibbons suggested that "a simple system of closed-circuit television, distributed to the Members' offices with a channel selector and a daily program of important committee hearings that would be covered, could be installed without the use of any technicians to operate the cameras." Senator Ralph Yarborough suggested that the Senate install a closed-circuit television system between the Senate floor and Senate offices, committee offices, and the cloakrooms. Roll calls could be identified on the screen, along with advance warning of upcoming votes and other important floor business. Representatives Ed Edmondson, Ken Hechler and John Dellenbach proposed similar systems.

A number of bills and resolutions relating to Congress and the broadcast media that Members of Congress have introduced over the years are listed in Appendix A.

1969 Hearings.—The question of the use of the mass communications media by Congress was examined again in the hearings on the Legislative Reorganization Act of 1970 before the House Committee on Rules. During eight days of hearings in October, November and December 1969, a number of Members of Congress testified in favor of televising committee hearings and sessions of the House, including Representatives William Steiger, Lionel Van Deerlin, Richard Ottinger, Robert McClory, Sam Gibbons, and Orval Hansen.

Representatives of the broadcast industry also appeared. Vincent T. Wasilewski, President of the National Association of Broadcasters, noted the support of the NAB for opening the Senate and House to broadcast coverage. Chiefs of the network news bureaus in Washington—John Lynch of ABC News, Bill Small of CBS News and Frank Jordan of NBC News—testified in support of proposals for broad-

cast journalists to cover proceedings of the House and Senate. Similar testimony was received from representatives of the Radio and Television Correspondents' Gallery and the Radio Television News Directors' Association.

As finally passed by Congress, the 1970 Act made committee activities in the House more accessible to the broadcast media by permitting coverage of public sessions if approved by a majority of the committee members and according to specific procedures designed to insure a minimum of disruption. No further action was taken in either the House or Senate in regard to the broadcast coverage of floor debate or the installation of a closed-circuit television system.

1970 Hearings.—By 1970, it had become apparent that Congress, in comparison with the President, had substantially less direct access to television and radio. The problem of greater access afforded the President by the broadcast networks had been building in the 1950s and 1960s. Two factors brought it to sharper focus in the 1970s: the extensive use of network television by President Nixon and the growing congressional opposition to the Administration's policies in Vietnam.

In an effort to remedy this imbalance, Senator Fulbright proposed in S. J. Res. 209 (91st Congress) that the Communications Act of 1934 be amended to require broadcast licensees to provide as a public service a reasonable amount of broadcast time to "authorized representatives" of the Senate and House to present the views of the two Houses on issues of public importance. The broadcast time would be made available at least, but not limited to, four times a year.

Senator John Pastore, Chairman of the Subcommittee on Communications of the Committee on Commerce, scheduled hearings on the Fulbright proposal. Testimony was received from the broadcast networks, the Federal Communications Commission, spokesmen for the Democratic and Republican National Committees, and others. Two major questions were examined: First, does the Congress, as a separate, co-equal branch of government, have the same rights and privileges as the President in discussing public issues and in receiving access to the broadcast media? Second, if this equality exists under the Constitution, how can the right of equal access be implemented?

Virtually all the witnesses agreed that Congress has the constitutional right, duty and responsibility to present its side of controversial issues in a manner roughly comparable to that afforded the President. But the problem was to devise a procedure for implementing this right.

In his testimony before the Pastore Subcommittee, Fulbright emphasized that the focus of his joint resolution was institutional, not partisan. He said: "There is nothing in the Constitution which says that, of all elected officials the President alone shall have the right to communicate with the American people. That privilege was a gift of modern technology, coming in an age when chronic war and crisis were already inflating the powers of the Presidency. Communication is power and exclusive access to it is a dangerous and unchecked power . . . If the President is regarded as having the right to communicate with the people through the mass media whenever he wishes, the spirit and intent of our Constitution require that no less a privilege be accorded to the Senate and the House of Representatives."

Despite general agreement with the proposition that Congress should be able to communicate directly with the people on a par with the

President, network officials, Chairman Dean Burch of the FCC, and Republican party officials opposed the Fulbright joint resolution. They emphasized the practical problems of choosing a spokesman for the Congress, of deciding the issues to take to the people on television and radio, and of agreeing on the broadcast time to be made available. Burch stressed that the FCC's "fairness doctrine"—the requirement that broadcasters afford a reasonable opportunity for the discussion of controversial issues of public importance—was directed to issues and not personalities. It did not guarantee the right of any governmental official, even the President, to television and radio time. The President, he noted, received network access as a matter of courtesy, not law. Fulbright responded that Congress could correct that particular situation by passing legislation that required broadcast licensees to offer time on demand to both Congress and the President.

Witnesses supporting the joint resolution felt that questions of spokesmen, issues and timing should be left to Congress to decide. Senator George McGovern, for example, suggested that a bipartisan committee could work out the specific details of congressional and presidential appearances. "Whatever the ultimate procedures," he observed, "I do not believe it beyond the realm of human ingenuity to devise a satisfactory method of selecting those who would appear on the congressional telecasts and the format of such programs." Senator Pastore suggested that, as an alternative to legislative action, the networks could grant selected periods of prime time programming to Congress on an experimental basis for one year. Further judgments could then be made on the basis of the year's experiment.

Senators Fulbright, Griffin, Scott, and Dole, Rep. Rogers Morton—then Chairman of the Republican National Committee—and John Macy, President of the Corporation for Public Broadcasting, suggested that Congress open its doors to the broadcast media during significant debates. Senator Pastore said that the electronic broadcast media should be "brought into the Senate, just as the newspapermen, when that bell rings and the prayer is given, the press is there in the gallery. . . . And the electronic media should be in that gallery, and they should stay there until we adjourn or recess. And let them choose what should go on and then if they don't live up to their responsibility, then the people would react toward them."

After three days of hearings, S. J. Res. 209 died in committee. Two networks—ABC and NBC—subsequently offered broadcast time to Congress for a year-end program, to be divided equally between the majority and minority parties. These offers were never acted upon by the congressional leadership.

1972 and 1973 Hearings.—The subject of Congress and the mass communications media was touched on in testimony before the *Ad Hoc* Committee on Congressional Reform, organized and chaired by Senators Stevenson and Mathias, and by several of the experts who appeared before panels of the House Select Committee on Committees chaired by Rep. Richard Bolling.

In December 1972, Senator Stevenson argued that opening floor proceedings of Congress to broadcast coverage would be one of the greatest forces for congressional reform. Mrs. Lucy Benson, President of the National League of Women Voters, and Warren Weaver, correspondent for the *New York Times*, supported that view in testimony

before the Stevenson-Mathias *Ad Hoc* Committee. Clarence Mitchell, Director of the Washington Office of the National Association for the Advancement of Colored People, suggested that all sessions of the Senate and its principal committees, except when in executive session, should be televised. "Closed-circuit TV could be used for overflow crowds who now must stand in line for hours, often vainly, waiting to get into the gallery. Tapes or even live versions of these sessions should be given the widest possible distribution in schools," Mitchell said.

The Select Committee on Committees of the House of Representatives in June and July 1973 conducted a series of panel discussions on a broad range of organizational concerns. The subject of the relationship between Congress and the mass communications media was examined briefly. Bertram M. Gross, Professor of Urban Affairs and Planning at Hunter College, offered these observations:

"I am suggesting that the committees of Congress have thus far been looking at the question of the media and the TV coverage of Congress from the wrong end of the microscope. The question usually arises: 'Should we allow TV to cover the hearings?' The question today is: 'What in the world can be done to get TV even to come in and cover a small part of the hearing?' . . . Most congressional committees have no contact with that greatest of all channels of communication and dissemination in the American polity at this moment. . . . It seems to me there is very considerable reason to consider obligatory coverage of the legislative assembly of the United States as part of the public service function of any TV station, radio station or network as a prerequisite for the renewal of its franchise. . . . I believe that proper coverage of the unbelievably significant activities of Congress—almost all of which are thoroughly undealt with by the media—would have to include a combination of live coverage and newscasting and edited documentaries.

"However, this entire vista of the use of the air as a way of educating the public upon the work of the House and the Senate, in bringing to light the continuing discussions of basic issues affecting the society, has disappeared from our polity."

Edward V. Schneier, Jr., Associate Professor of Political Science, City College of the University of New York, approached the communications problem from a broader perspective:

"There are an awful lot of things that go on in Congress that people would come back to you with if they knew about them. If they knew more about these things, they would come to you more. I think all of you have in one way or another deliberately stimulated constituent interest. I think this is the function for sending out polls and newsletters. . . .

"But these efforts are highly individualized. There is very little of that on the part of Congress as an institution. Indeed, most of the institution's output seems to be designed to be unreadable: just the format of committee reports, for example."

In the course of the panel discussion, Rep. Dave Martin commented upon the coverage of the Nebraska state legislature by public television:

"... In Nebraska, our educational TV is probably developed to a finer point than perhaps any other State in the Union. We have a com-

plete educational TV network in the State. It has been the practice of the educational TV that when our State legislature was in session earlier this year to give coverage to their sessions. It was very surprising at least to me that in a poll that they took they found overwhelming support for that coverage of the daily sessions of the legislature. That was surprising and amazing to me."

Byrd Resolution.—In the first session of the 93rd Congress (1973), Senator Robert Byrd of West Virginia, the majority whip, introduced a resolution (S. Res. 136) to authorize a study of the feasibility of opening the Senate chamber to television coverage and to install a closed-circuit TV system between the Senate chamber and the Senate office building. The resolution was referred to the Rules and Administration Committee. No action was taken on the resolution in the first session of the 93rd Congress.

WHO SPEAKS FOR CONGRESS?

In the various testimony offered in these hearings, Members of Congress and others frequently stressed the importance of the "congressional viewpoint" receiving comparable broadcast exposure to the "executive viewpoint" as enunciated by the President. The Fulbright joint resolution, in particular, emphasized the importance of institutional access for "authorized representatives" of the Senate and House. However plausible this approach may be at the level of generality, there are knotty problems to solve when the specific question is raised: "Who, in fact, speaks for Congress?"

Several points should be considered here and the problem is examined further in Section IV in the context of the fairness doctrine and in Section V in terms of the alternative solutions that have been identified.

First, the problem of defining the congressional viewpoint and choosing appropriate spokesmen arises primarily in the context of congressional efforts to secure direct access to the broadcast media for presentations along the lines of presidential addresses. It is much less of a problem in the kind of news coverage of Congress that would arise if floor proceedings were open to some form of broadcast coverage. In the latter circumstances, the normal congressional procedures for selecting "spokesmen" would be in operation. For example, the floor manager of a bill would summarize the majority's viewpoints prior to the key roll call vote.

Second, although demands for broadcast access are often couched in "institutional" terms, the message to be broadcast is, in most instances, a partisan one as defined by the congressional members not of the President's party. This is especially true in times of divided government when the majority in Congress is out of power in the White House. Democrats in Congress want broadcast time when there is a Republican President and vice versa. But it is also true that all Democrats do not necessarily agree with their party leaders, nor do all Republicans. Even when the White House and Congress are controlled by the same party, there usually is a minority of the President's party in Congress that disagrees with the President on a given issue.

The problem is more complicated still. Is the congressional viewpoint defined at the moment of a bill's final passage? Or is there a congres-

sional viewpoint at the point a bill is reported out by committee? Do the Speaker of the House and the President Pro Tempore of the Senate speak for the members of their respective houses or for only the majority in each case? Or is the congressional viewpoint defined by the majority caucuses (or conferences) or the policy committees in each House? Does not the minority have the right to expect some consideration? And so it goes.

It is clear that a "congressional viewpoint," as such, rarely exists. Thus discussions of the general problem should bear this fact in mind. There are, at the least, several congressional viewpoints that have to be taken into account. But this fact should not become an excuse for leaving the field to the President, as is presently the case in most circumstances. One of the more important congressional viewpoints, from the perspective of the public, is the viewpoint held by the opposition party in Congress, whether or not the opposition is the majority congressional party. The opposition party viewpoint can be determined by vote of the caucus or conference, by the party's policy committee, or simply by informal agreement among the party leaders and the members. In actuality, when the opposition party in Congress has been given broadcast time, such as the time now regularly made available to answer the President's state of the union message, the opposition party manages to define its viewpoint and select spokesmen to present its views.

In relation to a given issue, however, the opposition party viewpoint may not be sufficient. Opposition to presidential policies in Vietnam was bipartisan, as was the support for these policies. This fact was recognized by the FCC in 1971 when it ordered the networks to grant one hour of direct access to congressional opponents of the Vietnam War. Democrats and Republicans participated in the special broadcasts.

There is, in short, no simple formula that can provide an answer to the question: "Who speaks for Congress?" The alternatives discussed in Section V take this fact into account. One further thought: that Congress offers more than one viewpoint on a major political issue should come as no surprise to the American people. It is, therefore, quite appropriate for Congress, the FCC, and the broadcast industry to look for flexible procedures that permit a fair sample of these viewpoints to be heard, according to the circumstances that prevail at a given time.

CONCLUSION

Through most of its history, Congress has lagged behind the Executive in recognizing the important role played by the mass communications media in the process of government. As a consequence, there exists a definite imbalance in the capacity of the two branches to command the resources of the nation's system of mass communications. This imbalance has been caused by many factors: the inadequate working facilities available to the media on Capitol Hill; the lack of professional staff, at the institutional level, to work with print, broadcast and photographic journalists and to supervise television appearances by institutional spokesmen; the groundrules that limit the kinds of congressional activity that are open to coverage; the lack of internal

resources and staff in Congress to develop communications materials—brochures, books, films, newsletters, etc.—from an institutional perspective; and the lack of access that is granted to Congress on radio and television to present congressional viewpoints on public issues compared to the access that is available to the President.

Recent congressional activity suggests a growing concern on Capitol Hill to correct this imbalance. It is necessary, however, to consider the problem in its totality, rather than in a piecemeal fashion. Only a comprehensive program that involves the various areas outlined above can produce a communications capacity that will put the Executive and the Legislative branches on a more equal footing.

SECTION IV

Congress and Broadcast Access

"... As far as the First Amendment is concerned, those who are licensed stand no better than those to whom licenses are refused. A license permits broadcasting, but the licensee has no constitutional right to be the one who holds the license or to monopolize a radio frequency to the exclusion of his fellow citizens. There is nothing in the First Amendment which prevents the Government from requiring a licensee to share his frequency with others and to conduct himself as a proxy or fiduciary with obligations to present those views and voices which are representative of his community and which would otherwise, by necessity, be barred from the airwaves.

—*Red Lion Broadcasting Co. v. FCC* (1969).

As noted in Section II, the use of television by the President has increased considerably since the Truman Administration. By virtue of the unique role of the President as the single spokesman for the Executive branch of the federal government, the President enjoys the advantage of access to the radio and television broadcast media upon request, which is rarely, if ever, denied. Access to the media under these circumstances allows the President a choice of timing in the presentation of messages of an unlimited range of content and in his selection of a format. Notification by the White House to the major networks of a presidential message virtually insures its coverage across the nation. Yet, persons opposed to views expressed by the President, spokesmen from other branches of government and representatives of other political parties (or even the same party) do not enjoy this same command of the broadcast media. This section of the study provides a brief background for the layman on the more important legal issues raised by the question of congressional access to the radio and television media for the purpose of responding to Presidential messages broadcast by the media.

HISTORY AND DEVELOPMENT OF ACCESS

Much debate and discussion about the right of access to the airwaves accompanied the first federal venture into radio regulation—the Radio Act of 1927 (44 Stat. 1162). It appears from the legislative history of that act that Congress adopted the view that broadcast licensees should operate in the public interest to give listeners the opportunity to get all the facts and that no particular individual would necessarily have a special right to present those facts. Little interpretation or litigation resulted from the first effort at federal radio regulation. The single relevant provision of the Radio Act of 1927 was Section 18 that provided:

If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station, and the licensing authority shall make rules and regulations to carry this provision into effect, *Provided*, That such licensee shall have no power of censorship over the material broadcast under the provisions of the paragraph. No obligation is hereby imposed upon any licensee to allow the use of its station by any such candidate. (44 Stat. 1170)

When the Federal Communications Commission was created to replace the Federal Radio Commission, Section 18 was carried forward as Section 315 of the Communications Act of 1934. (48 Stat. 1088). The first generally recognized action of the Commission that moved in the direction of requiring fair coverage of public issues was a case involving *Mayflower Broadcasting Corp.*, 8 FCC 333 (1940) wherein the Commission required the licensees to assume the obligation of presenting all sides of important public questions, fairly, objectively and without bias."

Statutory authority for this Commission decision was the phrase "public convenience, interest and necessity" (47 U.S.C. Sec. 307(a), 309(a)) that was the general directive of Commission licensing. *Mayflower* was not interpreted as allowing editorial comment by broadcasters but it quickly became the touchstone for further delineation of the obligations and rights of broadcasters. For example, the Commission subsequently concluded that a licensee's decision not to make any time available for sale for the discussion of public uses would be inconsistent with the public interest standard. *United Broadcast Co.*, 10 FCC 515 (1945).

During the early period of operation under the Communications Act, there were several significant judicial decisions relating to the authority of the Commission. In one of the first considerations of FCC authority by the Supreme Court, the purpose of the act was declared to be that of protection of the public rather than protection of the licensee from competition. *FCC v. Sanders Bros. Radio Station*, 309 U.S. 470 (1940).

In 1944 the Supreme Court upheld the exercise of authority by the Commission under its public interest standard as being not unconstitutionally vague and indefinite. *National Broadcasting Co. v. United States*, 319 U.S. 190 (1944). Somewhat later, the Supreme Court again upheld Commission regulations pursuant to the public interest because of the scarcity of space on the broadcast spectrum. *Ashbacker Radio Co. v. FCC*, 326 U.S. 327 (1945).

Throughout the early Commission decisions, the legislative history of the act and judicial interpretations, the notion clearly was rejected that a radio station was either a common carrier or a public utility with the obligation to allow anyone who requested the right to broadcast on the station. *McIntire v. William Penn Broadcasting*, 151 F.2d 597 (3d Cir 1945). The right by the broadcaster to refuse to sell time was clear.

DEVELOPMENT OF THE FAIRNESS DOCTRINE

By 1947 considerable debate had developed over the question of how to allow expression of opposing views on issues of public controversy. Hearings were held in the U.S. Senate in connection with legislation designed to clarify broadcasters obligations. (See *Hearings* on S. 1333

before the Subcommittee of the Senate Committee on Interstate and Foreign Commerce, 80th Cong., 1st Sess, 1947.) Although no legislative action was taken, the Commission thereafter undertook to promulgate guidelines for the treatment of controversial issues and to clarify the question of whom should have access to the broadcast media to present viewpoints on controversial issues. The Commission soon issued its first extensive statement on what was to become known as the "fairness doctrine". (See *Editorializing by Broadcast Licensees*, 13 FCC 1246, 1949.)

This statement concluded that the governing consideration was to be the "right of the public to be informed, rather than any right on the part of the Government, any broadcast licensee or any individual member of the public to broadcast his own particular views on any matter." Therefore, in order to fulfill its obligation to the public, broadcasters would have to provide a reasonable amount of time for the discussion of public issues. Moreover, if one side to a controversy refused the opportunity to broadcast its position, a "reasonable effort" had to be made to secure responsible representation of that particular view. In 1950, the FCC expanded this obligation by developing the "seek out" principle that required the broadcaster to make a reasonable effort to obtain a responsible presentation of a particular position and in failing to accomplish this, to leave its facilities available to the position's spokesman in the event he would want to reply after the original program had been broadcast. *Evening News Ass'n (WWJ)*, 6 P&F Radio Reg. 283 (FCC 1950). The purpose again, was to strike a balance in the presentation of views.

In response to problems of confusion between the fairness doctrine and the access or equal opportunities provision of Section 315, the Commission in 1954 issued a statement entitled *Use of Broadcast Facilities by Candidates for Public Office* 11 P&F Radio Reg. 1507 (FCC 1954). Although this report concluded that the equal time provision of Section 315 and its right of access did not apply where time was afforded to a political party—rather than a candidate—and where the message involved a viewpoint on a controversial issue, it left unanswered the question with respect to an incumbent candidate for office.

In 1959 the Commission held that appearances of candidates in radio and television newscasts were a "use" of the station's facilities under Section 315 and therefore entitled each opposing candidate to equal time. (*Lar Daly Case*), 26 FCC 715 (1959). In response, Congress began hearings on proposed amendments to Section 315. After much debate in Congress, an amended version of Section 315 was enacted that contained the first statutory recognition of the fairness doctrine. That provision has not since been amended.

47 U.S.C. Sec. 315 provides:

(a) If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station: *Provided*, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section. No obligation is imposed upon any licensee to allow the use of its station by any such candidate. Appearance by a legally qualified candidate on any—

- (1) bona fide newscast.
- (2) bona fide news interview.
- (3) bona fide news documentary (if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary) or
- (4) on-the-spot coverage of bona fide news events (including but not limited to political conventions and activities incidental thereto),

shall not be deemed to be use of a broadcasting station within the meaning of this subsection. *Nothing in the foregoing sentence shall be construed as relieving broadcasters in connection with the presentation of newscasts, news interviews, news documentaries, and on-the-spot coverage of news events, from the obligation imposed upon them under this chapter to operate in the public interest and to afford reasonable opportunity for the discussion of conflicting views on issues of public importance.* (Emphasis added.)

(b) The charges made for the use of any broadcasting station for any of the purposes set forth in this section shall not exceed the charges made for comparable use of such station for other purposes.

(c) The Commission shall prescribe appropriate rules and regulations to carry out the provisions of this section.

There has been extensive controversy over the applicability of the fairness doctrine's general language to the specific circumstances of controversies arising under it. The FCC has found it necessary to provide further amplification. See, for example, *Applicability of the Fairness Doctrine in the Handling of Controversial Issues of Public Importance*. 29 Fed. Reg. 10416 (1964).

PERSONAL ATTACK RULE

Farmers Educational & Cooperative Union of America v. WDAM, Inc., 360 U.S. 525 (1959) had the effect of prohibiting censorship of candidates' broadcasts by the licensee and immunizing the licensee from defamatory remarks of the candidate. Following the decision the obvious question arose as to how to deal with broadcast statements of a candidate that had the effect of personally attacking the honesty, character, integrity and other personal qualities of his opponent. But, of course, the problem of personal attack extended beyond the context of candidates' comments about each other, for the same basic issue could be raised in the discussion of any controversial issue of public importance.

In response to this problem, the Commission adopted the so-called "personal attack" rule, but excluded applicability to candidates for public office. 47 C.F.R. Sect. 73, 123 provides:

(a) When, during the presentation of views on a controversial issue of public importance, an attack is made upon the honesty, character, integrity or like personal qualities of an identified person or group, the licensee shall, within a reasonable time and in no event later than 1 week after the attack, transmit to the person or group attacked (1) notification of the date, time and identification of the broadcast; (2) a script or tape (or an accurate summary if a script or tape is not available) of the attack; and (3) an offer of a reasonable opportunity to respond over the licensee's facilities.

(b) the provisions of paragraph (a) of this section shall not be applicable (1) to attacks on foreign groups or foreign public figures; (2) to personal attacks which are made by legally qualified candidates, their authorized spokesmen, or those associated with them in the campaign, on other such candidates, their authorized spokesmen, or persons associated with the candidates in the campaign; and (3) to bona fide newscasts, bona fide news interviews, and on-the-spot coverage of a bona fide news event (including commentary or analysis contained in the foregoing programs, but the provisions of paragraph (a) of this section shall be applicable to editorials of the licensee).

(c) Where a licensee, in an editorial, (i) endorses or (ii) opposes a legally qualified candidate or candidates, the licensee shall, within 24 hours after the editorial, transmit to respectively (i) the other qualified candidate or candidates for the same office or (ii) the candidate opposed in the editorial (1) notification of the date and the time of the editorial; (2) a script or tape of the editorial; and (3) an offer of a reasonable opportunity for a candidate or a spokesman of the candidate to respond over the licensee's facilities: *Provided, however,* That where such editorials are broadcast within 72 hours prior to the day of the election, the licensee shall comply with the provisions of this paragraph sufficiently far in advance of the broadcast to enable the candidate or candidates to have a reasonable opportunity to prepare a response and to present it in a timely fashion.

Almost immediately after its adoption, the personal attack rule was challenged in an action that found its way to the Supreme Court in *Red Lion Broadcasting Co. v. FCC*, 395 U.S. 367 (1969). In upholding the constitutionality of both the fairness doctrine and the personal attack rule, the unanimous Court said:

... (A)s far as the First Amendment is concerned, those who are licensed stand no better than those to whom licenses are refused. A license permits broadcasting, but the licensee has no constitutional right to be the one who holds the license or to monopolize a radio frequency to the exclusion of his fellow citizens. There is nothing in the First Amendment which prevents the Government from requiring a licensee to share his frequency with others and to conduct himself as a proxy or fiduciary with obligations to present those views and voices which are representative of his community and which would otherwise, by necessity, be barred from the airwaves.—*Red Lion Broadcasting Co. v. FCC*, 395 U.S. 367 at 389 (1969).

But the Court continued with specific language regarding access:

It is the right of the public to receive *suitable access* to social, political, esthetic, moral, and other ideas and experiences which is crucial here. That right may not be constitutionally abridged by Congress or by the FCC.—*Red Lion Broadcasting Co. v. FCC*, 395 U.S. 367 at 390 (1969). (Emphasis added.)

Since *Red Lion*, the Commission and the Courts have been confronted with increasing numbers of questions concerning the application of the personal attack rule and the fairness doctrine.

CANDIDATES FOR PUBLIC OFFICE

In implementing Section 315, it has been necessary for the Commission to adopt regulations to affect the purpose of equal time. In essence, the regulations say if a station licensee permits a "legally qualified candidate" for public office to use broadcasting facilities, the same rights must be granted to all other "legally qualified candidates" for the same office. Candidates for public office cannot be charged more than the rates for commercial advertisers and the station must maintain records of all requests for broadcast time by candidates for public office. Candidates requesting "equal opportunities" from station licensees under the authority of Section 315 must make such requests within one week of his opponent's use of the broadcast facilities.

And to further clarify questions arising under Section 315 with respect to candidates to public office, the Commission has periodically clarified its procedures. See, *Use of Broadcast Facilities by Candidates for Public Office*, 35 Fed. Reg. 13048 (1970).

PRESENT ACCESS TO THE MEDIA

Since *Red Lion*, a new consciousness about access to the media has developed. Novel questions of access and the First Amendment have been raised in scores of cases.

One well-known controversy, for example, involved the application of the "public interest standard" required in the advertisement of cigarettes on television and radio. The result in *Banzhaf v. FCC*, 405 F.2d 1082 (D.C. Cir. 1968) required broadcasters to provide a reasonable amount of time to present the case against cigarette smoking. Although a similar question was raised in *Friends of the Earth v. FCC*, 449 F.2d 1164 (D.C. Cir. 1971) with respect to pollution issues, in advertisements for gasoline and automobiles, the case was remanded to the Commission for the delineation of whether the fairness doctrine had been satisfied through the medium of other programs.

The so-called political party or Zapple doctrine also evolved, whereby a quasi-equal opportunity obligation was said to exist so that spokesmen for one political party could not be refused time to reply to a presentation of the opposition party, even though legally-qualified candidates did not appear on the broadcasts. *Letter to Nicholas Zapple*, 23 FCC 2d 707 (1970). In practice, the political party doctrine served to insulate the President even further from opposition responses. In 1970, CBS offered the Democratic National Committee a 30 minute slot in prime time to present Democratic views on Vietnam and other issues. Democratic National Chairman Lawrence O'Brien conducted a pseudo-debate with President Nixon using film clips of various presidential appearances. The Republican National Committee asked the FCC for equal time to respond to the Democratic program and the FCC ordered CBS to provide such time under the provisions of the political party doctrine. The FCC reasoned that presidential appearances were not political appearances and that the Democratic program created an obligation on CBS under the political party doctrine to provide free time to the GOP.

CBS and the Democrats appealed the FCC's ruling and the U.S. Court of Appeals found in their favor, rebuking the FCC for authorizing the Republicans "two bites of the apple." But for the Democrats the Court's ruling was, at best, a hollow victory. CBS had already cancelled what originally had been planned as a quarterly presentation by the opposition party. The President's capacity to present his views without fear of a partisan rebuttal remained intact.

Probably the most significant recent case has been *Columbia Broadcasting System, Inc. v. Democratic National Committee* (decided May 29, 1973). The case involved the question of whether or not a broadcaster who had a policy of refusing to accept paid editorial advertisements could be compelled to sell time for broadcast spot announcements expressing views on current issues, such as the Vietnam conflict. The Court held that neither the Communications Act nor the First Amendment requires broadcasters to accept paid editorial advertisements.

In writing the opinion of the Court, Chief Justice Burger left the door open on the general question of access to the media: "Conceivably at some future date Congress or the Commission—or the broadcasters—may devise some kind of limited right of access that is both practicable and desirable. Indeed, the Commission noted in their proceedings that the advent of cable television will afford increased opportunities for the discussion of public issues." *Columbia Broadcasting System, Inc. v. Democratic National Committee*, U.S. (1973).

The long run ramifications and consequences of the decision, and particularly Burger's words, remain speculative. But one conclusion is already clear: the question of responding to presidential messages has not been resolved, for the current provisions of the fairness doctrine and equal time provisions of Section 315 provide for only a very limited response to the President in the context of either an election or the presentation of various sides of issues of public controversy.

The procedure does not grant a *right* to any individual or spokesman of a group to respond to the President outside this context.

Any number of proposals have been suggested to remedy this complaint. As discussed in Section III, S.J. Res. 209 (91st Cong.) proposed that radio and television licensees make available broadcast time to representatives of the House of Representatives and Senate so that their views on public issues might be known. The notion that broadcast licensees are fiduciaries operating a public trust of a scarce economic resource might well serve to justify constitutionally, within limits, this type of broadcasting obligation. There have been various other proposals including a "limited right of access" to provide a direct and immediate response to a position presented by the President.

In addition, a group of fourteen U.S. Senators in *Committee for Fair Broadcasting of Controversial Issues*, 25 FCC 2d 283 (1970) proposed the following standard to the FCC which was rejected:

To provide time to any substantial group of Senators opposing the President's views on a controversial issue of national importance whenever the issue is one in which the Senate has a role to perform in seeking resolution of the issue, and the President has initiated the debate via national television.

With respect to these various alternatives, as one writer suggests, the Commission must decide whether:

(1) To renounce the need to regulate a balance of contrasting viewpoints on issues raised by the President on national television.

(2) To continue a limited level of regulation through the present form of the fairness doctrine.

(3) To rely on pressure from listeners to make the fairness doctrine function more effectively.

(4) To attempt to increase the effectiveness of the fairness doctrine by promulgating rules to create specific standards for licensees and by introducing additional sanctions for noncompliance with its rules.

(5) To adopt either the "limited right of access" or the "allocation of time" proposals that would dictate a specific manner in which the balance would have to be achieved—Cohn, *supra*, at 206.

Congress, for its part, must decide whether to attempt a legislative solution to the present impasse. This question is examined further in the next section.

CONCLUSION

The fairness doctrine and the equal time aspects of Section 315 attempt to insure that the public hears both sides (or more) of controversial issues, but no person or group—congressional or otherwise—enjoy the automatic right of response to a presidential broadcast appearance. As *Democratic National Committee* confirms, the right of access afforded non-presidential viewpoints continues to be limited under the terms of the fairness doctrine and the Communications Act of 1934, as amended.

This position in the law, however, does not change the fact that Congress, as an institution, is hard pressed to reach the American people with the same impact as the President. It can be predicted that eventually this imbalance will be corrected, at least in part, by legislation or by reaching some kind of voluntary agreement with the broadcast networks. In addition, the advent of cable television holds out the long-term hope of easing the access problem by expanding the number of available television channels that can be received in homes. (See Michael Botein, *Access to Cable Television*, 57 Cornell Law Review 419, 1972.)

Whatever proposals are set forth to resolve the present impasse must take into account several basic questions: (1) Who should respond to the President?; (2) How should that person be selected?; (3) When should a response be made?; and (4) Under what circumstances? The principal alternatives open to consideration by Congress are discussed in Section V. But these alternatives do not address an even more fundamental question that cannot be overlooked: Is it sufficient to limit this right of response to congressional spokesmen, more than likely the leaders of the opposition party to the President? Would such an approach serve to provide the public an opportunity to hear all sides of an issue?

SECTION V

Choices for Change

It is time for Congress to determine who really should decide what is a fair input by a coequal branch of government into the perceptions of the American electorate With the revolution of communications in this country, the whole notion of the separation of powers has been significantly diminished by the inordinate input that the executive branch, through the President and the Cabinet officers, has on television.

—Senator Mike Mansfield.

The proposals in this section arise from the premise that the American people will find it difficult to understand specific decisions and actions of Congress if its institutional role in the Constitutional system is unclear. This is a complicated way of expressing a simple thought: that you can't expect the people to judge Congress fairly if the people don't know what Congress is supposed to do in the first place. Since most congressional procedures and strategies are related to the separate and independent place of Congress in the Constitutional framework, it is essential that ways be found to communicate, in understandable terms, the nature of Congress' institutional responsibilities.

Abstract Constitutional principles are seldom communicated through rhetorical statements, however frequently these statements may occur. If citizens are to achieve a fuller understanding of Congress and its institutional duties, citizens will have to witness the *exercise* of these institutional responsibilities. As discussed earlier in this study, most of what Congress does, while it is "open" to the press and public, is beyond the perception of the average citizen. To all intents and purposes, Congress—as an institution—operates behind a barrier of non-communication that is formidable indeed.

This barrier is the product of several factors: including the rules that restrict coverage of the institution itself, the lack of comparability with the executive as to direct access to network television and radio, the inadequate facilities available to journalists working on Capitol Hill, the lack of professional staff in Congress concerned exclusively with communication of its institutional role, and a lack of imagination in other media areas, such as publications that describe the work of Congress. These barriers exist, in part, because some Members of Congress believe that a more open and professional approach to the communications media will hamper Congress in its operations or will not be in the political interests of individual Members. There is probably no way to know, in advance, whether these concerns are ill-founded. Actual experience with various remedial measures offers the only procedure for finding reliable answers.

This section will suggest a number of steps that could be taken either on a permanent or an experimental basis. It will also attempt to suggest what any given step might produce in terms of anticipated benefits or problems. In certain areas, the appropriate congressional committees would probably choose to undertake a more detailed feasibility analysis than is possible, or desirable, in a more general study of this type.

ACCESS TO THE HOUSE AND SENATE CHAMBERS

The Legislative Reorganization Act of 1970 authorized committees of the House to permit television, radio and photographic coverage of their open meetings if approved by a majority of the committee members and if the standards of coverage set forth in the act were followed (for example: no commercial sponsorship; no more than four fixed cameras; no more than five still photographers; additional lighting at the lowest adequate level; no subpoenaed witness covered against his or her will, etc.). This rule reversed what had been a strict policy of the House, announced by Speaker Rayburn, to ban all electronic and film coverage of House committees. For many years the Senate has permitted coverage of open committee meetings according to the rules and procedures established by each committee. Neither House has permitted coverage of regular sessions of the House or Senate, with the single exception of the opening session of the House in 1947 that was described in Section III.

Over the years some Members of Congress have proposed changing these rules to permit television and radio, along with still photographers, to cover floor proceedings in the House and Senate. The installation of closed-circuit television as a way of monitoring floor activities in the Senate and House office buildings has also been proposed. But the balance of opinion has been opposed to basic changes in the rules that declare the House and Senate chambers to be off-limits to radio, television and photographic coverage during regular sessions. In general, those opposed to changing the rules have argued that such coverage would distort the legislative process in various undesirable ways. Much of what happens on the floor is either too complicated to understand or too routine to be interesting to the average viewer. And there has been concern that some members would play to the cameras in an attempt to appeal favorably to their constituents.

These potential difficulties have not ruled out broadcast and photographic coverage in other legislative assemblies, both in the United States and other countries. A cursory review of the practices followed in other democracies reveals a wide variation in the procedures for covering the national legislature. *New Zealand*, for example, is a pioneer in broadcast coverage, authorizing radio coverage of its House of Representatives in 1936. Initially, radio coverage was limited to selected debates but in 1962 a government-controlled Broadcasting Corporation was established to operate a continuous broadcast service of all legislative debates. However, this Corporation must observe general policies laid down by the Government.

In *Austria*, all proceedings in the Chamber are recorded on videotape and the official broadcasting agency selects appropriate excerpts for television and radio broadcasts. Excerpts appear regularly on the evening television news programs. Committees, however, are closed

to the public and audio recordings are never permitted. On occasion, silent film or videotape footage is permitted of committee sessions to be used with voice-over commentary.

Australia established a Joint Committee on the Broadcasting of Parliamentary Proceedings, with its membership selected from the Senate and House of Representatives, under the terms of the Parliamentary Proceedings Broadcasting Act of 1946. The Joint Committee supervises all broadcasts in accordance with guidelines established by Parliament. One of the Joint Committee's principal duties is to ensure equal coverage for the Government and Opposition parties in the excerpts selected for broadcast. The Australian Senate is presently considering opening its committees to television coverage.

In *West Germany*, the Bundestag has worked out an agreement with the two major television networks to broadcast major legislative debates. The networks request permission to cover a specific debate from the Bundestag's Press Department. If permission is granted, and it almost always is granted, the networks execute their coverage in accordance with guidelines that specify camera locations and other operating procedures. The networks, however, retain the responsibility for editing and commentary. Only major debates are covered. In 1970, 126 hours of television coverage were logged with the broadcast time divided between the two networks, i.e., simultaneous broadcasts on both networks is not practiced. Committees of the Bundestag have not been opened to broadcast coverage.

In *Denmark*, parliamentary sessions are recorded continuously by television and radio. In most instances only excerpts are broadcast as part of the regular television and radio news programs. A debate of unusual national interest can be broadcast live. Weekly summaries of major debates and the question period are also produced.

A similar pattern is followed in other Scandanavian countries, *Norway*, *Sweden* and *Finland*. The debates are recorded in full and excerpts are broadcast on regular and special news programs. On occasion, live broadcasts are permitted if warranted by the importance of the debate. The House of Commons in *Great Britain* rejected by a vote of 131 to 130 a proposal to televise its sessions on an experimental basis. The House of Commons in *Canada* is presently considering a report of its Standing Committee on Procedure and Organization that recommends a trial period of closed-circuit telecasts and the preparation of a detailed technical study of all requirements, including costs, for a permanent system of television and radio broadcasting. (The information describing the practices in other countries, noted above, was contained in the report of the Standing Committee.) A symposium sponsored by the Interparliamentary Union in December 1968 disclosed that of the 50 national legislatures surveyed, 29 permit live or recorded coverage by radio and 21 by television and radio.

The *United Nations* provides the outstanding example of comprehensive coverage of a representative assembly by the mass communications media. For someone acquainted with the media facilities in the U.S. Capitol, the working areas provided at U.N. headquarters in New York are impressive, including a central press room, individual offices for most of the world's major newspapers and wire services, a central press briefing room, and extensive facilities for the UN's radio and visual services division.

The United Nations operates its own television service and provides a direct feed to the three major U.S. TV networks. The radio and visual services division videotapes all sessions of the General Assembly and Security Council, as well as the principal committees if they are not meeting simultaneously with the General Assembly or the Security Council. Closed-circuit television coverage is also provided through UN headquarters, supplemented by an audio-only "squawk box" system that feeds the proceedings of UN meetings and other newsworthy events, such as press conferences, to offices of all principal UN officials and national missions located in New York City. Overseas satellite transmissions of these proceedings can also be arranged when requested by a member nation.

During sessions of the General Assembly, the networks subscribe to the UN television service for approximately \$1,800 per week, not including overtime charges and weekend service. Overtime runs \$135 per hour; weekend service costs approximately \$900 per day. During those months when the General Assembly is not in session, the service costs \$600 per day. For this fee, the UN provides the networks with a broadcast-quality color picture of whatever meetings are being covered in the following order of priority: Security Council, General Assembly and the principal committees. The networks have complete freedom to use the feed in whatever way they choose: either live or videotaped for excerpts. Each network also maintains one unilateral camera in a broadcast booth of the General Assembly chamber for network commentary during a broadcast. These unilateral network cameras are not permitted to follow debate in the General Assembly chamber. The UN provides its own introductory and explanatory remarks of whatever meeting is being covered. But the networks generally replace this commentary with their own. The network feed is also used on the UN's closed-circuit television service throughout the headquarters building.

Over the years, the UN radio and visual services division has evolved standards for its coverage of debates that rule out obvious editorializing in the video pictures that are transmitted but that are sufficiently flexible to cover disturbances or other newsworthy events in whatever meeting is being covered. The UN's approach to standards of coverage can be illustrated with this situation: if a Security Council member is asleep during a meeting, the TV director has three choices if a camera is panning down the row of Council members: (a) eliminate the picture of the sleeping member by raising the camera at the appropriate moment, (b) hold the camera on the sleeping member to emphasize the situation, (c) or include the sleeping member in the pan shot but without stopping the camera for emphasis. The UN would select the third alternative in its coverage.

In most meetings the cameras are completely unobtrusive and generally forgotten. After considerable experimentation, the UN lighting engineers have found a level of lighting that provides an acceptable picture without discomforting the meeting participants. Neither electronic nor film cameras are permitted directly on the floor of the Security Council, General Assembly, or committee rooms. UN engineering personnel are members of the International Brotherhood of Electrical Workers (AFL-CIO).

The U.S. networks report general satisfaction with the technical and journalistic quality of the UN television service. Several network

news executives interviewed during this study described the UN service as a model for devising similar coverage of the U.S. Congress.

The annual operating budget for UN television and radio operations runs to approximately \$1.25 million. Slightly less than one-half of this amount is recovered by network subscription and service fees paid by broadcasters in the United States and other countries.

State Legislatures.—The hearings on the Legislative Reorganization Act of 1970 disclosed that 49 states permit some type of television and radio coverage of state legislatures, although in many cases this coverage is limited to ceremonial occasions. It was stated in the hearings that 19 states permit radio and television stations to report on the proceedings of the legislature on a daily basis, including the states of Colorado, Connecticut, Hawaii, Idaho, Indiana, Kentucky, Maine, Mississippi, New Hampshire, New Mexico, North Carolina, Oklahoma, Oregon, Rhode Island, Texas, Utah, Vermont, Virginia, and Washington. Further investigations for this report have found that Georgia, Florida, Nebraska, and West Virginia are covered extensively by public or commercial television stations in their states. In general, public television and radio have provided most of the extended electronic coverage of major debates; commercial news operations have generally used film cameras for excerpts of the debates. Standards of coverage vary greatly from state to state. A more complete listing of state and local legislative bodies covered by television in this country is found in Appendix B.

The Freedom of Information Center, School of Journalism, University of Missouri at Columbia reported in April 1970 in its "Access to State Committees Survey" (Center Report No. 240) that 27 states now regard their legislative committees as falling most accurately into an "open at all times" category most of the time. Most states indicated either that no rules of a specific nature existed governing attendance at open committee meetings by radio and television reporters or that the rules were left to the discretion of the committees.

Although the quality and type of coverage varies greatly, the experience in *Connecticut* gives an indication of how extended electronic coverage can be handled in a successful manner. Connecticut Public Television (CPTV), a private, non-profit corporation founded in 1961, has covered the General Assembly since 1964. Initially, the coverage was limited to film that was edited into special reports, usually broadcast the day after the film was shot. Round table discussions with legislators produced in CPTV studios were also broadcast in the early years. In 1967, CPTV videotaped a five hour debate in the House of Representatives that concerned the state budget. The tapes were broadcast the same evening. In 1969, other debates were recorded on videotape for later broadcast and the installation of microwave equipment made it possible to cover the debates live. In 1971, a number of controversial and partisan issues were pending before the General Assembly, including abortion, no-fault insurance, legislative reform, legalized gambling, and taxes. CPTV provided 83 hours of coverage in 1971, most of it originating live from the State Capitol. By 1972, the first even-year session of the General Assembly in modern times, CPTV was experimenting with several additional formats, including interviews and nightly reports on the *Connecticut Newsroom* program. In 1973, a series of TV debates, modeled after the national public

television program, *The Advocates*, was broadcast, in addition to 20 hours of live coverage of floor debates and committee hearings.

CPTV retained full journalistic control of their programming, including the right to decide what debates or hearings would be covered. The station's producers report no instance of a political figure attempting to influence CPTV's judgments on coverage or format. CPTV correspondents provided factual and interpretive commentary on all programs to help the viewers follow the debates. The CPTV producer said that some members initially played to the cameras during the televised debates but that this tendency dropped off considerably as the cameras became a more normal part of the legislative environment. Because neither the Senate nor the House chamber is air conditioned, the additional lighting caused some physical discomfort to the legislators. A grant from the William Benton Foundation provided CPTV with most of its budget for coverage of the General Assembly.

A report to the Benton Foundation discusses the general reaction of the legislators:

Legislators have reported hearing viewer comments on the street. They have felt the effects at the polls of what their constituents have seen through this "people's window" on the State Capitol. They seem to understand that the appeal of coverage of the General Assembly is a result of the fact that people like to watch people . . . CPTV's coverage has had the unqualified support of nearly all of the leaders of the General Assembly. Legislative leaders from both sides of the aisle, whether in the majority or the minority, have been enthusiastic. They understand that television coverage works to their advantage and the advantage of the public. The coverage shows the folks back home the importance of any legislative leader's work.

In summary: in other countries, at the United Nations, and among the states, a considerable body of experience is being accumulated as to the procedures for covering representative assemblies on radio and television. Many different approaches have been tried and wide variations in results are evident. Each legislative body presents its unique opportunities and special problems that cannot be fully appreciated on the basis of other experiences. This is clearly true in regard to the U.S. Congress and it is important to take note of these differences.

The Uniqueness of Congress.—Most of the foreign countries that permit broadcast coverage of their national legislatures are parliamentary democracies. This means that legislation is primarily written and perfected by the Executive. The parliament is more a place for general debate over the merits of these policies and less a forum for actually writing the specific details of the legislation. This debate, because it is general in nature, is well suited to broadcast coverage. The question period in most parliamentary regimes, where ministers are questioned by their colleagues, also presents the kind of floor activity that can be easily adapted to coverage by radio and television.

There is a closer parallel between the operations of state legislatures and those of Congress. That is: the specifics of legislation are routinely considered on the floor and there is less opportunity for the kind of general debate that regularly takes place in most parliaments.

Although Congress usually receives draft legislation on major national issues from the Executive, it then assumes principal responsibility for perfecting the legislation in committee and on the House or Senate floor. The great bulk of this effort is expended in subcommittees and full committees. After passage by the two Houses, conference com-

mittees then play a crucial role in resolving the differences between the versions passed by the respective Houses. Although important changes are frequently made during floor debate, the floor is not considered the principal or most appropriate forum for writing the specific provisions that are at the heart of most bills.

Moreover, the present rules of the House and Senate are not conducive to the kind of "great debates" that regularly take place in parliamentary bodies. Most of the business of the House is conducted under strict rules of the Committee of the Whole where debate on each amendment is conducted under the five minute rule. The Senate is less structured in its procedures but floor debate, even on important bills, tends to be sporadic and unpredictable, with a Senator often responding minutes or hours later to a point made earlier by a colleague. This means that the kind of floor activity that could be covered most effectively by the broadcast media—debate on broad questions of public policy—is very much the exception rather than the rule.

This does not mean, however, that it is impossible to structure these more general debates. Sometimes there are lively exchanges shortly before important roll call votes. The House has its provisions for special orders that could be used to provide more frequent opportunities for a kind of general debate. Senators can receive unanimous consent to discuss a given issue if it is deemed sufficiently important. The legislation now pending to revise congressional procedures for considering the federal budget offers an opportunity for a debate on the national priorities that will be reflected in the money subsequently appropriated by Congress.

As the following discussion will make clear, these factors do not necessarily mean that Congress should not decide to experiment with some form of broadcast coverage of the floor proceedings in the House and Senate. But they do suggest some of the unique aspects of congressional debate that will have to be taken into account in reaching any such decision. It should be recognized, moreover, that the introduction of broadcast media into the chambers might well cause certain of the existing procedures to be modified or new procedures to be introduced. For example: the House might decide to adopt a format where national policies could be debated on a regular basis and the Senate might decide to experiment with some form of the question period, an idea that has been advocated by various Senators. However, it is beyond the scope of this study to consider whether any such modifications would be desirable.

In the end, the issue could well turn on a consideration of whether certain modifications of floor procedure in response to broadcast coverage would be worth the increased opportunity that might be afforded Congress, as an institution, to present its viewpoints to the people and to become a more significant and visible factor in the determination of public policies.

Types of Coverage.—There is a wide variation in types of coverage that would result from any general decision to open the House and Senate chambers to broadcast coverage. It is necessary to distinguish among the types of coverage likely to be produced by (1) commercial network news organizations, (2) public television, (3) commercial local stations, and (4) public radio. Still photography presents still

other opportunities and problems. Each type of coverage must be examined separately.

Commercial Network News Organizations are likely to be more interested in daily highlights of floor debate for their regular evening news programs and news specials and less interested in providing extended coverage of debates. Much activity on the floor is either too technical or too obscure to interest the average TV viewer or radio listener. No one is more aware of this fact than the commercial networks. Interviews for this study confirm the view that, without exception, commercial network broadcasters have no interest in offering "gavel-to-gavel" coverage, except on those rare occasions when the news value of the debate requires such coverage. A debate in this category, such as the Senate's vote on cloture during the civil rights debate of 1964, would ensure good representation on the floor and above-average interest by the viewers in what was taking place. But these moments would occur infrequently during the average congressional session.

It is realistic to expect the commercial network news organizations to use brief excerpts of daily debate or other floor action, such as roll calls, as part of their regular coverage of congressional activities for evening news programs. For example: the floor manager of legislation to establish a system of national health insurance sums up the arguments for passage and opponents respond; the Speaker announces the vote on a motion to recommit a major tax bill after the camera has followed the tally on the electronic scoreboard; the Senate votes on a motion to override a presidential veto; two Members of the House conduct a colloquy on campaign reform legislation. These are the types of floor activities most likely to be covered by the commercial network news organizations. Their stories would be supplemented by the standard opening and closing comments by network correspondents and occasionally by an interview with a Senator or House Member conducted outside the chamber. The total package would run about two minutes. It would be included in the regular network news presentations or included in the additional program material sent daily to network affiliates for use on local news programs. Independent news program services, such as the UPITN and TVN organization, would make similar use of the material in their offerings to local station subscribers.

Network news organizations would also accumulate material from floor debate to use in longer feature pieces for their news programs or news specials. This process might run for weeks or months as a specific issue developed in committee and eventually was debated on the House or Senate floor.

During debates of unusual national interest, the commercial networks could be expected to interrupt regularly scheduled programming for direct live coverage or they would record extended segments of the debate for later broadcast. Assuming that only a television pool was permitted in the chamber (as examined in greater detail later in this section), the network correspondent(s) would work from a separate unilateral studio in the Capitol or from downtown facilities. If desired, the pool picture could be inserted electronically behind the correspondent(s) to give a sense of his or her actual presence in the chamber. In other words, there is no reason to have television correspondents working from the House or Senate press gallery.

One could expect a format something like this: the network breaks into its regular program to announce that the Senate is nearing a vote on the critical substitute amendment to the bill that would create a system of national health insurance. "We now go live to the Senate wing of the Capitol and our chief congressional correspondent, Roger Mudd." Mudd is on camera and behind him is the pool picture of the Senate debate that is in progress. Five minutes of debate time remain for each side on the substitute amendment. Mudd brings the viewers up to date on the provisions of the main bill, the substitute amendment and the outlook for its passage or defeat. He then says: "Let's pick up the debate direct from the Senate floor as Senator Kennedy, long a proponent of national health insurance, is finishing his remarks in opposition to the substitute amendment supported by the Administration." From that point on, the network would stay with the floor debate, the quorum and roll call, with Mudd or other correspondents commenting when necessary. After the vote, the network would have the choice of staying with subsequent floor action or resuming its regular programming. Excerpts of the debate would also appear on the evening news and, perhaps, on a news special later that evening on the national health insurance issue.

The changes in coverage from what is now possible should be spelled out: instead of network correspondents standing on the Capitol lawn describing what took place in the Senate or House (as Mudd did every evening during the civil rights debate in 1964), or artist sketches of what happened supplemented by voice-over commentary, the actual events in the House and Senate would be seen by the viewers. The Congress would be seen at work: debating, considering amendments, voting. Much of the drama that surrounds consideration of an important bill would be captured for the viewers.

It is also possible that the commercial network news organizations might agree to a rotational system to carry live gavel-to-gavel coverage of important congressional debates. The Watergate hearings established the rotational precedent and it is likely that the networks will use it from time to time in covering similar events.

This description of network coverage assumes that a television pool would be covering the Senate and House floor proceedings in full, but that the networks would select only newsworthy portions of the debate for broadcast coverage. However, other formats are possible, including:

(1) The House and Senate could permit coverage of the closing portions of debates on major bills (such as the last 30 minutes of debate) and the roll call votes. This would limit coverage to those times most likely to produce debate on general policy issues and easiest for the average viewer to understand.

(2) Congress could work out an agreement with the commercial and public broadcasters to permit broadcast coverage of major debates as determined by the networks, along the lines of the West German experience.

(3) Newton N. Minow, John Bartlow Martin and Lee M. Mitchell, in their recent report for the Twentieth Century Fund, *Presidential Television*, offer this proposal: "Congress, in consultation with the television networks should permit television cameras on the floor of the House and Senate for the broadcast of specially scheduled prime-

time evening sessions at which the most important matters before it each term are discussed, debated and voted on. The sessions should be scheduled and broadcast at least four times per year and carried simultaneously by all three networks. These broadcasts should be exempt from the 'equal time' law and the fairness and political party doctrines."

The advantages and problems of these alternative formats for broadcast coverage will be examined later in this section.

Public television news executives like to stress that public television belongs to the people. Public television could be expected to commit more time than commercial networks to coverage of congressional debates. One cannot predict exactly what form this broader coverage might take. But the following examples are suggestive of the kind of programming to expect on public television.

Full debates would be carried more frequently (just as public television continued with coverage of the Watergate hearings after the commercial networks stopped). With the exception of Washington, D.C. and Los Angeles, major metropolitan areas now maintain two public television channels. One channel is usually a very-high frequency or "V" channel and one an ultra-high frequency or "U" channel. It is possible that the U channel would be used to carry selected congressional debates in full and that the V channel would be used for special programs on Congress and debates of special interest.

Videotape excerpts of congressional debates would be used in various special programs: a weekly round-up of congressional business, programs dealing with specific issues before Congress, a monthly program featuring the majority and minority leaders of the House and Senate, debates on pending issues, or variations of *The Advocates* format, such as produced by Connecticut public television.

Programs would be produced that examine the procedures of Congress and the operations of the legislative process. What is the role of Congress in foreign policy? How does Congress check the President and the executive branch? How do chairmen of congressional committees operate? What is the purpose of a congressional hearing? These procedural analyses would usually be built around a specific issue pending before Congress.

Public television could be expected to encourage a more vigorous national dialogue on whatever major decisions were pending before Congress by giving viewers greater information and insight into the various facets of a congressional decision.

The enthusiastic reception accorded public television's coverage of the Watergate hearings suggests the existence of a surprisingly large segment of citizens who would respond to these different programs on Congress and its activities. Coverage of floor proceedings in the Senate and House would probably result in a substantial expansion of broadcast coverage of Congress by public television.

Commercial local stations find it difficult to produce Washington-based stories relating to activities of their U.S. Senators or House Members. Owned and operated stations of the three major networks, plus a few of the larger television groups, are able to provide more of this Washington-based coverage than the average network affiliate or independent station. In most cases, local stations restrict their coverage to news stories read by their local news anchorman or voice actu-

alities, supplemented by a visual slide of the Senator or House Member. Neither of these formats gives any real sense of what is taking place in Congress.

Assuming that a television pool was recording all floor debates, it is likely that local stations would frequently request videotape excerpts of segments that feature their U.S. Senator(s) or House Member(s). If a member of a local congressional delegation offered an amendment to a pending farm bill, for example, a local TV or radio station might request that portion of the debate. The videotape would be sent by air express directly to the local station for use that evening or the following day. For the first time, local citizens would begin to get a personal sense of the job being performed by their elected representatives in Congress. The local stations, in addition, would carry the network news programs and specials that might feature Senators or House Members from the state or district.

Local radio stations would also carry audio portions of the floor debates featuring local Congressmen or Senators. Many Members of Congress presently telephone their comments on issues or events directly to local radio stations for use as actualities. This practice would be supplemented, although not replaced, by the opportunity to carry excerpts of remarks from the House or Senate floor.

National Public Radio (NPR) is still in its early stages of growth, even though the first noncommercial radio station went on the air in 1919. NPR began broadcasting to its approximately 150 member stations in May 1971. Since that time, NPR has transmitted more than 550 hours of congressional hearings from Capitol Hill. Broadcasts have included such topics as crime and organized sports, nutrition and human needs, freedom of the press, the Pentagon Papers, mass media and the black community, fuels and energy, ratification of the SALT treaty, mood drugs and Watergate. (See Appendix B.)

This record suggests that NPR would provide extensive coverage of floor proceedings in Congress, probably more than any other broadcast medium or news organization. In some instances, NPR would offer live gavel-to-gavel coverage of a debate; in other instances the broadcast might be delayed or edited, or both. Special programs on congressional procedures and process would be featured. For example: NPR is presently in the midst of producing a "Biography of a Bill", following the proposal for no-fault auto insurance through Congress.

NPR's coverage of the Watergate hearings has also resulted in an expansion in the numbers of regular listeners, suggesting that a growing body of citizens is interested and concerned with the operations of the national government. NPR reaches into a number of smaller communities that often find it difficult to receive a public television signal. NPR and its member stations can be expected to expand its coverage of congressional activities as opportunities for such growth arise.

A decision to open the Senate and House chambers to *still photographers* is, in a sense, a distinctly different issue from the one raised in considering this access for the broadcast media. None of the difficult logistical questions exist since no additional lighting or audio equipment are required. Photographs in newspapers and magazines are an extremely important element of the reporting process. A wire service photograph that runs on the front-page of most daily papers will be

seen by more people than almost any television excerpt carried by the major networks.

But there is also a unique problem associated with still photography. Television and radio coverage of floor debate is keyed to whomever is speaking at a given moment. In this sense, there is a framework for selecting what is seen and heard. Still photographers, on the other hand, are not so restricted in their reporting of floor proceedings. There is the even more basic fact that a still photograph is, by its very nature, an event taken out of context. Television, on the other hand, captures the context of continuing action and to that extent presents a fuller sense of what is actually taking place.

The problem is to define a procedure that is not unfair to one reporting medium—still photography—but that achieves at least a minimum level of fairness to the institution itself and to its membership. If Congress decided to permit full broadcast coverage of its floor proceedings and established a congressional television and radio service, or some variation thereof, to provide this coverage (as discussed below), the chamber might be opened to still photographers on selected occasions: passage of a major bill, a vote on a key amendment, confirmation of an important executive nomination, etc. If Congress decided to limit broadcast coverage to special events only, then the broadcasters and still photographers could be granted identical privileges. The most sensible approach might be to experiment with different formats for specified time periods and make a final decision on the basis of these trials.

Broadcast Facilities.—In considering whether or not to change the rules governing access by the broadcast media to the Senate and House chambers, Congress must necessarily consider the logistical problems that would be involved, the extent of coverage that would be authorized, and the arrangements for providing this coverage.

Existing public address systems in the House and Senate simplify the audio problems, although improvements would be needed to bring the audio up to broadcast quality. Lighting would have to be increased for color television coverage. This, in turn, puts an additional load on the air conditioning system. Only a comprehensive survey by lighting and air conditioning engineers could determine the exact dimensions of these problems. Informal conversations with Washington-based television personnel have suggested that continuing technological advances have made the lighting and air conditioning problems far more manageable today than would have been true even several years ago. There is also the question of how much light is really needed to provide an acceptable picture. Television lighting engineers tend to overstate their minimum requirements, in an effort to obtain an optimum picture even when something less may be perfectly acceptable for a given type of coverage or situation.

Four television cameras could cover all floor activities in either chamber. In general, coverage would be easier in the House because Members ordinarily speak from pre-determined central locations. If the cameras were located in the galleries of the House and Senate, approximately 24 square feet of working space per camera would be necessary (assuming full sized cameras). Mini-cameras would require less space and be less obtrusive. Temporary installation of TV cables

would cause some inconvenience in the gallery areas. But permanent construction of camera positions and permanent installation of TV cables would eliminate almost all of these inconveniences.

As to the extent of coverage, there are several possibilities as suggested above. At the UN, every meeting of the General Assembly and Security Council is recorded both on video and audio tape, with the capability for live broadcasts whenever events warrant. This contrasts with the experience of West German Bundestag where only debates of major importance, as determined by the TV networks, are covered. State legislatures have generally been covered only when important matters are pending on the floor, rather than on a gavel-to-gavel basis. Sessions of certain city councils, such as in Chicago or Cleveland, have been covered in their entirety, at least to the extent of recording the full sessions on videotape. Given these different approaches, it is presumptuous to declare that any specific approach is obviously superior to all others. Each approach involves certain advantages and disadvantages.

As noted earlier in this section, the authors of *Presidential Television*, the report by the Twentieth Century Fund, argue in support of special evening sessions of Congress that would be opened to television and radio coverage. This approach has the advantage of not committing Congress to broadcast coverage of all its floor business, of ensuring good attendance and a spirited agenda on the selected television nights, of minimizing the possibility of embarrassing incidents, and of guaranteeing a good-sized viewing audience. But there are several potential disadvantages that should be noted. First, there is the question about the feasibility of scheduling "the most important matters" before Congress each term in preselected prime-time slots. The dynamics of the legislative process rarely permit this kind of fine tuning of the floor schedule. Most major bills require considerably more than part of one evening for debate, amending, and final passage.

Second, the "special event" elements of this approach are more likely, rather than less likely, to encourage Members of Congress to play to the cameras. The certain knowledge that the entire debate was being broadcast live on three networks would prove irresistible in some cases. In this sense, television would clearly be affecting the nature of the legislative process itself.

The House and Senate could agree to routinely permit broadcast coverage of the closing portions, such as the final hour or half-hour, of debates on major bills. This would avoid much of the "special event" problems inherent in the television night approach. It would also produce, in most instances, summary speeches that would be appropriate for broadcast coverage. A substantial number of Members of Congress would probably be on the floor in this period. Thus, this approach avoids some of the problems inherent in gavel-to-gavel coverage. Of course, the most important moments in a bill's consideration on the floor do not necessarily occur in the minutes preceding final passage. As a consequence, there probably would be regular requests from the broadcast media for permission to cover other portions of the debate. This approach would also limit the amount of local material that could be recorded and made available to broadcasters in states and districts of Members.

The difficulties in only covering the final minutes of debate would be avoided by an agreement by the House and Senate to permit full coverage of selected debates only, the approach that is followed in covering many State legislatures. These debates would not necessarily take place in the evening or be broadcast live. The media would be free to select whatever portions of the debate were deemed newsworthy. But, again, the amount of local coverage would be limited.

Finally, the House and Senate could agree simply to open their floor proceedings to gavel-to-gavel coverage. The continual presence of video cameras and live microphones tends to routinize the operation in a manner that makes it less likely for a Senate or House Member to exploit these facilities. The unobtrusive nature of the cameras is also heightened by turning off the tally (red) lights on each camera so that those on the floor are unaware of which camera is in use.

Many events take place on the House and Senate floor that are of great news value in a given State or district but of little interest nationally. If coverage was limited to debates of national importance, local stations would be deprived of many stories that are of great local interest and Members of Congress would be denied the opportunity for this local exposure. Similarly, public television and radio can be expected to provide broader coverage of congressional activities than commercial television or radio. Much of this material would be sacrificed. Moreover, a commercial network developing a special news program on a given subject, such as strip mining, would be interested in recording extensive portions of a floor debate on this subject, although neither of the other two networks would be interested in such coverage. In other words, the wide variations in coverage that can be expected to take place is a major reason for considering full coverage of the floor proceedings.

Finally, recording House and Senate floor proceedings on a gavel-to-gavel basis does not mean gavel-to-gavel broadcasting, except on rare occasions. The commercial networks, local commercial stations, public television and even public radio are unable to broadcast congressional proceedings in their entirety. Some broadcasters, such as public television and radio, would use more material than others, but all would have to exercise great selectivity in deciding what actually went on the air. The complexities in deciding *what* to cover is one of the more compelling reasons for covering everything.

But it is at this juncture that the nature of the floor proceedings in Congress has to be considered. As discussed earlier, Congress operates in ways that are very different from most parliamentary bodies. While there are compelling reasons that argue in favor of complete coverage of floor proceedings, it is also quite possible that such a decision would change the nature of floor debate in ways that are quite difficult to predict in advance. These changes might or might not be beneficial to Congress. There also is the undeniable fact that attendance on the House and Senate floor is sporadic, due to committee work and other commitments off the floor. Much of what takes place is routine and uninteresting. How the networks would use this marginal material, or if they would use it all, certainly would be a major factor in determining the results of gavel-to-gavel coverage.

Who should provide the coverage? Assuming a decision to authorize full coverage of floor proceedings, four approaches, at a minimum, are possible.

First, Congress could follow the example of the United Nations and establish a congressional television and radio service that would provide a video and audio feed to subscribers and record all floor proceedings on video and audio tape. Subscribers would be free to use whatever segments of the debates they judged to be newsworthy in whatever format was appropriate. This congressional service would also fill requests from local stations for specific portions of debates featuring local Senate or House Members. It should be possible for the congressional service to follow the same kind of guidelines for coverage that have evolved at the United Nations. This has resulted in a concern for preserving the dignity of the institution, a rule against editorializing in the selection of camera shots and a commitment to cover all events that occur on the floor of the General Assembly and the Security Council. The congressional service could also provide a video and audio feed for closed-circuit facilities in the Senate and House office buildings.

There are two likely problems with this approach: (1) Some broadcasters can be expected to object to such a congressional operation on the grounds of it allegedly being a program of government propaganda. The most effective response to this allegation would be a record of dealing objectively with events on the Senate and House floor. (2) If the congressional service chose to employ non-union broadcast engineers and technicians, there could be difficulties in union members employed by the networks and local stations accepting the material for broadcast purposes. This problem does not arise at the United Nations since all television and radio engineers are members of the International Brotherhood of Electrical Workers.

Second, Congress could authorize the commercial and public news organizations to establish pool facilities in the House and Senate. The Congress could establish certain groundrules for coverage and the participants could establish whatever financial arrangements are required to provide the authorized coverage. This approach avoids the two problems noted above that might arise with the creation of a congressional television and radio service, but it raises another problem: Would the commercial and public broadcast news organizations be willing, or able, to bear the expenses of full coverage, recognizing that only portions of the floor debates would be broadcast? There is no way to answer such a hypothetical question. Only a direct invitation to the networks, commercial and public, to provide such a service would generate a definite answer. If a pool was maintained by broadcasters, it would have to service all legitimate broadcast news organizations, such as local stations, for a reasonable fee.

Third, Congress could create a quasi-public corporation to manage the television and radio service. Members of Congress, the communications industry and private citizens could be appointed to serve as directors of the corporation. This approach would permit Congress to remove itself directly from the operation, but it would also ensure that basic groundrules of coverage and good taste would be observed. The commercial and public broadcasters would be spared the considerable expense of maintaining coverage at their own expense. Full service to

all broadcasters would be guaranteed for a reasonable fee. Although such a quasi-public corporation would not be a profitmaking operation, its subscription and service fees could be expected to generate about one-half of the annual operating costs.

Fourth, Congress could establish a special unit in the Library of Congress to manage such a congressional television and radio service. The Library's non-partisan and scholarly reputation should be sufficient to ensure objective coverage of House and Senate debates. Such an arrangement would also have the other advantages associated with the creation of a quasi-public corporation. Moreover, as discussed below, this assignment would provide the Library with a continuing flow of video and audio material that could be developed into an important resource in more effective teaching about Congress.

Any of the above approaches could be used if only portions of floor debates were covered, or if selected debates were covered in full. If less than complete coverage was permitted, it is likely that the financial burdens of maintaining a broadcast pool by commercial and public broadcasters would be significantly reduced although by no means eliminated.

This discussion suggests the many alternatives that could be followed by Congress in carrying out a decision to permit some form of broadcast coverage of floor proceedings in the Senate and House. There are no self-evident "right" answers. It would also be possible to experiment with broadcast coverage by approving closed-circuit television coverage of floor proceedings for a trial period. If this experiment proved to be successful, arrangements could then be worked out for commercial and public broadcasters to subscribe to the closed-circuit coverage.

OTHER PROPOSED CHANGES

In this study, interviews were conducted in 82 offices of House Members and Senators. A number of proposals were offered for communicating the institutional role of Congress more effectively. These suggestions ranged from steps that could be taken under existing rules to those that would require substantial changes in the rules or operating procedures.

One House Member advocated the creation of a *congressional news service* that would provide detailed stories on a daily basis to newspapers, television and radio stations and other interested subscribers. The Member pointed out that such a system exists in Great Britain and that, as a consequence, all British papers carry more detailed information about the daily activities of Parliament than U.S. papers carry about Congress. This service could be an adjunct of the House and Senate summary project, sponsored as a pilot test by the Joint Committee on Congressional Operations, that transmits by teletype a minute-by-minute summary of floor activities to offices of Senators and House Members.

Congress has not made it easy for journalists to keep track of what is taking place in the House and Senate chambers and elsewhere on Capitol Hill. Only the two national wire services can afford to keep reporters in the galleries on a full-time basis. The *Congressional Record* appears the following day, long after most print and broadcast deadlines have passed. It would, however, be relatively easy to publish a summary of the day's activities—on the floor and in committees—

about one hour after adjournment or recess, using as a basis the material prepared for the teletype summaries that are continually updated. It would also be relatively easy to publish a comprehensive and up-to-date status report of all pending legislation that is now maintained on congressional data processing equipment. This listing could be far more informative than the check-list of major bills that are maintained by several commercial publications.

A variation of the congressional news service proposal would be the creation of a *federal information network* that each day would broadcast the activities of the executive, legislative and judicial branches. The broadcasts would be on an FM frequency and be solely informational in content, much as the government provides special round-the-clock weather information for boating enthusiasts.

It was suggested that the *Library of Congress* organize a *congressional information service* to provide the news media, schools and colleges, civic groups, and private individuals with more detailed information on the duties and activities of Congress. This effort would involve extensive rewriting and redesign of the existing publications that describe the operations of Congress and the preparation of new publications that deal with specific facets of the legislative process. The Subcommittee on Printing of the House Administration Committee has been examining the problem and considering ways to improve all congressional publications.

The congressional information service would be authorized to deal directly with the general public, as well as providing congressional offices with materials to send to constituents. Special facilities at the Library—perhaps in the new Madison building—could be set aside to handle groups of students who are visiting Washington and whose teachers requested a more detailed briefing on congressional operations. The service would provide, in essence, a one-day orientation program on the legislative process that might include films, slide presentations, written materials, and lectures. The Library could also make these materials available, on a loan or purchase basis, to schools and colleges. The materials would be non-partisan and non-ideological in content.

It was also proposed that the *Joint Committee on Congressional Operations* assume responsibility for producing a series of *instructional films* on aspects of the legislative process. The films could be distributed through the congressional information service of the Library of Congress. In the past, commercial producers have made a number of films about Congress. In general, these films have lacked the nuances and insight that bring the institution and its operations to life. What is needed, it is argued, are films that deal with the legislative process in sufficient detail to preserve these nuances. This calls for specialized films that cover all major elements of congressional operations. For example: the function of congressional hearings, marking up a bill in committee, the role of party leaders, the job of a House Member or Senator, the relationship between congressional committees and executive agencies, handling of the President's legislative program, the role of the House in revenue legislation, the role of the Senate in foreign policy, the duties of committee staff, etc. The films would be produced for students engaged in the serious study of the congressional process. Their format would be simple and straightforward, eliminating sophisticated film techniques, music and other high-cost elements of network documentary films. Sponsorship by the

Joint Committee would ensure that the films would be non-partisan and non-ideological. If desirable, an advisory committee of private citizens could be appointed to ensure the objectivity of the films.

This proposal recognizes that a wealth of information about Congress exists on Capitol Hill and that a procedure should be perfected for tapping these resources. In time, a significant library of instructional films could be accumulated. If Congress decided to record all floor proceedings on videotape as part of a congressional television and radio service, a continuing flow of material would exist for the production of timely instructional films. These films could be produced by the Joint Committee, the Library of Congress, or a quasi-public corporation established to manage congressional television and radio facilities.

A congressional staff member proposed creation of a *Congressional Broadcasting System* that would operate on a local FM frequency whenever Congress was in session. The system would carry frequent announcements of impending floor action, roll call votes, explanations of amendments, schedules of floor and committee business, plus live coverage of important floor debates and committee meetings. The system would help keep congressional offices informed of floor and committee business on a minute-by-minute basis. The news media, however, would also find it useful in keeping abreast of congressional activities and in using excerpts of floor debates in news stories about Congress. It was also suggested that a special telephone number be established to permit monitoring the Congressional Broadcasting System by phone when an FM receiver was not available.

A Member of Congress suggested that there be more frequent opportunities for *general debate in the House on current policy questions*, in much the same fashion as general debates are conducted in the British House of Commons. If Congress is concerned about strengthening its institutional role, the Member argued, new ways must be found to permit Congress to express its opinions on current public issues. Press releases from Members' offices and brief statements in the radio and television gallery do not suffice. The Member's proposal calls for setting aside several hours each week for general debate, perhaps by the device of special orders, probably on Monday and Friday, and structuring the debate around a resolution declaring the sense of the House (or Senate) on that particular issue. These resolutions would usually originate in the Democratic or Republican caucus. Time for debate would be equally divided between majority and minority party spokesmen. Although the resolution would not be binding on the executive, a national forum for the expression of congressional opinion would have been created. This kind of general debate would also be suitable for coverage by radio and television, perhaps as part of a broadened commitment by public television and radio to cover congressional activities. The Member suggested that the idea be tested on an experimental basis, along with a trial period of coverage of selected floor debates by the broadcast media.

Finally, an interview with a House Member brought the suggestion that *congressional committees give serious consideration to holding more hearings, and even mark-up sessions, outside of Washington, D.C.* The country is clearly in the midst of a period when government at all levels is suspected as being no longer responsive to the popular will. It is seen as aloof, self-centered, insulated and untrust-

worthy. In these circumstances, there is reason to look for new ways of relating the formal institutions of government to the people. Taking the institution of Congress to the people, for example, might be such a way. Such a decision might demonstrate a freshness of outlook and a willingness to adapt the governing process to new demands that many citizens would find refreshing. It would also create conditions suitable for broadcast coverage, nationally and on a regional basis. The act of moving more committee sessions out of Washington, coupled with the media exposure this decision would produce, is a way to make the legislative process more visible and understandable to the average citizen.

There is, of course, ample precedent for such action. Several committees have been ingenious in using local broadcast facilities for increasing public awareness of their work. For example, an interview at WTTW-TV, Chicago's public television station, disclosed that two congressional hearings, one on drugs in the Chicago public schools and one on the housing shortage in Chicago, had been conducted in the station's studio. The hearings had been broadcast live during the day and a one hour program of highlights was presented each evening. This format could be easily adapted to other substantive areas.

CONGRESSIONAL ACCESS TO NETWORK TELEVISION AND RADIO

A decision by Congress to permit some form of television and radio coverage of floor proceedings, coupled with certain of the proposals outlined above, would produce broader and more informative news coverage of the institution. It is to be hoped that citizens would begin to acquire a new sense of Congress' institutional role by witnessing the legislative process in operation and by seeing their elected representatives openly conduct the public's business.

Such a result, however beneficial, does not deal with another vital dimension of the problem—the presidential prerogative of commandeering network television and radio to express his views on almost any subject and the difficulty of Congress, or anyone else, securing a comparable opportunity to respond to presidential broadcasts. As currently written and interpreted by the FCC and the courts, the fairness doctrine, the political party doctrine and the equal time portions of Section 315 provide no right of response for congressional spokesmen. As a consequence, the constitutional balance between the Executive and Legislative branches has been endangered. This situation will not be corrected until some formula is devised to permit congressional spokesmen direct access to the broadcast media in a manner roughly comparable to that afforded the President.

There is no need to retrace the ground covered in Section IV. Suffice it to say that all recent efforts by Congress to achieve some basis of equality with the executive in the direct use of television and radio have failed. With the lone exception of the opportunity that is now granted to the opposition congressional party to respond to the President's state of the union address, congressional requests for network television and radio time are almost always denied. (The record of refusal is not, however, absolute. For example, NBC and ABC in June 1970 provided a half-hour of network time to Senate Majority Leader Mansfield to discuss the economy. Several other opportunities were made available to the Democratic National Committee.)

The rationale is now familiar: the fairness doctrine is concerned with *issues*, not *personalities*; hence there can be no right of reply to the President himself, only an obligation on broadcasters to deal fairly with the issues raised by the President. The networks can then argue that such issues are given balanced treatment on the evening news programs, on news interview programs and news specials. The political party doctrine, arising from the Zapple letter, has not provided any basis of response by party spokesmen in Congress to Presidential broadcast appearances because the FCC refuses to view the President as a party spokesman.

Given this situation, it is likely that a congressional decision to provide the broadcast media with some form of access for covering floor proceedings would provide broadcasters with an additional basis for turning down future congressional requests for free broadcast time. That is, access to floor debate would result in expanded news coverage of Congress. This coverage could then be cited by broadcasters as evidence under the fairness doctrine for refusing congressional spokesmen an opportunity to reply directly to broadcast appearances by the President.

There is no disagreement with the proposition that a quantitative and qualitative improvement in coverage of Congress by the news media would, over time, strengthen its institutional position. Opposition party leaders would also receive expanded opportunities for responding to presidential addresses. For example: following a major broadcast address by the President, opposition spokesmen in Congress could respond the following day on the floor of the Senate and House. Extended excerpts of these remarks more than likely would be carried on evening news programs and news specials of the three networks. Public television and radio would provide considerable coverage and analysis of the opposition's rebuttal. But these developments, however salutary, cannot substitute for the impact of the President speaking directly to the people and carried simultaneously by the three commercial television and radio networks, public television and radio, and many independent stations. Nor is it sufficient to argue that there is only one President and many congressional spokesmen. The relative ease of production—a single President versus a collective leadership in Congress—is not the point in considering the *right* of a coequal branch of government to reach the people directly via the broadcast media.

The hearings on S.J. Res. 209, introduced by Senator Fulbright in 1970, produced the most comprehensive examination so far of the constitutional imbalance caused by the President's unique claim of direct access to television and radio. Senator Fulbright's proposal required broadcasters to provide a reasonable amount of public service time to authorized representatives of the Senate and House to discuss issues of public importance. A minimum of four such opportunities per year would be required. Hearings were held before the Communications Subcommittee of the Committee on Commerce, but no further action was taken on the Fulbright resolution.

In his testimony on S.J. Res. 209, Fulbright stressed that his approach was institutional, not partisan. That is, Congress, not the opposition political party, would receive the opportunities to discuss issues of public importance. But it must be recognized that in most

cases the leaders of the opposition party and its congressional members are those most anxious to present viewpoints that differ from those expressed by the President. Moreover, the institution of Congress is primarily organized along partisan lines. Thus it is impossible to separate the concept of an institutional response from the role of the political opposition in Congress. This fact has complicated recent attempts to find a workable arrangement along the lines proposed by Senator Fulbright.

In essence, the difficulties arise in deciding *how* the provision for congressional broadcast access should be administered and *who* should speak for Congress. A staff memorandum prepared for Senator Fulbright in 1970 suggested various approaches to the "how" and "who" problem.

The *regular institutional* approach would give each House of Congress several broadcast opportunities each year on prearranged dates. Four broadcasts annually were thought to be a minimum. Authorized representatives would be designated by the House and Senate members, according to whatever procedure they chose to follow.

The *leaders on major issues* approach would provide broadcast time to the majority and minority leaders of both Houses, probably four times a year, to be used themselves or by others they would designate. This approach would give the President's party leaders a "second bite of the apple," as it were.

The *television night sessions* approach is identical to the proposal by the authors of *Presidential Television* that called for a selected number of TV nights each year when Congress would take up the most important items on its legislative agenda. This has been examined earlier in Section V.

The *congressional reply* approach would give authorized representatives of the Senate and House the right of reply, within 15 days, whenever the President spoke on legislation or on matters pertinent to Congress. The congressional leadership would have to agree on a formula for selecting authorized representatives. In many cases, the reply would be delivered by the opposition party (especially if the opposition party was also the majority congressional party). But, as discussed in Section III, more than one set of congressional viewpoints might be expressed and several authorized representatives might appear.

The *congressional petition* approach would provide broadcast time to authorized representatives after a petition or resolution had been approved by at least a majority of the Senate or House. This would permit a reply to a specific issue raised by the President if a majority deemed it appropriate.

The *combination of institutional and petition or reply* approach would authorize several "institutionals" each year in combination with an opportunity for reply or petition responses to specific issues raised by the President.

The *response to criticism* approach would give a Senate or House Member the right to respond anytime he or she was criticized on radio or television and congressional leaders the right to respond anytime that Congress, as an institution, was criticized.

The authors of *Presidential Television*, in addition to their proposal for televised evening sessions of Congress, also suggest that the na-

tional committee of the opposition party be given an automatic right of response to any presidential radio or television address made during the ten months preceding a presidential election or within ninety days preceding a congressional election in nonpresidential years. Senator Muskie has introduced a bill (S. 2699) to establish this automatic right of response. It is also suggested in *Presidential Television* that between elections the national committees of the two major parties develop a plan for "National Debates" between major party spokesmen with agreed topics and formats. These debates would be broadcast voluntarily by commercial and public broadcast networks. Although Members of Congress would be frequent participants on these programs, Congress, as an institution, would not be involved.

There remains the possibility that a voluntary agreement could be reached between the congressional leaders of both parties and the commercial and public networks to provide for several "institutionals" each year. In 1970, for example, NBC and ABC offered free broadcast time to the majority and minority leadership for an end-of-the-session report. The offer was not accepted. However, such a voluntary agreement would be subject to cancellation and it would not provide Congress with the capacity to act quickly in terms of a specific, short-range issue raised by the President. Such a capacity is guaranteed only if Congress amends the Communications Act to provide for something like the congressional reply or petition approach discussed above.

Congress itself must decide what, if any, approach—or combination of approaches—it wants to follow. Barring some form of trial arrangement reached voluntarily between Congress and broadcasters, it would seem that legislative action is necessary. The legislation could set forth a specified trial period for whatever is enacted. As in the case with broadcast coverage of floor proceedings, there is no simple or self-evident answer. This study can only emphasize the importance of considering the problem of direct congressional access to broadcast media in the context of the issue of providing greater access for broadcasters in covering floor proceedings. Both issues are directly related to the ability of Congress to reach the people through the mass communications media, even though each issue attacks the problem from a different perspective and raises a separate set of problems.

WORKING SPACE AND STAFF

Interviews with broadcast journalists for this study were seldom completed without a mention of the operational difficulties encountered in covering stories on Capitol Hill. Two items were of special concern: (1) the inadequate physical working space in the U.S. Capitol, especially on the Senate side and (2) the lack of professional communications staff attached to the majority and minority conferences in each House. These concerns are relevant for this study because they appear to be factors in the often superficial coverage that is afforded Congress by the commercial and public broadcasters.

In 1945 the Senate Radio Gallery moved into 900 square feet of space off the balcony of the Senate chamber. That was before the advent of television. Almost three decades later the newsmen responsible for reporting the activities of the U.S. Senate on television and radio use the same 900 square feet of space. One-third of the Radio-TV

Gallery is devoted to a film studio, the only studio in the Capitol where Senators can be interviewed by working broadcast journalists.

Every working day there are in the gallery the staffs of five national television news networks (ABC, CBS, NBC, TVN, and UPITN), the staffs of the six national radio news networks (ABC, CBS, NBC, NPR, Mutual and UPI Audio) and numerous representatives of regional networks (Westinghouse, Metromedia, etc.) and individual stations (WGN, WTOP, WRC, etc.). On busy days there is, literally, no room in which to turn around. Journalists must leave the gallery before others can enter.

On an average day, a television network will be represented by one or two correspondents, a field producer and at least one three-man camera crew. A radio network will cover the Senate with at least one correspondent and one engineer. These newsmen must work in tiny cubicles called offices or booths. No organization has an office to itself; all booths are shared. Latecomers (notably TVN and UPITN) do not have even that privilege. Their representatives mill around in the corridor of the gallery.

The NBC News situation is typical. NBC, television and radio, shares an office with Westinghouse Broadcasting. In this office both organizations maintain "live" microphones for broadcasting. On a normal day, two NBC correspondents, one field producer and one radio engineer work along side of one or two Westinghouse correspondents. When either NBC or Westinghouse wishes to broadcast, everyone else in the cubicle must leave or sit silently. NBC film camera crews stand or sit in the narrow hall outside the office. Yet the NBC-Westinghouse office is bigger than most because it also houses a UPI teletype receiver shared by all members of the gallery.

The reason for this overcrowding is obvious. Television was only in its experimental stage when the Radio Gallery moved into its 900 square feet of space. Today there are 1,000 television stations operating in the United States and at least one TV set in virtually every American home. Forty-six million persons, almost one of every four Americans, watch a network evening news show. Yet the people who put those shows on the air, plus many independent stations and public broadcasters, are confined to the same amount of space allocated to broadcasting before television even existed.

The situation is bound to deteriorate, not improve. More and more individual television stations are assigning their own correspondent and film camera crews to cover Congress and working space must be found for them. In addition, the network have developed small electronic television cameras and want to televise more "live" news reports from the Capitol. Unless the network receives special permission, the only location inside the Capitol from which a television network can broadcast "live" is the Radio-TV Gallery. But there is seldom enough room for one network to gain unilateral access to the one studio.

This study has argued that improved news coverage through the broadcast media is one of the principal avenues that Congress should be exploring in order to achieve more effective communications. Yet the lack of adequate working space makes it extremely difficult to provide this kind of coverage, even under the existing rules governing access. Example: the networks would like to assign a full-time field producer to the House and Senate. This producer would work on

Capitol Hill, not in the downtown network offices. This kind of daily involvement in the activity of Congress would result in more and better broadcast reports about Congress. One of the reasons why the networks tend to cover only the most obvious stories is their lack of knowledge of the full range of activities taking place in Congress. A resident field producer in the Capitol would soon begin to fill these gaps in knowledge. Better and more interesting stories about the institution and its Members would be the end product. But lack of space prevents this kind of Capitol Hill staffing by the broadcast media.

The print and photographic media are better situated. The Senate and House Press Galleries each occupy about 3500 square feet of space. The Press Photographers' Gallery has studio and darkroom facilities in the Dirksen Senate Office Building and these are judged to be adequate. The House Radio-TV Gallery, while still crowded, was renovated several years ago to provide expanded facilities. The principal problem remains the Senate Radio-TV Gallery.

There is no easy solution, given the lack of space generally in the Capitol. The West Front renovation or expansion could provide an answer at some future date. In the meantime, it has been suggested that consideration be given to providing one large press room that would service all news media, along the lines of the press room at the White House. There is no clearly established press conference facility in the Capitol. A Senator or House Member wishing to make a statement must reserve a special room or make separate trips to each gallery. Senator Dirksen used to hold informal news conferences in the Senate press gallery, sitting on a table. But the broadcast media were not permitted to attend. A central press briefing area would clearly benefit the Members of Congress by permitting a Senator or House Member to make one statement simultaneously to the print, broadcast and photographic media. It would also provide more working space for the broadcast media.

Although most Members of Congress either hire a press secretary or assign press responsibilities to their administrative or legislative assistant, there is no press or communications staff in either House with sole responsibility for institutional concerns. The gallery superintendents supervise logistical matters in the correspondents' radio and television, periodical, and photographers' galleries but do not become involved in the preparation of specific stories or broadcast.

A small communications staff attached to the majority and minority caucus or conference in each House could serve several purposes: (1) it could work with the party leadership and committee chairmen in developing stories that reflect the viewpoint or viewpoints of the party. This function would be especially important for the opposition party in presenting its views more effectively and in achieving greater coordination between the House and Senate and with other party instrumentalities, such as the national committees, the Governors' Conference of the respective parties, state chairmen and the like. A specific point of contact for the news media is also very helpful in checking facts, arranging interviews, providing background information, etc. To be sure, majority and minority staff with other principal duties often exercise this function to some degree. But it is difficult to expect what is basically a part time assignment for these staff members to produce the same results as a full time undertaking.

(2) A full time staff attached to the majority and minority caucus or conference could serve as a point of contact for requests and complaints from the news media. Problems inevitably develop in covering an institution as large and as complex as the U.S. Congress. This would be especially true if either House agreed to permit broadcast and photographic coverage of its floor proceedings or if Congress secured greater direct access to network television and radio. A person who must work with the news media on a daily basis, and who represents the majority or minority party in this regard, is likely to be more concerned with finding equitable solutions to these problems than a person who rarely, if ever, deals with the news media on a professional basis. This is not to say that every request or complaint by the news media is valid or possible of solution. But it is to suggest the very great advantage of establishing such points of contact in the Senate and House that operate on a daily and indeed hourly basis. As noted in Section II, the smallest bureau or agency in the Executive branch maintains a public relations operation with money voted each year by Congress. The time perhaps has arrived for Congress to provide itself with similar staff assistance.

(3) The majority and minority communications staff would undoubtedly work together on a host of problems that concern Congress on an institutional rather than partisan basis. Access to network television and radio is one obvious area of mutual concern. Special events, such as the forthcoming bicentennial celebration, are another. Helping the news media produce stories that explain institutional procedures or decisions is another such area of mutual concern.

THE INDIVIDUAL MEMBER

This study has dealt primarily with the problem of Congress, as an institution, and mass communications. There is, however, another aspect of the problem: the continuing flow of communications through the mass media between individual Members of Congress and their constituents. Some offices attend to this function with considerable expertise and sophistication; other offices maintain only the most rudimentary press operation. There are wide variations among media activities of metropolitan area House Members and those from more rural areas. A few Members have developed the knack for regularly breaking into the national news. Others couldn't care less. There are, in other words, serious difficulties in attempting any generalizations about the media activities of 535 individuals representing diverse constituencies and possessed of widely different personalities and political styles.

Interviews in over 80 offices, however, revealed a general desire in most offices to improve their communications skills and to use more effectively the technical facilities that are available in the House and Senate, particularly the House and Senate Recording Studios. On the basis of these interviews, several general observations are offered:

There is a general desire for more creative assistance in the preparation of television and radio material in the Senate and House Recording Studios. The problem is not the technical quality of the video or audio recordings, but grows out of the limited and uninteresting formats that are usually followed. For those relatively few Members who

have regular television programs broadcast in public service time, it is difficult to move beyond the talking head "report to the people" or panel discussions with one or two guests. Some Members stress public service messages in their appearances, telling their constituents how to get social security payments, veterans benefits and the like. A few Members hold press conferences with reporters in their home district or state with each end of the conference separately taped or filmed. The station then edits the separate pieces together into a single program. A relatively large number of Members phone in comments or statements directly to radio and television stations. Members who use the recording studios generally said they would welcome more creative assistance in the preparation of their programs.

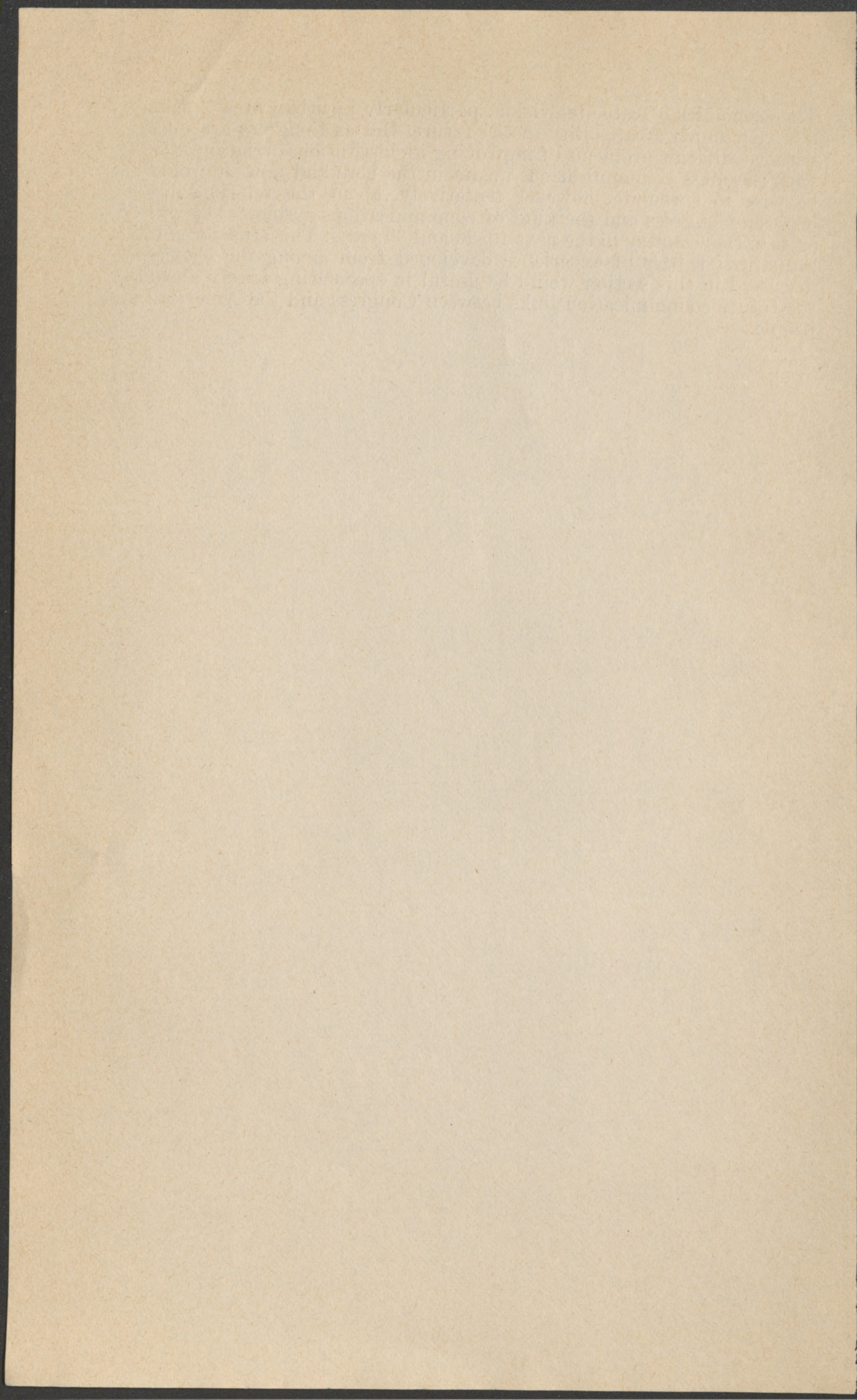
Suggestions for enlivening the formats and improving the opportunities for use on local stations include: (a) a graphics unit attached to the recording studios that could produce visual aids to supplement the talking heads; (b) a permanent WATS line installed in both studios to permit live phone connections with the state or district so that newsmen or constituents could question their House Member or Senator on the air; (c) portable video recording equipment that could be used to produce programs outside of the studios, such as committee activities, meetings with constituents, etc.; (d) more information about the opportunities to distribute programs to cable system operators. The House Recording Studio recently acquired dubbing equipment to produce the smaller video tapes used by cable systems; (e) a messenger service attached to the recording studios to dispatch video tapes by air express to local stations. More Members of Congress would record short news clips for use on local stations if these could be dispatched and received in a timely fashion.

Many offices find the congressional newsletter to be a continuing burden rather than an opportunity to communicate directly with their constituents. Consequently, newsletters tend to appear sporadically and in a format that does not attract wide or committed readership. The newsletter must compete with a continuing flood of well-designed and appealing direct mail material that arrives at every household nearly every day. Production facilities to make this a more even competition would appear to be a first step in getting the congressional newsletter read by its recipients. There could be made available to all Members of Congress a selection of general feature material, including photographs, for inclusion in newsletters or distributed by the Members to daily and weekly newspapers. Example: a lively feature on the new electronic voting system in the House could easily fit into most newsletters.

THE FUTURE

This study has limited its focus to steps and decisions that could be taken in the context of the communications system that presently exists in this country. At some point in the future, however, the problem of limited access to broadcast channels is likely to be alleviated by cable television. The existence of 40 or more channels on home television receivers, interconnected by domestic satellites and micro-wave installations, and possessing a capability for two-way communications or feedback would provide an extraordinary opportunity for more meaningful communication of the role and activity of Congress.

The economics of cable television, particularly in urban areas, make this very much a capability of the future. But as Congress grapples with the difficult problems of improving its institutional relationships with the mass communications media in the here and now, it would be wise to speculate, however tentatively, about the relationships between Congress and the kind of communications systems that will exist in this country in the next 10, 20 and 30 years. This study would argue that a base of experience developed from among the choices discussed in this section would be useful in speculating wisely about the future communication links between Congress and the American people.



APPENDIX A

BILLS AND RESOLUTIONS PROVIDING FOR BROADCASTING AND TELEVISION CONGRESS INTRODUCED BETWEEN 1944 AND 1970

1970—91ST CONGRESS

S. 4189.—To amend the Communications Act of 1934 to provide for television broadcasting of certain evening proceedings of the House of Congress. (Scott)

H.R. 18804.—House version of Senate bill. (Springer, Ford, Morton, Broyhill (N.C.))

1967—90TH CONGRESS

H. Res. 122.—Authorize under certain circumstances the broadcasting and telecasting of public hearings conducted by House committees. (Pepper)

H. Res. 188.—To amend the Rules of the House of Representatives to provide for the broadcasting by radio and television of the hearings conducted by standing committees of the House. (Cunningham)

H. Res. 229.—Amend the Rules of the House of Representatives to allow televising and broadcasting of proceedings before committees of the House. (Cleveland)

H. Res. 252.—Amend the Rules of the House of Representatives to allow televising and broadcasting of proceedings before committees of the House. (McClory)

H. Res. 70.—Amend the Rules of the House of Representatives to allow televising and broadcasting of proceedings in the Hall of the House. (MacGregor)

H. Res. 158.—Amend the Rules of the House of Representatives to allow televising and broadcasting of proceedings in the Hall of the House. (Gurney)

H. Res. 159.—Amend the Rules of the House of Representatives to allow televising and broadcasting of proceedings before committees of the House. (Gurney)

H. Res. 187.—Amend the Rules of the House of Representatives to allow televising and broadcasting of proceedings in the Hall of the House. (Cunningham)

H. Res. 228.—Amend the rules of the House of Representatives to allow televising and broadcasting of proceedings in the Hall of the House. (Cleveland)

H. Res. 254.—Amend the Rules of the House of Representatives to allow televising and broadcasting of proceedings in the Hall of the House. (McClory)

H. Res. 416.—Amend the Rules of the House of Representatives to allow televising and broadcasting of proceedings in the Hall of the House on the first day of each session of Congress. (Wydler)

1966—89TH CONGRESS

H. Res. 375.—Amend the rules of the House of Representatives to permit the telecasting and broadcasting of certain proceedings. (Ellsworth)

1963—88TH CONGRESS

H. Res. 54.—To empower committees to permit the broadcasting and telecasting of their public hearings during the 88th Congress. (Meador)

H. Res. 77.—To amend the rules of the House of Representatives. (Griffiths)

S. Res. 140.—Relative to the use of radio or television in reporting proceedings of the Senate and in the Press Gallery. (Javits and Morse)

1962—87TH CONGRESS

S. Res. 378.—To amend Rule XXXIV relative to the reporting of proceedings of the Senate by radio or television. (Javits and Morse)

1959—86TH CONGRESS

H. Res. 377.—To provide for making the proceedings of the House of Representatives available for television and radio transmission by commercial stations. (Kasem)

1957—85TH CONGRESS

H. Res. 285.—To amend Rule XI of the Rules of the House of Representatives. (Meador)

H. Res. 282.—To provide equal access for all news media before proceedings of the House. (Scott (Pa.))

H. Res. 31.—To provide equal access for all news media before proceedings of the House. (Griffiths)

S. Res. 265.—To investigate the question of installing an audio system in the Senate Chamber. (Wiley and Humphrey)

1956—84TH CONGRESS

H. Res. 450.—To provide equal access for all news media before proceedings of the House. (Griffiths)

1954—83RD CONGRESS

S. Res. 249.—To amend Senate rules by adding a rule relative to broadcasting or television of committee proceedings. (Bennett)

H. Res. 120.—To amend Rule XXXIV of the rules of the House of Representatives to provide for televising and broadcasting of sessions of the House of Representatives. (Javits)

H. Res. 177.—To amend Rule XXXIV of the rules of the House of Representatives to provide for televising and broadcasting of sessions of the House of Representatives. (Jarman)

1951—82ND CONGRESS

H.R. 3656.—To amend the Legislative Reorganization Act of 1946, as amended, to provide for the broadcasting and televising of the proceedings of the Senate and the House of Representatives. (Klein)

S. Res. 106.—To make a study of problems in connection with televising or radio broadcasting of Congressional proceedings. (Wiley)

1948—80TH CONGRESS

S. 2213.—To amend the Legislative Reorganization Act of 1946, as amended, to provide for the broadcasting and televising of the proceedings of the Senate and the House of Representatives. (Pepper)

1947—80TH CONGRESS—1ST SESSION

S. J. Res. 16.—Authorizing the broadcasting of the proceedings of the Senate and the House of Representatives. (Pepper)

1944—78TH CONGRESS

S. J. Res. 145.—Authorizing the broadcasting of the proceedings of the Senate and the House of Representatives. (Pepper)

APPENDIX B

OUTSTANDING PUBLIC TELEVISION COVERAGE OF LOCAL/STATE GOVERNMENTS AND PUBLIC ISSUES, JULY 1972 TO MARCH 1973

Arizona

KUAT/Tucson.—KUAT/Tucson covers Tucson City Council Meetings on a one per month basis (live). The station has also been involved in coverage of state legislature activity via their nightly magazine "Mosaic." Most recently KUAT carried the Joint House/Senate Judiciary Committee hearings on the equal rights amendment as approval for the amendment was being sought in Arizona.

California

KOCE/Huntington Beach.—Since the station first came on the air in November of 1972, KOCE/Huntington Beach has begun a series entitled the ORANGE COUNTY REVIEW in which interviews are held with each of the mayors of the 26 cities in Orange County, California. The station also produced programs studying the minority housing situation in Orange County, the airport controversy, and an overview of the crime levels in the county.

KCET/Los Angeles.—Through the "Current Events" series at KCET, the station has conducted an investigation of the jury system as it pertains to the California Courts, coverage of the Los Angeles City Planning Commission's hearings on oil drilling in the Pacific Palisades, and a study of the effects the possible reapportionment of the California Assembly might have on Los Angeles.

KVIE/Sacramento.—The station has produced programming on the San Juan School District study of educational alternatives and local coverage of the Sacramento City Council meetings. A special program was produced on the plan to "earthquake proof" the Sacramento schools.

KPBS/San Diego.—In February of 1973 Brad Warner of KPBS hosted a discussion of the Santee Citizens Planning Commission suggestion for curbing urban sprawl. On "Ballot '72 . . . The Last Thirty Minutes" party leaders discussed the outcome of the November election. The station also produces "The City Game," a series on the public affairs of the people of San Diego. "The City Game" has included the Mayor's message to the people, the issue of downtown redevelopment, and women in the city government.

KQED/San Francisco.—KQED produces Newsroom, a five-day-a-week locally produced news program. "Bay Area Reports" is also offered by the station and is a weekly half hour series devoted to Bay Area public officials such as the mayor, the superintendent of schools, supervisors, police chief and administrators.

Colorado

KRMA/Denver.—KRMA produces the Environmental Hotline, a group of programs that has included a ½ hour program on the Environmental Protection Agency, a program on oil shale with the Department of the Interior, and a program on the Colorado Legislature's dealings on the environment.

KTCS/Pueblo.—KTCS has produced programming on the Pueblo bond issue, city council, political candidates for local elections and the Colorado legislature.

Connecticut

WEDH/Hartford.—WEDH is heavily involved in the coverage of the state legislature. In January of 1973 the station produced a full visual report from the Office of State Planning, Land Use and Water resources for Connecticut.

District of Columbia

WETA/Washington, D.C.—Besides producing such programs as Thirty Minutes With * * * Washington Week in Review, and others, WETA also produces for local audiences Metroview, a continuous series on public issues and District Digest, a half hour weekly program. In March of 1973 WETA produced Housing in Anacostia a local special produced in cooperation with the Office of Economic

Opportunity. Project Desegregation was a phone-in special on the Prince George's County Busing Issue. Las Elecciones y el Hispano provided coverage of the 1972 presidential election in Spanish.

Florida

WSRE/Pensacola.—WSRE offered extensive coverage of the 1972 general election and the equal rights for women debate. The station offered 20 hours of local programming on the election alone.

WUFT/Gainesville.—During the Presidential primaries of 1972 air time was offered to all candidates and local programs were aired during the visits of Senator Jackson and Congresswoman Chisholm. During the campaign of 1972 for the House district in Gainesville both candidates for that seat appeared and a debate was aired between officials of both parties concerning the Presidential race.

WJCT/Jacksonville.—Feedback is a daily one hour program oriented to local needs and issues. The station estimates that over 35 hours were produced on the coverage of local education, 83 hours on local issues such as taxes, zoning, pollution, bond issues, and 64 hours on the coverage of state affairs. Beginning in April the station will be producing the first daily coverage of the state legislature.

WPBT/Miami.—For the coverage of state affairs, WPBT produced a program on the Tri-County Pollution Summit Hearing, the Metro Commission Meeting, the Legislative/School Board Meeting and the Legislative Hearing on Senior Citizen Health Care. Their coverage and programming on county events includes programs on the school board meetings, community relations board meetings, and the Metro Hearing Commission meetings. Locally in Miami the station has offered programming on the Miami Beach Council Meetings.

Georgia

WETV/Atlanta.—WETV provides regular coverage of all Board of Aldermen (City Council) meetings in Atlanta as well as the briefing session in which most substantive discussion of issues prior to school board meetings are dealt with by the Atlanta Board of Education.

Georgia ETV.—The Georgia Network covered the Governor's State of the State address and budget message.

Idaho

KAID/Boise.—KAID produces a daily fifteen minute "State House Report" and a weekly state legislative issues special.

KUID/Moscow.—KUID's legislative profiles and legislative reports offer extensive coverage of the Idaho legislature. The station carried the Governor's State of the State message and provided extensive coverage for the November elections.

Illinois

WTTW/Chicago.—Continual remote coverage of the Chicago City Council is produced by the station. Illinois Politithon, a three hour presentation moderated by Hugh Downs offered a forum for the major-party candidates for United States Senator, Governor, States Attorney, Controller, Secretary of State, and Cook County States Attorney. Alderman Keane and the Coffee Rebels was a documentary produced by WTTW dealing with the upheaval between established organizational leadership in the Chicago City Council and the Youthful Organization Aldermen. The station also carried Governor Walker's address to the people.

Indiana

WTIU/Bloomington.—The station has aired live broadcasts of the Bloomington City Council meetings, the Monroe County Plan Commission Public Hearing on proposed zoning laws, and has co-produced with other Indiana public television stations the Indiana Democratic and Republican State Conventions.

WCAE/St. John.—WCAE carries weekly excerpts of the State Legislative proceedings and produces a program on the local school board twice-monthly.

Iowa

KDIN/Des Moines.—KDIN carried the Governor's address to the people, the inaugural and the budget address. In February the station carried "The People's Right to Know" from the Press Symposium held at the University of Iowa.

Michigan

WTVS/Detroit.—WTVS has produced specials on the following topics: Primary election coverage on the Congressional districts in and around Detroit, the effects

of the elections, no-fault insurance: pro and con, the meaning of the elections to the black community of Detroit, abortion, and police conduct.

WCMU/Mt. Pleasant.—WCMU produces a weekly program with area state legislators. The Program consists of a report on legislative activity and provides central Michigan residents with an opportunity to question their legislators.

WUCM/University Center.—WUCM produces Day by Day, a series that has dealt with public issues such as the legal rights of children, the losers at election, utility rates, anti-abortion and pro-abortion, the power crisis, prisons, and teacher accountability. Platform was a series produced by the station consisting of eleven half-hours on area candidates for the November election. 19 Area Politics, another series produced by WUCM, included such topics as Students and Politics Reapportionment, crisis in education and Chicano politics.

Minnesota

KTCA/Minneapolis/St. Paul.—KTCA offers a regular weekly half-hour state public policy program. In addition, the station has presented two 6-hour public television seminars on state governmental policy.

Maryland

WMPB/Baltimore.—WMPB produces a series consisting of eight parts on Congressional candidates and issues. The station also produced a special on the state constitutional amendments and local bond issues.

Kansas

KPTS/Wichita.—KPTS broadcasts gavel-to-gavel coverage of Wichita's weekly city commission meetings.

Kentucky

Kentucky ETV.—Kentucky ETV has produced programs on the Question of Metropolitan Government, "From Legislator to Law," "Profile of a Governor", and is currently working on a program on the Rural American Development Conference.

Maine

Maine Public Broadcasting Network.—The Maine Public Broadcasting Network provides daily coverage of the State Legislature when in session.

Massachusetts

WGBH/Boston.—WGBH offers two daily news programs, the Reporters and Louis Lyons News and Comments. Besides this daily service, WGBH has also produced a phone-in program for citizens of the state regarding auto insurance, another for drug information and treatment, and a special on transportation detailing problems for the state on transportation plans and policies. Live broadcasts on the Emergency school committee meeting called by the city of Cambridge, and on the Governor's address were aired. The station also produced the film special, Are Prisons Working?

Nebraska

Nebraska ETV/Lincoln.—Unicameral '73 "Legislative Review", a weekly half hour series was the result of the legislators themselves. The Nebraska Public Affairs Unit tapes each days legislative session and then edits to form the basic content of the show. Nebraska ETV has also produced the Amendments, a pro con discussion of the amendments the people of Nebraska would be considering in the November election. State Auditor was a special program that explained procedures and forms required by the state auditor for reporting budgets by local governmental bodies. Dateline Nebraska is a Meet-the-Press type offering from the station.

New Jersey

WNJT/Trenton.—Assignment: New Jersey is produced by the Station and deals with the public issues facing the state. WJCT also carries a hard news program that airs five nights a week.

New Mexico

KNME/Albuquerque.—KNME presents regular coverage of local and state government proceedings. Government News is a weekly update on the affairs of the government by New Mexico's four Members of Congress. Government Of, By, and For is a 13-part series that examines various governmental agencies. Party Point of View consists of 12 reviews of the New Mexico state legislature.

Prism is a weekly magazine format program on the reports from the City Manager's Office.

New York

WLIW/Garden City.—Among the numerous offerings of WLIW in the area of public affairs are Hempstead Town Board Meeting dealing with the Long Beach zoning request for condominium apartment housing, Oyster Bay Town Board Meeting, Governor Rockefeller's Town Meeting on Long Island, Oyster Bay-Rye Bridge Hearing and the Long Beach City Council Hearing.

WNET/New York.—In addition to producing various public issues programs for national distribution, WNET has offered approximately 21 hours this past season on the November election. Ten hours were aired on the Board of Estimate Hearings on the Forest Hill's Compromise Bill.

WXXI/Rochester.—WXXI presents coverage of school board meetings, pre-election coverage, and town meetings.

Nevada

KLVS/Las Vegas.—KLVS has produced documentaries on the hearings held on air pollution in Las Vegas, PTA Legislative Activities, venereal disease, and consolidated county planning.

Ohio

WCET/Cincinnati.—WCET has produced three programs about how the city government works, one program on the county government, a program on the workings of the Ohio state legislature from the floor of the Legislature, and one program on the role of local, state and federal governments in welfare.

WGTE/Toledo.—Under the Dome is a weekly public affairs program from WGTE.

WVIZ/Cleveland.—Telecasts from the Cleveland City Council Meetings are presented live each Monday by WVIZ.

Pennsylvania

WQED/Pittsburgh.—WQED produces a daily half hour local news program Newsroom which covers all forms of local, state and national activities.

WITF/Hershey.—WITF produces a weekly program, the Public Interest, and participates along with all the stations of the Pennsylvania Network "People, Places, and Things". The station was on the air for 50 hours running in June of 1972 acting as an emergency center for the flood. The station would relay messages and announce help available from state agencies and others.

South Carolina

South Carolina ETV.—South Carolina ETV has produced programs on Senator Edgar Brown; A Salute, a Visit With the Governor, and a special on judicial reform.

Texas

KERA/Dallas.—Newsroom, a program of local news, news analysis, and opinion, provides film coverage of Dallas and Fort Worth city council and school board meetings on a regular basis. Town Hall is a weekly forum for debate on controversial issues. It has focused on the Presidential Commission reports on population and drug abuse and has held open hearings on single-member district representation.

KTXT/Lubbock.—KTXT produces a series of 13 1-hour programs on issues facing Lubbock. The actions of the local government form the base that the series works from. This series allows phone-in segments so that the audience can question local officials.

Utah

KBYU/Provo.—American Dialogue is a weekly 90-minute program series produced by the Provo station. The pros and cons of current issues are discussed. Corpus Juris is a monthly program report from the Attorney General's office and Report from the Legislature is a similar report from the legislative branch of the Utah government.

KUED/Salt Lake City.—Civic Dialogue is an hour long program on issues facing the Utah legislature and allows audience participation by the phone-in segment of the program. KUED provides airtime to all major candidates in the state.

Virginia

WBRA/Roanoke, WSVN/Norton.—These two stations are carrying a series explaining 1973 Virginia Income Tax forms. The series will feature two members of the Roanoke office of the Virginia Department of Taxation.

Vermont

WETK/Burlington.—WETK carries Vermont Journal and Meet Your Candidates. Both are oriented to the issues of the day in this state.

Washington

KCTS/Seattle.—KCTS produces Seattle in Action, a program airing on alternate weeks and one in which the mayor and other department heads are questioned by newsmen. The station also produced Eagles in a Storm, a series of 23 programs on native American affairs which featured a number of programs on the services provided by local and state government and the Bureau of Indian affairs.

West Virginia

WWVU/Morgantown.—This station is currently producing Capitol Beat which provides weekly coverage of the state legislature.

Wisconsin

WMVS/Milwaukee.—WMVS produces a weekly open-ended series of remote broadcasts covering important meetings, etc. in the community and providing regular coverage of governmental activities. Examples of coverage includes: School Board Meetings, Public Hearings on the Future of Lake Michigan, and County Board Meetings.

OUTSTANDING PUBLIC TELEVISION COVERAGE OF LOCAL/STATE GOVERNMENTS AND PUBLIC ISSUES (OCTOBER 1971 TO JUNE 1972)

California

KVIE/Sacramento.—The station has produced programming on the Sacramento City-County reorganization and public affairs special on Sacramento County land use.

KCET/Los Angeles.—Through the "Current Events" series at KCET, the station has produced a documentary on the effect of the 18-year-old vote ruling in Los Angeles; covered a meeting of the Los Angeles Community College's Board of Trustees, the City Planning Commission's public hearings on oil drilling in Pacific Palisades, public hearings of the President's Committee on Health Education, and the police/community relations hearings of the California Senate Committee on the Administration of Justice; and investigated the possibility of reapportionment of the California Assembly and Senate and the jury system as it pertains to California Courts.

KPBS/San Diego.—KPBS aired a number of programs on site planning for the 1972 Republican Convention entitled "Convention Update", programs on various propositions before the voters, and programs on "Chicanos on the Move". "The City Game", a series on the public affairs of the citizens of San Diego, dealt with issues of city planning, downtown redevelopment, Federally subsidized housing, etc.

Colorado

KRMA/Denver.—The station produced a series of programs on the legislature and 1972 candidates in addition to single programs on the administration of justice and a "Fact Finders' Report" on the Committee on Health Education.

District of Columbia

WETA/Washington, D.C.—WETA carried a weekly public affairs series "Open Air" which included specials on "The Right to Read" in cooperation with the Office of Education and on freeways.

Florida

WSRE/Pensacola.—In 1971 WSRE extensively covered local and state governmental activities including programs on corporate tax, zoning and anti-zoning forums, judicial reform, and busing.

WUSF/Tampa.—Using a remote unit and heavy editing, the station covered a meeting of either the county commission, school board, or city council each week and edited it for a one hour presentation.

WUFT/Gainesville.—During the period from fall, 1971 to the present WUFT has covered, without exception, all local and statewide elections and referenda. This includes all primaries, elections and run-offs. Agencies include school board and county licensees (Alachua) Gainesville City Commission, Alachua County Commission, Governor and State Cabinet, public service commission, and all elections for local, county, circuit and state judiciary up to and including the state Supreme Court.

Georgia

Georgia ETV.—The Georgia Educational Television Network provided coverage of the General Assembly including daily reports while in session and programs on reapportionment.

Idaho

KUID/Moscow.—While the legislature was in session KUID carried weekly programs entitled "Legislative Reports". In addition they produced programs on the Idaho Campaign.

Illinois

WTTW/Chicago.—For the first time official hearings were held within a television studio when the U.S. House of Representatives Select Committee on Drugs and Drug Abuse held three days of hearings dealing with drug abuse in Chicago area schools in the WTTW studio. WTTW also aired hearings on the use of Federal housing funds in the Chicago area held by Housing Subcommittee of the U.S. Senate Committee on Banking and Currency.

Indiana

WTIU/Bloomington.—Beginning in September of 1971 WTIU has broadcast 29 Bloomington City Council Meetings.

Iowa

KDIN/Des Moines.—KDIN produced a series of 14 programs entitled Iowa Press which included all of the major local and state political candidates. The Des Moines City Council Debates were aired as well as the Iowa Governor's Press conference.

Kentucky

WKPC/Louisville.—In September of 1971 WKPC covered a special Jefferson County Board of Education Meeting. The station also carried the special emergency press conference in which the Mayor of Louisville instructed the populous as to the evacuation procedures in certain parts of the city due to a chlorine barge mishap on the Ohio River.

Massachusetts

WGBY/Springfield.—WGBY provided live coverage of the final public hearing provided by the Massachusetts Commission on Cable Television. Included in the telecast were phone-in sessions in which questions asked were relayed by the moderator to the members of the full commission.

Michigan

WTVS/Detroit.—WTVS produced documentaries on No-Fault Insurance, racism in the military, Phase II, Detroit Cable Commission Hearings, regional vs. local government, and the city charter. The station also provided coverage of the primaries held on the state and local levels.

WUCM/University Center.—WUCM produced for the 1971-72 season Day by Day a series that presented such people and topics as F. Lee Bailey on the law, the sheriff of Genesee County on reform in the prisons, and the Michigan Department of Natural Resources on the Saginaw oil spill. The program did in-depth reports on the school busing situation in Pontiac and a program was aired dealing with the use of video tape in the courts.

Maryland

WMPB/Baltimore.—WMPB did a special on the Baltimore City Bond Issues in the 1971 City elections. In January of 1972 the station provided coverage of the Baltimore City hearings on the proposed expressway, the Governor's address to the people, and the State of the Judiciary report. From January to April of 1972 the station carried a weekly one-hour program Point Blank which concentrated on the Maryland State Legislature.

Nebraska

Nebraska ETV.—Nebraska ETV aired a series Unicameral '72 in which footage from the legislative session was offered with no comment from news personnel. The station also held interviews with the various representatives in the legislature. The station also produced a documentary on the 18-year-old vote.

New Jersey

WNJT/Trenton.—Candidates, a production of WNJT, allowed congressional candidates a 30-minute program and a five-minute program to use as they saw fit. Senatorial Candidates were allowed the 30-minute programs and two five minute programs. The station also carried five hours of the Governor's Hearings on Tax Policy.

New Hampshire

New Hampshire Network.—In keeping with the prominence of New Hampshire as the first of the presidential election primaries, the New Hampshire Network interviewed Candidates McCloskey, McGovern, Ashbrook, Yorty, Hartke, and the head of the Committee to Reelect the President in New Hampshire. The Network provided extensive coverage to candidates on the state and local level and provided the results of the New Hampshire survey of 2500 voters on their preferences for the Presidential Primary. The Station also carried the monthly news conference of New Hampshire Governor Walter Peterson.

New York

WLIW/Garden City.—From Monday to Friday, WLIW presents a local news report Community Calendar informing their audience of the events and issues of the Long Island community. The station also provided coverage of a town meeting on the need for day care centers in the area. Profile Long Island includes topics on government and current issues as well as other topics.

WNET/New York.—WNET carried over 64 hours on the coverage of the Knapp Commission on Police Corruption, as well as providing coverage of the transportation bond issue, the special session of the New York Legislature, public transit hearings, the Scott Commission on City Government Operations, the Hesburgh Commission, the rights of Puerto Ricans and the East Side Crime Commission.

WXXI/Rochester.—WXXI carried the State Legislative Hearings on Abortion, Legislative Hearing on Child Abuse, and provided coverage of the special session of the New York Legislature.

Ohio

WGTE/Toledo.—Beginning in November of 1971 WGTE began carrying three hours a week of Toledo's City Council meetings.

WVIZ/Cleveland.—WVIZ broadcasts the Cleveland City Council Meetings each week. The station also provided coverage of the candidates and their platforms in preparation for the November 1971 elections. The station airs a program Council Issues when necessary and not on a regular basis.

Pennsylvania

WITF/Hershey.—WITF produces Downstairs Studio, a local interview program that has touched upon such topics as Women in the Pennsylvania Police Department, public safety and the Environmental Action Council.

WVIA/Scranton.—The station produced a five-part program series entitled A Look at Home Rule. WVIA also offered coverage of Governor Milton Shapp's message to the people of Pennsylvania after the flood.

WPSX/University Park.—WPSX has carried the Governor's Legislative address, produced a program entitled *As the Governor*, and offered a program on State Income Tax.

South Dakota

South Dakota PTV Network.—The South Dakota Network carried the Governor's address to the people, as well as the response to his message by the Legislature. The station produced programming on the reapportionment issue in South Dakota, and the report of the Constitutional Revision Commission.

Tennessee

WKNO/Memphis.—The station broadcasts one and a half hours weekly of city council meetings, county court meetings, and various reports on the state legislature.

Texas

KERA/Dallas.—KERA produces two news programs, *Newsroom* and *Town Hall*. The station through these shows and a series of specials has covered extensively events and happenings in the government on both the state and local level.

KTXT/Lubbock.—Beginning in the fall of 1971 KTXT produced a series that relied heavily on the actions of city and county government to form the basis of this program series. Programs covered such topics as charges of police harassment by minority groups, job discrimination, welfare programs, revenue sources, and the state of the city government.

Utah

KBYU/Provo.—*American Dialogue*, produced by KBYU is a live ninety-minute program featuring guests speaking on the pros and cons of various national, state and local issues. Guests have included all major candidates for office in Utah.

Vermont

WETK/Burlington.—The Vermont station provided a program *Vermont Journal* in November of 1971. For the 1971 election in November the station carried a program *Meet Your Candidates* a show in which candidates from both parties expressed their stand on issues involved in the campaign. The station provided coverage of the Governor's State message and the budget message. The station also did a program on the bill to aid the education of handicapped youngsters.

Wisconsin

WMVS/Milwaukee.—The Milwaukee station provided airtime to the common council for Public Hearings on the City-County Budget. The station offers programming reports on the City Council, health and social services in the state, housing problems, the state's judicial system, and Milwaukee school board meetings.

The examples of service to their own local audience by public television stations is a lengthy and proud record of service, one which is worthy of the support given by the Corporation for Public Broadcasting.

BROADCAST COVERAGE OF CONGRESSIONAL COMMITTEES BY NATIONAL PUBLIC RADIO,
JULY 1971-JUNE 1972

Date	Committee	Hearing topic	Number of hours
July 20, 1971	Senate Foreign Relations, Chairman Senator William Fulbright, Democrat, Arkansas.	Mainland China	1.
July 21 to 23, 1971 and Sept. 22, 1971.	Senate Select Committee on Small Business, Subcommittee on Monopolies, Chairman Senator Gaylord Nelson, Democrat, Wisconsin.	Mood drugs	10:35.
July 30, 1971	Senate Judiciary Subcommittee	Constitutional amendment allowing 18-year-old vote.	3.
Sept. 29 to 30, 1971	Senate, Subcommittee on Constitutional Rights.	Freedom of the press	5.
Nov. 4, 1971	Senate subcommittee	Financial disclosure legislation.	3.
Nov. 5, 1971	Senate Commerce Subcommittee	Environment-Detergents	1:30.
Nov. 17, 1971	Congressional Black Caucus	Racism in the military	2:30.
Nov. 18, 1971	Senate Committee on Agriculture and Forestry.		4:30.
Nov. 29, 1971	Senate Select Committee on Aging (from Minneapolis, Minn.).		6:30.
Dec. 7, 1971	Senate Select Committee on Nutrition		2:25.
Dec. 15, 1971	Senate Subcommittee on Juvenile Delinquency.		2.
Feb. 1 to 2, 1972	Senate Subcommittee on Constitutional Rights, Chairman Senator Sam Ervin, Democrat, North Carolina.	Freedom of the press	5.
Feb. 28 to 29, 1972; Mar. 1, 1972.	Senate Judiciary Committee, Subcommittee on Administration Practices and Procedures, Chairman Senator Edward Kennedy, Democrat, of Massachusetts.	Amnesty for deserters	9.
Mar. 6 to 7, 1972	Congressional Black Caucus, Chairman Representative William L. Clay, Democrat, of Missouri.	Mass media and the black community.	8:15.
Mar. 17, 1972	House Committee on Government Operations, Subcommittee on Foreign Operations and Government Information Chairman Representative William Moorhead, Democrat, of Pennsylvania.	Freedom of information	3.
Mar. 21 to 24, 1972	Senate Subcommittee on Communications, Chairman John O. Pastore, Democrat, of Rhode Island.	The Surgeon General's Report on the Effects of TV Violence on Children.	12:35.
Apr. 10, 17 to 20, 1972	House Committee on Interior and Insular Affairs, Chairman Representative Wayne Aspinall.	Fuels and energy crisis	13.
Apr. 17 to 18, 1972	Senate Foreign Relations, Chairman William Fulbright.	U.S. involvement in Vietnam.	15:50.
May 1, 3 to 5, 1972	Senate Antitrust and Monopoly Subcommittee, Chairman Senator Philip A. Hart.	Failure of Federal housing programs.	11:50.
May 3, 1972	Senate Subcommittee on Oceans and International Environment, Chairman Senator Clayborne Pell, Democrat, of Rhode Island.	Stockholm Conference on the Human Environment.	2.
May 4 to 10, 1972	Senate Foreign Relations, Chairman William Fulbright.	U.S. involvement in Vietnam.	15:5.
May 15, 17, 18, 22, 1972; June 13 to 15, 1972.	House Select Committee on Crime, Chairman Representative Claude Pepper, Democrat, of Florida.	Crime and organized sports.	21.
June 19, 21, 26, 28, 29, 1972	Senate Foreign Relations, Chairman Senator William Fulbright, Democrat, of Arkansas.	Ratification of SALT treaty.	15:30.
June 22, 1972	Joint Economic Committee, Chairman Senator William Proxmire, Democrat, of Wisconsin.	Construction of Alaska pipeline.	3:45.

