BURKE, John Edward, 1942-

The Ohio State University, Ph.D., 1971
Mass Communications

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1972
AN HISTORICAL-ANALYTICAL STUDY
OF THE LEGISLATIVE AND POLITICAL ORIGINS
OF THE PUBLIC BROADCASTING ACT OF 1967

DISSertation

Presented in Partial Fulfillment of the Requirements for
the Degree Doctor of Philosophy in the Graduate
School of The Ohio State University

By

John Edward Burke, B.A., M.F.A.

* * * * *

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1971

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To all who have helped during the past year, I am equally grateful.
PLEASE NOTE:
Some pages have indistinct print. Filmed as received.

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CHAPTER I
BACKGROUND AND INTRODUCTION

On November 7, 1967, President Lyndon Johnson signed the Public Broadcasting Act (Public Law 90-129). The Act amended the Communications Act of 1937 and contained the following provisions:

1. Establishes the Corporation for Public Broadcasting (headed by a 15-man board appointed by the President with Senate approval) to oversee appropriate channelling of funds for use by noncommercial television and radio production groups, to stimulate programming of higher education and cultural value through financial aid and recommendations to local stations and educational TV networks, and to arrange for systems of regional interconnection to extend educational broadcasting's audience.

2. Authorizes $9 million to finance the first-year (1968) activities of the Corporation.


4. Authorizes $500,000 to Department of Health, Education, and Welfare to conduct a study of instructional television, radio, and related electronic apparatus in schools and classrooms.

trated and dedicated efforts by many in Washington and throughout the United States. Congress was required to take a long and serious look at the future of non-commercial educational broadcasting in this country and consider a long-range federal commitment to its development. This Act, and the ETV Facilities Act of 1962 which preceded it, formalized that commitment. The Public Broadcasting Act of 1967 was the authorization act which laid the groundwork for the subsequent appropriation of funds for ETV. As such, this writer believes this to be the single most significant legislative event in the contemporary history of broadcasting in the United States. Frank Kahn supports this view when he suggests that the Public Broadcasting Act of 1967 "may be viewed as the most recent evidence of the evolutionary development of a dual system of broadcasting in this country." 2 Kahn continues:


On one hand is the commercial sector, supported by advertising revenues; on the other, the non-commercial sector with hundreds of FM and TV stations supported by private grants and increasing amounts of governmental funds. Both areas are designed to serve the public interest; neither seems entirely capable of doing so alone....The continuing development of this dualism is a reaffirmation of the validity of trial-and-error democratic processes; the recognized mistakes of the past encourage struggles toward a more perfect future.
3. Ibid.

The importance of the Act was further supported by the statements of many prominent Americans during the House and Senate Hearings in 1967, such as the following by Senator Pastore:

The opportunity before the Congress and the challenge of this issue are of paramount importance for the future growth of this Nation. It is an opportunity and a challenge that may be forever lost if we turn our backs against the proposals outlined in this legislation.  


With the passage of the Public Broadcasting Act of 1967, non-commercial broadcasting received a much needed moral as well as financial up-lift from the Nation's top legislators. The Act created the Corporation for Public Broadcasting and charged this agency with the task of encouraging and facilitating the expansion and development of non-commercial broadcasting and program diversity. The Corporation would have the funds to help local stations create innovative programs, thereby increasing the service of broadcasting in the public interest throughout the country.
The concept of governmental assistance to educational broadcasting was not instantly conceived and accepted by the congressmen and senators who sponsored legislation which eventually became law. On the contrary, it was the result of a gradual and sometimes painful evolutionary process which required many years of work, study and probing debate both on and off Capitol Hill. This study examines that process as it developed in all sectors, public and private, in the records of the U.S. House of Representatives, the Senate, and those other organizations which were directly involved in getting this legislation enacted.

As is true with most Congressional enactments, public support must be felt through interest groups, lobbyists, and citizen pressure. Many questions must be resolved and many people convinced before a workable plan can be accepted by a majority of the members of Congress. This is, by any standard, an extremely complex political exercise. In the process, many significant elements which combined to make a piece of legislation successful are often left unrecorded and are, by course, eventually forgotten. This writer believes that it is important to record as many of those elements as possible while they are still relatively fresh in the minds of those persons who were directly involved in the process.

This study is an effort to record and analyze relatively recent history. But considering the rapid development
of public broadcasting in this country, it does not seem too early for scholarly scrutiny. On the contrary, it may not be early enough when one ponders the inter-mixture of complex forces which resulted in this landmark legislation. These forces are still at work, forging a dual system of public and private broadcasting in the United States which, through sheer momentum, is growing stronger each day and with each new Congress. It is hoped that this study will more clearly identify those forces and, in the process, make the entire legislative and political function, as it relates to public or educational broadcasting in the United States, more understandable.

Statement of Purpose and Importance

The purpose of this study is to review and analyze the historical development of the public and governmental commitment to educational or public broadcasting in the late 1950's and the early and middle years of the 1960's which resulted in the passage of Public Law 90-129, the Public Broadcasting Act of 1967.

More specifically, the study is directed toward the delineation of the significant factors, events and persons which led to the formation of the Carnegie Commission and the implementation of its proposals in the Public Broadcasting Act of 1967. The objectives of the study are:

(1) To determine what persons, organizations and events were most significant in the development and enact-
ment of the Public Broadcasting Act and why.

(2) To ascertain those factors which were most influential in bringing the legislation before the President and Congress.

(3) To delineate the major arguments and issues which arose in connection with this legislation in Congress, other agencies of government and participant organizations.

(4) To describe the legislative and political processes involved in the enactment of ETV legislation as they relate to the Public Broadcasting Act of 1967.

A number of key questions will aid in refining and defining the objectives stated above. What and who led to the enactment of the ETV Facilities Act of 1962? Did the social and political forces which led to the ETV Facilities Act carry over after the Act was passed? What and who led to the First National Conference on Long-Range Financing and what was accomplished? What and who led to the formation of the Carnegie Commission? Who exerted the key influences on the President besides the Carnegie Commission? What opposition had to be overcome when the legislation reached the Congress? What were the key issues involved in each House? What significant questions arose during the hearings and how were they resolved? Any systematic inquiry into a national legislative and political process will require answers to these and many other similar questions. The answers are critical to the validity of any conclusions drawn from his-
torical or descriptive research. This study developed pragmatically out of several years of skeptical curiosity about such questions, both related and unrelated to educational broadcasting.

The study is significant since it documents recent history. Its significance lies in the fact that it describes and analyzes a legislative action which is still being defined, and does so through sources who were and are directly involved in the process. Many of the persons who contributed to this study have continued to be involved in the shaping of non-commercial, educational broadcasting and in the interpretation and implementation of the legislation.

This investigation describes and analyzes in detail an extremely important period in the history of educational broadcasting in the United States. It underscores the important persons, events, processes and issues which led to the enactment of P.L. 90-129. It may in the future be used by scholars to complement and refine broader studies of the ETV movement in the U.S. and to compare this development with other periods, past and future. Another important feature of this study is the identification of a number of individuals who were critical to the success of this legislation and who may otherwise never be recognized.

This study should be of particular interest and importance to members of the public or educational broadcasting establishment in this country as well as scholars
and teachers interested in the development of the American system of broadcasting. The study should assist in understanding the political and legislative process which does not appear likely to end soon, and which is so important to the growth of non-commercial, educational broadcasting in the United States.

**Review of Related Literature**

While there have been several chronicles written related to the earlier development of educational radio and television in the U.S., this seems to be the first systematic historical analysis of this subject to date. Most of the research accomplished thus far has been specifically related to the developments and events of the 1950's and before and focus principally upon the allocation of frequencies and the economic and regulatory issues which were paramount in the early years of educational broadcasting. One good example of an intricately detailed history of these earlier years is John Walker Powell's *Channels of Learning: The Story of Educational Television*, a work sponsored by the Ford Foundation's Fund for Adult Education and published in 1962. This popularly-written treatment of the early development of educational TV is replete with important names and events in the early stages of development. Powell noted that the reservation of frequencies for non-commercial television was the result of the efforts of about twenty dedicated and courageous leaders in the field, and not simply a natural
succession of important events leading up to and following the hearings in 1950-51.

Another excellent example of general historical research during this period is Anthony W. Zaitz's "The History of Educational Television: 1932-1958," an unpublished Ph.D. dissertation written at the University of Wisconsin in 1960. In this study, Zaitz emphasized the development of educational stations and program sources. He referred specifically to the leadership provided by WOI-TV at Iowa State University. Zaitz noted that WOI was the 100th station to go on the air in 1950 and the first non-experimental, educational television station in the world.6

William Schmid did an historical analysis of the educators' request for non-commercial television reservations at The Ohio State University in 1970. Schmid's study included the influence of earlier experiences in educational radio; the logic and presentation of the Joint
Council on Educational Television's request for television channels; the commercial opposition to the educators' request and the major concerns of the Federal Communications Commission. The Schmid study provides good background information for this study.

Several general articles have appeared in various newspapers, journals and magazines describing certain aspects of the early developmental process. Several appeared relating specifically to the deliberations of the Carnegie Commission and the subsequent legislation as proposed. These materials were used to complement the primary documents acquired by this writer. A review of published articles in *Educational Broadcasting Review* (formerly the *NAEB Journal*) during the past twelve years produced very little data which could directly apply to this study.

The most historically relevant literature for the early years of educational television are the published records and annual reports of the Ford Foundation and the Fund for Adult Education as well as those of the other organizations involved in the process including the National Association of Educational Broadcasters, the National
Education Association, and the U.S. Office of Education. Some materials are also available through the Joint Council on Educational Telecommunications. These were not a primary source of data for this study but were significant in providing background and historical perspective.

A search in Dissertation Abstracts from 1960 to 1969 produced only four studies which were helpful or in any way related to this study. In a 1963 dissertation, M. M. Houk studied the significance of the roles of the U.S. Office of Education, the National Association of Educational Broadcasters, the National Education Association, and the Ford Foundation in the initiation and development of educational television, principally between 1950 and 1962. Supporting problems treated in this study were the motivations of each organization for participating in the educational TV movement, the interrelationships among the organizations, and the future plans of the organizations for continued activity in the field.8


A 1965 Ph.D. dissertation bears some resemblance to this study but concludes with the Educational Television Facilities Act of 1962. This study, done by John Foster
Price at Michigan State University, attempts to analyze the history of ETV as it was the subject of Congressional discourse which led to the enactment of Public Law 87-447. The primary focus in the Price study was on the years 1957 to 1962, when specific educational television legislation was before Congress. Although the Price thesis was a rhetorical-critical review, it was helpful since he attempts also to describe and analyze interrelated issues and developments affecting the ETV movement in four general areas: (1) the general affairs of the nation, with particular emphasis on the American educational scene; (2) the activities and concerns of the television broadcasting industry; (3) the ETV movement, and the issues which its progress generated; and (4) the investigation, discussion, debate, and other legislative activity in Congress as they related to ETV. Price found that the attitude of Congress toward ETV was similar to that attitude regarding the development of natural resources in the public interest. He also concluded that legislators realized that reservation alone was not sufficient to guarantee the activation of enough channels to assure the development of a nation-wide

Also of interest are two studies done in the late 60's. Some parallels between this study and one done by R. A. Carlson in 1968 should be noted. Carlson attempted to analyze the national development of ETV within the context of American political, social, economic and intellectual life in the 1950's and 1960's. This rather broadly conceived study emphasized, according to the author, "the process and struggle involved in gaining sufficient high-level support for ETV to make it a viable cultural force in American life." A second study in 1968, done by F. H. Roche, C.S.C., at Notre Dame University, is of interest because of its unique approach. The Rev. Roche analyzed the economic regulation of educational television between 1952 and 1968.
The study documents in some detail the support of educational television in the United States during the 50's and 60's. Some reference is made, of course, to the ETV Facilities Act of 1962 and the Public Broadcasting Act of 1967.


The Research Plan

Since this study attempts to document and analyze contemporary history, it was necessary to rely almost entirely on primary sources for the necessary data. Some public records were particularly useful. The Congressional Record, the hearings in the House and Senate, the committee reports in the House and Senate, the records of the National Association of Educational Broadcasters and the Carnegie Commission were important to the study.

Contacts were made with representatives of NAEB, former and current staff members of the Senate and House Commerce Committees, the Department of Health, Education and Welfare, the Carnegie Commission and the White House. An interview schedule was arranged and the investigator spent several months collecting data through private interviews with key people who were directly involved in the political and legislative process. Approximately two weeks
were spent in Washington, three days in Jensen Beach, Florida (with C. Scott Fletcher) and two days in Boston (with Hyman Goldin and other members of the Carnegie Commission staff) during the interview process.

The investigator was given access to the files of the NAEB, the Congressional Committees and the personal files of several individuals. Primary documents included personal and formal correspondence, the reports of the First and Second National Conferences on Long-Range Financing of Educational Television Stations and committee memos and correspondence.

The primary focus of the study was those years between the enactment of the ETV Facilities Act of 1962 and the Public Broadcasting Act of 1967. Significant factors during those five years are treated both chronologically and topically, following a pattern similar to that used by Wood in his historical-descriptive analysis of the National Educational Television and Radio Center. The approach used examines broad chronological divisions within a topical framework. For example, a series of topical relationships are drawn during the time period immediately following the

passage of the ETV Facilities Act, the period during which the Carnegie Commission was being formed and the period following the report of the Carnegie Commission. In using this approach, the writer hopes to clarify the flow of events which led to enactment while, at the same time, establishing the importance of individuals and issues within the proper context of time and events.

Efforts were made to protect the credibility of the testimony by discussing each of the major issues and events with at least two independent sources. Evidence was also corroborated by comparisons with correspondence or published accounts.

Every individual interviewed was, in this writer's view, of the highest moral and intellectual repute. There could be little question about the integrity of any. All were very cooperative and capable of understanding and interpreting what they had observed.

Few historians have the opportunity to meet the principals in the historical period they are attempting to record and interpret. It was felt that it was not only important but imperative to meet and get to know those who made this history. Whenever this is possible, no contemporary historian should think twice about doing so.

An attempt was made to make this thesis a readable document with some degree of artistic unity and literary form. John Fortescue, author of A History of the British
Army and Wellington, has said:

Scientific histories, constructed on the approved principles, may be theoretically perfect; but, if nobody reads them their perfection is thrown away. They are not so much history as material for history. They will be neglected until someone assimilates them and reproduces them in a readable, which is to say a literary, form. 15


This writer has also recognized that there is inevitably a good bit of imagination in this writing. Events were reconstructed as accurately as possible on the basis of the acquired data. In this connection, this writer is humbled by the advice of the noted historian, Charles Beard:

All human beings and their sayings and doings appear in huge context. This context embraces other human beings, sayings, and doings that have gone before in time, that exist contemporaneously, and are coming into being now. If anything is known, it is known that no human 'fact' stands in its own vacuum. 16


Historical Background

The history of educational broadcasting in the United States dates back to the earliest experiments in radio
communications. In fact, educational institutions were among the pioneers in the development of radio broadcasting. Station WHA (originally 9XM) at the University of Wisconsin was one of the first stations to begin operations (in January, 1921), and by 1925 there were 171 educational organizations with stations on the air.17 During the 20's


neither the Secretary of Commerce, who had the responsibility for licensing radio stations and operators prior to 1927, nor the Federal Radio Commission, established by the Federal Radio Act of 1927, had the time to study the use of radio broadcasting in education since most of the time was devoted to straightening out the frequency assignment problem which had created much confusion on the airwaves. In 1929 the Secretary of Interior appointed an Advisory Committee on Education by Radio to study the uses of radio in the classroom and adult education.18 The Committee,

18. Ibid., p. 2.

composed of members of the education and broadcasting establishments, was also charged with studying the development of
educational radio generally. Many of the recommendations of this Committee were considered by the Federal Communications Commission in its later deliberations concerning non-commercial radio broadcasting.\textsuperscript{19} With the increasing competition from commercial radio stations in subsequent years, most of the original educational radio stations were forced off the air. Of the 171 stations on the air in 1925, only 38 remained by 1937. Twenty of those stations were still operating on AM channels in 1966.\textsuperscript{20}

\textsuperscript{19} Ibid.

\textsuperscript{20} Ibid.

With the growth of FM broadcasting, authorized by the FCC in 1941, the number of educational stations began to increase once more. The following chart illustrates that growth pattern through 1966:\textsuperscript{21}

\textsuperscript{21} Ibid.
### TABLE 1
FM GROWTH PATTERN THROUGH 1966

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<tr>
<td>1965</td>
<td>269</td>
</tr>
<tr>
<td>1966</td>
<td>292</td>
</tr>
</tbody>
</table>

Educational radio has over the years provided instructional materials to teachers and students, special materials for health professions, cultural, informational, public affairs and entertainment programs to the general public. Programming philosophies will vary from station to station, depending upon community needs and interests, the financial status of the station and the type of institution or organization which operates the station.

About two-thirds of all FM educational stations are licensed to colleges and universities, about one-fourth to local school districts and systems, and the remainder to state agencies, high schools and other nonprofit educational organizations. About 45 percent of all FM educational stations are low-powered 10-watt stations.22

22. Ibid.
Over the years many educational radio stations have formed state or regional networks and share program materials within the network organization. Program materials are also obtained from broadcasting offices in other countries, national syndication services, religious organizations and other national distributing groups.

Sources of funds depend upon types of ownership and vary widely. Most school or university stations receive their funds from the institution's budgets, as do those operated by religious institutions. Some stations rely on grants, gifts and income from services for their support while others have experimented with voluntary listener contributions for support.

The educational radio experience was to form a foundation for the subsequent development of educational television. In 1949 FCC Commissioner Freida Hennock dissented from a proposed television allocations table because no channels were reserved for education. A small group of not more than thirty leaders in education and broadcasting realized that a case for educational television reservations had to be made before the FCC. Petitions for appearance were filed and the Joint Council on Educational Television was quickly formed.23

23. For a detailed analysis of the requests for noncommercial television channel reservations see Schmid, op. cit.
The FCC invited comments on the advisability of providing channels for noncommercial educational television operation and the JCET's case was presented. The arguments were heavily influenced by the history of radio which proved educators could not compete with commercial broadcasters for audience. Educational radio channel reservations in 1938 and 1945 established precedents for the reservation requests in television. Educators argued that television channel reservations were needed to provide necessary time for proper development and to generate needed funding. The JCET also outlined the future potential of television in instruction.

24. Ibid., p. 2.

On March 22, 1951, as part of a general review of television, the Commission proposed that channels indeed be reserved for educational purposes. On April 14, 1952, after extensive hearings and proceedings, the Commission...
opened UHF channels for the expanding needs of television and concomitantly reserved 242 channel assignments (80 VHF and 162 UHF) for noncommercial educational use.27 These reservations constituted about 12% of the total allocations at the time. In making the reservations the Commission stated:

We conclude that the record shows the desire and ability of education to make a substantial contribution to the use of television. There is much evidence in the record concerning the activities of educational organizations in AM and FM broadcasting....it is agreed that the potential of television for education is much greater and more readily apparent than that of aural broadcasting, and that the interest of the educational community in the field is much greater than it was in aural broadcasting. The public interest will clearly be served if these stations are used to contribute significantly to the educational process of the nation. The type of programs which have been broadcast by educational organizations, and those which the record indicates can and would be televised by educators, will provide a valuable complement to commercial programming.28

The first ETV station to go on the air was KUHT, at the University of Houston in May, 1953. By 1966 the table of channel allocations for noncommercial educational television had been revised upward to 116 VHF and 516 UHF ETV
reservations, an increase of more than two-thirds over the previous reservation total.\textsuperscript{29} The steady growth of ETV through 1967 is illustrated in the following table:\textsuperscript{30}

\begin{table}[h]
\centering
\begin{tabular}{|l|l|}
\hline
Year & ETV Stations Growth Pattern Through 1967 \\
\hline
1953 - 1 & 1961 - 62 \\
1954 - 10 & 1962 - 75 \\
1955 - 17 & 1963 - 83 \\
1956 - 21 & 1964 - 99 \\
1957 - 27 & 1965 - 113 \\
1958 - 35 & 1966 - 125 \\
1959 - 44 & 1967 - 151 \\
1960 - 51 & \\
\hline
\end{tabular}
\end{table}

Financing of ETV was one of the first and most important concerns of ETV leaders after the channel reservations were granted. For a number of years this struggle for solvency was the only activity that kept ETV alive.\textsuperscript{31}

\textsuperscript{29} Ibid., p. 3.

\textsuperscript{30} Ibid.

Prominent in the early financing of ETV was the Fund for Adult Education, an independent agency created by The Ford Foundation in 1951. The Fund, led by its president, C. Scott Fletcher, established The National Citizens Committee for Educational Television to assist communities and other organizations to raise funds to match the money offered by the Fund to establish new stations. In addition, the Fund provided the initial grants for the founding of the Educational Television and Radio Center in Ann Arbor, Michigan, later known as National Educational Television (N.E.T.) in New York City. By 1961, when the Fund for Adult Education ceased formal operations, it had given more than $12,000,000, about one-third of which was on a matching basis, to the educational television movement and to ETV stations across the country.

Most of the money for station activation, however, came from local sources. Grants from sources like the Fund were nevertheless critical to the early development of ETV. Universities and community organizations were the first licensees of ETV stations, but soon school boards and
state commissions began to apply. Different types of ownership meant different types of financing. On the average, stations operated by colleges and universities and by school systems received about 75% of their income from direct budgeted support. Stations operated by state agencies received about 95% of their funds from state appropriations. Community stations, on the other hand, received about 75% of their support from gifts, grants, and services, the latter primarily for the production of in-school programs.34

34. FCC, INF Bulletin No. 16-B, op. cit., p. 8.

A second fund, The Fund for the Advancement of Education was also established by the Ford Foundation in 1951. In Teaching by Television, a report issued by The Foundation and the Fund, the two agencies reported that they had "provided financial support amounting to $20 million for a variety of experiments at the school and college level involving the use of television as a medium of instruction.... The primary focus of these experiments was on multiplying the effectiveness of able teachers."35


Despite the large amounts of money made available to
educational television stations during the early develop­
mental period by such organizations as the Fund for Adult
Education, the stations found it very difficult to meet
capital and operating costs. The demand for quality pro­
gramming was increasing and stations usually had only
minimal equipment with which to produce quality local pro­
gramming. Almost every station was continually struggling
for existence, trying to build audience and a good reputa­
tion.

Writing in a status report on educational television
in 1957, Richard Hull, then president of the National
Association of Educational Broadcasters, said:

Business, educational and community leaders
who sense the potential of ETV as a broadcasting
development, a "new kind of university" and a
"new social institution," and who see the growing
need for adult education and cultural enrichment,
want something more than an impoverished fringe
activity on the part of extension divisions in
the major educational institutions. They look
beyond the sometimes amorphous and feebly financed
activities of various adult education associations
and they want a great deal more than vocational
training when they envision such a program.....36

36. Richard B. Hull, Educational Television in the United
States: Status Report - 1957 (Based on a study conducted
for the ETRC during 1955-56 under a grant from The Fund
for Adult Education and independent research during 1956-
57) December, 1957, Columbus, Ohio, p. 43.

Even as Hull was writing in 1957 efforts were already
under way to involve the Federal Government in the "amorphous
and feebly financed activities" of educational television.
The incredible labors of the early 50's would take new shape as the leaders in the educational broadcasting movement began to formalize their plans for federal legislation to assist in the development of educational television.
CHAPTER II

THE EDUCATIONAL TELEVISION FACILITIES ACT OF 1962

In 1956, four years after the Federal Communications Commission had reserved 242 channels for educational purposes, only twenty-four noncommercial educational television stations were operating.¹ More than forty other stations were in the advanced stages of planning and development and were trying to find sufficient funds to begin operations.²

¹. JCET, Four Years of Progress, (Washington: Joint Council on Educational Television, 1956), pp. 2-75.
². Ibid.

When these additional stations were on the air a potential audience of fifty million people would be served. It was doubtful, however, how many of these stations would find the resources to build facilities and begin operating. And, after beginning operations, many were concerned about maintaining a sufficient operating budget.

The year before, the Fund for Adult Education, after underwriting the National Association of Educational Broadcasters, the Joint Council on Educational Television, the
National Citizen's Committee on Educational Television, the Educational Television and Radio Center, the Television Committee of the American Council on Education, and providing matching funds to 18 ETV stations for purchase of capital equipment, left this area of support except for funds held in reserve for certain ETV communities which had been previously committed. 3 The Ford Foundation itself had


assumed this financing beginning in 1956 and the Fund for Advancement of Education (another independent organization established by the Ford Foundation) had already begun to develop and support a large scale program of demonstration and experiment in teaching by television. 4 A diverse

4. Ibid.

pattern of ownership and financial support was apparent among the ETV stations operating in the mid-50's. In 1957 there were 14 stations owned by non-profit community corporations, composed of business leaders, civic groups and educational institutions. Thirteen stations were owned by colleges and universities either wholly or partially supported by states and five were owned by public school
systems, one by a state department of public instruction and one by a territorial department of instruction. Five stations were owned by a state commission or authority legislatively created for this special purpose.  

Continued

5. For a more detailed analysis of the four categories see Richard B. Hull, ibid., p. 8.

financial support for these stations depended, therefore, on public school, college and university administrative acceptance, legislative action as well as community acceptance and support. Fortunately, most of the stations on the air at that time were in the VHF band and did not have the added disadvantage of operating on the as yet seldom watched UHF band of frequencies. None of the stations were financed adequately for large-scale production or promotion and none had the kind of wide audience acceptance which would provide for a high degree of financial security. Most operated six to seven hours per day, five days per week and were basically dependent upon the "network" services of the Educational Television and Radio Center for programming.  

6. Ibid., p. 9.

Most of the stations did a large amount of instructional in-school production, which filled most of their broadcast schedule.
Financial Problems of ETV Stations

The financial problems of the fledgling ETV stations often dictated station policy during this developmental period. In his Status Report on ETV stations in the U.S. prepared in 1957, Richard Hull states:

While as a group the stations were poverty stricken, given the funds nearly every station manager knew what he wanted and needed to do. Often station program policies reflected not only the lack of sufficient funds, but an understandable financial expediency and the necessity to serve first those agencies which provided or could provide their funds. Where basic financing was provided by an educational institution, the station had first to demonstrate the ability to fulfill a purpose for that institution before it could take on broader things. Many of the stations demonstrated remarkable ingenuity in stretching a dollar.7

7. Ibid., p. 11.

The national climate during this period was one of concern for improvement of education and technology. Sparked by the space achievements of the Soviet Union, interest in education increased at the federal as well as state levels of government.

Studies were undertaken such as the Carnegie Corporation study of the American high school. This investigation, led by James B. Conant, former president of Harvard University, was to have a profound effect on American education when completed.8
Also in 1957, school enrollments were increasing on all levels. Teacher shortages as well as shortages of buildings and facilities were becoming apparent at all levels of education. In 1957 there were 39.7 million pupils in elementary and secondary schools, 3.4 million students in colleges and universities, and a shortage of 135,000 teachers.9

During this period there was an increasing awareness of the importance of adult or continuing education, beyond the formally-structured educational system. In his 1957 status report, Hull states:

Education of a responsible adult citizenry is of vital importance to the physical and political survival of Western democracy and its values. Education does not stop with formal instruction in a classroom and most adults are no longer willing to submit to routines of study prepared for children and adolescents. Intellectual and cultural entertainment, information, spiritual stimulation, clarification and perspective can become the major objectives of a nationwide ETV broadcast service.10

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Also in the report, which was prepared especially for the Educational Television and Radio Center, Hull listed the following considerations which he noted would require "immediate and vigorous attention:"

1. Policy definitions which make clear the distinctions between broadcast and non-broadcast ETV, especially when the same transmitter is employed for both purposes by the same ownership. Educators who engage in ETV broadcast need to learn the principles and the techniques of a medium with which they are largely unfamiliar and to seek educational goals by other than the characteristic means of the classroom. They need to conceive their off-campus and out-of-state obligations cooperatively, in public terms, not solely within the limits of a given discipline or an existing educational practice.

2. Enough ETV stations to provide a useable television signal in every U.S. population center of 100,000 or more people, seeking Federal financial aid if this proves necessary -- and filling in "white spots" on the ETV coverage map through arrangements with commercial television stations and/or networks whenever necessary. Channels should be in daily use 8-10 hours per day, 5 days -- and ultimately -- 7 days per week.

3. ETV channel protection by whatever methods may be necessary until political fact, FCC regulations or an act of Congress makes these reservations actually permanent. Polite persuasion and gentle "orientation" of either the FCC or Congress have small place as tactics in this pursuit. Commerce makes the ground rules here and education may as well face this now as later.

4. A full-scale national ETV program service which should be the creative, production and distribution center for all ETV programming whether for release over ETV stations, national commercial television networks and stations, or for closed-circuit ETV use.

5. A long range plan of national financial support based on educational, business, industrial, labor, foundation, community and government sources (both
state and national) of sufficient duration (at least 10 years) to permit ETV to devote its attention to service instead of survival, to the further study and the fuller development of potentials in broadcast programming and systematic instruction.

6. A centralized national information, public relations and reporting service for both the broadcast and non-broadcast uses of ETV, designed to provide data on all aspects of ETV to any prospective or actual participant in terms of his need right down to the "how to do it" and "exactly how much" level.

7. A comprehensive plan of experimental program production and utilization in the closed circuit and "open circuit" applications of ETV for systematic instruction.

8. A sober and conscientious re-thinking of ETV in terms of what its future developments and directions can and should be. The Ford Foundation, the Fund for Adult Education, the Fund for Advancement of Education and the Kellogg Foundation now have the opportunity -- if not the obligation -- to do this. This kind of effort is fundamental to a decision in any foundation to stop, continue or increase financial support for ETV. A terminal decision cannot now be made in conscience (nor a decision to continue support be made in logic) without such an exploration.11

11. Ibid.

ETV Redefines Objectives

By the mid-1950's, ETV had begun to define its objectives, to refine its priorities and gather momentum in the process. A top priority was to improve the financial status of ETV stations and begin to compete more earnestly for audience. The ultimate goal was a nationally-viable
system that would become a public force in education and enlightenment. The revolution had begun with the resolute action of a few national leaders in the ETV movement to win frequency space and had, in a few short years, developed into a multi-million dollar "education industry." Those national leaders in the educational broadcasting movement had not solved many of their problems by the mid-50's but they had begun to understand them. It was in this climate of both need and potential that the first proposals for massive federal support of ETV were considered.

ETV Facilities Act Conceived

The Educational Television Facilities Act began to develop in the minds of ETV leaders in 1956, when, during an NAEB convention in Atlanta, Leonard H. Marks, then legal counsel to the Association, presented his idea to the NAEB Board for federal legislation to aid in the development of educational television in the U.S. The idea was some-

what startling to ETV leaders at that time although the notion of the Federal Government's role in support of public education was not as unheard of then as it had been some years earlier. Never, in the development of edu-
cational radio, had the idea of federal support occurred to the NAEB leadership. Although the idea was new to members of the board, it was exciting to most. During the meeting Marks explained that he sensed a change in the national climate, making this an excellent time to initiate ETV legislation. He said that he felt television was "a new dimension in a new era and only federal funding could bring it to a level of productivity that everyone thought was possible." Some members expressed concern over the idea of federal involvement in ETV affairs, but after considerable discussion Marks was encouraged to proceed.

Several weeks later, Marks was a guest in the home of the then Senator and Mrs. Lyndon Johnson for dinner. During a very pleasant conversation, Marks outlined his idea to Johnson, who was then majority leader in the Senate. He began by explaining how the expanding needs
of education were not being met and could be met through the use of technology:

I remember using the analogy of one great teacher being able to reach thousands of students instead of being confined only to the few in the classroom. This excited his attention. He became quite interested. He remembered, he said, in Cotulla (Texas), how he could work with those 26 kids in his classroom and how he remembered that other classes sometimes were behind in competitive testing, and while this was no reflection on the other teachers, they may not have had the same background or experience.17

17. Ibid.

Johnson asked if television had ever been tried to any extent in instruction and Marks explained that it had not. At that time the Hagerstown experiment in instructional television was beginning to get under way and some discussion followed on its progress. The evening dinner party concluded with Senator Johnson asking Marks to visit him in his office the next morning so that Senator Warren Magnuson, then chairman of the Senate Commerce Committee, could hear him out. The appointment was set for the same week and Marks met with Senators Johnson and Magnuson. After Marks had explained his idea to Magnuson, Johnson told Magnuson that he thought he should put his name on a
bill, hold hearings, and that he would help him. Magnuson said that he would but that he did not think that they would get much support. If, however, Johnson thought it was a good idea to hold hearings, Magnuson would do so and see what develops. When the meeting adjourned, Marks was asked by Johnson and Magnuson to prepare a draft of the legislation.

Marks had known Johnson since 1946. A communications attorney by profession, he had represented Mrs. Johnson's broadcasting interests since that time. He knew a great deal about the way Johnson thought and something of his background. Marks considered it fortunate for ETV that he was working with a man who understood and believed in the power of communications and who had a background in radio broadcasting. He also felt that Johnson had the right
combination of interests and background as well as motivation:

President Johnson had a great dedication to education. Most people did not realize that his background as a teacher left an indelible impression on him. He realized that without education no country could gain in world leadership...no country could survive the competitive struggle. He also knew the great effects that education would have on the welfare of the individual, the satisfaction that comes with the discovery of knowledge.  

22. Ibid.

Preparation of Bill and Passage

Having been charged with the task of preparing a draft of a bill, Marks returned to the NAEB where he spent hours and days with many Board members and ETV representatives. Eventually, a draft of a bill was prepared and was taken to Magnuson. Senator Magnuson, upon receiving the draft, assigned Nicholas Zapple, communications counsel to the Senate Commerce Committee, to work with the legislative reference bureau to put the final touches on the bill.  

23. Interviews with Marks and Harley.
duced S.2119 in the Senate "to expedite the utilization of television facilities in our schools and colleges, and in adult training programs."  

The fact that Senator Johnson prompted the introduction of the facilities legislation should, in no way, detract from the deep, personal interest Magnuson had in the bill. The mere fact that Magnuson stayed with the bill for almost six years until passage and later sponsored the Public Broadcasting Act of 1967 attests to the Senator's interest and determination. Magnuson had been in Congress since 1937 and during most of his years in the Senate he had served on the Commerce Committee. A Democrat, he succeeded John W. Bricker as chairman of that committee in 1955.

Magnuson had had a long association with broadcasting and public service and was one of the most informed men in Congress on broadcasting legislation. In addition to his Congressional interest in broadcasting, Magnuson held stock in commercial station KIRO-AM-TV in his home state of
In 1950 he had supported the Bricker proposals to set aside specific channels for educational TV both in committee and on the floor as well as Senator Johnson's proposal for encouraging UHF development in 1953.

Senator Magnuson began hearings on S.2119 in April, 1958. Little opposition was encountered in the Senate and the bill passed the Senate unanimously on May 29.

Similar bills were introduced in the House by Congressmen Hale Boggs and Stuart Udall. The Udall bill (H.R.12177)


Hearings before the Rules Committee (House) on May 12, 1960 and February 26, 1962.

Meeting of Joint Conference Committee on April 12, 1962.


most closely resembled the Magnuson bill in design and substance. Both bills were sent to the House Committee on Interstate and Foreign Commerce and handled as communications legislation. After hearings were held in July, 1958, S.2119, the Magnuson bill went to the House chamber with committee amendments. It did not get the support it needed and was referred to the Committee of the Whole in August. The bill never reached the floor for a vote due to the adjournment of Congress.

Although the facilities legislation did not succeed in the 85th Congress, the concern of the nation's top legislators for the needs of education was expressed in the enactment of the National Defense Education Act of 1958.
One section (Title VII) of this act provided funds for the development of television and other technologies through research, but it did not compare to the much broader purposes of the educational television facilities proposals of Senator Magnuson and his supporters in the House. It is doubtful that this legislation diverted support to any significant extent from the facilities bills.\textsuperscript{30} It may have diverted some attention from the Magnuson bill, however, due to its more generic nature and wide support in both Houses of Congress.

Even before the 85th Congress was adjourned, Leonard Marks began a concerted lobby attack in support of the Magnuson bill with the assistance of Harley and the NAEB staff. Marks attempted to get the members of the NAEB to visit their congressmen and senators and attempt to convince them of the importance of this legislation.\textsuperscript{31} After the bill failed in the House, it was realized that the primary work would have to be done with congressmen. That was good since congressmen are generally more accessible than Senators. Marks found a great amount of lethargy, however,
among educators and the ETV establishment in responding to the lobbying challenge. It was the exception rather than the rule for the head of a university, dean of a school, or the manager of an educational radio station to call on his congressman to support this or any other legislation.\textsuperscript{32}

\begin{quote}
32. Ibid.
\end{quote}

In many cases, educators and station managers did not know their congressmen and had never talked with them on any matter. It became clear during this period that educators and educational broadcasters needed political education and the NAEB began the process. This "educational process" was to continue into the mid-1960's and throughout the work on the Public Broadcasting Act of 1967.

When the 86th Congress convened, Senator Magnuson again introduced his bill (S.12) with only slight modifications. The bill received favorable committee action and passed the Senate on April 13, 1959.\textsuperscript{33} Again, little op-

\begin{quote}
33. F. H. Roche, C.S.C., op. cit., p. 93.
\end{quote}

position occurred in the Senate and the only questions that were raised were the somewhat traditional "efficacy" arguments relating to television and instruction and a consideration of the "need" for the Congress to assist ETV
financially when the movement seemed to be making steady progress under its own impetus and resources.34


When the bill reached the House, it gained some support but still not enough to carry it through. The parochial school issue, an issue which had taken months of discussion before any legislation was drawn in 1957, was still present. The constitutional prohibition against the church becoming involved in education was one of the greatest obstacles to getting action in the House of the facilities proposals.35

35. Marks interview.

Although the measure failed to win the approval of the House again in 1959, Marks and the Senate leadership recognized that some progress had been made and momentum was beginning to build. More than 50 congressmen had been involved with the bill on this round during extensive hearings in Washington and other cities across the country. University presidents had become involved as well as other leaders in education and broadcasting. Citizen groups were formed to assist the NAEB with the process of educating legislators on the importance of the legislation to the
to the future of the ETV movement. The bill failed to win
the approval of the Rules Committee, and therefore died
in the House. It failed partly because of the financial
considerations involved, partly because it appeared to be
an education bill (traditionally apposed by the conservative
leadership of the Rules Committee) in the guise of a com-
munications bill, and also because there did not appear to
be a great need for the legislation.36

36. Price, op. cit., p. 362. Confirmed by Marks in
private interview.

Senator John F. Kennedy was elected to the Presidency
in 1960 and educational broadcasters became more optimistic
about the chances for passage of the facilities legislation
during the 87th Congress. President Kennedy had made
campaign promises regarding educational broadcasting and
was committed to doing what he could to get ETV legislation
enacted. The previous Republican Administration had opposed
the Magnuson bills through the U. S. Office of Education.37

37. Dean W. Coston, private interview, July 29, 1971,
Washington, D. C.

The Office still opposed the legislation on the grounds of
insufficient need, and it was incumbent upon the new Admin-
istration to overcome that opposition.
The President and then Assistant Secretary of Health, Education, and Welfare, Wilbur Cohen, had to look elsewhere than the U. S. Office of Education to find resources to assist with the development of the legislation. Dean W. Coston, a former Michigan politician and educator, was brought to H.E.W. to work on the legislation. In addition, John Bystrom, a former political associate of Vice President Hubert Humphrey, was brought to Washington about the same time and for the same reason.  

38. Ibid.

had been a member of the Minnesota Board of Education and was familiar with both education and the political process.

Bystrom and Coston first had to overcome the opposition of the U. S. Office of Education. This was accomplished by limiting the scope of the legislation.  

39. Ibid.

A new bill was drafted for the 87th Congress and again introduced in the Senate by Magnuson in early 1961. Senate measure S.205 provided grants to qualified groups or organizations up to the amount of one million dollars to each state and the District of Columbia over a period of five years on the condition that each group agreed to bear the operating and
maintenance costs of the television equipment and facilities. The federal government would provide the equipment needed and the organizations would erect the buildings and acquire the land. The bill would add another construction grant program to a host of others already in existence.

Hearings were held on March 1 and 2, 1961 and a favorable Commerce Committee report was issued on March 14. Largely the work of Nick Zapple, the report stressed the fact that nine years had passed since the Federal Communications Commission had reserved channels for ETV and in that period 54 educational stations had gone on the air, primarily in the VHF band. Fully two-thirds of the total U.S. population had no access to ETV. It stated that the greatest problem facing the ETV movement was the lack of funds for facilities. 40 S.205 passed the Senate by a wide margin (67 to 13) on March 21, 1961.

The Kennedy administration did not support S.205 in its original form. The Secretary of H.E.W., Abraham Ribicoff, as the result of staff work by Cohen, Bystrom and Coston, recommended a program under which federal funds for new facilities would be matched on a 50-50 basis by either the states or a non-profit organization. These H.E.W. proposals were contained in H.R.132, which was reported out of

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40. Roche, op. cit., p. 98.
the House Committee on Interstate and Foreign Commerce on August 21, 1961.\textsuperscript{41}

\textsuperscript{41} Ibid.

In the meantime, Marks and NAEB continued to gain support in the House. They did, of course, have a better bill to work with than they had had in any previous Congress. The bill was purely a compromise measure containing safeguards against Federal control, modest use of Federal funds with cooperation between the states and the Federal Government. Bipartisan support was achieved through the efforts of the bill's sponsor in the House, Congressman Kenneth Roberts, and the influential leadership of the House Commerce Committee Chairman Oren Harris. It was primarily Harris' leadership that brought about compromises which got an "acceptable" bill past the Rules Committee and to the floor for vote.\textsuperscript{42}

\textsuperscript{42} Price, \textit{op. cit.}, pp. 71-72.

Floor action was delayed until 1962, when on March 7, 1962 H.R.132 passed the House by a vote of 339 to 68. The measure authorized $25,520,000 for matching grants for the development of ETV facilities.

The most significant differences between the Senate
and House bills were as follows:

1. H.R.132 provided an authorization of $25 million for up to 50% federal grants with an overall limitation of $1 million for facilities situated in any particular state. S.205 provided an authorization for such amounts as might be necessary for federal construction grants requiring no matching by applicants, but there was a ceiling on individual grants of $1 million for each state.

2. H.R.132 set aside $520,000 for a survey to be made by the states to help develop plans for the construction of educational television facilities. There was no such provision in S.205.

3. H.R.132 provided that in a state in which an application for a survey grant had been approved, the Commissioner of Education would approve an application for the construction of any facility, only if such application had been approved by the state educational television agency. S.205 vested complete authority in the Secretary of Health, Education and Welfare to allocate funds among state applicants.43


The differences were resolved in Conference and a report was issued in April, 1962. The major provisions were the following:

1. An authorization of $32 million in matching grants over a period of five years, June 30, 1962 to June 30, 1967 to the states to aid in the development of educational television.

2. Matching grants could be made to any non-profit agency, organized for the purpose of encouraging educational television, and capable
of receiving a license from the FCC.

3. No further studies were needed on educational television. The matter had been handled adequately in the HEW Study of 1962: The Needs of Educational Television Channel Allocations.

4. The Secretary of Health, Education and Welfare was responsible for the administration of the Educational Television Facilities Act. Total grants to each state should not exceed one million dollars.44


The Conference Report was accepted by both the Senate and the House before the end of April and awaited the signature of the President.

There was a serious question regarding the signing of the bill due to the President's Catholic background. There was concern on the part of some that the President might feel that the legislation was discriminatory to some and that parochial schools would not share equally with state schools or public community groups.45

45. Marks interview.

President Kennedy had two special assistants, Ted Sorrenson and Michael Feldman, both of whom Marks knew well. Marks discussed the legislation with them. Also, at that
time Lyndon Johnson was Vice President, and Marks emphasizes that Johnson had never lost contact with the ETV legislation:

He never participated in any hearings and never made a speech about it, but it was his bill, and let no one tell you otherwise. When there was a problem about getting it through a committee, a problem of procedure, how the legislation should be handled, it was his (Johnson's) advice that was followed, and he never once wavered in his support of this bill. 46

46. Ibid.

Kennedy received memoranda from his staff and Johnson told the President that this was landmark legislation, paving the way for the equivalent of land-grant colleges. 47

47. Ibid. Johnson knew a great deal about land-grant colleges and often used the analogy when talking about ETV legislation.

President Kennedy signed the measure into law on May 1, 1962. He had only about fifteen people invited to the signing ceremony. Among those present were Senator Magnuson, Senator Cotton, Senator Moss, FCC Chairman, Newton Minnow and Nick Zapple. The only "outsiders" invited to the signing ceremony were William Harley and Leonard Marks. President Kennedy did not follow the practice of signing with multiple pens when signing a piece
of legislation. He would usually sign with one pen and give the pen to the sponsor of the bill.\textsuperscript{48} After signing the bill, President Kennedy gave the pen to Senator Magnuson saying, "It's your bill, here's the pen." Magnuson then turned to Marks and gave the pen to him saying, "Here, this belongs to you."\textsuperscript{49}

\textsuperscript{48} Ibid.

\textsuperscript{49} Ibid. Marks tells the story of the signing ceremony not only because it was one of the most satisfying experiences and proudest moments in his life, but also to illustrate the humility of and credit due to Senator Warren Magnuson, who saw himself as a vehicle of citizen's groups, educational broadcasters, and other supporters, and who stayed with the bill for so long to bring it into law.

Finally, after more than four years of concentrated effort, and the introduction a numerous pieces of legislation in both Houses of Congress, 18 public hearings and four floor debates, the precedent had been set. The Federal Government was significantly involved in the support of educational broadcasting and the ETV establishment itself had not only a financial, but also a moral boost. The Government had invested in the future of educational broadcasting, an investment that would later have to be protected.
In 1962, President Kennedy described the importance of the ETV Facilities Act in this way:

This Act marks a new chapter in the expression of federal interest in education. It will provide vitally needed federal support for the construction of educational television stations, while at the same time assuring state and local operation. In spite of the vigorous efforts of many states and communities, 215 of the television channels reserved for education nine years ago remain unused.50


Many more of those channels of which the President spoke in 1962 would be occupied soon as a result of the Public Law 87-447 and new directions and priorities in educational broadcasting would soon begin to emerge.
With the passage of the ETV Facilities Act of 1962, the financial pressures of educational television were eased somewhat and the development of the new educational medium was encouraged. The Act authorized $32 million over a five-year period for federal matching grants for the activation of new ETV stations and for the expansion of facilities of existing stations. The Act, administered by the Department of Health, Education, and Welfare, specified that the applicant for federal matching funds must demonstrate financial ability to provide the non-federal funds needed for the construction, operation and maintenance of the ETV station. By the mid-60's, approximately 67 grants had been approved for a total of over $12 million and an additional 86 applications amounting to approximately $18 million were being processed.

of the legislation the number of educational television
stations on the air or under construction more than
doubled to 189.2

2. U.S., Congress, House, Committee on Interstate and
Foreign Commerce, Public Broadcasting Act of 1967, 90th

The Secretary of Health, Education, and Welfare whose
Department administered the act said that it brought non-
commercial television to the threshold of maturity.3

3. U.S., Senate, Committee on Commerce, Public Broadcasting
S.1160, p. 2.

Rosel H. Hyde, chairman of the Federal Communications
Commission, stated that the legislation "had a dramatic im­
pact upon the expansion of existing ETV facilities."4 And

4. Ibid.

the president of National Educational Television, John F.
White, said in 1967:

...the Educational Television Facilities Act of
1962 has provided essential assistance for the
construction of new ETV stations and the improve­
ment of existing stations at a critical time in
the history of noncommercial television.5
Facilities Act Provides Stimulus

Some states moved faster than others and applied for more support than the Law provided. No state was permitted more than one-million dollars. Smaller states lagged behind but there was a moral force behind them since they were able to go to their state superintendent of schools or their governor and explain that there was up to $1 million dollars available for ETV development if it could only be matched. Soon HEW discovered that there was more demand than resources. Station managers were in a position to show examples where ETV was developing rapidly as the result of state and federal support. Networks were beginning to develop in such states as Alabama, Georgia, Maine, Nebraska, North Carolina and others. The director of the Nebraska educational television network, Jack G. McBride stated before a House committee in 1967:

As we look back over the past years of success with the Educational Television Facilities Act, success is not measurable in terms of numbers of stations and dollars alone. Let me cite certain Nebraska illustrations which in many ways are typical of national ETV development. Were it not for the ETV Facilities
Act, the Nebraska ETV Network would not be providing a 7:30 a.m. to 11 p.m., 90 hours per week, year-round statewide educational service.

Were it not for the ETV Facilities Act, student nurses in my State would not be receiving quality instruction in anatomy and physiology by television; law enforcement officers throughout Nebraska would not be receiving timely instruction in arrests and bookings; teachers, the latest in elementary science and math teaching methods; farmers and ranchers would not see demonstrations in corn root-worm control and cattle feeding...

For the first time we have the mechanism to bring the educational, cultural, and historical resources of America's major metropolitan centers directly into the homes of the less-populated areas which form so much of our country. 


New Problems Develop

Although facilities were increasing and improving and larger audiences were becoming apparent, no stations were having an easy time of it in the early 60's. Many stations could offer their communities little more than in-school services and the cultural and informational programming provided by the National Educational Television and Radio Center. Some stations were able to produce good local programs, and a few stations, such as those in Boston, San Francisco and Denver, began to establish themselves as important components in the cultural life of their communities. 

8
Many of the stations which received grants under the Facilities Act soon realized that having the hardware was not enough. It took a great deal of money to operate effectively, personnel had to be acquired as did good programming. Having received money from local and federal sources the pressure was on to produce good software. Very few stations had the resources to operate as they should. Some sort of program source was needed and more money to operate would obviously be necessary in the years ahead.

It became apparent quite soon after the Facilities Act was passed that educational broadcasting could not be viable nationally with money only for hardware. Support would be needed for programs of personnel improvement, operational support for the development of broadcast materials, network services, etc. Other stations were beginning to think about conversion to color, new mobile and film equipment, new studios and expanded networking and program production. While the Facilities Act had provided the stimulus for development and, indeed, had made ETV a more viable national entity, it was still a much narrower piece of legislation than many in the ETV establishment and HEW had wanted.9 It was limited only to
contruction grants and merely added another contruction grant program to a whole host of contruction grant programs already in existence. It was not what those in Washington would consider a major breakthrough in public policy. It had, however, created a precedent in educational broadcasting development and most ETV leaders felt that the momentum created with the enactment of Public Law 87-447 should be maintained.

**All-Channel Television Receiver Act**

Another legislative development during this period was important to the development of noncommercial broadcasting. This was the All-Channel Television Receiver Act, also passed by Congress in 1962. The purpose of this Act was to amend the Communications Act of 1934 by giving the FCC certain regulatory authority over television receiving apparatus. More specifically, it required set manufacturers to design and sell only sets capable of receiving all television frequencies allocated by the FCC.

In endorsing the All-Channel measure in April, 1962, the House Commerce Committee Report noted the economic problem facing the UHF band:

The principal reason why the UHF band has not been able to develop successfully has been
the scarcity of TV receivers which are capable of receiving stations operating on UHF channels. There are 55 million television receivers in the hands of the public. However, only about 9 million of these, or about 16%, are capable of receiving UHF television signals.10


Proponents of the legislation, including the FCC, felt it was the only answer to the development of an adequate commercial and educational television system in the U. S. The Senate Commerce Report issued in May, 1962 strongly endorsed the new legislation on the grounds that the VHF band was being squeezed to the limit:

Our population expands; new families are formed; per capita income trends upward; leisure time becomes increasingly available and new products and new companies seek advertising outlets. All of these economic and social factors indicate the need, and provide firm support for an expanded commercial and educational [broadcasting] system.11


The All-Channel Television Receiver Act of 1962 was signed into law by President Kennedy on July 10, 1962 and all television set manufacturers were given until
April 30, 1964 to comply with the Act and equip receivers to receive all frequencies, including those in the UHF band. With more than half of all ETV stations already operating on UHF frequencies and most of the channels reserved by the FCC for future ETV stations in the UHF band (14-83), the All-Channel Act was a welcome development as ETV leaders began to consider new priorities.

Before either the ETV Facilities Act or the All-Channel Receiver Act was passed, the National Educational Television and Radio Center and the Ford Foundation realized that they would not depend upon industry and other independent sources for funds for national programming. Program underwriters were staying completely clear of some program areas, particularly controversial public affairs.12 Both


the Center and the Ford Foundation were convinced that courageous public affairs programming was an essential component of national ETV programming.

Support for the Center was altered when the Ford Foundation increased its support in 1962 and station affiliation fees were reduced to a token $100 per year. In October of 1962, the Ford Foundation announced the first of its annual $5,000,000 grants for the basic support of the program service of the National Educational Television and
Radio Center. This more than doubled the amount of support for the Center, but came with certain strings attached. The Center agreed to reduce its new programming to five hours per week and at least half of that would be devoted to public affairs programming.\textsuperscript{13} The Center would get out of its station activation work and other non-program services to stations. It would also cease its radio activities and terminate instructional, or in-school, television programming. The Center ceased to exist in its original form and became N.E.T., National Educational Television.\textsuperscript{14}

\textbf{New Legislative Objectives Develop}

With these changes in the level of support of the national programming organization combined with the needs of the new stations, it was becoming more clear to leaders in the ETV movement that new legislative objectives must be formed. To accomplish these objectives, a reorganization of the national association, the NAEB, would have to be accomplished. This was done and is detailed in CHAPTER IV.

It was evident that the social and political forces which had led to the ETV Facilities Act of 1962 carried
over after the act was passed. The key people in the Senate and the House continued to maintain their interest in the progress of the legislation. This was not only felt but observed by members of the NAEB staff during the mid-60's.15

15. C. Scott Fletcher, private interview, April 18, 1971, Jensen Beach, Florida.

The interest increased as audience increased across the country, programming improved and ETV acquired greater visibility in more Congressional constituencies. The social benefits of educational broadcasting were demonstrated to a greater extent by the fact that there were a great many more facilities, ETV was able to reach a larger proportion of the voting public and demonstrate, to a much larger extent than was ever before possible, the "beneficent" influences of educational broadcasting.

"Champions" of educational broadcasting had been born in the Congress during the legislative process leading to passage of the ETV Facilities Act. The success of this legislation became political assets for a number of Congressional leaders and these commitments would later be tapped when new legislation was prepared.

With the death of President Kennedy, Lyndon Johnson became President of the United States. Several ETV leaders felt that since Johnson had been a "patron" of the ETV
Facilities legislation, it would not be difficult to interest him in new and more far-reaching legislation to assist ETV development.16 The new President did, indeed have an interest in carrying forward the original intentions of the original legislation. In a letter to C. Scott Fletcher in December, 1964, the President wrote:

The progress which has been made... can only be considered as a gratifying prelude to that which remains to be done. If we are to project educational television into the full potential of service to education and the national welfare, we must not be content with the status quo. Therefore, I hope that the sources of support which have been so important to the launching of educational television broadcasting will not only continue to assist this development, but will increase their participation. In addition, I hope that you will find new sources of financial support. In this way, educational television stations will realize their collective potential as the instruments of national purpose in the vast program of social action upon which we are embarked.17


It was in this complex climate of old and new needs, redefined priorities, reorganization, solid federal legislative precedents and national support, that educational
broadcasters began a concentrated study of the long-range financing of educational broadcasting, with special emphasis on television. This study culminated in the First National Conference on Long-Range Financing of ETV.
CHAPTER IV
FIRST NATIONAL CONFERENCE OF LONG-RANGE FINANCING OF ETV

In November 1963, at the annual convention of the National Association of Educational Broadcasters, many of the delegates were concerned about the financial future of educational broadcasting. It was evident from this convention and an earlier meeting in Phoenix that there was dissatisfaction, tension, and a loss of confidence in the Ford Foundation and the Funds which had been established to assist ETV development in the United States.¹ As a result of these concerns there was apparent dissention among certain members who believed that a separate organization should be created at the national level to replace the NAEB. This movement, led primarily by educational television station membership, was assuaged with a suggestion by William Harley, president of the NAEB and other officers and members to reorganize the Association and create a new divisional structure. The new structure would include an educational television station division (ETS), an educational radio division (NER), an instructional division, and an individual members division. Formerly, in the develop-

¹ Fletcher interview.
ment of the NAEB, there had been a board of directors which was split between radio station managers and television station managers. The original controversy arose as a result of that structure.\(^2\) The television board members

\(^2\) Harley interview.

became interested in a national production center for educational television programs and presented the proposal to the NAEB board. They were out-voted by the radio board members and the one individual board member. The television representatives became highly incensed at this, leading to the idea of a separate organization for ETV stations which would be managed as the television station managers felt it should be.\(^3\) This led to a great deal of discussion which

\(^3\) Ibid.

culminated in a meeting of all of the representatives to decide whether to stay in the NAEB or create a new organization. The affiliates committee of National Educational Television strongly recommended the new organization concept. Because of the strong support for this idea, Harley went to the affiliates with a proposal to reorganize the NAEB structure to include separate divisions but still maintaining the strong base in the national organization.
Harley recognized that the special interests of the separate groups would be better served with this format and at the same time national strength would be preserved by keeping the various elements unified in a national organization. At the same time, Harley proposed a national videotape library which would give the stations another source of programming besides NET.\textsuperscript{4} These proposals were accepted by the membership and the NAEB prevailed. The new organizational structure was created and staff were recruited.

It was the responsibility of the NAEB Board to select a president to head the new ETS division established by the new constitution approved at the Milwaukee meeting and a number of candidates were considered during the following months. Included among those candidates were former CBS news executive and broadcaster, Edward R. Murrow, and Edwin Canham of the Christian Science Monitor. It was felt that a nationally known figure would be important to the success of the new organization and the NAEB was considering a salary of between $30,000 and $50,000 per year to obtain the right person.\textsuperscript{5} A number of board members, however, felt

\textsuperscript{4} Ibid.

\textsuperscript{5} Richard B. Hull, private interview, September 20, 1971, Columbus, Ohio
that candidates like Mr. Canham were too far removed from the operation of educational broadcasting to be very useful. Murrow was considered a strong candidate but this period marked the beginning of his ill health which later became fatal. Murrow also seemed somewhat remote from the field of educational broadcasting and was therefore considered an impractical choice.  

6. Ibid.

Fletcher Recruited for ETS Division

Finally, in a private meeting in Washington between Harley and Richard B. Hull, then chairman of the NAEB Board, the name of C. Scott Fletcher, a name not unfamiliar to either party, came up. Fletcher had been president and a director of the Fund for Adult Education established by the Ford Foundation from 1951 to 1961, and also a former director of the Fund for the Advancement of Education, also established by the Ford Foundation. Both of these organizations had made significant contributions to the development of educational radio and television in the United States. The Fund for Adult Education, for example, made available the first matching grants for the establishment of the first thirty ETV stations, except one, and established and financed the National Educational Television and Radio Center (NET). 7 In addition to his work with the
Funds Fletcher had served as a director of the National Educational Television and Radio Center and was a charter member of the Citizens Advisory Committee of Title VII of the National Defense Education Act. Fletcher had also been an executive with Studebaker Motors and Encyclopedia Britannica, and after leaving the Fund for Adult Education, had served briefly as Vice President for Development at the University of Miami. At the time he was considered for the ETS post, Fletcher was in semi-retirement and living in Florida. Harley and Hull felt that Fletcher had all of the right background for the job and proceeded to recommend him to the board. They felt that he would be available since he had had a background with the movement, would enjoy the challenge, and was not encumbered with any specific or significant employment responsibilities at the time. Since Robert F. Schenkkan, then chairman of the ETS board, did not know Fletcher a meeting was arranged by Hull in Columbus for the dual purpose of introducing Fletcher to Schenkkan and to actively recruit Fletcher for the position. The Hull interview.
meeting was held at the Ohio Stater Inn in February, 1964, with Harley, Hull, Schenkkan and Fletcher attending. The meeting was successful and Fletcher accepted the position.

When Fletcher accepted the invitation of Harley, Hull, and Schenkkan to become director of the new ETS organization he accepted with certain conditions. He did not want to accept the presidency for legal and tax purposes and so became a consultant to the NAEB with full responsibility for ETS. He also was uneasy about accepting any long-term appointment due to the health of his wife and other commitments in Florida. He accepted the position on a short-term basis and at a much lower salary than was originally considered by the NAEB after Hull asked that Fletcher at least help the NAEB over a couple of hurdles, the first of which would occur on March 18 in New York. This was the next meeting of the NET Affiliates. Fletcher was challenged with the opportunity to assist with the unification effort and originally planned to be in Washington for not more than six to nine months. Fletcher closed his home and put it under Florida Control and took
an apartment in Washington near the NAEB offices in April, 1964.

When he accepted the directorship of ETS Fletcher did not realize that there was so much dissension in the ranks of NAEB nor did he realize that there were very little operating funds for the new organization. These things were a source of irritation to Fletcher but would not have prevented him from accepting the position since he recognized at the time the importance of the job.11 His immediate objectives were to attend the meetings and begin to develop the confidence of the membership. Some of these things were accomplished before he moved to Washington. He realized that his job would be complicated due to the lack of funds and recalls the stark reality of his situation:

It was wild. Remember that there was no money, not even to buy any furniture. So I had an office that was known as the ETS Office and one secretary and no pictures, no furniture, no carpet, nothing. Hartford Gunn came in to see me one day and he just looked horrified. He saw me in this bare, miserable room and said "you can't operate in this atmosphere." I said how can I do otherwise until I get some money. The only people that had ever pledged any money were Jim Robertson* at the NET Affiliates meeting in New York in March and me. Now if you've ever been to WGBH at any time, even before the fire, you'll know that that place is just a model... and Hartford is that kind of person anyway... he feels it is important to have a right and proper front...and I agree with him.12

11. Ibid.

12
Fletcher had agreed with Harley and the NAEB staff that the educational television stations division could not cut themselves off entirely from the NAEB proper. They would never have had the same strength and their voice would never have been as strong at the national level. But he had accepted the role as ETS director and had promised that he would not become involved in anything other than the affairs and interests of educational television stations. This became a working philosophy and provided direction for Fletcher during the months that followed.

After arriving in Washington Fletcher began to investigate the needs of educational television stations and visited a number of key people in Washington to discuss future directions. Included among those he visited were E. William Henry, chairman of the Federal Communications Commission, and Nick Zapple, Communications Counsel to the Senate Commerce Committee. After discussions with these people and with other members of the ETS Board, Fletcher decided that the all-important problem which the Association would have to come to grips with was the long-range financing of educational television.13 It is important to
note here that from the beginning Fletcher was not concerned about radio and it followed that the Carnegie Commission would later deal only with television.

It occurred to Fletcher that unless the right recommendations were made in the proper quarters the organization would not be successful. It had to be determined where the stations were going, where the stations' money was coming from, how reliable and adequate were these funds for the future development of educational television, and how well the stations themselves understood their own predicament. Fletcher did not discuss many of his thoughts with the other members of the board* since he was only going to be in Washington for a few months and because there was no money to hold regular meetings of the ETS board. After a few weeks Fletcher's thoughts began to crystalize and his primary objective became a national conference to attempt to get some answers to several questions regarding long-range financing of educational television.14

14. Ibid. *The ETS Board of Directors consisted of Chairman Schenkkan, KLRN, University of Texas; Gerald Appy, WGT, University of Georgia; Dr. Keith M. Engar, KUED, University of Utah; Richard B. Hull, Telecommunications Center, The Ohio State University; Dr. John C. Schwarzwalder, KTCA, St. Paul, Minneapolis; and Donald V. Taverner, WQED, Pittsburgh.
Conference Idea Develops

Fletcher was well acquainted with the financial problems confronting ETV stations and soon discovered that many of the financial difficulties of the 1950's still existed. But now he knew that philanthropy and seed money would not be enough. In early 1964 he said, "we must take immediate action to investigate the financial structure that supports all aspects of educational television station activities, and we must move toward development of a plan for financial stability."15


It was clear that a national conference would be necessary and a national survey of ETV stations undertaken to get the information that was needed. A proposal for a Study of the Long-Range Financing of Educational Television Stations was developed during the summer of 1964 and submitted to the United States Office of Education for consideration under the National Defense Education Act, Title VII, Section B. The proposal stated the background, described the background, and requested approximately $65,000 for a seven-month study.16 The money was to be used

16. Ibid. and Fletcher interview.
to finance a survey of the financial behavior of ETV stations and to conduct a national conference in Washington on long-range financing. More than half of the money was to be used to pay the expenses of delegates to the Washington conference.17

17. Ibid.

The USOE contract was drawn and the money was received in September. The man most responsible at the Office of Education for getting the grant approval and the money was Tom Clemens, a former associate and friend of Scott Fletcher.18 In addition to the grant, part of the expenses for the project was underwritten by ETS. The conference was planned for December 7-8, 1964. Fletcher had wanted to hold the conference earlier, but it had taken most of the summer to get the grant approved.

After the approval of the grant more definite plans were made. Dr. Frederick Breitenfeld, Jr. was appointed Project Director and Mrs. Charlotte Wolin was hired as Project Assistant. Dr. James A. Fellows was designated Project Coordinator by the NAEB.

The first step was the development of a financial
questionnaire which was to be sent to all stations as an instrument for learning about the current financial status of ETV stations in the United States. The Federal Communications Commission provided assistance and advice in the development of the questionnaire, which was conceived to parallel FCC Form 324 for commercial stations. 19 Ultimately, all stations responded to the questionnaire. No sampling was necessary since a total population was represented in the results. 20


20. Ibid. A summary of the results of the financial survey and a copy of the questionnaire are included in APPENDIX A.

Preceding the mailing of the financial questionnaire, Fletcher sent a letter to each station manager, explaining the project and asking for their assistance in bringing the matter to the attention of their governing boards. He also asked that they give NAEB-ETS the names, titles, and addresses of those who would represent the stations at the Washington meeting.

Fletcher felt very strongly about representation at the conference by governing board members. The plan was for each station to be represented by at least two people--
the station manager and the chairman of the governing board. No station would be permitted to participate unless a member of the station's board was present.21 Fletcher

21. As stated on page 33 of the Report on the First National Conference, the term "governing board," as applied to educational television stations, can be confusing. Basically, it is the legal and official body that is the licensee. It is the group that is ultimately responsible for the license entrusted by the public through the FCC. It can be the Board of Directors of a community corporation; the Board of Education within a city, county or state; the Trustees of a college or university; a state Board of Regents; or a State Agency for Educational Television.

admitted that this was pretty "high handed" but he felt that there was too much at stake. He knew that the station managers did not realize what was at stake and that unless clear mandates resulted from the discussion groups, little would be accomplished.22 He knew that these mandates would

22. Fletcher interview.

have to be printed and eventually would be presented to Congress. These were the ultimate goals and Fletcher was convinced that most station managers did not fully recognize the significance of this initial effort. It was for these reasons that the money to finance the study included funds for travel for at least two representatives from each station. Fletcher felt that this leverage would be useful
in getting representatives of the governing boards to attend.\textsuperscript{23}

\begin{flushright}
23. Ibid.
\end{flushright}

The idea for the conference and its structure was not complicated. It was, however, the first time in the twelve year history of educational television that the members of the governing boards and the station managers had been assembled for any purpose.\textsuperscript{24} In his opening remarks before the Conference, William Harley said:

\begin{flushright}
\end{flushright}

This occasion is significant for several reasons. First, this is a unique meeting among the hundreds of conferences, meetings, seminars and other gatherings that have taken place on the subject of educational television since the memorable kick-off conference at Penn State in 1952. It is unique because it marks the first time in these twelve years, during which time the educational television stations have come into being, that the members of the governing boards of these public trusts have assembled...Second, the fact of this meeting is significant in terms of affirming the new vitality, strength and effectiveness of the recently reorganized National Association of Educational Broadcasters.\textsuperscript{25}

\begin{flushright}
25. Ibid.
\end{flushright}
Conference Action

Hotel arrangements were made at the Statler Hilton in Washington, study materials were gathered, and leaders in education, television and government were invited as guests and resource persons. A total of more than 260 people attended representing every educational television station in the country. Many stations preferred to send more than two delegates, some at their own expense. The turnout alone was considered a huge success. A list of those attending is contained in APPENDIX A.

In order to accomplish all that they hoped to accomplish in the two day period, the staff realized that the program must be very condensed and smooth flowing. Since a variety of items had to be discussed, and since the recommendations of every delegate had to be heard, the decision was made to divide the conferees among ten discussion groups. Since the Fund for Adult Education had invested something over $7 million in research on how to conduct discussions, meetings, Fletcher understood well discussion


27. Ibid., p. 47.
Each discussion group was to consider a carefully planned agenda, and arrive at conclusions and recommendations. The synthesis of these ten sets of recommendations would then be considered as coming from the entire conference. The key to the success of the discussion meeting was to ask the right questions. Discussion leaders were to ask the questions and nothing else. The questions were to lead to a consensus. It should be a complete consensus.

General sessions were held throughout the conference, but the bulk of the delegates' time was spent in the discussion sessions. The conferees were assigned to rooms so that each discussion had representation not only from several types of station ownership, but also from a variety of geographic regions. Ten governing board members were chosen as room chairmen, and their respective station.
managers acted as discussion leaders. Each room was
assigned a recorder, whose responsibility it was to keep
a detailed record of proceedings, including decisions,
conclusions and recommendations. Several resource people
were assigned to each of the discussion sessions. 31

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Financing, op. cit.

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Each delegate had received a study kit before
arriving at the conference which included the following
materials:

**Educational Television - A Background Statement**
*by Frederick Breitenfeld, Jr., Project Director, NAEB-ETS.*

This article gave particulars pertaining to the
development of educational television stations, the
different types of licensees and a general idea of
the various ways in which each finances its oper­
ations.

**Educational Television's Dilemma (What Is Happening**
*To The Dream?)** *by Arthur Hungerford, Associate
Professor, Penn State University.*

In this article the author, who had been in
educational broadcasting for over 12 years, stresses
that an important philosophic and practical decision
must be made before educational television stations
can become part of a sturdy American instrumentality.
Among other things he wondered if some form of
federal aid is the answer to the financial questions
that haunt ETV stations.

**Address by E. William Henry, Chairman, Federal**
*Communications Commission.*

In this important speech, the Chairman of the
FCC suggested that commercial broadcasters have a
responsibility in helping educational television stations. He asked for generosity not yet seen.

The Future of Educational Television - Analysis and Recommendations by Hartford N. Gunn, Jr., General Manager, WGBH-TV-FM, Boston, Massachusetts.

This was a digest of a 102 page document written by the general manager of Boston's station WGBH. It outlined the philosophic bases for public service television, defined the role of educational television and concentrated in part on the matter of interconnection.

Big Brother's TV Set by William Benton

The question of subscription-television (sometimes called "pay-TV"), was covered in this article. He said that this is one way by which educational TV could be supported in this country.

License Fees For Radio and Television Sets by Eugene Pons

The European Broadcasting Union gave ETS permission to reprint segments of a monograph describing how other countries developed support for public service broadcasting through public taxes on television receivers.

A Statement by Loren B. Stone, Station Manager, KCTS-TV, University of Washington, Seattle, Washington.

Mr. Stone felt that a broad local tax base is the best foundation for the permanent financial stability of educational television. He supported his case in this article.

Revolution or Menace? Community TV Rocks Industry by James D. Cary

This article, which was originally an Associated Press release, described the community antenna systems which are still increasing rapidly in many sections of the country. It was felt that the relationships between CATV and ETV stations needed careful consideration.
All of the position papers which were presented at the conference or included in the study kits were included for the purpose of stimulating thought and discussion and in no way supported or refuted stands of any organization, including NAEB-ETS.33

The Discussion Agenda was developed by the conference staff to include all issues surrounding the financing of educational television stations. Some of the items called for specific action and were therefore called "action items." The remaining items were included merely as catalysts for discussion. The action items were the following:

2. The Need for a National Instructional Television Library.
3. The Need for a National General Exchange Library.
4. The Use of Federal Funds for Community Service Programs.
5. The Need for a National Fund Raising Agency.
6. The Use of License Fees for Television Sets.
7. Regional and National Interconnection - Advantages and Disadvantages.
8. Is Subscription Pay-As-You-See Television Possible for ETV Stations?


10. The Need for an Official Endorsement of Educational Television Stations by Fifty or More Appropriate National Associations and Organizations.


12. Appointment of a National Citizens Advisory Committee for NAEB-ETS.34

34. Ibid., p. 89.

While the discussion sessions, leading to specific mandates, were the most important elements of the Washington Conference, a number of other significant events are recorded. One such event was a recognition by President Lyndon Johnson. The President had been made aware of the Washington Conference and expressed his interest in the proceedings in a letter addressed to Fletcher. The letter was timed to arrive while the Conference was in session and was read to the delegates. In the letter the President extended his greetings and best wishes to the delegates, discussed the needs of education, reviewed the history of the ETV Facilities Act and Title VII of the National Defense Education Act and reaffirmed his interest in the potential of educational television.35 A copy of the
During the general sessions the delegates heard speeches by Harley, Fletcher, Everett Case, President of the Alfred P. Sloan Foundation, and Chairman of the Board of the National Educational Television and Radio Center, E. William Henry, Chairman of the FCC, and Francis Keppel, United States Commissioner of Education. Of special note was the speech by FCC Chairman Henry. He referred to his address as a "pep talk" and, indeed, much of it was. It did however set the mood for the deliberations of the conferees:

One of our giant tasks is to overcome American television's cultural gap--our electronic Appalachia--which has been largely untouched by commercial television's affluence. We must find ways to make the medium serve one of its highest and most natural uses - as a means of eliminating cultural poverty - of making knowledge and enlightenment, culture and beauty, stimulation and controversy available to everyone who cares for them, and not merely to an elite...And so we expect you to reach out, beyond the institutional needs of your communities' school system, and strive to fulfill a wider purpose.36

Later in his speech Henry became more specific and practically wrote the history of the Conference before it
First, at this stage of ETV's development, we should not concentrate exclusively upon one alternative means of financing, leaving all others unexplored and unanalyzed. Second, in evaluating alternatives, we should not allow potential problems to paralyze us - to prevent considered action. For example, a Congressional appropriation of federal funds for programming to meet national needs must not be dismissed simply because it raises serious objections, and questions fundamental to our society. There should be a debate on this subject, and I urge you to start it.

I have also suggested, along with Hartford Gunn, the Brandeis Conference and others knowledgeable in this field, that we need a private national agency to coordinate national fund-raising for ETV from both private and public sources.... The issues are complex. But complexity should be a challenge, not a signal for retreat.37

37. Ibid., p. 81.

The discussion leaders, all of whom were trained by Fletcher, did their work well. Each group developed statements pertaining to the action items and the recorders submitted the recommendations of the ten groups to Conference staff. Breitenfeld was charged with collecting the statements from the discussion leaders. Fletcher and other members of the staff quickly and informally synthesized the various statements for presentation before the general session.38
38. Fletcher interview.

During the Conference it became increasingly clear that the action item which was getting most attention was that item pertaining to a White House Conference. Ralph Lowell, Trustee of the Lowell Institute and Chairman of the Boston Safe Deposit and Trust Company, had come to the conference with a statement which he had prepared with the help of Hartford Gunn and David Ives of WGBH, Boston. The statement, which was read early in the conference, proposed a small Presidential Commission to "collect information, listen to testimony, and recommend a national policy." 39


The Commission would consist of not more than twelve citizens, both men and women, and no broadcasters. Broadcasters, said Lowell, should testify and persuade, not make the decisions. 40 The Commission would have a paid staff, travel funds, hold hearings and publish its findings. Not more than one year should be used for the study. 41
In the statement, Lowell also suggested a charge to the Commission:

This is what I believe the President should ask them to do:

1. Determine the role that educational television should play in the Nation's mass communications system.

2. Assuming that role should be enlarged, decide how educational television should be strengthened.

3. Recommend methods for financing educational television in its new and enlarged role.

After Breitenfeld had collected all of the statements of the discussion groups on the afternoon of December 8, he reported to Fletcher that at least two of the groups were very much interested in a National Commission rather than a White House Conference. Upon hearing the report, Fletcher became excited by the possibilities. If a National Commission would be possible it would improve upon his original plan for a White House
Conference which would lead to a National or Presidential Commission, thus saving one step and a great amount of time. 44

44. Fletcher interview.

During the final general session, at which time the reports of the recorders were to be read, Fletcher told Breitenfeld that he was going to stand up and announce that several groups had urged that they go directly to a National Commission rather than a White House Conference. In doing so Fletcher said that he recognized that the matter had not been on the agenda, that many groups had not discussed it and that there had been no discussion of financing such a Commission, but that "it was my considered judgement that if we can go directly to a Commission, whether it is public, private, Presidentially financed or otherwise, it would be the best thing." 45 Fletcher asked

45. Fletcher interview.

for a show of hands. There was a unanimous vote in favor of the proposal and Fletcher said that the mandate would read that the managers and directors of educational television stations want a National Commission to study ways and means by which educational television can become a
permanent instrumentality in the United States.46

46. Ibid.

Conference Mandates

When the Conference adjourned on December 8, eight mandates had been approved. The following mandates were formalized during the months following the First National Conference and a consensus on each was established:

MANDATE #1. Much greater support must be found for national programming services, such as NET, and new agencies should be developed as appropriate and required.

MANDATE #2. There must be developed a soundly financed National Instructional Television Library and a National General Exchange Library.

MANDATE #3. Partial support in the development of community service programs should be sought from federal government sources.

MANDATE #4. There should be developed a centralized fund raising organization at the national level to secure support for ETV.

MANDATE #5. Interconnection is vital to educational television stations, and should be implemented first regionally and then nationally and should receive federal and state financial support.

MANDATE #6. Endorsement of educational television stations by a large number of national organizations is important and should be actively sought.

MANDATE #7. A Citizens Advisory Committee on ETV should be established.

MANDATE #8. Immediate attention should be given to the appointment of a Presidential Commission to make recommendations for educational television development, after intensive study of a year or more duration.47
Following the Conference, Scott Fletcher extended his stay in Washington and his employment with the NAEB to begin work on the mandates of the Conference, particularly the last mandate calling for a National Commission. This National Commission would later become the Carnegie Commission on Educational Television.
CHAPTER V
FORMATION OF THE CARNEGIE COMMISSION

Within a few days following the First National Conference on Long-Range Financing of ETV, Scott Fletcher contacted Ralph Lowell to ask him for assistance in implementing the strongest mandate of the Conference—the establishment of a national commission to study the future of ETV in the United States. Fletcher asked Lowell to head a committee whose main purpose would be to develop a proposal for and interest the President in the establishment of a Presidential or National Commission to make a comprehensive study of ETV:

I called Mr. Lowell and said I think that if you agree to become chairman of a committee that would write to the President on a Commission, this will work.¹

1. Fletcher interview.

Lowell agreed to assist Fletcher and work began on the selection of the other committee members.

Lowell Committee Formed

Fletcher selected the members of the Lowell Committee with the advice and consent of Mr. Lowell and contacted each with one exception.² The members of the "ETS
2. Hartford Gunn of WGBH-TV in Boston asked to contact Dr. Lee DuBridge, then Chairman of the Board of KCET in Los Angeles, to ask him to serve on the committee.

Commission on a Presidential Commission" were:

Mr. Ralph Lowell, Chairman

Chairman of the Board, Boston Safe Deposit and Trust Company
Charter Board Member, later Chairman Emeritus, NET, New York
Trustee, Lowell Institute Cooperative Broadcasting Council, Station WGBH, Boston, Massachusetts.

Dr. Omer C. Aderhold

President, University of Georgia
Station WGTU, Athens, Georgia

Dr. Everett Case

President, Alfred P. Sloan Foundation
Charter Board Member and Chairman of the Board, National Educational TV and Radio Center, New York.

Dr. Lee A. DuBridge

President, California Institute of Technology
Chairman of the Board, Station KCET, Los Angeles

Honorable Marion B. Folsom

Director, Eastman Kodak Company, Rochester, N.Y.
Former Secretary, U.S. Department of Health, Education and Welfare
Former Co-chairman, National Citizens Committee on ETV
Former Director, Fund for Adult Education

Mr. Leland Hazard

Director, Pittsburg Plate Glass Company
Former Board Member of the National TV and Radio Center, the National Citizens Committee
for ETV, and the Citizens Advisory Committee, Title VII, National Defense Education Act
Former Chairman of the Board, now Honorary Chairman of Station WQED, Pittsburg, Pennsylvania

Mr. E. Gary Morrison
Former President, Western Pipelines, Inc. Chairman of the Board, Station KLRN, Austin-San Antonio, Texas

Dr. Kenneth E. Oberholtzer
Superintendent, Denver Public Schools Charter and later Board Member, National ETV and Radio Center Member of the Board, Station KRMA, Denver, Colorado

Mrs. Jane Roberts
Chairman, Dade County Board of Public Instruction Member of the Board, Station WTHS-WSEC, Miami, Florida

Mr. Edward L. Ryerson
Director, Inland Steel Corporation President, Chicago ETV Association Former member of National Citizens Committee for ETV Chairman of the Board, Station WTTW, Chicago, Illinois.


The committee was selected on the basis of their individual visibility to the President as well as their outstanding contributions to education and broadcasting. After each had agreed to serve on the committee, Mr. Lowell called a meeting in Boston on March 12, 1965 to discuss and draft the
proposal for submission to the President. 4 All but two

attended the meeting held at WGBH. The two who could not
attend were subsequently contacted and came later to review
the proposal. Also present at the Boston meeting were
Scott Fletcher, Hartford Gunn, and David Ives (Assistant
General Manager, WGBH, Boston).

Committee Recommendation

Before the meeting took place, Fletcher had discussed
the idea of the Commission with former associates in the
Committee for Economic Development and others in the gov-
ernment to attempt to learn whether a privately-financed
commission would be preferable to or more acceptable than
a Presidential Commission. As a result of these discussions,
Fletcher recommended a privately-financed Commission. 5 The

President would be given the option, however, in a three-
page document which developed from the Boston meeting and
which was submitted to the White House in June, 1965. 6

5. Fletcher interview.

6. Ibid.
The reason for the four month delay in submitting the letter to the President was due to Fletcher's insistence that every signature on the letter by authentic. The letter was sent around the country to each individual on the committee and signed. One member, Marion Folsom, was in New Zealand on a peace mission for the Government. The letter had to be sent to New Zealand in order to obtain Folsom's true signature, hence the delay.

In the meantime the idea for a National Commission was being discussed with the President by certain other key members of the administration. These included Vice President Hubert Humphrey, Leonard Marks, Secretary of H.E.W. Wilbur Cohen, E. William Henry, Chairman of the FCC, and Douglas Cater, special assistant to President Johnson on H.E.W. legislation. Each of these men was consulted by the President following receipt of the letter from the Lowell Committee. The President was anxious to make the right decision regarding the Presidential vs. a privately-financed Commission question. There is often an in-built objection to Presidential Commissions in the Executive Branch.

7. Ibid.

8. Coston interview.
They are in demand since they theoretically give the topic prestige, high-level priority, and the individuals on the Commission considerable importance. There were already a large number of Presidential Commissions at work at that time, including about eight within H.E.W.\(^9\) Cohen and others

9. Ibid.

at H.E.W. knew that if there were another Presidential Commission on Educational broadcasting, the Department would have to staff it and pay for it, and they had neither the staff nor the funds for another such operation.\(^10\) While

10. Ibid.

the Lowell Committee's proposal was at H.E.W. for comment, the Department staff submitted it to John Gardner for his reaction. Gardner had been working with the President on educational matters and had a very good relationship with the President.\(^11\) In addition to his less formal role as

11. Ibid.

advisor to the President, Gardner was then President of the Carnegie Corporation.\(^12\) He agreed that while the

subject was probably not appropriate for a Presidential Commission, it should be studied by a high-level Presidentially-supported National Commission. Gardner subsequently agreed to engage the Carnegie Corporation in supporting such a Commission.

Another factor that caused some concern at that time was the fact that the source of the Johnson family fortune was commercial broadcasting. There was some question regarding the appropriateness of President Johnson's sponsorship of a Commission on Educational Broadcasting. If the recommendations of the Commission were less than favorable, this might reflect on the President's interests and background in commercial broadcasting.13 Any limitation on

13. Coston interview.

the development of educational broadcasting could have been viewed as an effort to maximize the profit potential of commercial broadcasting. Consequently, President Johnson was always sensitive regarding the relationship of the White House to any ETV issue.
Commission Proposal Endorsed

After considering the proposal of the Lowell Committee and having discussed the proposal at length with the several advisors, the President replied to the Committee to proceed with the full endorsement of the White House. The President emphasized, however, his preference for a privately-financed commission as opposed to a Presidential Commission.14

14. Fletcher interview.

In addition to discussing the financing of the commission with the Carnegie Corporation, Fletcher also contacted the Ford Foundation in the person of Dr. Clarence Faust, then President of the Fund for Advancement of Education. Fletcher met with Faust and an assistant at the University Club in New York City shortly after receiving the reply from the White House. Fletcher explained the idea for a commission with Faust and asked whether the Ford Foundation would be interested in funding such a commission. Faust did not think that the Foundation would be interested in the financing of such an endeavor.15 Having done what

15. Ibid.

he felt was his duty, having given the Ford Foundation the
first opportunity, to say yes or no, Fletcher proceeded with the Carnegie Corporation.16

16. Ibid.

Carnegie Supports Commission

Largely due to the support of Gardner and Alan Pifer, then Executive Vice President of the Carnegie Corporation, the Carnegie Corporation agreed to a $500,000 grant to finance the commission which would be known as the Carnegie Commission on Educational Television.17


Selection of Commission Members

Having engaged Carnegie Corporation support, Fletcher began working closely with Arthur Singer, an executive associate with the Corporation, and who would help organize the study and act as liaison with the Carnegie Corporation. Singer and Fletcher began to compile a list of names to recommend to the President for the Commission.18 In each

18. Fletcher interview.
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instance there were two names recommended, a first and
second choice. The names were reviewed by Pifer and others
in the Carnegie Corporation before being sent to the
President. Very few changes were made and this list was
sent to the President for approval. 19

19. Ibid.

Although the Carnegie Corporation, the sponsor of
the Carnegie Commission, played the primary role in the
selection of the members of the Commission, the White House
had some recommendations for membership. Douglas Cater and
Leonard Marks were instrumental in naming and/or approving
the members of the Carnegie Commission. 20 Certain members

20. Marks interview.

were approved or named, with the cooperation of the Carnegie
Corporation, for specific reasons. J. C. Kellam, for
example, was placed on the Carnegie Commission by Marks not
only because he was manager of the radio and television
interests of Mrs. Johnson, but also because Marks knew that
he would be "sympathetic and knowledgable and that the
President could turn to him if in doubt and ask him what
he thought." 21 In addition, Mrs. Oveta Culp Hobby, Chairman
of the Board of the Houston Post Company and a former Secretary of H.E.W., was placed on the Commission because the President knew her, respected her, and could turn to her for advice.\textsuperscript{22} John Hayes, manager of WTOP-TV in Washington (owned by the Washington Post) and later U. S. Ambassador to Switzerland, was placed on the Commission because he was knowledgeable and it was felt that his direct participation on the Commission would lead to public support through the Washington Post.\textsuperscript{23} The Commission was selected with the idea of getting people who were "well equipped" with the competence, background and stature to get the job done well. James R. Killian, the Chairman of the Commission, was chosen because of his long experience in the educational world, his knowledge, and "because no one could question his objectivity and dedication to the best interests of American education."\textsuperscript{24}
The final Commission consisted of the following fifteen outstanding citizens whom the President agreed upon without question:

James R. Killian, Jr., Chairman
Chairman of the Corporation
Massachusetts Institute of Technology

James B. Conant
Former President
Harvard University

Lee A. DuBridge
President
California Institute of Technology

Ralph Ellison
Author

J. C. Kellam
President
Texas Broadcasting Corporation

Edwin H. Land
President
Polaroid Corporation

Joseph H. McConnell
President
Reynold Metals Company

Franklin Patterson
President
Hampshire College
Selection of Commission Staff

After the Commission had been appointed, a staff had to be selected before it could begin work. The man who was later to become Executive Secretary of the Commission was first contacted by Fletcher. Dr. Hyman Goldin had been head of the research and education division of the Federal Communications Commission, which included the educational branch, and therefore had been actively involved in the FCC's part in the educational broadcasting movement.25
Fletcher had recommended Goldin to Killian knowing of his availability and feeling that he would be ideal for the position. An interview was set with several people at Carnegie, including Arthur Singer and Alan Pifer, and Goldin was subsequently employed.26

26. Ibid.

When Goldin first came to the Commission the decision was made to have Dr. Franklin Patterson direct the research project. Within three months, however, he assumed the presidency of Hampshire College and the responsibilities of the director of the Carnegie Commission staff were assumed by Goldin.27

27. Ibid.

Other key members of the staff were soon recruited, including Steven White who became Assistant to the Chairman, and Gregory G. Harney, to whom a large share of the staff work was to be delegated. It was these three, Goldin, White, and Harney, who were responsible for most of the
staff work of the Commission and later the final report.

With the staff and Commission members selected, the Carnegie Commission would begin an intensive fourteen months of study before making its recommendations to the President. The Commission would work much harder than most thought it would in developing those recommendations.

In December, 1965, President Johnson wrote the following in a letter to Ralph Lowell:

Now that the Carnegie Corporation has established the Carnegie Commission on Educational Television, I would like to express a personal word of appreciation to you for your efforts on its behalf.

I know that you are as hopeful as I am that this Commission will give educational television the serious study that it deserves.28

CHAPTER VI
THE CARNEGIE COMMISSION REPORT

When the Carnegie Commission began its deliberations early in 1966, there were 113 educational stations on the air; by the close of 1966 the number had risen to 124.¹


More than a thousand closed-circuit systems were serving public and private education, business and industry, and government.²

² Ibid.

Commission Work Begins

During their deliberations, Commission members and staff visited ninety-two educational stations in thirty-five states, in addition to television systems in seven foreign countries: Great Britain, Japan, Canada, Italy, Germany, Russia and Sweden.³ The body of information compiled by

³ Ibid., p. ix.

or for the Commission through the visitations was described
by the Commission Report as being "unique in both its scope and its quality." During 1966, the year in which the Commission was most intensively engaged in its study, eight formal meetings of Commission members were held, occupying a total of twenty-eight days. In addition, smaller groups of Commissioners met a number of times between meetings, and consultations between staff and members of the Commission were frequent. More than two hundred and twenty-five individuals and organizations expressed their views to the Commission, either by appearance before the Commission and its staff or in writing.

Statistical surveys with educational television stations and state educational television networks and commissions were undertaken. The Commission also was assisted by memoranda, articles, and studies from many sources, notably the growing literature on educational television.
Large group discussions were also held by the Commission to compile data for review. One such conference was held at Endicott House in Dedham, Massachusetts during the summer of 1966. At that conference, more than thirty representatives of educational stations, commercial television, and allied fields discussed manpower needs, programming, financing, and instructional television.8

The role of ETS and the NAEB with the Carnegie Commission was minimal but nevertheless significant. Because of the delicacy of the situation with regard to financing, Fletcher insisted that no one from NAEB have any contact with Dr. Killian or the Commission members or staff, except through him.9 If, however, the Commission called upon any member to appear before the Commission or provide information during the study, they should do so without contact with Fletcher. This liaison work was patterned after the style of the Carnegie Corporation, an organization for
which Fletcher had the highest regard:

The Carnegie Corporation is one of our great foundations. They are very, very careful about how they handle themselves when they give a grant. They are very particular not to involve themselves, not to persuade or do anything to influence the study. It's a truly great foundation.10

10. Ibid.

From time to time, Fletcher was asked by Dr. Killian and Goldin to comment on the thinking of the Commission, and on two occasions, Fletcher discussed the deliberations with members of the ETS Board. The opinions and judgments of Fletcher and the ETS Board were expressed in both public and private meetings with Killian and Commission staff.11

11. Ibid.

Operational Procedures

The actual work of the Commission was a bi-level activity. The first level was that of the Commissioners themselves, and the second that of the staff.12 The staff

12. Most of the factual material compiled in the remainder of this chapter is based upon a private interview with Dr. Hyman Goldin, former executive secretary of the Carnegie Commission, in Boston, on April 27, 1971. Any information not acquired through the Goldin interview will be separately noted.
work was conducted by a very small group essentially consisting of Steven White, Gregory Harney, and Dr. Goldin. From time to time others were brought in on a part-time basis. The Commission also utilized the services of freelance journalists and writers to survey all of the educational television stations in addition to people from the educational broadcasting industry. These writers would go to the educational stations as outsiders to collect information.

The normal procedure was to hold regular monthly meetings with the Commission members. The Commission meetings were working meetings, held for the purpose of discussing issues, policies, and research with the staff and to hear from others outside the Commission. These included people brought in from such organizations as the NAEB, the Ford Foundation, the FCC, HEW, and some individual stations. The National Association of Educational Broadcasters was asked at various times to submit materials, which it did. There were a number of inputs from such submissions, but generally the Commission attempted to maintain its integrity separate from the educational broadcasting establishment. Goldin and the others on the staff were in daily contact with Killian. The headquarters were located near Harvard Square in Cambridge and close to Killian's office. Consequently, Killian was extremely valuable to the staff and his judgement was sought routinely.
The Commission as a whole was very cooperative. The fact that these people would take two or three days out of their extremely busy schedule to attend Commission meetings was an indication of the value they attributed to the project. They were not only important and busy people, but some had to come as far as from the Pacific coast to attend the meetings.

Generally there was good cooperation between the Commission and the staff. There were some differences that did arise, but on the whole there was an excellent rapport. Goldin attributes this largely to the "prudence, judgement, sympathy and interest of Killian, who turned out to be an extremely able person." Goldin attributes the success of the project in large measure to Killian.

The staff was, from the beginning of the study, very knowledgeable about the problems of the industry and the probable alternatives that were available. There was, therefore, relatively little new research that was undertaken. The main objective was to develop a policy position rather than an analytical or research paper. The staff did feel, however, that it was important to know first hand the situation at the stations, and it was for that reason that people were sent out to talk to station representatives and members of the communities. In retrospect, Goldin believes that to be the only area of new research that was undertaken. Most of the time was devoted to developing a
viable policy position in light of the conflicts that were evident.

Policy Problems Encountered

One of the more significant and interesting policy problems that had to be dealt with was the question of what the Commission would do in respect to instructional broadcasting. The instructional question was a matter of considerable debate and discussion. The Commission was well aware of the importance of instructional television from a political as well as educational point of view. The Educational Television Facilities Act of 1962 was primarily based upon the idea that over-the-air broadcasting was an important educational tool. This, Goldin believes, helped to sell the Facilities Act. Now, the Commission was proposing to sell a new idea without that basic political strategic approach. The reason for avoiding the educational or instructional issue was the very strong view among the educators on the Commission that instructional broadcasting had not proven itself and that it needed a basic reexamination, not reconstruction. In addition, the problems were large enough that if the Commission attempted to cover both instructional and "public" broadcasting, the task would be too great. This was a basic policy position that was taken relatively early in the development of the project.

There were arguments on both sides of the instruct-
ional issue, however, and Goldin was personally concerned about the decision because he understood the historical development of educational broadcasting. Without the instructional component he was afraid the proposal would not be considered seriously by anyone in government. He, and other members of the Commission, were concerned that the avoidance of instructional television might be an important loss in terms of meeting other objectives. The Commission, however, decided to make this fundamental cleavage. It was expressed this way in the final report:

...the Commission wishes to make it clear that the relatively small portion of this Report devoted to instructional television must not be taken as a measure of the Commission's estimate of its value. On the contrary, the Commission believes strongly that a television service which does not include a strong instructional component, along with commercial television and Public Television, is totally inadequate to the American need and purpose.13


Another difficult policy decision related to the rule of networking versus local broadcasting. Here again there was considerable discussion and difference of opinion. Arguments were made that NET had been a leader in developing quality programming, that it was identified in the public mind with the best in educational broadcasting, and that it should be encouraged and expanded. The other argument was
that networking of that kind as contemplated by NET seemed to lead to a divorcing of the central organization from station autonomy. The danger was that educational television would go the same direction as commercial television, centrally directed and centrally organized. Ultimately, the Commission developed the view that Public Television needed both national and local inputs, but that there should be ample safeguards built into the system to preserve the autonomy of the local producing agencies. Most on the Commission were more comfortable with this position due to their own local identity and interest in diversity in programming. Goldin felt, however, that the Carnegie Commission has been incorrectly criticized for having a narrow, provincial view. This, he contends, is simply not true. There was, in the report, an attempt to gain a balance between national and local interests. A careful reading of the Report substantiates this view:

The Commission consequently proposes that Public Television look to interconnection primarily as a device for the distribution of programs. Whatever is produced within the system would be transmitted over the interconnection, according to a schedule made known in advance to station managers. There would be no expectation that the programs would be immediately rebroadcast by the local station (although of course there would be nothing to prevent such use). Instead, the local station manager would be expected to record those programs he might later use, ignoring the rest.14

The third major policy issue was that of the government's role in the financing of Public Television. When the project began, Goldin and several others on the Commission were keenly aware that there seemed to be no alternative but federal government support. They were also very much aware of the political dangers in that approach. Historically, the government had not provided programming money and, by and large, the notion of government financing of mass media was an unpopular political construct in the United States. The old arguments of government sponsorship leading to control would undoubtedly result in a lack of support. It was finally agreed, however, without much enthusiasm among the members, that the Congress should provide support through an excise tax on television receivers. This was not a new idea and had never really been very popular with anyone. The Commission felt, however, that under the circumstances it would be the only sensible approach. It is interesting that those on the Commission representing commercial broadcasting, including Kellam of the Texas Broadcasting Corporation and Hayes of the Washington Post, accepted this position and only one, Joseph H. McConnell of Reynolds Metals, opposed it on the grounds that the broadcasting industry should have a role in supporting educational broadcasting through a tax on commercial broadcasting. In his "concurring opinion", McConnell stated:
I am sorry that I cannot completely concur in
the recommendation for the imposition of an excise
tax. As proposed, that tax would apply to the
sale of television receivers, but not to the use
of the airways by the holders of television
licenses. I quite agree that if Public Television
is to be financed in major part by the federal
government, it would be highly desirable to avoid
year-to-year appropriations by the Congress. The
political implications of these are apparent. I
suggest that those who are licensed to use the
airways in the "public interest" - the television
stations - should at least share in the cost of
Public Television. If they should pay a franchise
tax for that purpose, we can assume, as in the
case of the tax on television sets, that this
would be passed along to the purchaser - the
advertiser.15

15. Ibid., p. 72.

The McConnell proposal was discussed by the Commission with
the final general view that it was not politically feasible.
There was a great sense of what was possible among the
members of the Commission, and while it was not a Presiden-
tial Commission, their objective was always firmly in mind,
i.e. to get an approved educational broadcasting system in
operation in the United States.

On the question of financing through an excise tax
and the establishment of a trust fund, the Commission
engaged Mr. Ernest W. Jennes, a graduate of the Yale Law
School and member of the District of Columbia Bar. Mr.
Jennes became an important consultant in the latter stages
of the study. In concluding his Memorandum of Law, printed
in the Report, Mr. Jennes stated:

It is our judgement that it would be proper and consistent with precedent for the President and the Congress to conclude that the highly sensitive nature of the functions necessary to carry out the proposal considered in this Memorandum requires the use of an independent private entity, that large amounts of federal funds should be made available to that entity, and that such funds should be provided to the private entity in a manner that will best assure the continuation of its independent nature as well as the maintenance of a relatively stable source of revenues. It is also our judgement that the proposal considered here is consistent with the letter and spirit of the First Amendment.

COVINGTON & BURLING

December 27, 1966  By: Ernest W. Jennes


The Commission also brought in Sidney S. Alexander of Arthur D. Little, Inc. to conduct a study of costs and develop the economic models. Dr. Alexander was a Professor of Management and Economics at M.I.T. and a sometime Economic Advisor to the Columbia Broadcasting System. Estimates were made of the costs of the entire educational television system of the country between the present and that future time when the goals of the Commission could be met. To this end, a conceptual model was developed that would substantially embody the recommendations of the Commission.
A complete and detailed cost analysis was included in the Commission Report. The total cost of the whole system, estimated at $270 million, annually, was a projection not of what educational television must cost in any absolute sense but of what it will cost to do the job the Commission had set for it.18

Another policy issue of some concern was how large the model should be. With the educational broadcasting industry at a 60 to 70 million dollar level, the Commission was conscious of the difficulty of a quantum jump, or in promoting such a jump in revenue. This probably led to an underestimation of the ultimate cost of the system. Goldin thinks that this was done consciously at least. The Commission compromised on $40,000 per hour of national programming, which very quickly became unrealistic. The Commission was aware that some programming could not be produced for that but they were attempting to keep the cost within some reason. The rationale, however, was based upon the financial position of educational broadcasting at that time rather than the long-range needs of Public
Television. Goldin reviewed the dilemma as follows:

We always do that, don't we? Well, I think strategically you almost have to do it that way. What you are really saying, what we were saying, is that if it could reach the objectives we were setting for it, that in itself would generate additional support at a later date. But you have to do these things in terms of an historical time period rather than a one for all approach.

Another problem that arose required the services of a technical consultant, Dr. Albert G. Hill of M.I.T. This developed from an argument about whether a basic change was needed in the allocation plan. The concern was over the VHF-UHF split. It was expressed that it would make more sense in terms of an integrated nationwide system to move all television into the UHF band of frequencies. This question was discussed at some length, and ultimately the position was taken that, regardless of the merits of the proposal, it would be beyond the Commission to effectuate such a change given their mandate. If the Commission would remain unified and could hope to win Congressional support for educational broadcasting, the new allocation suggestion would have to remain in relative obscurity in an article prepared by Dr. Hill and entered in the back of the Commission Report.

**Preparation of the Report**

The drafts of the Report were studied very carefully with members of the Commission. The Commission's Report,
which, in the final volume, precedes several position papers also included, expresses views and conclusions that are sometimes in accord and sometimes at variance with those of the authors of the papers. The Commission's Report is based entirely upon the Commission's own judgements and conclusions, which were often assisted but at no time determined by material prepared by others.

Most of the Report was written by Goldin, White and Harney. A large part was prepared by White, who is a professional writer and extremely skilled and able, according to Goldin. Others assisted in the preparation of the manuscript, including Dr. Mark Harris, author and teacher, who spent considerable time with the staff. An earnest effort that failed was in bringing younger authors, creative writers and artists into the project to assist in developing a feeling for the potential of educational broadcasting and the expression of that feeling. This was an area which the staff struggled with, but they were never completely successful, in Goldin's view, in getting anyone who could expound that view with sufficient imagination.
and clarity to be helpful.

Another significant factor, more negative than positive, that must be mentioned here was the obvious omission of radio from the deliberations of the Carnegie Commission. Although the Commission often spoke broadly of educational "broadcasting", the Commission felt that radio was of minor significance. It was never discussed.

Conclusions and Recommendations

The Report of the Carnegie Commission, Public Television: A Program for Action, was released on January 26, 1967. The Commission had reached the conclusion that a well-financed and well-directed educational television system, substantially larger and far more pervasive and effective, must be brought into being if the full needs of the American public are to be served.21 This was the

21. Ibid., p. 3.

central conclusion of the Commission and the foundation for all of its recommendations. The system that was proposed was unlike any other system in the world and, therefore, the Commission's proposal dealt primarily with a new arrangement.22 With these fundamental and general con-

22. Ibid.
elusions in mind, the Commission submitted the following recommendations "for the consideration of the people of the United States, their government, and those who for two decades have created and sustained the various institutions that constitute educational television:" 23

23. For a more detailed analysis of each of the 12 recommendations see Public Television: A Program for Action, op. cit., pp. 33-84.

1. We recommend concerted efforts at the federal, state, and local levels to improve the facilities and to provide for the adequate support of the individual educational television stations and to increase their number.

2. We recommend that Congress act promptly to authorize and to establish a federally chartered, nonprofit, nongovernmental corporation, to be known as the "Corporation for Public Television." The Corporation should be empowered to receive and disburse governmental and private funds in order to extend and improve Public Television programming. The Commission considers the creation of the Corporation fundamental to its proposal and would be most reluctant to recommend the other parts of its plan unless the corporate entity is brought into being.

3. We recommend that the Corporation support at least two national production centers, and that it be free to contract with independent producers to prepare Public Television programs for educational television stations.

4. We recommend that the Corporation support, by appropriate grants and contracts, the production of Public Television programs by local stations for more-than-local use.

5. We recommend that the Corporation on appropriate occasions help support local programming by local stations.
6. We recommend that the Corporation provide the educational television system as expeditiously as possible with facilities for live interconnection by conventional means, and that it be enabled to benefit from advances in technology as domestic communications satellites are brought into being. The Commission further recommends that Congress act to permit the granting of preferential rates for educational television for the use of interconnection facilities, or to permit their free use, to the extent that this may not be possible under existing law.

7. We recommend that the Corporation encourage and support research and development leading to the improvement of programming and program production.

8. We recommend that the Corporation support technical experimentation designed to improve the present television technology.

9. We recommend that the Corporation undertake to provide means by which technical, artistic, and specialized personnel may be recruited and trained.

10. We recommend that Congress provide the federal funds required by the Corporation through a manufacturer's excise tax on television sets (beginning at 2 percent and rising to a ceiling of 5 percent). The revenues should be made available to the Corporation through a trust fund.

11. We recommend new legislation to enable the Department of Health, Education, and Welfare to provide adequate facilities for stations now in existence, to assist in increasing the number of stations to achieve nationwide coverage, to help support the basic operations of all stations, and to enlarge the support of instructional television programming.

12. We recommend that federal, state, local, and private educational agencies sponsor extensive and innovative studies intended to develop better insights into the use of television in formal and informal education.
Reaction to the Report

Reaction to the Carnegie Report was both quick and mixed. Educational broadcasters viewed the recommendations as generally very favorable but would soon meet in a Second National Conference on Long-Range Financing to study the Carnegie Commission proposals more closely.

The American Telephone and Telegraph Company expressed general approval of the recommendations but voiced opposition to giving educational TV preferential relay rates at the expense of other users of communications facilities. The utility added that the plan for a Corporation for Public Television represented "a reasoned and comprehensive guide toward development of a vital and creative noncommercial television service." 25


Writing in the New York Times the day after the Report was released, Jack Gould noted two overriding questions raised by the report. He was concerned first about what the Corporation for Public Television would mean to the average viewer and how it would affect the choice of material that he may watch. 26 Gould was reacting to the
implied "reward" to the public for an excise tax on television receivers. Would the new system really provide "a permanently financed and creatively exciting supplement to the familiar statements over the commercial networks."  

Gould went on to describe the goals of the Commission in this way:

The Commission sees television as the electronic age's extension of the library or art center, the platform of opportunity for the politician, writer, analyst, actor, humorist, scientist, choreographer and teacher. In the cross-fertilization of multiple minds, the group feels, can come a clue to an interrelated society, the acid test of positive citizenship. In short, the limitless riches of the intellectual, artistic and social substance of a culture are the ingredients awaiting imaginative and professional conveyance to the home screen under circumstances where the event shapes the medium and not vice versa. 

Reaction in Congress was not as immediate as in the press, but on February 3, 1967, Lewis E. Berry, minority council for the U. S. House of Representatives Committee on Interstate and Foreign Commerce, wrote the following in
a memo to Congressman William Springer of Illinois, the ranking minority member of the Committee:

It has been hinted that the Carnegie scheme is broadcasting's answer to the Ford Foundation satellite proposal. It may have hidden bugs, but basically it sounds fairly practical. It utilizes systems and organizational concepts already in being. It does not ask the broadcasting industry to directly subsidize a rival. It would tend to keep ETV in its own backyard. If there are dangers, they may lie in the kinds of people who get control of this thing and the kind of material they bring forth for ETV to use. This, however, is the fundamental problem of education today. 29

29. For the complete text of the Berry memo, see APPENDIX C.

It would not be long before Congressman Springer and the other members of his committee would be working with the recommendations of the Carnegie Commission in a different form, that of federal legislation.

The long and dedicated efforts of the Carnegie Commission on Educational Television and its able, intelligent staff had led to a rational and long-range proposal to strengthen educational broadcasting in the United States. It now became the responsibility of the White House and the Congress to do something with it.

In the final paragraph of the introductory chapter of the Commission Report, its authors eloquently stated their raison d'être and defined the underlying rationale for the recommendations:
Public Television is capable of becoming the clearest expression of American diversity, and of excellence within diversity. Wisely supported, as we conclude it must be, it will respect the old and the new alike, neither lunging at the present nor worshipping the past. It will seek vitality in well-established forms and in modern experiment. Its attitude will be neither fearful nor vulgar. It will be, in short, a civilized voice in a civilized community.30

CHAPTER VII
THE FORD FOUNDATION PROPOSAL

On August 1, 1966, almost six months prior to the release of the Carnegie Commission Report, the Ford Foundation presented a proposal to the Federal Communications Commission which would receive wide national publicity and create considerable controversy both within and without the broadcasting industry. The Ford proposal would also add impetus to the already fast-moving plans for educational television in Washington and throughout the United States. The plan, which would utilize satellites to ease the financial and interconnection limitations of educational broadcasting, was submitted in a multi-volume proposal by the new president of the Ford Foundation, McGeorge Bundy, and his television consultant, Fred W. Friendly (who was formerly president of CBS News).¹

¹ NET, A Brief History of Educational Television in the U.S., op. cit., p. 15.

It suggested the establishment of a non-profit corporation that would provide, through a series of fixed satellites, national interconnection for all television in the United States, commercial and educational. It called for the
authorization by the FCC of a Broadcasters' Nonprofit Satellite Corporation to establish the necessary machinery for the national communications satellite system. The plan would create a transmission system from a limited number of ground stations for direct transmission to broadcasting receivers throughout the country. The savings that would result from the use of domestic satellites would then be passed on to the educational broadcasting establishment for the development of the non-commercial service.2


Purpose of the Proposal

The purpose of the Ford proposal, according to Bundy, was to stress four fundamental propositions:

(1) the critical importance to American life of properly designed domestic communications satellite systems;

(2) the very great - and largely unstudied - potential of such systems for non-commercial television and for education in its widest sense;

(3) the possibility that the management of this new national resource and the rates charged for its use can be arranged in such a way as to provide adequate resources for a wholly new level of service to the American people; and

(4) the desirability of most careful deliberation before national decisions are reached with regard to the assignment of responsibility in this area.3
The system, as conceived by the Foundation, would beam TV programs to a satellite some 22,000 miles skyward. The satellite, which would be orbiting, synchronized with the earth's rotation, would beam the programs back to earth, where they would be picked up over a relatively wide area for rebroadcasting over conventional ground-based stations. The directors of the new corporation would be representative of noncommercial and commercial broadcasters, foundations, schools, universities, and government bodies.4

The satellite system would provide "double-barreled" financial benefits for educational television. First, ETV would obtain free nationwide distribution for its own programs. Second, a substantial part of ETV programming and operational costs could be financed from the difference in costs between what commercial broadcasters now pay to telephone companies for the rental of lines and what they would have to pay to the nonprofit corporation under the Ford satellite plan.5 It was estimated by the Ford
Foundation that the commercial broadcasters would save approximately $45 million with the new system. According to the satellite plan, two-thirds of this savings would go to noncommercial, educational broadcasting for the development of new program services, primarily in the cultural and informational area. Commercial broadcasters would retain the other third.

The proposal dramatized the needs, problems, and potentialities of educational television, and it induced people to think and talk about the range of problems in educational television. Indeed, it made, for the first time, a genuine public issue of ETV at the national level.

Others, besides legislators and the ETV establishment were talking about where the medium was going and its effect on the nation's educational and cultural life. Perhaps the greatest contribution of the Ford Foundations satellite
proposal was the visibility it afforded to the financial future of educational broadcasting nationally. It was also excellent timing on the part of those in the Foundation who submitted the proposal only months before the Carnegie Commission released its own recommendations. The Foundation wanted to emphasize the vast potential of noncommercial television given adequate funds and national interconnection. The Foundation stressed that its proposal should be considered as only one way, and not the only way, to improve the financial and interconnection situation of noncommercial television. The Foundation also wished to open study and comment on its proposal with the submission to the FCC. In the letter accompanying the proposal, Bundy stated:

The state of the art is changing so fast—and we have had so much to learn since March 2—that we are sure our present design can be improved by criticism. For this reason alone we would welcome hearings on this whole subject. And on wider grounds we are sure that any major restrictive action taken without hearings would be offensive to the public sense of fairness.8


Hearings Begin

Before the month of August had passed, the Subcommittee on Communication of the U. S. Senate Committee on Commerce held hearings on the matter. There was widespread enthusiasm from the educational television establishment
for the plan but initial negative reaction in other sectors. There was initial conflict with the Communications Satellite Corporation (COMSAT) and the American Telephone and Telegraph Company (AT&T). COMSAT felt that it had been granted a national trust and raised questions of national public policy as to the use of profits from a commercial business to finance a noncommercial enterprise. While acknowledging the value of educational TV, COMSAT felt that only Congress or the President could rule whether one segment of a diversified society could be compelled to support another segment without the benefit of specific legislation to that end.9


COMSAT argued that it would not be in the public interest to set up private satellite systems, a view which was supported by COMSAT stockholders who felt that a private nonprofit system may adversely affect their earnings. The COMSAT plan in 1966 called for a global communications satellite system which would satisfy a wide range of national and international communications needs as well as provide 24-hour transmission of radio and television programs.10 The COMSAT system would provide such communi-

10. Ibid.
cations services as telephone, teletype, facsimile reproductions and high-speed data transmission. The plan called for a two-satellite system by late 1969 and four satellites by 1970.11

11. Ibid.

AT & T opposed the Ford Foundation proposal in a brief submitted to the FCC arguing that it would be against expressed national policy, or the interests of common carriers, to authorize satellite systems outside the framework of the commercial communications carriers. The brief warned that additional economic burdens would be placed on the other users of communications carriers by the licensing of private satellite systems.12

12. Ibid.

During the hearings on the satellite proposal, Senator Pastore and the other members of the Subcommittee on Communications of the Senate Commerce Committee heard testimony from the Ford Foundation, COMSAT, AT&T, the commercial networks, the NAEB, the FCC, the Office of Telecommunications Management of the White House, the International Telephone and Telegraph Co., and the National Education Association. During the hearings, held on August
10, 17, 18, and 24, Richard B. Hull, then chairman of the Joint Board of Directors of NAEB, stated:

The real significance of the Ford Foundation proposal is to underline the opportunity this Nation now has to insure the full development of a dual system of broadcasting: noncommercial and commercial...The interest of this committee is to find means by which this "second service" can truly come into being.13


In response to a question from Senator Pastore, Hull continued:

I think the reference he made, Mr. White, or Mr. Bundy, would apply to a system of several hundred ETV stations and their network. Again, I would underline my own reactions that the Bundy proposal, in effect, brought an issue out of committee on to the floor. And it partially addressed itself to one thing, free interconnections, and this is a great white hope. If you are starving, the crust of bread looks good. I suggest this is considerably more than a crust. But again, it is a mistake to even infer that this is the total answer to a complex problem. It has opened the discussion.14


In addition to the statements on the Foundation's proposal which were made before the subcommittee, position papers were presented by the NAEB, the NEA, the Joint Council on Educational Telecommunications, and NET.
The JCET filing with the Senate Commerce Committee supported the Ford proposal and urged its serious consideration. The Joint Council agreed with the chairman of the subcommittee that "ways must be found to strengthen educational stations in their local and regional roles."15

15. Ibid., p. 239.

The Council stated that the "ever worsening plight of instructional television must also engage the energies and imagination of this subcommittee."16

16. Ibid., p. 240.

Senator Pastore stated the general feeling of educational leaders during the hearings when he said, "There are undoubtedly many solutions to this problem, but it is clear that something must be done to give ETV the economic stability it needs."

It is significant to note that during the hearings on the Ford satellite proposal, William Harley, president of the NAEB, presented a statement in behalf of educational radio, which he said "was something of an oversight in the other testimony he had heard."17 The case for radio would
be made more strongly in the Senate hearings on the Public Broadcasting Act in 1967.

The Ford Foundation proposal obviously excited the attention and imagination of legislative and educational leaders throughout the country. One of its primary spin-offs was that attention and interest which would still be prevalent when the Carnegie Report would be released.

Writing in the NEA Journal in October, 1966, Harold E. Wigren, NEA educational TV consultant, and president of the Joint Council on Educational Telecommunications, wrote:

The Carnegie Commission on Educational Television is now making an important study of the role of ETV in contemporary America and exploring ways in which the medium can best attain its potential. This report, due in early 1967, will probably discuss the problems of ETV and point out ways in which new technologies, including satellite transmission, can be utilized to preserve and strengthen diversity, local responsibility, and independence in our educational television system. In my opinion, Congress and the FCC would do well to withhold the designation of any final determination of a specific plan until the Carnegie report has been released.

Comparison with Carnegie Report

The recommendations of the Carnegie Commission and
the Ford Foundation were in agreement that educational television had unlimited potential for improving the quality of American life. The agreements were much more powerful and significant than the divergences. The differences were differences by degrees and differences of emphasis. Both proposals advocated the establishment of a nonprofit, nongovernmental corporation to provide and channel financial aid to those noncommercial stations and networks presenting significant cultural, educational, and documentary programming and to utilize funds in various ways to encourage program research and development and, in general, to stimulate programming of an overall higher quality.

The Ford proposal mainly espoused the use of domestic communications satellites to further public television while the Carnegie Commission plan only encouraged investigation into the possibilities of utilizing domestic satellites for public TV purposes. Otherwise, the primary differences between the proposals were financial, i.e., how the corporations would be funded.19

19. For a complete comparison of the two proposals, see Broadcasting, March 6, 1967.

In an address before the Second National Conference on Long-Range Financing of ETV on March 7, 1967, McGeorge Bundy made the following observations about the Ford and
Carnegie proposals:

...I strongly agree with what the Carnegie Commission report itself says, and what I think Mr. Killian represented yesterday; that where there are differences in emphasis as to the relative value of strong national programming and strong local programming as to the ways in which different kinds of programs take their place in the schedule, it is experience that will be our best teacher. Because it is well to remember, as my friend Friendly keeps reminding me, that the real point about all this is that this kind of television in the widest sense has not yet been invented. What will really happen when there is a national service of the kind described in the Carnegie Commission report we none of us yet know. I think we may well find, if we come together in meetings like this ten years from now, that what strikes us most about the proposals of 1966 and 1967 is how cautious they were.20


The satellite proposal was yet another chapter in the Ford Foundation's continuing interest in and support of the development of noncommercial, educational broadcasting in the United States. There is little question that the interest and excitement created by the proposal was a definite contribution toward the later success of federal legislation to strengthen educational broadcasting. That dedication was well summarized in the 1967 Bundy speech:

We will be in this business this year, next year, and until there is no further need for our support. We believe ourselves that that day will come, that this enterprise, like other great national enterprises, will make its way with public support, and that that public support
will show itself through educational systems, through funding from all levels of government, and from private support where private support is needed, and that foundations whose duty it is to be where the new troubles are will be able to move on with pride in their part in the beginnings of a great adventure. 21

21. Ibid., p. 53.
When the Carnegie Commission work was complete, several prepublication copies of the Commission's report were distributed in Washington. HEW Secretary Gardner and other members of the HEW staff received advance copies, as did Douglas Cater at the White House.1 Other advance copies were distributed on Capitol Hill and among Presidential advisors like Leonard Marks, who was then director of the United States Information Agency.2 A brief meeting was held at the White House with members of the HEW staff and Presidential advisors. During the meeting the recommendations of the Carnegie Commission were discussed and all agreed that the report contained very valuable recommendations and conclusions which were in concert with the Johnson Administration's immediate goals for educational broadcasting. It was agreed at the meeting that Cater would discuss the Commission's report with the President and write

1. Coston interview.
2. Ibid.
language for possible consideration for the State of the Union and education messages to Congress. This was accomplished quickly and in January, 1967 President Johnson made the following reference to the Administration's plans in his State of the Union Message:

*We should develop educational television into a vital public resource to enrich our homes, educate our families and to provide assistance in our classrooms. We should insist that the public interest be fully served through the public's airwaves.*

*I will propose these measures to the 90th Congress.*

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"Message on Education and Health"

On February 28, 1967, the President presented his comprehensive "Message on Education and Health" to the Congress requesting specific legislation based upon the Carnegie Commission's recommendations. Since the President's message was the mandate and basis for the legislation which would later become the Public Broadcasting Act, the portion relating to public and instructional broadcasting is included in this chapter in its entirety:
Public Television

In 1951, the Federal Communications Commission set aside the first 242 television channels for non-commercial broadcasting, declaring: "The public interest will be clearly served if these stations contribute significantly to the educational process of the Nation."

The first educational television station went on the air in May, 1953. Today, there are 178 non-commercial television stations on the air or under construction. Since 1963 the Federal Government has provided $32 million under the Educational Television Facilities Act to help build towers, transmitters and other facilities. These funds have helped stations with an estimated potential audience of close to 150 million citizens.

Yet we have only begun to grasp the great promise of this medium, which, in the words of one critic, has the power to "arouse our dreams, satisfy our hunger for beauty, take us on journeys, enable us to participate in events, present great drama and music, explore the sea and the sky and the winds and the hills."

Non-commercial television can bring its audience the excitement of excellence in every field. I am convinced that a vital and self-sufficient non-commercial television system will not only instruct, but inspire and uplift our people.

Practically all non-commercial stations have serious shortages of the facilities, equipment, money and staff which they need to present programs of high quality. There are not enough stations. Interconnections between stations are inadequate and seldom permit the timely scheduling of current programs.

Non-commercial television today is reaching only a fraction of its potential audience - and achieving only a fraction of its potential worth.

Clearly, the time has come to build on the experience of the past fourteen years, the important studies that have been made, and the beginnings we have made.
I recommend that Congress enact the Public Television Act of 1967 to:

- Increase federal funds for television and radio facility construction to $10.5 million in fiscal 1968, more than three times this year's appropriations.

- Create a Corporation for Public Television authorized to provide support to non-commercial television and radio.

- Provide $9 million in fiscal 1968 as initial funding for the Corporation.

Next year, after careful review, I will make further proposals for the Corporation's long-term financing.

Non-commercial television and radio in America, even though supported by federal funds, must be absolutely free from any federal government interference over programming. As I said in the State of the Union Message, "We should insist that the public interest be fully served through the public's airwaves."

The board of directors of the Corporation for public television should include American leaders in education, communications and the creative arts. I recommend that the board be comprised of fifteen members, appointed by the President and confirmed by the Senate.

The Corporation would provide support to establish production centers and to help local stations improve their proficiency. It would be authorized to accept funds from other sources, public and private.

The strength of public television should lie in its diversity. Every region and community should be challenged to contribute its best.

Other opportunities for the Corporation exist to support vocational training for young people who desire careers in public television, to foster research and development, and to explore new ways to serve the viewing public.
One of the Corporation's first tasks should be to study the practicality and the economic advantages of using communications satellites to establish an educational television and radio network. To assist the Corporation, I am directing the Administrator of the National Aeronautics and Space Administration and the Secretary of Health, Education, and Welfare to conduct experiments on the requirements for such a system, and for instructional television, in cooperation with other interested agencies of the government and private sector.

Formulation of long-range policies concerning the future of satellite communications requires the most detailed and comprehensive study by the Executive Branch and the Congress. I anticipate that the appropriate committees of Congress will hold hearings to consider these complex issues of public policy. The Executive Branch will carefully study these hearings as we shape our recommendations.

Instructional television

I recommend legislation to authorize the Secretary of Health, Education, and Welfare to launch a major study of the value and promise of instructional television which is being used more and more widely in our classrooms, but whose potential has not been fully developed. 5

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Discussion

It is important to note here that neither the President's message nor the later legislation sought to answer the question of long-range financing of the Corporation, or ultimately, the medium itself. It sought instead to create the basic structure upon which a long-range financing
scheme could be built. The $9 million requested allocation would serve only as "seed money" to establish the structure. When the organization was viable and functioning successfully, a long-range financing plan could be more easily promulgated and achieved. The President and his advisors were very much aware of the complexities of long-range financing the problems which would occur as a result when the legislation reached the Congress.6 There would be

jurisdictional problems among the committees if tax set-asides or gross profit tax support were part of the package. Also, the White House staff was aware of the strong opposition of the Budget Bureau and the Treasury Department to tax set-asides. They were particularly opposed to the excise tax idea and had expressed this opposition in a position paper on the highly regressive nature of an excise tax.7 It pointed out that the cost of supporting public broadcasting through an excise tax would be unequitably borne, and would be borne primarily by the poor, who were probably (at that time) the least interested in the passage of such a bill.8

6. Coston interview.

7. Ibid.
The President wanted to present a proposal to Congress that would be accepted. He did not approve of sending bills to the Congress as a philosophical exercise and did not want to send legislation to either House merely to open debate on a public issue. If a bill were presented to the Congress by the Administration it must have a good chance of passage. This was the Johnson legislative technique as understood by most members of his Administration.

It was for these reasons that the bill that was finally introduced in the Senate in March, 1967 was very carefully and cautiously prepared.
CHAPTER IX
THE PREPARATION OF THE LEGISLATION

During the Fall of 1966, a time when President Johnson's new legislative program was being developed, there was some discussion in HEW about the President's new legislation on educational broadcasting. Nothing, however, was done about it.1 The responsibility for the development or

1. Most of the factual material compiled in this chapter is based upon a private interview with Dean W. Coston, former deputy undersecretary of HEW, in Washington on July 29, 1971. Any information not acquired through the Coston interview will be separately noted.

preparation of the legislation was never made clear during the Fall. The staff for the assistant secretary for legislation in HEW assumed that it was not really his responsibility since the mandate called for the creation of an independent organization outside of HEW. The White House staff, however, assumed that the proposal was being developed in HEW. It kept appearing on a list of Presidential initiatives, which Douglas Cater produced. Cater, at that time, was responsible for all HEW legislation in the Executive Branch. He kept putting the Public Television legislation on the list of initiatives as a one line item on a list of approximately fifty items.
It should be noted here that the period from 1963 to 1967 was an extremely productive legislative period in HEW. There were hundreds of significant pieces of legislation being developed in the Department, most of which were supported by the President, presented to Congress and actively pursued. It is not unlikely, therefore, that the new ETV legislation may have been overlooked several times before being developed.

**HEW Begins Work on Legislation**

It was not until after the Carnegie Commission had published its report that Dr. Samuel Halperin, who was then deputy assistant secretary for legislation in education (and who had formerly been with the U. S. Office of Education and the House Committee on Education and Labor), noticed that the legislation initiative kept appearing on the list and became interested in the development of the bill. It had gradually become obvious that the White House expected HEW to prepare and sell the legislation. Halperin approached Dean Coston, then deputy undersecretary, indicating that nothing had yet been done with the Public Broadcasting Act. He suggested that Coston put together a set of legislative specifications. Coston, who at that time did not have specific legislative duties, agreed to try to draft the specifications for the bill.

Coston prepared a memorandum to Undersecretary Cohen
and Assistant Secretary Huitt (Ralph Huitt, formerly on the University of Wisconsin political science faculty) outlining generally what should be done about the Carnegie Commission Report and the legislative mandate from the White House. A copy of the memorandum was also sent to Cater. The memorandum recommended, first of all, that the new entity, which would be a non-profit organization, should be specifically excluded from direct operation of programming and networking, which the Commission Report did not do. Coston and the staff at HEW felt that the committees would insist on this anyway and they would be ahead of Congress in specifying the exclusion in the original legislation. Secondly, the legislation should avoid the issue of financing. It should be avoided because it posed major jurisdictional problems in the Congress. Coston, together with Sidney Saffordstein, who was in the general counsel's office at HEW, could not work up a set of specifications for a bill with extensive long-range financing provisions which could avoid going to both the Ways and Means Committee and the Interstate and Foreign Commerce Committee in the House. It might also have to go to the House Committee on Education and Labor. This would be too great a price to pay. In the Senate, it would have to run the gauntlet of the Senate Commerce Committee, the Senate Labor Welfare and the Senate Finance Committees. Also, the President himself was against any effort to include long-range financing provisions in the
bill initially. He felt that the time was not yet right.

**Early Draft Prepared**

Finally, a bill was drafted which generally described the responsibilities of the Corporation as the Carnegie Commission had outlined them but limiting their function to one of supporting the development of both programs and interconnection systems, and providing for a general temporary financing scheme. The bill was drawn on the theory that it should go only to one committee in each House, and that it be politically feasible. It was Coston's view that most of the political compromises that must be made in the legislation should be made in the drafting period rather than in the political give and take of public hearings and committee consideration on the Hill.

As to whether this political technique makes compromises too early is, at best, debatable. In retrospect, it might have been politically feasible to have included some kind of long-range financing provision in the bill. It might have taken more time to get the bill approved but the Corporation would have had a long-range financing scheme established. As of this writing, there is yet no permanent financing base. This, however, is an academic question since all bills are different and have their own peculiar problems. The President felt that more time and study were needed and this view carried over to the HEW
Coston expressed his "working philosophy" in preparing the legislation in this way:

My particular view was that while I was working for Johnson and he wanted the bill passed, I was going to draft a bill which I thought could be passed with a limited amount of difficulty. And I think you will see that it did pass with a limited amount of difficulty. I never felt, from the time the bill was introduced, that it was any great problem to get it through. I think the time was right for it and the temper of the Congress at that time was reasonably friendly. In my mind there was no great difficulty.

Coston explained that others concerned with the bill did not share his optimism:

Cater saw the problem differently. He felt that there were great political risks in this bill and its chances of passage were problematical at best. He was concerned about the bill from the time it was presented to the time it got to the President. I was always quite confident that the bill had enough of the controversy removed so that it was in no danger.

By and large, the preparation of the draft bill followed closely the mandate of the White House as expressed in the Message on Education and Health and the Carnegie Commission recommendations. Some of the more specific elements of the bill were worked out by the HEW staff in cooperation with the White House advisors. The development of one such element is interesting enough to be noted here. This related to the decision on the maximum per centum figure allowable to any state of the total annual appropriation. The original bill read as follows:
"(b) The total of the grants for any fiscal year made under this part for the construction of non-commercial educational television broadcasting facilities or noncommercial educational radio broadcasting facilities in any State may not exceed 12\% per centum of the portion of the appropriation for such year available for such grants." \(^2\)


After the bill was introduced, Congressman Paul Rogers of Florida came to Coston and asked where the 12\% per cent came from. Coston answered, "Well, it's half of 25 and it's more than 10, and it does keep one state like New York from getting all the money." Rogers replied, "Well, is there anything magic about 12\%?" And Coston said, "Only that it appears in a number of other laws. It appears in the Federal Water Pollution Act." And Rogers said, "Where did it come from? How does somebody arrive at a figure like that?" Coston replied, "It just comes out of somebody's head, I guess, as a way to limit expense. It could certainly be 10\%." And finally Rogers said, "Well, let's make it 8\% per cent then. That divides out into a lot of fractions." Coston noted that this was obviously not a big policy issue but one that had to be dealt with.

When the draft bill was completed it was circulated through the Budget Bureau and Cater's office in the White
House. There were some minor modifications but this draft bill was essentially the bill submitted as the President's bill in the Spring.

**Senate Bill Introduced**

On March 2, 1967 Senator Warren Magnuson introduced S.1160 in the Senate entitled the "Public Television Act of 1967." The major items of the President's message of February 28, 1967 were incorporated in the bill. Title I of the measure authorized $10,500,000 for the fiscal year ending June 30, 1968 and such sums as might be necessary for the next four fiscal years to build educational television facilities. This section of the bill was an extension of the ETV Facilities Act of 1962 which had provided a total allocation of $32 million over a five year period for the same purposes. Under that program the annual appropriations from the federal government had averaged $6.2 million. The new measure would allow a modest increase to $10.5 million per year with the federal share of the facilities cost increasing from 50% under the 1962 Act to 75% under the proposed legislation.

Title II of the new legislation authorized the establishment of a Public Corporation for Educational or Public Television. The Corporation would not be an agency or establishment of the federal government. The Board of Directors of the Corporation would consist of 15 members.
appointed by the President, with the consent of the Senate. The term of office of each member would be six years. It would be up to the President to appoint one of the members to be the chairman.

Title III of the bill authorized the Secretary of Health, Education, and Welfare to conduct, directly or by contract, and in consultation with other interested Federal agencies, a study of instructional television, including its relationship to educational television broadcasting and such other aspects that may determine whether Federal aid is justified. Sec. 304 authorized to be appropriated for the study such sums, not to exceed $500,000, as would be necessary to complete the study. The results of the study would be transmitted to the Congress on or before January 1, 1969.

The bill was referred to the Senate Commerce Committee and hearings were begun on April 11, 1967, less than three months after the Carnegie Commission report was released. In his opening remarks before the Subcommittee on Communication, Senator John Pastore made the following statement:

The opportunity before the Congress and the challenge of this issue are of paramount importance for the future growth of this Nation. It is an opportunity and a challenge that may be forever lost if we turn our backs against the proposals outlined in this legislation. It is my hope...that this legislation may be enacted by the Congress of the United States during this session.3
3. Ibid., p. 10.
CHAPTER X

THE SECOND NATIONAL CONFERENCE ON LONG-RANGE Financing of ETV

In December 1966, prior to the publication of the Carnegie Commission report and the introduction of Senate Bill S. 1160, invitations were issued on behalf of ETS-NAEB to all stations to participate in the Second National Conference on the Long-Range Financing of Educational Television Stations. The meeting, held March 5-7 at the Statler Hilton Hotel in Washington, D. C., was called for two specific purposes:

(1) To review and react to the Carnegie Commission report, Public Television: A Program for Action (the Commission and the report were direct outgrowths of the Conference's 1964 predecessor).

(2) To make recommendations for further action.

Approximately 350 participants representing most of the educational radio and television stations in the United States, and a number of distinguished guests were divided
into eleven study-discussion groups, each of which was manned by a chairman, a discussion leader, and resource persons. The Agenda was composed of the twelve major recommendations of the Carnegie Commission report. (See APPENDIX B).3

3. Ibid.

Conference Action and Rationale

Like the First National Conference of 1964, the Second National Conference on Long-Range Financing was under the chairmanship of Scott Fletcher, then ETS Executive Consultant and Public Director of the National Association of Educational Broadcasters. In his opening remarks, Fletcher reviewed the record of achievements of the 1964 Conference mandates (See Chapter IV) and outlined the objectives and structure of the 1967 Conference. He noted that it seemed essential that the findings and recommendations of the Carnegie Commission be reviewed and studied by the group which had identified its task at the outset.4

4. Ibid., p. vii.

The NAEB recognized the importance of knowing what their constituents wanted and how they would react generally to any new legislation based upon the Carnegie Commission
proposals. In addition to calling the National Conference, the Association had held a number of board meetings to make certain the joint boards understood and approved of what the Commission was proposing. The Second National Conference served a dual function of informing the stations concerning the recommendations of the Carnegie Commission and establishing a consensus among the educational broadcasting establishment. This would make the efforts on behalf of any new legislation emanating from the Commission proposals by the Association more legitimate. Chalmers Marquis, then project director for the Conference and now executive vice president of NAEB, summarized the rationale for the Conference in this way:

You got the feeling in those days that all the doctors were being heard...but not the patient. The stations were sick, but nobody wanted to hear from the patients, even to ask them where it hurt. But there were doctors called in from NBC, CBS, ABC, the Ford Foundation, the Carnegie Corporation, all the executives in the world. They were nice people but they were too busy with their expert opinions to even listen to the groans of the patients.

It will later be seen, as Marquis points out, that during
the hearings, it was the witnesses who came on behalf of the broadcasters who were crucial. It was one of those witnesses, for example, who had the name of the Act changed from "Public Television" to "Public Broadcasting."

The printed agenda for the Second National Conference was completed before S.1160 was available, and was therefore not included as a line item for discussion. The conferees, however, explored in depth the objectives of the bill.7

7. Fletcher interview.

Fletcher later stated during the House and Senate Hearings on the Public Broadcasting Act of 1967 that it is "noteworthy that the Conference produced the consensus as to the best means of achieving the goals of the Carnegie Commission report, and that these are similar to those contained in this legislation."8


In the Preface to a report on the Conference, prepared by Dr. Warren L. Wade and Dr. Serena E. Wade and released in May, 1967, Fletcher made the following observation:

The goal that seemed so remote during the 1964 Conference is now within reach. But it has
not yet been reached. The machinery for the establishment and maintenance of a second full-fledged television system throughout the United States has been set in motion as a result of actions taken by station representatives. It will require vigorous and continuing efforts on their part to maintain this forward momentum.9

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Reaction to Carnegie Commission Report

In the Wade and Wade report a number of reactions to and recommendations concerning the Carnegie Commission report were registered. The two of signal importance were that (1) the recommendations of the Carnegie Commission, in general, should be put into a program of action immediately, and (2) a second commission should be established immediately to study the needs of instructional television and recommend a plan of action for meeting those needs.10 The new com-

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10. Ibid., p. ix.

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mission should be equal in importance to the Carnegie Commission which studied public television in every way - the stature of commissioners, the amount of financial underwriting, and Presidential endorsement.11

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11. Ibid.
Several distinguished people addressed the Conference, including Dr. James Killian, McGeorge Bundy and James McCormack, Chairman of the Board, Communications Satellite Corporation. Dr. Killian expressed his satisfaction and appreciation to the President for accepting the recommendations of the Carnegie Commission and for reflecting that acceptance in his messages to Congress. He described in detail the proposals of the Commission and encouraged the conferees to accept their new responsibilities with vigor.\textsuperscript{12}

\textit{Mr. Bundy expressed his enthusiasm for the change in the political "atmosphere" which had recently taken place. In his speech before the conferees, he said:}

\begin{quote}
This change in what is now clearly national policy at the executive level and what now clearly has strong influential and knowledgeable support on the Hill is a change which is, I believe, long overdue and which should mean to you all what it means, I think, to all of us at the Ford Foundation who have been so deeply concerned with educational television for so many years; that there is at last a serious prospect of escape from the constraints of terrifying poverty.\textsuperscript{13}
\end{quote}

\textit{Bundy also discussed the differences and similarities in the proposals of the Carnegie Commission and the Ford}\n
\textsuperscript{12} Ibid., pp. 41-47.

\textsuperscript{13} Ibid., p. 5.
Foundation and concluded that the agreements were much stronger than the differences. He noted that the new bill which had been prepared and submitted by Senator Magnuson had "profited from a number of different commentators and critics." He went on to say, "I am sure it is Jack Gould's doing that it gives a full role to noncommercial radio as well as to noncommercial television."14


Mr. McCormack applauded the work of the Carnegie Commission and the Ford Foundation in his speech to the delegates. He noted that much of the ground covered in the report and the President's message "is of course well beyond Comsat's proper sphere of interest." He continued:

We can say, however, with propriety and conviction, that both sets of recommendations are clearly on the right track in commending a broadly chartered, non-profit corporation to assist in forwarding the interests of public television.15

15. Ibid., pp. 48-49.

Conference Recommendations

In the summary of conference recommendations in the Report of the Second National Conference, the editors stated the Carnegie Commission recommendation followed by
a general consensus statement based upon the Conference deliberations. That summary is included here.

1. We recommend concerted efforts at the federal, state, and local levels to improve the facilities and to provide for the adequate support of the individual educational television stations and to increase their number.

General Consensus: The heart of educational television broadcasting is the individual station licensee. Strengthening of local stations should include operations and should occur as a result of local needs. Every effort must be made to increase the number of educational television stations serving the nation. The nurturing of local support by individual licensees will be more important than ever when the Carnegie Commission recommendations are implemented.

2. We recommend that Congress act promptly to authorize and to establish a federally chartered, non-profit, nongovernmental corporation, to be known as the "Corporation for Public Television." The Corporation should be empowered to receive and disburse governmental and private funds in order to extend and improve Public Television programming. The Commission considers the creation of the Corporation fundamental to its proposal and would be most reluctant to recommend other parts of its plan unless the corporate entity is brought into being.

General Consensus: The concept and principle of the Corporation are endorsed. Insulation of the Corporation is vital. Realizing that differing methods exist in different proposals for the appointment of the Corporation's Board of Directors, the conferees feel that three factors will assure the necessary insulation - the wisdom of the administration, the collective responsibility of local broadcasters, and a faith in the American people. There is strong agreement with the Carnegie recommendation that the Corporation be a non-operational entity.

3. We recommend that the Corporation support at least two national production centers, and that it be free to contract with independent producers to prepare Public Television programs for educational
television stations.

**General Consensus:** Sources of national programming are essential and they should have substantial financial support. The need for strengthening a national programming service or services is endorsed; however, steps must be taken to ensure the flowering of regional and local programming which, in turn, would dictate national program needs.

4. We recommend that the Corporation support, by appropriate grants, the production of Public Television programs by local stations for more-than-local use.

**General Consensus:** Let the number and location of stations receiving grants for more-than-local programming develop by evolution rather than by design.

5. We recommend that the Corporation on appropriate occasions help support local programming by local stations.

**General Consensus:** General support for local programming, possibly as a regular source of programming funds, is emphasized as a priority need.

6. We recommend that the Corporation provide the educational television system as expeditiously as possible with facilities for live interconnection by conventional means, and that it be enabled to benefit from advances in technology as domestic communications satellites are brought into being. The Commission further recommends that Congress act to permit the granting of preferential rates for educational television for the use of interconnection facilities, or to permit their free use, to the extent that this may not be possible under existing law.

**General Consensus:** Conventional means for ground interconnection must be encouraged immediately for both networking and distribution for all stations. There is unanimous support for free or preferential rates for noncommercial broadcasting stations.

7. We recommend that the Corporation encourage and support research and development leading to the improvement of programming and program production.
General Consensus: Corporation support for technical research and development, especially related to educational broadcasting, is endorsed.

8. We recommend that the Corporation support technical experimentation designed to improve the present television technology.

General Consensus: Corporation support for technical research and development, especially related to educational broadcasting, is endorsed.

9. We recommend that the Corporation undertake to provide means by which technical, artistic, and specialized personnel may be recruited and trained.

General Consensus: The recommendation concerning training and recruitment of personnel is emphatically endorsed; management training for future leaders in educational broadcasting is essential; education as well as training is stressed, as is the use of all existing resources for personnel development.

10. We recommend that Congress provide the federal funds required by the Corporation through a manufacturers excise tax on television sets (beginning at 2 percent and rising to a ceiling of 5 percent). The revenues should be made available to the Corporation through a trust fund.

General Consensus: Public Television funds should be insulated, independent and, as far as possible, diversified; actual procedures employed for funding are not important and best left to the wisdom of the Executive Branch and Congress.

11. We recommend new legislation to enable the Department of Health, Education, and Welfare to provide adequate facilities for stations now in existence, to assist in increasing the number of stations to achieve nationwide coverage, to help support the basic operations of all stations, and to enlarge the support of instructional television programming.

General Consensus: New legislation for ETV station support is encouraged, with emphasis on possible liberalization of various conditions heretofore enforced for equipment and microwave links; funds are needed for total systems, and it is felt that equitable formulas for all stations must be
developed.

12. We recommend that federal, state, local, and private educational agencies sponsor extensive and innovate studies intended to develop better insights into the use of television in formal and informal education.

General Consensus: Work is needed in enlightening educational administrations at all levels regarding television in formal education. As systems develop and operate, efforts must be made to weld ETV and ITV commitments at local levels in the interest of effectiveness and economy. A study comparable to the scope and power of the Carnegie Commission is needed immediately.16

16. Ibid., pp. 3-5.

The Second National Conference completed its work and achieved its goals within a relatively short time. This was the result of resourceful leadership and keen awareness on the part of the conferees that landmark legislation on their behalf would soon be introduced. There was no desire within the group to jeopardize that momentum in any way. The consensus of the profession was important and that importance was reflected in the following excerpt from a letter to the conferees from Senator Magnuson:

Increasing support for educational broadcasting carries with it increased responsibility for meeting the needs of the American public for information on public issues and educational materials for all levels.

The President's recommendations for increased support for facilities, for a public corporation, and for a study of instructional television's potential will require your support and will
need your implementation. Your prompt response to all of the proposals that have recently suggested ways of supporting educational broadcasting give me confidence that we can rely on your leadership to multiply many times the federal support that has been recommended.17

17. Ibid., p. vi.

William Harley summarized the significance of the Second National Conference in this way:

It was important largely as a ratifying of the Commission's recommendations. They were studied very carefully at the conference and the assembled industry in effect endorsed them fully so that all of us who subsequently went to testify before the Congress and the Administration could sell the justification that the recommendations of the Carnegie Commission embodied in the legislation had the full endorsement of the Field...that the profession was fully united behind the legislation. The conference was the mechanism for getting that sanction.

It was also useful in educating the stations as to what the legislation was all about, and got them revved up for the subsequent "lobbying" activity that had to be undertaken to bring it into law.18

18. Harley interview.
CHAPTER XI

SENATE HEARINGS AND PASSAGE

When the legislation had been prepared and delivered to Senator Magnuson's office, HEW Under Secretary Wilbur Cohen and Dean Coston went up on the Hill to brief the chairmen of the committees on the new legislation and tried to get an agreement on a schedule of hearings. They had little problem in the Senate and hearings on S.1160 began on April 11, 1967 in the Subcommittee on Communications of the Senate Commerce Committee, under the direction of Senator John Pastore of Rhode Island.1

1. Coston interview.

Committee Work Begins

The Committee heard a long list of notables from government, educational and commercial broadcasting, and private industry. Of all who testified, very few had any negative testimony on S.1160. There was apparent support for the Bill in every sector of American life.

The first to testify was the HEW staff, represented by John W. Gardner, Ralph Hewitt, Harold Howe and Dean Coston. In his opening remarks, Gardner noted:

I appear here today in support of a bill which

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has a very special and historic meaning for you. This committee includes more than half of the members of the committee of the 87th Congress whose vision conceived and sponsored the first Educational Television Facilities Act of 1962.2


It was apparent that the previous success of and precedent set by the ETV Facilities Act of 1962 were the focal points early in the hearings. It was the success of the previous Act that aided the Commerce Committee in its swift, positive disposition of the new bill. Secretary Gardner said that the Facilities Act brought noncommercial television to the threshold of maturity.3 Rosel H. Hyde, chairman of the Federal Communications Commission later stated that the legislation "had a dramatic impact upon the expansion of existing ETV legislation."4 And the president


4. Ibid.

of National Educational Television, John F. White, testified that "the ETV Facilities Act of 1962 has provided essential
assistance for the construction of new ETV stations and the improvement of existing stations at a critical time in the history of noncommercial television."  

5. Ibid.

In the Senate Report on S.1160, prepared by Nicholas Zapple, communications counsel to the Senate Commerce Committee, the significance of the Facilities Act was emphasized:

According to testimony of HEW and the FCC before your committee, the Educational Television Facilities Act (Public Law 87-447), provided significant stimulus to the growth of educational television stations and Title I of this bill will continue and extend that program. By July 1967 when Public Law 87-447 will expire, the number of ETV stations on the air or under construction will be 183 compared with 82 in May 1963 when the program was initiated.  

6. Ibid.

There was unanimous agreement among the witnesses that hundreds of new educational television stations would be needed before complete national coverage would be accomplished. The committee heard testimony from HEW to the effect that there was a considerable backlog of need in the facilities construction program. 7 During the hearings,
complete projections on facilities needs were presented by Coston. In the course of the hearings a question was raised by Senator Pastore regarding the charging of fees by the Corporation for materials produced with Corporation assistance. Coston replied that this may indeed be a policy question which the board of directors of the corporation would have to deal with. Senator Pastore asked for a position on this question and Coston subsequently supplied a letter containing the following position:

The authority of the Corporation to charge fees for its services is not discussed in the bill; clearly, the bill does not prohibit fees or charges. As a matter of policy, however, we believe in general that fees should not be charged for the original distribution to stations for materials produced with Corporation assistance.

FCC Chairman Rosel Hyde testified that the bill before the Committee was the most significant legislation in this area to come before the Congress in many years.
The Federal Communications Commission wholeheartedly endorsed S.1160 and commented on the role the FCC played in the development of the legislation and educational broadcasting in general.10

10. Ibid., p. 90.

Representatives of the arts in America were brought forward during the hearings to add their weight to the already heavy support for S.1160. Included among the witnesses representing the creative area were Roger L. Stevens, Chairman, National Foundation on the Arts and the Humanities; Charles Ruttenberg, counsel for the National Foundation on the Arts and the Humanities; David Stewart, program director for television for the National Foundation. Later in the hearings, Dore Schary of the Dramatists Guild in New York applauded the legislation.

Senator Edward Kennedy of Massachusetts introduced Dr. James R. Killian, Jr., chairman of the Carnegie Commission and his entourage of notables representing the Commission. Included were Dr. Lee DuBridge, Leonard Woodcock, Ernest Jennes, Dr. Goldin, and Edwin H. Land. All strongly supported the bill as introduced and explained the work of the Carnegie Commission on Educational Television. In discussing the relationship between the Carnegie and Ford proposals, Killian said:
The Ford Foundation proposal, as we understand it, goes beyond the domain studied by the Carnegie Commission and raises the broad issue of national policy concerning national communication satellite organization and operation. We did feel that we would hope that this issue cannot necessarily get in the way of making decisions with respect to public television, that the issue does not have to be resolved before a program to strengthen noncommercial television is undertaken.11

11. Ibid., p. 137.

In the Committee report it was stated that the "resolution of the issues centering on utilization of communications satellites is not held necessary for the passage of S.1160."12 The Report referred to the President's February 28 message which stated:

Formulation of long-range policies concerning the future of satellite communications requires the most detailed and comprehensive study by the executive branch and the Congress.13


13. Ibid.

During the course of the hearings, Gen. James D. O'Connell, Director of Telecommunications Management, testified that initially existing common carrier microwave
facilities and land lines would be adequate to serve the system.14

14. Ibid.

Long-Range Financing

Although the question of long-range financing was not included in the bill, the issue was discussed several times throughout the hearings. In discussing Title II, which provided an authorization of $9 million for the Corporation for the fiscal year 1968, the Report stated:

Financing is, of course, one of the complex issues in the development of public broadcasting, and the $9 million is only "seed" money, designed to get the Corporation off the ground. Much more money will be required in future years if the Corporation is to accomplish the task before it. The President said in his message to Congress, recommending the legislation that: Next year, after careful review, I will make further proposals for the Corporation's long-term financing.15

15. Ibid., p. 8.

The Committee was undoubtedly impressed by the favorable testimony of the three presidents of the commercial networks, and particularly by Frank Stanton, president of CBS, who, on behalf of the entire network, offered $1 million to the Corporation upon enactment of the legislation. Similarly during the hearings, the United Auto
Workers pledged $25,000 to the Corporation.

In the Report the Committee stated its hopes that, in light of the overwhelmingly favorable response to the legislation, the major source of revenue for the Corporation would come directly from the people of the United States through contributions from diverse private sources, rather than through the medium of the Federal Government.16

16. Ibid.

McGeorge Bundy and Fred Friendly came in from the Ford Foundation on behalf of S.1160. In his testimony, Mr. Friendly warned against any weakening of the bill:

It is only because I have such enthusiasm and faith in what you are about that I sound this early warning. A warning is necessary because birth defects would make such a service too weak and dependent to achieve the high goals that the President of the United States, the author of this bill, and the Carnegie and Ford Foundations have dreamed of.17


Testifying on behalf of the NAEB and its various divisions were: Edwin G. Burrows, NAEB Board Chairman; E. William Henry, NAEB Public Director; Jack G. McBride, ETS Board Chairman; Newton Minow, Board member, Chicago ETV Association and NET; Devereux Josephs, Board Chairman,
WNDT, New York; C. Scott Fletcher, ETS Executive Consultant and NAEB Public Director; George Bair, Board Chairman, Instructional Division; John Letson, Superintendent of Public Schools, Atlanta, Georgia; Lester Greenhill, Pennsylvania State University; Jerrold Sandler, National Educational Radio Executive Director; Leslie Paffrath, Executive Director, Johnson Foundation; Frank M. Woolsey, Albany, New York, Medical Foundation Radio Project; Willard Shadel, University of Washington, and Fred Harrington, University of Wisconsin President and NAEB Public Director.

All supported the general consensus of the educational broadcasting establishment that noncommercial broadcasting must become a strong national force with Federal support if it truly is to offer the American public the kind of programming to which it is entitled and which will be necessary if the medium is to gain the support of the people. Several of the witnesses attested to the power and influence of instructional television as well as public television. The consensus of the witnesses was that lack of financing was the primary inhibiting factor to widespread use of instructional television and radio. Other limitations suggested were the lack of programming and trained personnel. 18

The Committee was not, however, as impressed by the testimony offered by the National Committee for the Full Development of ITFS (Instructional Television Fixed Service). The Report stated:

The Committee is aware of existing Federal programs which assist, in limited measure, the construction and operation of ITFS and other closed circuit instructional installations. However, such programs are limited and restrictive. Instructional facilities should also be available to all students in some form if they are of such value as indicated by the testimony.

During the hearings the chairman of the FCC and others in the field of instructional television made efforts to broaden the scope of Title III. They testified that the contents of section 302 appeared to needlessly restrict HEW and limit its flexibility.19 The witnesses were in agreement that the question of such a study should not be "whether Federal aid should be given to instructional broadcasting" as Title III stated, but "what kind of aid" should be provided. It was pointed out that some forms of Federal aid were already being given to instructional television through a number of education acts administered by HEW.20

19. Section 302 originally defined the nature of the study to be conducted by HEW and listed six areas that it should cover.

The Committee was persuaded that Title III should be amended so that the study it authorized would be of more assistance in determining the role of the telecommunications in the educational system and how Federal aid can most effectively be applied.\(^{21}\)

\[\text{21. Ibid., p. 16.}\]

**Educational Radio Testimony**

The Committee was especially impressed by the testimony of those concerned with the future of educational radio, and particularly that of Jerrold Sandler of NER. It was during his testimony that the name of the bill was changed from the "Public Television Act of 1967" to the "Public Broadcasting Act of 1967." After Sandler had completed his long and well-conceived testimony on the potential and role of educational and instructional radio, Senator Griffin of Michigan said:

Mr. Sandler, at one point early in your statement you said you endorse this bill as it now stands. That always disturbs me as a legislator because I have seen very few bills that are perfect. And looking at this particular bill and your great interest in educational radio, I notice that under Title II the bill provides for the establishment of a corporation for public television. And yet as I understand the purpose and the function of this particular corporation they are supposed to concern themselves with educational radio as well as television. Wouldn't you at least agree with me that the name of the corporation ought to be changed?\(^{22}\)
Sandler said that he agreed with the Senator and that a change in name might be appropriate and more accurate. At this, Senator Griffin suggested a "corporation for public broadcasting." Sandler said, "fine, that would be an excellent one."23

The Report issued by the Committee stated that the inclusion of assistance for the construction of noncommercial educational radio facilities should serve to stimulate an increased awareness among educational radio broadcasters of the significant contribution they can make to the communities they serve. It indicated that the Committee was certain that HEW will use its discretion to assure that educational radio receives an adequate share of the money appropriated for educational broadcasting.24

Interconnection

One of the most difficult and complex questions
raised during the hearing involved the function of the Corporation for Public Broadcasting with respect to a national system of interconnection for local noncommercial stations.25 This also became the most difficult section of the report for Zapple to write. Under the provisions of the original section of the bill, the Corporation was prohibited from dealing directly with common carriers who normally provide interconnection; facilities; instead the Corporation was limited to providing contracts or grants to an intermediary organization that would undertake to contract for the interconnection.26


There was apparent disagreement among representatives from the Carnegie Commission, the National Association of Educational Broadcasters and National Educational Television as to how the interconnection question should be resolved. Finally, the Committee, through Zapple, told the three that they would have to work the problem out themselves, that it was not up to the Committee to do it for them.27
An emergency meeting was held between the three factions and each submitted a letter outlining a position on the networking question on which each of the others could agree. Copies of these letters are contained in APPENDIX C. As a result of the compromise the Committee decided that the Corporation needed the flexibility and discretion not to establish a fixed-schedule network operation but to take advantage of special or unusual opportunities that warrant the Corporation directly contracting for interconnection facilities. It was made clear, however, that the decision to broadcast a program would remain with the local station. The section of the bill was modified to give the Corporation the necessary authority with regard to interconnection facilities. This would not mean, however, that other groups such as a group of noncommercial stations or national educational television could not also arrange for interconnections and receive financial assistance from the Corporation for it. The provisions of the legislation would permit this to be done.28

The Committee pointed out that an advisory committee might be appointed which would include representatives of local educational broadcast stations, which would suggest policy for handling interconnection and review interconnection decisions which the Corporation had made over a stated period. In its report the Committee noted that it would follow the interconnection developments closely to see what impact the broadening of the Corporation's authority in this area would mean to the development of the nationwide educational broadcasting system.

Other Amendments

Three other amendments relating to Title II of the Act were made as a result of the Committee hearing and are worthy of mention here.

Subsection (c) of section 396, which creates the Board of Directors of the Corporation and prescribes its method of selection was amended to provide that the Board which will consist of 15 members, would have nine of them appointed by the President, by and with the advice and consent of the Senate, and the remaining six to be elected.
by the nine appointed members.31 The original legislation

31. Ibid., p. 13.

had provided for a 15 member Board of Directors, all of whom
would have been appointed by the President with the advice
and consent of the Senate. The Committee felt that the
method of selection as amended, would attain better occupa­
tional and geographical diversity. The amended version
was a combination of the provision in the original legis­
lation and the recommendation of the Carnegie Commission.32

32. Ibid.

Another section of the bill was changed to provide
that the Corporation could assist in the establishment of
one or more systems of interconnection. This committee
amendment was intended to encourage competition among
agencies and organizations supplying interconnection.33


Finally, a subparagraph in section 396 was amended
by changing the word "library" to "libraries" and deleting
the phrases "develop public awareness" and "by various
means." Thus, the Corporation would be authorized to
establish or support program libraries in whatever number it felt was necessary to fulfill its statutory obligations. The committee felt that the phrases "develop public awareness" and "by various means" about noncommercial programs which appear in the same subsection, are so broad that they may be susceptible to abuse. The Corporation can achieve the same objectives, in the committee's view, by disseminating information relating to noncommercial broadcast programs through the publication of a journal which is permitted under the subsection.34

34. Ibid.

Except for those few changes mentioned above, the bill which was finally reported out of committee and introduced on the floor of the Senate by Senator Pastore on May 17, 1967, was the same bill originally introduced by Senator Magnuson on March 2. Senator Pastore introduced the committee bill for consideration by the Senate calling it "one of the most important bills to be considered in Congress this year."35


There was no real opposition expected in the Senate.
Marquis and other members of the NAEB, the staff of HEW and the White House had made a thorough head count of the members of the Senate. The only real problem was getting a quorum of the committee present to mark up the bill. There was some trouble initially getting enough Senators to sit down long enough to vote approval of the bill and refer it to the full committee. After this was accomplished the entire process went very smoothly.36 This is largely due to the aggressive leadership of Senator Magnuson and Senator Pastore, both of whom were strong supporters of the legislation. In addition, Senator Cotton of New Hampshire, the minority leader, was very favorable to the bill.37

36. Coston interview.

37. Ibid.

The Senate was less trouble than anyone had hoped for. The real test would come in the House of Representatives.

Floor Debate and Passage

There were questions raised on the floor by Senators Byrd of Virginia, Proxmire of Wisconsin, and Strom Thurmond of South Carolina, who was strongly opposed to Title II and a Corporation for Public Broadcasting.38
Only one amendment was approved on the floor. Senator Vance Hartke of Indiana proposed "that three of the 15 members of the Board of the Corporation for Public Broadcasting shall be associated with noncommercial educational radio and television stations." Senator Hartke was a strong supporter of the bill in all other respects.

During debate on the bill, it was supported in floor speeches by Senators Scott of Pennsylvania, Percy of Illinois, Cotton of New Hampshire, Javits of New York, Tydings of Indiana, Prouty of Vermont, and Kennedy of Massachusetts. The bill was passed by voice vote that same day and sent to the House of Representatives.

Upon passage of the bill, Senator Yarborough noted that "the Public Broadcasting Act recognizes the important fact that the construction of facilities is only a beginning in the field of educational broadcasting." He continued
by commending Senator Pastore for his excellent job of steering the bill to passage and said:

Provisions must be made to allow such facilities to present creative and outstanding programs of a varied cultural and educational nature. I wholeheartedly and enthusiastically congratulate the Commerce Committee for reporting this outstanding legislation and making unmistakable its firm commitment to the furtherance of educational broadcasting.41

41. Ibid.
The House version of The Public Broadcasting Act of 1967, H.R.6736, was introduced in the House of Representatives by Congressman Harley O. Staggers of West Virginia, the chairman of the Committee on Interstate and Foreign Commerce. One of the earliest difficulties experienced in the House was getting the hearings started. The House Committee was extremely busy that summer and there was some doubt that hearings would be held at all.\footnote{Marquis interview.} There did not seem to be a great amount of interest in the bill initially.

A large measure of credit for getting the Committee to act on the bill belongs to Under Secretary of H.E.W Wilbur Cohen.\footnote{Coston interview.} It was very clear that his leadership was essential in getting the legislation put forward at all. It was not an area in which Cohen was a great expert, but it was of great interest to him and an area in which he felt he had...
considerable political clout as well as support. He had always been willing to let those who were responsible for drafting the legislation proceed with quite a bit of freedom and flexibility, but he was always there when influence was needed with the President or the Congress to assist with the progress of the legislation.3 It was quite clear to those close to the Public Broadcasting Act of 1967 that the President was not going to accept anything unless Wilbur Cohen strongly favored it. When it came to going up on the Hill and briefing the legislators and chairmen of the committees on new legislation, his sense of priorities was considered very important, particularly with committee chairmen. The House Interstate and Foreign Commerce Committee had more than fifteen bills in the health, education, and welfare area, all of which Cohen wanted the Committee to report out in that session of Congress. The Committee had broad jurisdiction in health legislation, consumer protection, food and drug legislation and a variety of areas in which HEW was interested. It would have been very easy for the Committee to give public broadcasting a low priority since it was considering other legislation to increase the number of allied medical personnel, improving food and drug legislation, and creating regional medical programs. The fact that Cohen placed a high priority on the Public

3. Ibid.
Broadcasting Act was crucial in getting the hearings started. Dean Coston supports this view when he states:

To persuade a very busy committee that this was important enough to hold hearings on and report out, was a considerable accomplishment for which I think Cohen can take all the credit. He did persuade the House Committee that this was an important bill and that they ought to move on it. So, from that standpoint, his leadership as a legislative expert and his knowledge of the process was critical to the legislation.4

4. Ibid.

It is also interesting to note that the last grant under the ETV Facilities Act of 1962, the largest grant in the history of the facilities program, went to WWVU in Morgantown, West Virginia on July 4, only seven days before the hearings began in the House. Morgantown and West Virginia University, the licensee of WWVU, are in Congressman Staggers' district. This fact is reported, not to cast any aspersion on the integrity of Staggers, who is a highly reputable statesman, but because it did happen and may have had some influence on the Congressman's interest in the new legislation.5

5. Marquis interview. Marquis does not believe that the grant had any direct influence on Congressman Staggers' decision to hold hearings. This writer felt, however, that since it was mentioned in the context of the problems surrounding the opening of hearings, that it should be reported here.
Committee Work Begins

The Interstate and Foreign Commerce Committee began hearings on H.R.6736, the Public Broadcasting Act of 1962, on July 11, 1967. In the meantime, the White House staff, the NAEB, HEW proponents, and other interested supporters were beginning to plan their strategy to win the House of Representatives. A number of legislative strategy meetings were held in Doug Cater's office to coordinate the campaign. The White House worked very closely with the NAEB to develop head counts of members for, against, and on the fence, and ways in which they could be approached to support the legislation. Meanwhile, Coston maintained a day to day liaison with the Committee so that the planning group knew what was going on within the Committee. He spoke not only to Robert Lishman on the majority side, but had a very amicable relationship with Lewis Berry, the minority counsel. There was little of a political nature in the bill and partisan issues were not of primary importance.

6. Coston and Marquis interviews.

7. Ibid.

The NAEB and HEW staff assigned to the legislation worked very hard to keep partisan politics out of the legislative
struggle. There were party points of view, particularly among the conservative coalition of Southern Democrats and conservative Republicans. There seemed to be an early attitude within this group of "we don't like it and we don't quite know why." As the hearings progressed these negative attitudes became more concrete. They began to view the bill with some distrust as a possible entering wedge for more Federal interference in public media. It was also a potentially expensive bill. All minority members of the Committee had been briefed on the Carnegie Commission Report and its predictions of cost for the new public entity. There was a great deal more money discussed in the Carnegie report than was proposed in the legislation. These things were of grave concern to Congressmen Samuel Devine of Ohio, James Broyhill of North Carolina, James Harvey of Michigan, Tim Lee Carter of Kentucky, and Clarence Brown, Jr., also of Ohio. These men, along with Albert W. Watson of South Carolina, stood out as the principal opponents of the legislation early in the hearings and continued to be suspicious of and opposed to key elements of the bill.
throughout passage. Their opinions will be discussed later in this chapter.

Other members on the minority side were cautious and skeptical about elements in the bill. Congressman William Springer of Illinois, the ranking minority member of the Committee, had a healthy skepticism about the bill and had to be sold on its merits. Hastings Keith of Massachusetts, a very cautious congressman, had some very deep concerns about the potential political dangers in a Federally supported broadcasting system and later expressed them eloquently in the Committee Report. When the hearings began, congressmen on both sides of the aisle were obviously concerned about the insulation the Corporation would need to do its job effectively, free of any governmental or political influence.

Supporters of the legislation began to discover early in the hearings where the compromises had to be made and what arguments in support of H.R.6736 had to be made. The NAEB worked very hard to convince the conservative opposition that this legislation was not only good for the Nation, but also their individual districts. A full-time writer was engaged in preparing materials for insertion in the Congressional Record in support of the bill. The supporters were very careful in whatever they did to avoid any partisan split.10 A letter writing campaign was begun
by the stations, and all members of the NAEB and other interested organizations were asked to write or call upon their congressmen to lend support for the bill. There was an attempt to avoid any discussion of previous controversial programming which had been produced for educational television stations by NET or at the local level. The emphasis was on all that was good or potentially good in public broadcasting.

PropONENTS of the bill were prepared for the traditionally more difficult legislative struggle on the House side. They were aware of the traditional opposition and philosophical negativism toward Federal interference in state and local affairs. And most considered public broadcasting as a local enterprise. There was no national network of any real significance and the emphasis in the Carnegie Commission Report and throughout the Senate hearings was on localism. This would also carry over to the House hearings on H.R.6736. Supporters recognized that the Public Broadcasting Act of 1967 might be considered by some to be another form of socialism, state control, etc.

11. Harley interview.
During the nine days of hearings on H.R. 6736 which were held from July 11 to July 21, 1967, more than 80 witnesses were heard. The pattern followed was basically the same as that of the hearings in the Senate. Most of the same witnesses who supported the Senate bill were back to support the House bill. The voluminous testimony showed that, although no public broadcasting can come into being without physical facilities, funding for hardware alone was not enough. The Educational Television Facilities Act of 1962 was not enough. The Corporation and an open-ended study of instructional broadcasting were needed to make public broadcasting the vital instrument of the people that it was meant to be, and could be. It was stated that the thirty-two million dollars that had been provided under the facilities program had provided money for hardware only. This hardware would lay idle "much of the time, a monument to an unfulfilled promise," if new legislation did not provide the financial support to produce and create quality programming.

12. Ibid.

meagerness of the proposed authorization and stated:

It is estimated that in 1967, commercial broadcasting stations will have revenues of $4 billion, while noncommercial stations will have revenues of $73 million. Title II of H.R. 6736 provides $9 million in Federal funds to supplement the
meager programming resources of local educational stations.\textsuperscript{13}

\textsuperscript{13. Ibid.}

The Report went on to state:

Nine million dollars is a small sum in comparison with the Federal funds devoted to educational broadcasting hardware. And the rewards which are reasonably to be expected from this seed program cannot be measured in money alone. Who can estimate the value to a democracy of a citizenry that is kept fully and fairly informed as to the important issues of our times and whose children have access to programs which make learning a pleasure?\textsuperscript{14}

\textsuperscript{14. Ibid.}

The presidents of the three major commercial television networks testified before the House Committee, as they had in the Senate, on behalf of the House bill noting that the economic realities of commercial broadcasting make it impossible to produce and distribute educational and cultural programs which do not have a mass audience appeal.\textsuperscript{15}

\textsuperscript{15. Ibid., p. 11.}

Dr. Killian of the Carnegie Commission offered the following testimony regarding the possibilities of an
economically viable public broadcasting system:

I have just been in Japan and looking at the enormous noncommercial television operation they have there, NHK. Incidentally, they are spending $250 million a year on a television system for a country that has half of the population of ours and a much smaller geographical area. They are combining instructional programming, as we define it, public television, and a host of other things. They are having a profound impact upon the Japanese people. They are doing this alongside the commercial operation.16

16. Ibid.

Witnesses holding high positions in the fields of labor, business, commercial broadcasting, finance, education, and the arts appeared before the committee. Of more than 80 witnesses, only one opposed the bill. This opposition came from Leonard B. Stevens on behalf of the All-Channel Television Society. Stevens stated that "public television programming, federally underwritten and interconnected to give it tremendous appeal and potential, could do irreparable harm to the growing independent UHF stations which, for the time being, are appealing to a smaller share of the audience."17 The Committee noted the objections but


the testimony was of little consequence with regard to the disposition of the bill.
The testimony was very much the same as that in the Senate. Witnesses testified that it was now time for educational broadcasting to be supplied with programs of a diverse, cultural, and educational nature. The urgent need for financial assistance was stressed as was the recognition that funds should come from three chief sources: Federal, State and local governments, and private benefactors.18


Everett N. Case, chairman of the board of the New York Federal Reserve Bank, president of the Alfred P. Sloan Foundation, and chairman of the board of National Educational Television stated:

The Nation needs this legislation now...It is a necessary first step toward a fully effective broadcasting service...and is needed to nourish the noncommercial television and radio systems.19

19. Ibid.

The potential of noncommercial broadcasting in rural areas was also noted by the committee in the testimony of William R. Smith, director of the Mississippi Authority for Educational Television. He said:
Much of what we have accomplished has been assisted and stimulated by Federal funding through the ETV Facilities Act, and we look forward to future financial assistance. Mississippi is not a wealthy State. There are a dozen different needs for every available dollar, but few needs more worthy, few so necessary as the development and stimulation of an eager mind. Thus, we are committed to educational television. It offers us an opportunity to spark a deprived people, to arouse curiosity and creativity, to provide an escape from a long heritage of poverty, which stems from a large percentage of people who do not possess the skills and education to function in a sophisticated society. How fast we are able to proceed in the future — how much we will be able to accomplish — rests largely with those of you here today.

20. Ibid., p. 12.

Issues and Amendments

Despite the widespread support for the legislation evidenced by the testimony, the bill did not get through the House Committee without some significant issues being raised as well as several amendments. Throughout the hearings, witnesses had to keep reassuring several of the members that this legislation would not result in a Federal broadcasting network. The Corporation idea had to be continually reexplained as an intermediary between the government and the stations and that this would be an independent agency with its own board and it would receive Federal and private funds and dispense them to the stations and for the benefit of a viable national system of public broadcasting.
Proponents kept telling the congressmen in their testimony that it would not be another CBS, NBC, or ABC with its own stations and complete control, but rather that it was going to be a system of interconnection that would give the stations, if they desired it, program enrichment and a system of national distribution of some of their own programming if they wished it. 21


Title I of the bill, as amended by the Committee authorized the sums of $10.5 million for fiscal year 1968, $12.5 million for fiscal 1969, and $15 million for fiscal year 1970. The Committee wanted to know how much money it would be spending beyond the first year. The Senate bill has provided for an authorization of $10.5 million for the fiscal year 1968 and such sums as may be necessary for fiscal 1969 through 1972.

The House Committee changed the 12½ percent state limitation to 8½ percent of the appropriation for any fiscal year for the construction of facilities in any state. In addition the Committee stated that it expected HEW to award grants on as wide a geographical basis as possible and to consider the state limitation as a guideline assuring the broadest distribution of funds and not as permission to provide the funds to a mere 12 states. 22

The formula for
matching funds, increased from 50 to 75 percent, remained the same as in the Senate bill.

The House bill also eliminated the previous limitation of 15 percent of grant funds available for interconnection facilities and included radio in its grant program, stating:

Although noncommercial radio stations such as WHA, located on the campus of the University of Wisconsin, began broadcasting as far back as 1919, it was testified that radio is a 'sleeping giant' or 'hidden medium' and that it offers a great potential for service to education.23

Concerning Title II, the House version agreed that a nonprofit Corporation, directed by a Board of Directors, none of whom will be Government employees, would provide the most effective insulation from Government control or influence over the expenditure of funds. The bill provided for 15 Directors appointed by the President with the advice and consent of the senate. The 6-year terms of the members would be staggered. An important amendment to this element was that not more than eight of the Directors can be members of the same political party. This amendment,
advocated by the minority members of the Committee was not of any great significance to those who wanted the bill passed. Without it, however, the bill would have been completely unacceptable to the minority members of the Committee. Lewis Berry, minority counsel, explained it in this way:

"We cranked into this bill a very peculiar provision which made the board of directors almost like one of the commissions to the extent that it had to be, by law, a bipartisan board. Not a nonpartisan, but a bipartisan board. And you almost had to have your loyalties declared to qualify for an appointment. This, of course, limited to some extent the people that the Executive could pick for the board." 24


Supporters of the measure felt that good board members could be found in either political party, and were not concerned about this amendment.

The House bill defined educational television and radio programs as "programs which are primarily designed for educational or cultural purposes and not primarily for amusement or entertainment purposes." 25 The House report quoted Fred Friendly, who stated during the hearings:

Public television must not be permitted to become a honky-tonk midway of action games, violent fantasies, and contrived farces with fake laughter and applause, designed to appeal to the lowest common denominator all of the time.26

26. Ibid.

The bill stressed the autonomy of local stations, prohibited the Corporation from owning or operating any television or radio station, system, or network, and from engaging in any form of partisan political activity. It defined the Corporation's role as a provider for the stations and "assistant" in interconnection.

Another critical amendment, considered essential by minority members, and particularly Mr. Springer, became more controversial than the State limitation or composition of the Corporation's board of directors. That amendment concerned editorializing. The bill reported out of committee, out of an abundance of caution, provides that "no noncommercial educational broadcasting station may engage in editorializing or may support or oppose any candidate for political office."27 It was emphasized in the Committee

27. Ibid., p. 20.

Report that this section "is not intended to preclude
balanced, fair and objective presentations of controversial issues by noncommercial stations." This amendment, considered unconstitutional by scholars and unfair by those who drafted the original legislation, was clearly a political compromise. Dean Coston, one of the original drafters of the legislation, expressed his concern regarding this amendment:

I am not concerned about the banning of the endorsement of candidates, and I am not concerned about the fair balance provision of the act, which is part of the Springer balance. You've got to give careful regard to presenting both sides of the issues. I think that the fairness doctrine already guarantees that. I think the stations would be in serious trouble if they didn't do that anyway. But editorializing, clearly identified as such, is not always appropriate. I don't know where you are going to get good public policy editorializing if you can't get it at the public sector. You certainly aren't going to get it out of the commercial networks, nor do you get it out of very many local commercial stations. So I think that was a mistake, and I told Springer that I thought it was a mistake. I understand his point of view, and I understand his fears that this system could be used to unseat certain members of Congress.

There was no apparent problem with the member stations of the NAEB with regard to the editorializing issue. Most
of them were polled and no one seemed to care whether noncommercial stations had the right or not. Most seemed pleased to be taken off the hook. This still does not make the anti-editorializing provision good public policy. This writer considers this element of the legislation to be the only poorly conceived and poorly justified section in the 1967 Act. The fact that it may make life easier and simpler for noncommercial broadcasters in no way affects the propriety of the provision. In an effort to understand the Congressman's justification for this amendment, this writer asked the minority counsel, Mr. Berry, why Springer insisted on the amendment. His answer follows:

I think the thing was that editorializing, even when it is not talking about political candidates is by and large a political type activity. It is only done on political type questions, or in other words, the controversial questions of public policy. He felt (Congressman Springer), therefore, that if this thing was going to remain nonpolitical and public, the fastest way to get it changed to something else was to get it into the business of editorializing. Whether this is right or wrong, he felt very strongly about this. This was why it was in the House bill. I don't know yet whether he was right or wrong, but that was his rationale. Somebody could make an argument on the other side and probably make it just as strong.30

30. Berry interview.

Regardless of the rightness or wrongness, fairness or unfairness of the anti-editorializing amendment,
it is now part of the Communications Act of 1934 and is law. There is little in the above statement by Mr. Berry to justify this policy. But the question has been asked, "Who will take the case and what brave noncommercial broadcaster would take it upon himself to take the case to the Supreme Court? Who would the station sue? Congress? The Corporation? Particularly if it would involve the loss of his license. Perhaps only time will answer whether this amendment was too great a price to pay for the Public Broadcasting Act of 1967. The fact remains that very few fought the amendment in 1967. Even fewer seem interested in it now.

The question of long-range financing was a persistent issue throughout the hearings. Witnesses were unanimous in their opinions that private contributions and support from local and State governments would be wholly inadequate to sustain a workable noncommercial broadcasting system. Other sources of revenue would be essential. The committee reviewed a number of complexities regarding long-range financing such as the support that can be expected from private sources, interconnection costs, and possible means of support, the committee rejected all suggestions for permanent financing and said that it would wait for more specific information from the Corporation, the President, or the Congress. Berry summarized the situation in this way:
Many of the suggestions were unacceptable to everybody, all of the suggestions were unacceptable to somebody. Yet everyone proposed or at least indicated that they did not want the final answer to be long-range and continued support from general tax revenue. Yet, of course, that's where it's been so far, and where, at least in my opinion, it's going to stay.32

Title III of the bill did not create a great deal of interest or controversy during the hearings. The FCC again made its pitch for the Instructional Television Fixed Service, and again, the House Committee said "the subject of instructional television is a complex one that requires further study despite the numerous but fragmented research studies that have taken place in the past."33

In separate minority views, Congressmen Devine, Broyhill, Harvey, Watson, Carter, and Brown stated that "public television seems to be very much like the elephant being described by three blind men, each of whom felt a different part of the animal."34
They expressed concern for the "overall problems involved." Included in these were minor emphasis on instructional broadcasting, oversimplified definitions of "cultural uplift", "foggy and confused" financing provisions, and unanswered policy questions about the Corporation.

In another "separate view", Congressman Hastings Keith stated:

This bill will make of educational television an entity unlike anything we know now. The potential good from educational TV is limitless and much to be desired, but the potential dangers are not to be ignored; we should not consider the Corporation, which we are creating, so independent an entity that at some later date the Commerce Committee may not review and reshape its form and function.35

Floor Debate and Passage

On September 21, 1967 the committee bill reached the House floor. Congressman Pepper of Florida called for consideration of H.R.6736 supported by Congressman MacDonald of Massachusetts.36

Brown of Ohio called attention to the fact that there was no foreseeable financing solution to the proposal. The bill was also opposed by Congressman Collier of Illinois. Congressman Celler of New York rose in support of the legislation and the House resolved itself into the Committee of the Whole for consideration of the bill.37

37. Ibid.

Congressman Staggers spoke in behalf of the bill which he had introduced. He explained that long-range financing could come after operational experience had been gained by the Corporation. Congressman Springer supported the committee bill in a floor speech in which he discussed the bipartisan and anti-editorializing clauses. He said:

It is my opinion that the only alternative to financing the Corporation is appropriated funds. This presents certain dangers and drawbacks, and all other proposed methods so far present other problems. It will be a man-sized job to maintain the principle of independence of action for the Corporation while holding the life and death purse-string. That will be the next chapter in the drama of public television and will be played on this station next season... For the present we can create the major machinery and see how it functions.38

38. Ibid., p. 26387.

Congressman Jones of Missouri questioned the editor-
ializing issue along with everything else he could think of to prolong debate. The bill was subsequently supported on the floor by Congressmen Anderson of Illinois, Brotzman of California, Hechler of West Virginia, Rogers of Florida, Pickle of Texas, Reid of New York, Green of Oregon, and Congresswoman Hechler of Massachusetts. Others made brief speeches in support of the bill.

Finally, Congressman Albert Watson of South Carolina moved to strike out all the language of the bill down through line 14 on p. 40 beginning with line 20 on p. 25.39

39. Ibid., p. 26405.

In effect, he moved to strike out Title II calling for a Public Corporation. There was some debate and a voice vote was taken. When the nays appeared to have it, Watson called for a teller vote. A teller vote was ordered and the Chairman appointed Congressmen Watson and Staggers as tellers.

In the meantime, Cater, Coston and Marquis were sitting in the Gallery watching the debate. Others, including Leonard Marks, were working the cloak rooms and Speaker's groups to gather the necessary votes. As they watched the members file through the teller line it appeared that there were more against the bill than for. There was noticeable anxiety in the group. Coston recalls it this way:
Doug almost died. He turned to me and said, 'You've really blown it. You're going to lose the bill.' And I said, 'What do you mean, I'm going to lose it, you're in charge of the bill.' And he said, 'But you're supposed to get the members out.' And I said, 'Doug, don't worry, there are members sitting out in the cloak room waiting to come in if we need them.'

40. Coston interview.

Marquis also recalls the teller vote vividly:

When the floor vote came, the vote was 120 to 111. It was done by teller vote, no record. We had only a nine vote difference and those nine guys didn't come out of that damn cloak room until the very last minute. I was sitting with Doug Cater who was screaming, 'do something,' and I said, 'dammit, you do something, it's your bill.' There was never before a hard count in the House...and Congressmen cannot be pinned down unless they want to be. Also, we were inexperienced at this at that time and didn't know how to pin them down. As it turned out, our prediction was very close...within 10% of the final vote. The teller vote, however, was closer than we thought it was going to be. And the later vote to return the bill to committee was closer than we expected.

41. Marquis interview.

With a vote of 120 to 111 the Watson amendment lost and the debate continued. Other simpler amendments were offered and rejected. Then Congressman Devine, in a last effort, to kill the bill, offered a motion to recommit the bill to the Interstate and Foreign Commerce Committee and to strike
out Title II. The question was called and the motion lost by a vote of 167 to 194.42

42. U.S., Congressional Record, op. cit., p. 26416.

The final vote on passage came immediately after the vote on recommittal. It resulted in 266 for and 91 against. One member answered present and 74 did not vote.43

43. Ibid.

It was a very happy day for noncommercial broadcasters. The Public Broadcasting Act of 1967 had passed both Houses of Congress. It had been a more difficult struggle in the House of Representatives, but the bill as introduced and its supporters had been stronger than the conservative opposition which had opposed it. The differences between the House and Senate versions would have to be resolved in Conference but Dr. Killian's "dream" was closer to becoming a "responsibility".
The House bill which was finally passed amended the Senate bill by striking out all of the bill after the enacting clause and inserting a substitute. The Senate receded from its disagreement to the amendment of the House of Representatives, with an amendment which was substituted for both the Senate bill and the House amendment. The differences between the House amendment and the conference substitute were explained in the report issued by the committee of conference.1

Anti-Editorializing Issue

Proponents of the Act feared the question of editorializing would cause some problem in conference. The House amendment contained provisions which would prohibit any noncommercial educational broadcast station from engaging in editorializing or supporting or opposing any candidate for political office. The Senate bill contained no comparable provisions.
The managers on the part of the House explained that the prohibition against editorializing was limited to providing that no noncommercial educational broadcast station may broadcast editorials representing the opinion of the management of such station. The Senate managers accepted the House provisions emphasizing that these provisions were in no way intended to preclude balanced, fair, and objective presentation of controversial issues by noncommercial educational broadcast stations. It was also explained that the provisions were consistent with the requirements of section 396(g)(1)(A) of the Communications Act of 1934 (added by the Conference substitute) which require that programs or series of programs of a controversial nature which are made available by the Public Broadcasting Corporation must adhere strictly to objectivity and balance.

Educational Broadcasting Defined

The House amendment defined "educational television or radio programs" as "programs which are primarily designed for educational or cultural purposes and not primarily for amusement or entertainment purposes." There was no
comparable provision in the Senate bill, S.1160. The conference substitute accepted the definition of the House version but deleted the words "and not primarily for amusement or entertainment purposes". It was feared that this might be misinterpreted and might limit in some way creativity or experiment in program development and production.

Objectivity and Balance in Programming

When the question of objectivity and balance in public broadcasting programs came up, it was reported to this investigator, that Nick Zapple, a man who is very careful not to make a habit of asserting himself in committee or conference sessions, spoke up on behalf of noncommercial broadcasters. Efforts were made to require that every program on public broadcasting stations be balanced.

4. Ibid., p. 13

5. The source of this information wished to remain anonymous. This writer will respect that request. When asked about his role in conference sessions on this bill, Mr. Zapple, explained that he would rather not discuss it since there would be other conference committees and he would have to work with other members of Congress in the future. Mr. Zapple enjoys a rather special relationship with his principals in the Senate which gives him considerable influence. It is important that this relationship be preserved.
Zapple explained that this would not always be possible and would put a difficult and unfair burden on public broadcasters. After some discussion the conference substitute adopted the House amendment with a modification so as to make the requirement of strict adherence to objectivity and balance more flexible. As modified, each program in a series need not meet the test of objectivity and balance, but the series, when considered as a whole, must.6


Interconnection

On the matter of interconnection arrangements by the Corporation, the managers on the part of the House felt that the Corporation needed the flexibility to take advantage of special or unusual opportunities that warrant the Corporation directly contracting for interconnection facilities. The conference substitute omitted the requirement that the Corporation make interconnection arrangements only with "non-profit" entities. It was emphasized that the decision to broadcast any program for which interconnection is provided by the Corporation would remain entirely with the local stations.7 The Senate version authorized the Corporation

7. Ibid.
to assist in the establishment and development of one or more systems of interconnection for the purpose of distributing educational radio or television programs. The conference substitute was the same in this respect as the Senate version.8


Records and Audits

With regard to records and audits of the Corporation for Public Broadcasting, the following language from the House report on H.R.6736 (the companion bill to S.1160) is an apt description of the provisions of the conference substitute:

Provision for a GAO (General Accounting Office) audit was not originally included in H.R.6736 because it was felt that such audits carry with them the power of the Comptroller General to settle and adjust the books being examined and that this authority would be contrary to the desired insulation of the Corporation from Government control. The Committee is also sensitive to the importance of having the Corporation free from Government control. However, the bill does not provide authority for the settlement of accounts. The provision is similar to that included in the Government Corporation Control Act (31 U.S.C. 841) with the exception that the audits are not required to be performed annually. It is expected that the GAO audits will be performed at such times as believed necessary by the Comptroller General or Congress in order to supplement the audits of the independent public accountants.

The audits are to be performed in accordance with the principles and procedures applicable to commercial corporate transactions and, in the case of GAO audits, under such rules and regulations
as may be prescribed by the Comptroller General of the United States.9

9. Ibid., p. 15.

Instructional Broadcasting

Senate bill S.1160 authorized a comprehensive study of instructional television and radio and their relationship to each other and to instructional materials, and to such other aspects thereof as may be of assistance in determining what Federal aid should be provided for instructional broadcasting and the form that aid should take. Under the Senate bill the study would be submitted to the President for transmittal to the Congress on or before June 30, 1969. Both the House and Senate versions authorized not more than $500,000 for the study. The conference substitute was the same as the Senate bill, except that the study would also have to address itself to the question of whether Federal aid should be provided for instructional radio and television.10 This was significant since many in educational broadcasting felt that enough studies had already been done and that the only question that needed and deserved an answer was will the Government support it.

10. Ibid.
Conference Report Adopted

On October 19, 1967 the House of Representatives adopted the Conference report, followed by the Senate on October 26th. President Johnson signed the Public Broadcasting Act of 1967 into law on November 7, 1967.11

11. A copy of the Act, Public Law 90-129, is included in APPENDIX D.

According to those who were present at the signing ceremony, the President signed the measure into law with a good deal of pleasure and satisfaction. Following the custom, President Johnson passed out the pens to the sponsors of the original legislation. This time Senator Magnuson kept his.
CHAPTER XIV

SUMMARY AND CONCLUSIONS

This study investigated the development of one piece of Federal legislation, the Public Broadcasting Act of 1967, from conception to enactment. It was built upon in-depth interviews with many of the principals who were involved in several events prior to the development of the legislation, the developmental period itself, and the legislative process which led to enactment. The investigator had or was given access to virtually all of the primary documents, public and private, related to the Act. Several field trips were made over the period of one year gathering the necessary data for the study. The investigation was directed toward the delineation of significant factors, events and persons which led to the formation of the Carnegie Commission on Educational Television and the implementation of that Commission's proposals in the Public Broadcasting Act of 1967. The following objectives were sought in the course of the study:

(1) To determine what persons, organizations, and events were most significant in the development and enactment of the Act.

(2) To ascertain those factors which were most influential in bringing the legislation before the President
and Congress.

(3) To specify the major arguments and issues which arose in connection with this legislation in Congress, other agencies of government and participant organizations.

(4) To describe the legislative and political processes involved in the enactment of ETV legislation as they relate to the Public Broadcasting Act of 1967.

The study is considered significant since it documents recent history. The significance lies in the fact that it describes and analyzes a legislative action which is still being defined, and does so through sources which were and are directly involved in the process. Many of the persons cited in this study are still significantly involved in shaping noncommercial, educational broadcasting and in the interpretation and implementation of the legislation which was the subject of this study.

The ETV Facilities Act of 1962 set the precedent for the Government's support of noncommercial broadcasting. By the mid-50's, ETV had begun to define its objectives and establish some new priorities. A top priority was to improve its financial status and begin to compete more earnestly for audience. It took more than four years of concentrated effort, the introduction of numerous pieces of legislation in both Houses, 18 public hearings and four floor debates to get the ETV Facilities Act of 1962 passed. With the passage of that Act, the Federal Government became
significantly involved financially in the development of educational broadcasting facilities.

The Facilities Act proved to be an important stimulus to the development of educational broadcasting. It was of primary assistance, however, in the construction and development of facilities. Programming often took a second seat during this period. It became apparent to educational broadcasters that having the hardware was not enough; more money was needed to operate effectively and to produce or acquire good programming. Educational broadcasters began to consider both the needs and the means of some form of long-range financing. In the meantime, the political forces which had resulted in the ETV Facilities Act of 1962 had carried over in the Congress. The time seemed right for further action.

A study of long-range financing was undertaken by the National Association of Educational Broadcasters under the direction of C. Scott Fletcher, formerly President of the Fund for Adult Education. The study culminated in the First National Conference on the Long-Range Financing of Educational Television Stations. The Conference offered the first opportunity for ETV station representatives and governing board members to meet and make a combined frontal attack on the problems of immediate and future financing. The prime outcome of the Conference was a mandate for a National or Presidential Commission to make a comprehensive
study of the needs of ETV. A committee of prominent individuals was formed to approach the President of the United States with the idea for a Commission. The result was the Carnegie Commission on Educational Television.

With the endorsement of the White House, the Carnegie Commission, under the direction of its chairman, James R. Killian, Jr., studied the needs of ETV for almost a year. The Commission's report was released on January 25, 1967, entitled *Public Television: A Program for Action*. The 112-page report recommended the creation of a Corporation for Public Television to help solve the problems of noncommercial broadcasting. Prior to the release of the Carnegie report, the Ford Foundation announced a proposal for the use of satellites in assisting in ETV financing and development. Soon after these proposals were made, on February 28, 1967, President Johnson revealed his own proposal in a message to Congress. The President's message was developed on the basis of the Carnegie Commission's recommendations. Both the President and the Commission advocated the establishment of a nonprofit, nongovernmental corporation to provide and channel financial aid to those noncommercial stations and networks presenting significant cultural, educational, and documentary programming and to utilize funds in various ways to encourage program research and development and, in general, to stimulate programming of an overall higher quality.
The Ford proposal mainly espoused the use of domestic communications satellites to further public television plans while the Carnegie and Administration plans only encouraged investigation into the possibilities of utilization of domestic communications satellites for public TV purposes. Otherwise, the primary differences between the three proposals were financial; i.e., how the Corporation would be funded.


Major differences between the Senate and the House versions of the Public Broadcasting Bill concerned the appointment of the 15-man board of the Corporation for Public Broadcasting and their qualifications; the definition of educational broadcasting; restrictions upon ETV station editorializing; and the provisions for establishing a system of interconnection of ETV stations throughout the U. S. These, and other differences were resolved in conference and the compromise bill passed the House on October 19, and the Senate on October 26. President Johnson signed the Public Broadcasting Act of 1967 into law on November 7, 1967. It contained the following provisions:
Establishes the Corporation for Public Broadcasting (headed by a 15-man board appointed by the President with Senate approval) to oversee appropriate channelling of funds for use by noncommercial television and radio production groups, to stimulate programming of higher educational and cultural value through financial aid and recommendations to local stations and educational TV networks, and to extend educational television's audience.

Authorizes $9 million to finance the first-year (1968) activities of the Corporation.

Extends through fiscal 1970 the construction program under the Educational Television Facilities Act of 1962 in which $10.5 million will be appropriated for 1968, $12.5 million for 1969, and $15 million for 1970. The facilities program was also extended to educational radio.

Authorizes $500,000 to the Department of Health, Education, and Welfare to conduct a study of instructional television, radio, and related electronic apparatus in schools and classrooms.

Conclusions and Discussion

Veteran observers of the political and legislative process in Washington have said that the Public Broadcasting Act of 1967 was enacted with unparalleled speed when compared with other new pieces of legislation. Normally, when a new idea is introduced in the form of a proposed law, it takes at least two sessions of Congress for it to be enacted, if indeed it is enacted at all. New ideas are very carefully considered by the Congress. Even when there is a tremendously pressing need for a bill to be enacted, the Congress usually insists on taking its time to ponderously review the many implications of pending legislation. So, in traditional terms at least, the Public Broadcasting
Act did move through Congress with impressive and almost unprecedented speed. This study has shown, however, that the "play" had been very carefully rehearsed, and most of the leading men had been cast and were studying the script for quite some time before any bill was introduced.

If we can accept John Walker Powell's conclusion that people make it happen, we would have to say that it took a great many more than twenty or thirty individuals to make the Public Broadcasting Act of 1967 a reality. There were indeed a number of key people who worked especially hard and who were significantly more influential than others in conceiving, promoting and enacting this legislation. It would be impossible, however, to determine who was more important or most important to the success of this legislation. Any such determination would be, at best, highly subjective. Certain individuals were more important at particular stages of development and all of these individuals are mentioned, in the proper context, throughout this study. This is not to say that the work of highly motivated and dedicated individuals was any less important during this phase in the development of educational broadcasting. All were important and certainly some more than others, but it was the total effort over a period of time that was essential. It is important to remember, however, as this writer was reminded by Leonard Marks, that "nothing ever just happens; people make things happen."
People did, indeed, make the Public Broadcasting Act "happen".

The precedent for the Public Broadcasting Act of 1967 had been soundly established and philosophically supported by the enactment and successful history of the Educational Television Facilities Act of 1962. The educational broadcasting establishment, through the National Association of Educational Broadcasters, the Carnegie Corporation, and, to a lesser degree, the Ford Foundation, had carefully and successfully organized efforts to win approval of the Act over a period of three years before any bill was introduced in the Congress. The President of the United States strongly supported and promoted the Public Broadcasting Act of 1967 and was extremely influential in winning approval of the legislation. Passage of the Act was made less difficult because the 90th Congress was supportive of the President and his programs for educational and social legislation.

Almost every witness who testified in support of the Public Broadcasting Act of 1967 mentioned in some way the success of the ETV Facilities Act of 1962. There was a strong forward momentum established for continuation of the Facilities program before there was any mention of a Corporation for Public Broadcasting. There was little, if any, opposition in Congress to the Facilities program. The forces protesting against the legislation were more con-
cerned with the Corporation idea than any other element. The success of the Facilities Act of 1962 was a highly significant factor in the enactment of the Public Broadcasting Act of 1967.

Proponents of the legislation recognized early that there is a rightness of time to present a proposal to the Congress. There are times in the ebb and flow of the political process when things are ready to happen; there are also times when, no matter what is done, things will not or can not happen. The educational broadcasting establishment moved slowly but effectively toward its goal - the enactment of legislation to authorize Government support of educational or public broadcasting. It was realized early that support from the private sector would not be enough. Assistance from the Federal Government would and continues to be essential to the development and long-range financing of a viable dual system of broadcasting in the United States.

The establishment of a Commission of high-level, prestigious individuals was of great importance to the success of the Public Broadcasting Act. The Carnegie Commission, more than any other entity, was responsible for the President's action in bringing the legislation before the Congress. The Commission, however, did not just spring full grown from the brow of Zeus. To the contrary, it was the result of a great deal of discussion by many people over a
long period of time, led principally by the NAEB and individuals like Scott Fletcher and Ralph Lowell.

The President of the United States, Lyndon Johnson, had a very strong motivation to establish his place in history as the "education" president. He believed in the power of broadcast media in the educational process and had been interested in it for some time. He did much behind the scenes to win Congressional approval of the ETV Facilities Act of 1962. He could speak about the Public Broadcasting Act at length without the aid of notes and understood and supported this legislation. The President had an able and imaginative staff to assist him with the preparation of the legislation and the management of the bill through the Congress.

It was a causative legislative exercise in the sense that the bill was a very passable piece of legislation by the time it was ready for enactment. The controversial parts of the bill had been removed and the Johnson Administration had been successful in avoiding any partisan confrontation on any issue before passage. There was a strong follow through from the White House all the way to passage.

This study has shown that the Federal initiative, sustained and effected by members of the Government over many years, was the single most important factor in the success of the Public Broadcasting Act of 1967. It was this Federal or Governmental commitment to a unique dual system
of broadcasting in the United States, founded on a strong, financially independent group of stations emphasizing pluralism and diversity, which resulted in the passage of the Act. With all due respect to those organizations and individuals in the private sector which nourished and promoted educational broadcasting for so many years, and particularly during the mid-60's, no nationally viable and effective educational or public broadcasting service would have been possible without the initiative and commitment of those in the Government. It was their influence and power that made the difference. This credit largely belongs to Lyndon Johnson, his staff in the White House and HEW, members of the FCC, and the President's loyal supporters in the Congress. This is not meant to infer that the outside organizations and individuals were not important in influencing and reinforcing the commitment of those in government. That fact has already been established. The legislative and political reality of the Public Broadcasting Act, however, is more the result of commitment by members of the Government, irrespective of any influencing factors, human or otherwise.

The bill that was finally enacted was, by and large, an excellent piece of legislation. The only basic weakness, besides the anti-editorializing flaw, is that it is not an appropriations bill and does not provide long-range financing for the Corporation. But the machinery was
created to firmly establish a viable alternative broadcasting service in the United States, making the Public Broadcasting Act of 1967 the most significant piece of Federal legislation in the contemporary history of noncommercial broadcasting.

The following conclusions have been drawn from this analysis of the history of educational broadcasting legislation in the past decade:

(1) Any organized group wishing to effect Federal legislation to support that group's goals and proposals must become knowledgeable and sophisticated in the national political-legislative process. The members of the educational broadcasting establishment in the United States built upon the experience gained from their work on previous legislation and continued to improve their political sophistication throughout the development of the Public Broadcasting Act of 1967.

(2) To effect Federal legislation involving large expenditures of public funds requires the skill and experience of political-legislative consultants who know and understand the procedures in the executive and legislative branches of the Federal Government. The educational broadcasting establishment and the White House employed competent and tested professionals who knew and understood the Congress to assist in the development and passage of the Public Broadcasting Act.
(3) To expedite Congressional approval of Federal legislation, it is important that as many of the controversial aspects of the proposed legislation be removed before it reaches the Congress. The White House and the HEW staff knew that the issues implicit in any permanent financing proposal would definitely impede and possibly cause the defeat of the Public Broadcasting Act. Proposals for long-range financing were therefore deferred.

(4) Previous legislative precedents are extremely valuable to the success of massive Federal support programs. A phased campaign which provides strong legal foundations for future legislation will be most successful and productive in the long run political-legislative process. The Public Broadcasting Act of 1967 was the next logical legislative step following the success of the ETV Facilities Act of 1962.

(5) Massive public broadcasting legislation will have considerable difficulty in Congress without support from the executive branch of government. The issues in this type of legislation are difficult enough to deal with in Congress without apathy from or the support of the White House. The Johnson Administration never once wavered in support of the Public Broadcasting Act.

(6) "Grass roots" support of any legislation such as the type described and analyzed in this study is critical to its success. Establishment of local and state consensus
and mobilization of support at the local and state levels must be undertaken at the national level. The success of the First and Second National Conferences on Long-Range Financing of ETV led to a national consensus among the members of the educational broadcasting establishment in support of the Public Broadcasting Act.

(7) The time for the introduction of national legislation of this type must be right to assure its success. Indicators of this "rightness of time" factor are support and interest in Congress and the White House, agreement among constituent organizations, agencies, and promoters in government and private sectors, dedicated and influential national leadership and widespread and significant public support. All of these factors were carefully considered and in many ways controlled by the developers and proponents of the Public Broadcasting Act of 1967.

Recommendations for Future Study

It seems logical to suggest that the next major study of the contemporary history of public broadcasting in the United States should be written after some form of long-range financing is established. According to Clay Whitehead, director of the White House Office of Telecommunications Policy, and John Macy, president of the Corporation for Public Broadcasting, this is to be a signal year for long-range financing.1
Personal interviews with both men in Columbus, Ohio in recent months confirmed what this writer was told by many during the past year of study.

The Office of Telecommunications Policy has been assigned the task of preparing an early draft of a bill to provide some form of long-range financing. An early version of that bill would provide a much broader authority to HEW than the present law, giving the Department a rather broad rule-making authority in the area of instructional broadcasting. It redefines public broadcasting to include more than open circuit radio and television such as CATV and other dissemination or distribution systems. Public broadcasters are redefined as program distributors rather than simply public broadcasters. The obvious purpose in this new approach is to permit more flexibility with cable, 2500 MHz systems, and other new distribution systems. It includes provisions for controlling the operational aspects of the Corporation and attempts to describe a financing scheme which is a variation of an earlier proposal by Emerson Elliot of the Office of Management and Budget, who had reviewed for several years the public broadcasting financial problems. In effect, it would require matching with automatic Federal funds, all funds that a broadcaster raises on his own. This money would be automatically appropriated and would not require Congressional action annually to
appropriate the money. The scheme would, it is believed, insulate the Federal Government from fund raising decisions and provide a powerful incentive for the local public broadcaster to go out and raise his own money. Of the Federal money that would be appropriated, a certain percentage would be retained by the Corporation and the rest would be passed along to the local broadcaster. The money would flow to the local broadcaster from the Federal Treasury through the Corporation for Public Broadcasting.

The scheme seems to have the great advantage of being so confusing that the local public broadcaster would not know whether or not he is being cheated, and so complicated that the average Congressman probably would not understand it. It seems to be totally unfeasible politically. It would raise jurisdictional problems in the Congress and would cause a considerable amount of confusion and dissatisfaction among local public broadcasters.

It is doubtful that the Congress will do anything about long-range financing on a permanent basis in the immediate future. The Committee on Interstate and Foreign Commerce apparently enjoys jurisdiction over this legislation and would be reluctant to give it up to Wilbur Mills and the Ways and Means Committee, or any other committee for some time to come. Committee members are pleased with the selection of the staff of the Corporation and some of the programming trends which have been set in motion since the
Public Broadcasting Act was passed. It is this writer's opinion that it will be several years before anything more than a longer term appropriation for the Corporation will be enacted. Public funds will continue to be the main source of Corporation support, perhaps on a three year rather than a one year appropriation. In addition, the Corporation will probably prevail and the Act will remain a broadcast act rather than a general purpose education act. When and if there is a change in the current procedure of annual appropriations, a study would be warranted:

In the meantime, a study of the organizational or corporate structure of the Corporation for Public Broadcasting would be of interest. An institutional analysis, including recruitment of staff, adherance to the requirements of the Act, and plans for future development, would be worthwhile.

A study of changes in programming trends, both nationally and locally, since the Public Broadcasting Act became law would be both interesting and valuable. It is the product of public broadcasting, its programs, that is of primary concern to the lawmakers in Washington.

Changes in technology may bring about a totally new form of public communication. Federal law will have to adapt to the evolving systems, with their new needs and priorities. It may not be too soon to begin to study and predict legislative needs which will undoubtedly result
from these technological advances. Certainly, public broadcasting today has changed significantly from the educational broadcasting of the early 1950's, and, as was stated in the Carnegie Commission Report by Albert G. Hill of M.I.T.:

The position of wisdom no doubt lies somewhere between the polar extremes, but wherever it lies, it calls for continual examination of the full range of possibilities offered by technology and periodic reassessment of our plans and courses of action in the light of those possibilities.2

APPENDIX A

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         1801 Roma, N. E., Albuquerque, New Mexico

NEW YORK

Mr. John F. White, President
National Educational Television
10 Columbus Circle, New York, New York

Mr. Edwin Cohen, Director
National Instructional Library, National Educational Television
10 Columbus Circle, New York, New York

Mr. James W. Armsay, The Ford Foundation
477 Madison Avenue, New York, New York

Mr. Harold Hacker, President, Board of Directors
Rochester Area Educational Television Association, Inc.
410 Alexander Street, Rochester, New York

Mr. John S. Porter, Executive Director
Rochester Area Educational Television Association, Inc.
410 Alexander Street, Rochester, New York

WMHT

Mr. T. R. Rhea, Vice President
Mohawk Hudson Council on Educational Television, and
Manager, Construction Engineering Section, General Electric,
P. O. Box 17, Schenectady, New York

Mr. Donald E. Schein, General Manager
P. O. Box 17, Schenectady, New York

WNDT

Mr. John W. Kiermaier, President
304 West 58th Street, New York, New York

WNED-TV

Mr. Harry C. Lautensack, Chairman, Board of Trustees
Western New York Educational Television Association
227 Depeu Avenue, Buffalo, New York

Mr. Leslie C. Martin, Jr., General Manager, WNED-TV
Lafayette Hotel, Buffalo, New York

WNYC-TV

Mr. Seymour N. Siegel, Director
2500 Municipal Building, New York, New York

NORTH CAROLINA

WTVI-TV  Dr. Everett Cameron
         Charlotte-Mecklenburg Schools, Charlotte, North Carolina
NORTH CAROLINA

WTVI-TV
Miss Dona Lee Davenport, Director
Charlotte-Mecklenburg Schools
720 East Fourth Street, Charlotte, North Carolina

WUNC-TV
Mr. Fred H. Weaver, Vice President, Consolidated Office
University of North Carolina, Chapel Hill, North Carolina

Mr. John E. Young, General Manager
University of North Carolina, Chapel Hill, North Carolina

NORTH DAKOTA

KFME-TV
Dr. G. Wilson Hunter, President
North Central Educational Television Association, Inc.
1103 Broadway, Fargo, North Dakota

Dr. Clair R. Tettemer, General Manager
Highway 81 South, Fargo, North Dakota

OHIO

WBGU-TV
Dr. Kenneth H. McFall, Vice President
Bowling Green State University, Bowling Green, Ohio

Dr. Duane E. Tucker, General Manager, WBGU-TV
Bowling Green State University, Bowling Green, Ohio

WCET
Mr. Uberto T. Neely, General Manager
2222 Chickasaw Street, Cincinnati, Ohio

WGSF-TV
Dr. Harold L. Nichols, Superintendent of Schools
9-19 North Fifth Street, Newark, Ohio

Mr. E. Dana Cox, Jr., General Manager, WGSF-TV
Newark Public Schools
9-19 Fifth Street, Newark, Ohio

WGTE-TV
Mr. Harry D. Lamb, General Manager
Manhattan Boulevard at Elm, Toledo, Ohio

WMUB-TV
Mr. Paul G. Yeazell, Operations Manager
Miami University, Oxford, Ohio

Dr. Stephen C. Hathaway, Director of Broadcasting
Miami University Broadcasting Services
Oak at Spring Street, Oxford, Ohio
OHIO

WOSU-TV
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Office for Educational Services, Ohio State University
190 North Oval Drive, Columbus, Ohio

Mr. Richard B. Hull, Executive Director, WOSU-TV
Telecommunications Center, 2470 North Star Road
Columbus, Ohio

WOUB-TV
Dr. Thomas Smith, Vice President for Academic Affairs
Ohio University, Athens, Ohio

Dr. Presley D. Holmes, Jr., Director of Television
Ohio University, Athens, Ohio

OKLAHOMA

KETA-TV
Dr. Charles F. Spencer, President, East Central State College
and Chairman, Oklahoma Educational Television Authority,
Ada, Oklahoma

Mr. John Dunn, Director, KETA-TV, KOED-TV, and
Director, Oklahoma Educational Television Authority
Box 2005, Norman, Oklahoma

KOED-TV
Dr. Jack Parker, Superintendent of Schools
Oklahoma City Public Schools
C/o Broadcasting Center, 1801 North Ellison
Oklahoma City, Oklahoma

KOKH-TV
Dr. Mervel Lunn, Director of Television
Oklahoma City Public Schools
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OREGON

KOAP-TV
Dr. Donald R. Larson, Assistant Chancellor
Oregon State System of Higher Education
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KOAC-TV
Dr. Luke F. Lamb, Director of Educational Media
General Extension Division, Oregon State College
Corvallis, Oregon
Dr. John Cartwright, Professor of Education
Lehigh University and Director of Lehigh Valley Educational Television Corporation
Bethlehem, Pennsylvania

Mr. Sheldon P. Siegel, General Manager
Lehigh Valley Educational Television Corporation
Bethlehem, Pennsylvania

WHYY-TV
Mr. Philip Klein, Treasurer, WHYY Inc., and former President, Adult Education Association of United States and former President, Harcum Junior College
1530 Spruce Street, Philadelphia, Pennsylvania

Mr. Warren Kraetzer
Executive Vice President and General Manager
4548 Market Street, Philadelphia, Pennsylvania

WITF-TV
Dr. Woodrow Brown, Superintendent of Schools
329 South Lindbergh, York, Pennsylvania

Mr. Lloyd Kaiser, General Manager
South Central Educational Broadcasting Council
Community Center, Hershey, Pennsylvania

WPSX-TV
Mr. Floyd Fischer, Director, Continuing Education
212 English Extension, Penn State University
University Park, Pennsylvania

Mr. Marlowe Froke, Director, Division of Broadcasting
201 Wagner Building, Penn State University
University Park, Pennsylvania

WQED
Mr. George L. Follansbee, Chairman of the Board, WQED, and President, Shady Side Academy
Fox Chapel Road, Pittsburgh, Pennsylvania

Mr. Donald V. Taverner, President
4337 Fifth Avenue, Pittsburgh, Pennsylvania

WIPR-TV
Mr. Frederico J. Nodesto, Assistant Secretary of Education
P. O. Box 909, Hata Rey, Puerto Rico

WIPM-TV
Mr. Jack Delano, General Manager
P. O. Box 909, Hata Rey, Puerto Rico
SOUTH CAROLINA

WNTV
Mr. R. M. Jefferies, Jr., Chairman
South Carolina Educational Television Commission
Barnwell, South Carolina

Mr. John K. Cauthen, Member, South Carolina Educational Television Commission, Vice Chairman, South Carolina Educational Resources Foundation, and Executive Vice President and Treasurer, South Carolina Textile Manufacturers' Association
900 Assemble Street, Columbus, South Carolina

Mr. R. Lynn Kalmbach, General Manager
7712 Millwood Avenue, Columbia, South Carolina

SOUTH DAKOTA

KUSD-TV
Mr. Stanley Nelson, Representing the Board of Regents
State of South Dakota, Huron, South Dakota

Mr. Martin P. Busch, Director
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TENNESSEE

WDCN-TV
Mr. Walden Fabry, 149 7th Avenue, North
Nashville, Tennessee

Mr. Robert C. Glazier, General Manager
P. O. Box 6188, Acklen Station, Nashville, Tennessee

WKNO-TV
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Memphis Community Television Foundation
Tual, Phaar and Keltner
Suite 622, Exchange Building, Memphis, Tennessee

Mr. Howard D. Holst, General Manager
Box 642, Memphis State University, Memphis, Tennessee

TEXAS

Mr. Don Simon, Assistant to Dean of Arts & Sciences
Texas A & M University, College Station, Texas

KERA-TV
Mr. Ray Huffer, General Manager
300 Harry Hines Boulevard, Dallas, Texas

KLKN
Mr. E. Gary Morrison, Chairman of the Board
301 Austin National Bank Building, Austin, Texas
TEXAS

KLRN
Mr. Robert F. Schenkkan, General Manager
P. O. Box 7158, University Station, Austin, Texas

KRET-TV
Mr. John F. Roberts, Administrative Assistant for Instruction
Richardson Independent School District
400 South Greenville Avenue, Richardson, Texas

KTXT-TV
Dr. R. C. Goodwin, President
Texas Technological College, Lubbock, Texas

Mr. D. M. McElroy, Director of Educational Television
Texas Technological College
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KUHT
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University of Houston, Houston, Texas

Mr. Roy Barthold, Station Manager
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UTAH

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Brigham Young University, Provo, Utah

Mr. Darrel J. Monson
Brigham Young University, Provo, Utah

KOET
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Board of Education
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Mr. Harold R. Hickman, General Manager
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KUSU-TV
Dr. Daryl Chase, President
Utah State University, Logan, Utah

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Utah State University, 745 North 12th East, Logan, Utah
UTAH

KWCS-TV  Mr. Clair M. Folkman, Chairman
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         and Assistant Superintendent, Norfolk City Schools
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         University of Washington, Seattle, Washington

         Mr. Loren B. Stone, Station Manager
         Drama-TV Building, University of Washington, Seattle, Washington

KPEC  Mr. Marion Oppelt, Deputy Superintendent
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       5214 Steilacoom Boulevard, Tacoma, Washington

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         Director of Television Education
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KNSC  Mr. Allen Miller, Director of Information
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         Mr. Robert A. Mott, Manager, Radio-Television Services
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212 North 27th Avenue, Yakima, Washington

Mr. M. L. Martin, General Manager
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Yakima, Washington

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West Virginia University
Morgantown, West Virginia

WISCONSIN

WHA
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Joint Staff of Coordinating Commission for Higher Education in Wisconsin, University of Wisconsin
Madison, Wisconsin

Mr. F. W. Haberman, Committee for Higher Education in Wisconsin
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Mr. Walter McCanna, University of Wisconsin, Madison, Wisconsin

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Station WETA-TV, Washington, D. C.

Mr. William R. Smith, Educational Television Specialist
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Washington, D. C.

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Consultant on the Arts
American Council on Education
Washington, D. C.

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Project Director, NAEB-ETS
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Director of Commission on Academic Affairs
American Council on Education
Washington, D. C.

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and Secretary, Joint Council on Educational Broadcasting
Washington, D. C.

Mr. C. Scott Fletcher
Acting President, NAEB-ETS
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Assistant Chief for Policy and Planning
Broadcast Bureau, Federal Communications Commission
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Mr. William G. Harley
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Washington, D. C.

Mr. Harold E. Hill,
Vice President, National Association of Educational Broadcasters
Washington, D. C.
Dr. Robert L. Hilliard, Chief
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Chicago, Illinois

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Assistant to the Commissioner for Public Affairs
Office of Education
Washington, D.C.

Mr. Thomas W. Poland, Fiscal Officer
Educational Television Facilities Program
Office of Education
Washington, D.C.

Mr. John Walker Powell
University of Miami
Coral Gables, Florida

Mr. Joel Rosenbloom
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Mr. Raymond J. Stanley, Director
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PART II  ANALYSIS OF FINANCIAL STATEMENTS FROM NINETY-FIVE
EDUCATIONAL TELEVISION STATIONS

Systems of Broadcasting

Over the years, commercial television broadcast licensees have func­tioned with a term that appeared first in railroad law, and has yet to be de­efined: "public interest, convenience and necessity." The definition is elusive, to be sure, and a great variety of broadcasting activity can be supported with referral to that enigmatic phrase.

Educational television licensees, on the other hand, have what appears to be a simpler charge: they are to serve the educational needs of the communi­ties they reach. They do not have difficulty in defining their mandate, and since they must operate on non-profit and non-commercial bases, their problems also are easily identified. Their collective major problem is the long-range support of stations and attendant programming services.

There are basically only three types of broadcasting structures in the world. The first is as we know commercial broadcasting in this country. Under the banner of private enterprise - the basis of many of this nation's undertakings - those fortunate enough to be licensed by the Federal Com­munications Commission may embark on this business venture, and they may operate for a profit. In using public frequencies, the commercial broadcasters have tempo­rary possession of a mighty tool of mass communication, and in almost every case the size of their audience has a direct bearing on what they charge advertisers and therefore what they earn.

A second type of broadcasting structure is that of educational broad­casting in the United States. It is unique. It must serve educational needs by providing informational and cultural programs, as well as direct instruction, to its audiences. Under the FCC's "non-commercial and non-profit" rule, education­al television stations in this country function with no universally common and assured means of support. ETV stations in this country are not interconnected, except for state networks and one regional network.

The third broadcasting system common in other countries is that which is owned and operated, or chartered, by a nation's government for the enter­tainment and education of the populace. The mission is to provide a general broadcast service, with continued and guaranteed support from one or more of three sources: (1) government grants, (2) annual licenses required for private ownership of television receivers, and (3) a tax on the sale of television rece­ivers. Budgets for television broadcasting in these countries are undoubted­ly submitted as with any government operation, but there is little doubt each year that substantial support will be forthcoming. This type of broadcasting is the most common in the world,* though the controlling body might be a

*Those using fees for ownership of receivers, for instance, include Australia, Belgium, Canada, Czechoslovakia, Denmark, France, Greece, Hungary, Ireland, Italy, Luxembourg, Norway, Russia, Spain, Sweden, United Kingdom, West Ger­many and others.
commission, a board of trustees, or even a single federal officer. Virtually all countries with this type of broadcasting service enjoy the benefits of interconnection, which allows for simultaneous broadcasts.

A few countries in which more than one television service exist are considered below, to show amounts of money now being used for broadcasting in various areas of the world.

**Japan**

Japan Broadcasting Corporation -- Nippon Hoso Kyokai -- operates under the Broadcast Law of 1950, which was passed to "regulate the broadcasting enterprises so as to meet public welfare and attempt its wholesome development." Listener and viewer fees help to support this vast non-commercial, non-governmental undertaking. (There is also a commercial television service.) NHK operates one hundred and fifty-two educational television stations and one hundred and sixty-two "general" television stations, with viewers paying monthly fees of less than $1.00 each. More than 80% of the homes are reached, each of which contributes to the self-supporting NHK. The Corporation's annual budget exceeds $200,000,000, which is for two radio networks and two television networks, and of which a substantial amount is for educational and public service broadcasting. It has been estimated that Japan spends one-third of one percent of its national income annually on NHK. In terms of equivalent U. S. purchasing power, this amounts to more than a billion dollars.

**Great Britain**

The British Broadcasting Corporation, which is non-commercial, and with nearly 100% coverage, was established by Royal Charter; nine appointed Governors are the members of the Corporation. The BBC's responsibility includes not only programming but also all installations and transmission of signals. The mission of the Corporation is to provide a public broadcasting service for reception in homes and overseas.

The BBC is supported mainly through a system of receiver licenses, and in the fiscal year ending March 31, 1964, the BBC collected close to $90,000,000.

The BBC makes its own programming decisions, and it is virtually free of government control.

**Canada**

The Canadian Broadcasting Act of 1958 authorizes the eleven directors of the Canadian Broadcasting Corporation to operate "a national broadcasting service." The Corporation hopes (1) to be a complete service, providing a variety of programming to a variety of audiences, (2) to bring the huge country together, through common interests and interconnection, (3) to be predominantly Canadian in content and character and (4) to serve fairly the two languages and two cultures in Canada.
Canadian television, with 94% coverage, is a combination of public and private enterprises, and two-thirds of the audience can now choose between the two services - commercial and non-commercial. Privately owned stations, licensed by CBC but supported wholly by advertisers, provide lighter entertainment. Most of the public service programming can be found on the stations supported with public funds. Private stations serve as affiliates of the national television system, and have access to programs supplied by the national service.

CBC receives 59% of its operational money from Parliamentary appropriations, 11% from governor general special warrants and the remaining 30% from advertising revenues. For the fiscal year ending March 31, 1964, CBC received an income of approximately $115,500,000. Of this amount nearly $32,400,000 came from advertising.

The United States

The United States itself is somewhat confusing, since public service programming in this country is not easily isolated. The commercial broadcasters, while emphasizing the kind of entertainment that attracts a large and continuing audience, do devote a portion of time to public service programs. The ETV licensees, operating under completely different auspices, are primarily interested in formal educational and public service programs. In comparing the costs of commercial and educational television enterprises, therefore, it must be remembered that some commercial programming has educational value. Nevertheless, it is interesting to see what revenues are involved in this country's commercial television, in contrast to the money presently available for television dedicated solely to educational needs. Figure 2 shows these figures, with appropriate entries for selected foreign countries. (Figures for Great Britain, Canada and Japan are more comprehensive than those for the United States and include some services other than television. The figures do represent amounts involved in non-commercial broadcasting, however, the bulk of which - in each country - is for educational, cultural and informational television.) As shown, the commitment in the United States to educational television is slight, even though the increase in number of ETV stations since 1952 has been impressive. Income for commercial networks have been estimated on the basis of available information.

Figure 2 shows that educational television stations - the core of America's second system of broadcasting - are not fortunate in having large incomes. Three basic means exist by which ETV stations receive money, though none of them is necessarily continuing, guaranteed or substantial:

a) **Direct Budgeted Support.** More than half of all money received by ETV stations each year comes from schools, universities, and states, which provide money for their stations through direct budgeting. (This involves state and local public money; school funds and state tax dollars are being used for the continuing support of educational television stations.)
Fig. 2

REVENUES AND EXPENSES OF BROADCAST SERVICES

<table>
<thead>
<tr>
<th>Country/Network</th>
<th>Revenues</th>
<th>Expenses</th>
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<tbody>
<tr>
<td>U.S., Commercial Network 1</td>
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<tr>
<td>U.S., Commercial Network 2</td>
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<td></td>
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<tr>
<td>U.S., Commercial Network 3</td>
<td></td>
<td></td>
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<tr>
<td>Total, 3 U.S. Networks</td>
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<tr>
<td>U.S., KETBC</td>
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<tr>
<td>U.S., 565 Commercial Stations (Including Network Owned Stations)</td>
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<td></td>
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<tr>
<td>U.S., 35 Educational Stations</td>
<td></td>
<td></td>
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<tr>
<td>Great Britain, B.B.C.</td>
<td></td>
<td></td>
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<tr>
<td>Canada, C.B.C.</td>
<td></td>
<td></td>
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<tr>
<td>Japan, NHK</td>
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</tr>
</tbody>
</table>

Millions of Dollars
b) **Gifts, Grants and Donations.** Some stations make direct appeal to their audiences and to appropriate foundations and businesses. (In some cases, individuals contribute as "subscribers" in that they receive monthly program guides in return for contributions beyond certain amounts. In others, individuals make outright gifts to the stations, as a result perhaps of telephone campaigns or door-to-door canvassing. Gifts from businesses, commercial broadcasters and foundations provide some support for ETV stations and for N.E.T. programming.)

c) **Services.** Many stations earn money by producing programs or by renting facilities. (Production contracts are arranged with local educational institutions, commercial agencies, the National Educational Television and Radio Center, or other concerns. Outside agencies sometimes use the machinery of television at educational stations, for purposes other than broadcasting and for which they pay rental fees. Money earned through services amounts to about one-fifth of all ETV station income.)

Thus, educational television stations in this country are alone in the world in having no nationally basic sources of income.

**The Survey**

Scott Fletcher realized, soon after assuming office, that information concerning present financial situations among ETV stations was seriously lacking. He said at the time, "I have found not only that we must develop directions for establishment of a permanent financial structure, but also that we have to determine exactly what is the present financial status of all stations in the country." A financial questionnaire was developed and sent to all stations as an instrument for learning about the present; the Washington Conference, which is discussed in Part III of this report, was called to consider the future.

Members of the staff of the Federal Communications Commission were most generous in providing assistance and advice in the development of the new questionnaire, which was conceived to parallel the present FCC Form 324 for commercial stations. The Project questionnaire has been submitted to the FCC, and may be used for reference as a new Form 324 for educational licensees is developed. (A copy of the Project Questionnaire is included as Appendix A.)

Ultimately, all stations responded to the questionnaire, and the information gleaned from the forms was the basis of this analysis. Since every station represented at the Washington Conference submitted a complete questionnaire, a "sample" was not necessary. At the time of the study, the data...
Stations were divided, basically, according to ownership. Those licensed to non-profit corporations formed specifically for educational television were called "community" stations; those licensed to colleges and universities, whether public or private, were listed as "university" stations; those licensed to state agencies (Boards of Regents, state ETV Authorities, etc.), were included as "state" stations; and those licensed to local Boards of Education or public schools were called "school" stations. The division of stations among these four categories is not new, though there are some who argue that such a division is misleading. Nevertheless, there are distinct operational and financial differences to be observed with this grouping.

Ultimately, the stations were divided as follows: thirty-one Community Stations, thirty-two University Stations, thirteen State Stations and nineteen School Stations.

Wide ranges appear in several categories, but still some measure of central tendency was necessary. The arithmetic mean, or "average" was used throughout, though in one or two cases it appeared to be deceptive. Where appropriate, such as in the discussion of "total income," other techniques were used to identify possible patterns.

Programming

In some instances, financial structures and programming are related; for this reason each station was asked questions concerning its program schedule. The licensees were asked to indicate the amounts of time devoted to actual broadcasting, as well as the portion of total air time devoted to classroom - or "in-school" - fare.

The ranges within and among station types were not extensive, and the averages, as shown in Figure 3, do not indicate marked differences. Community and State stations tend to be on the air a little more than do University and School stations. In general, it is clear that educational television stations are on the air considerably less than their commercial counterparts, and some educational stations tend to adhere to the traditional "school" hours: 5 days a week, six or seven hours a day. Most stations broadcast a little less than ten hours a day, remaining off the air for the weekend. Surprisingly, though, the stations are leaning toward less summer vacation than might be suspected, with the exception of school stations. All thirteen state stations reported that they are on the air a full twelve months each year. Undoubtedly, school and university stations would prefer to remain on the air for longer periods. However, budgets often demand emphasis in specific areas, and there is simply not enough money left to meet more general needs. This is a programming tendency that is probably affected directly by financing.

Figure 4 shows the percentages of time devoted to in-school programming. As would be expected, school stations spend an average of almost two-thirds of their time on instructional material. University stations, which are...
Fig. 3

AMOUNTS OF TIME DEVOTED TO ON-THE-AIR ACTIVITIES

AVERAGE HOURS PER DAY ON THE AIR

<table>
<thead>
<tr>
<th></th>
<th>ALL STATIONS</th>
<th>COMMUNITY STATIONS</th>
<th>UNIVERSITY STATIONS</th>
<th>SCHOOL STATIONS</th>
<th>STATE STATIONS</th>
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AVERAGE DAYS PER WEEK ON THE AIR

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<tr>
<th></th>
<th>ALL STATIONS</th>
<th>COMMUNITY STATIONS</th>
<th>UNIVERSITY STATIONS</th>
<th>SCHOOL STATIONS</th>
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</table>

AVERAGE MONTHS PER YEAR ON THE AIR

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<thead>
<tr>
<th></th>
<th>ALL STATIONS</th>
<th>COMMUNITY STATIONS</th>
<th>UNIVERSITY STATIONS</th>
<th>SCHOOL STATIONS</th>
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</table>
Fig. 4

AVERAGE PERCENTAGES OF TIME DEVOTED TO IN-SCHOOL PROGRAMMING

- **All Stations**
- **Community Stations**
- **University Stations**
- **School Stations**
- **State Stations**

The graph shows the average percentages of time devoted to in-school programming across different types of stations. The percentages range from 20% to 90%, with each bar representing the average percentage for the respective station type.
on the air less than most stations, devote about half the percentage of time
that school stations do to direct teaching. The conclusion concerning all
of educational television stations is that almost 50% of on-the-air time is
spent in classroom television.

Personnel

44% of all money spent by educational television stations is for
salaries. Beyond this, approximately $20,000 per year per station is the
estimated value of volunteer services for the thirty-four stations reporting
such services. One station, not yet operational, indicated that it has no
full-time people on its staff. The remaining ninety-four stations indicated
a total of 2,445 on their full-time staffs, and seventy-seven stations re-
ported that they do hire part-time help. 1,199 people were in this category.

Average wages are not very indicative, since the range is obviously
great. Nevertheless, the all-station mean for wages is close to $5,500. State
owned stations had an average salary of $7,657.

Figure 5 shows the average number of employees at the four types of
stations. Since university stations often provide training programs for stu-
dents interested in broadcasting occupations, it is not surprising to note
that those stations tend to rely heavily on part-time personnel.

Investments in Broadcasting Property

More than $50,000,000 are presently invested in educational broad-
casting properties. These include land and buildings, though all stations were
not able to estimate those amounts. (In many instances, educational stations
are housed in existing buildings, so estimates of the original cost of a por-
tion of a building become less than precise. Nevertheless, we did ask for es-
timates, where necessary, in order to develop at least some figure bearing on
the question.)

Figure 6 shows the averages that were calculated for this entry. All
values used were original costs, since estimates of depreciation accounts and
current values became unwieldy. The values shown represent the average amounts
that have been spent not only in putting stations on the air, but also in ex-
panding and adding new equipment. Many stations now have two video tape re-
corders, for instance, but one might have been purchased recently. Thus, the
chart does not necessarily show what it now costs to put a station on the air.

The average for community stations soared because of three stations in
large metropolitan areas. The average without those three stations is shown by
a dotted line in the "community station" bar. The conclusion is that stations
ultimately invest close to half a million dollars in broadcasting property and
equipment.
Fig. 5

AVERAGE NUMBERS OF FULL-TIME AND PART-TIME EMPLOYEES

<table>
<thead>
<tr>
<th>Category</th>
<th>Average Number of Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Stations</td>
<td>352</td>
</tr>
<tr>
<td>University Stations</td>
<td>3015</td>
</tr>
<tr>
<td>School Stations</td>
<td>20</td>
</tr>
<tr>
<td>State Stations</td>
<td>5</td>
</tr>
<tr>
<td>All Stations</td>
<td>275</td>
</tr>
</tbody>
</table>
AVERAGE INVESTMENTS IN BROADCASTING PROPERTY
(Total Investment by ETV Stations in Broadcasting Property: $51,239,316)

Fig. 6

Thousands of Dollars
Educational Television Stations - Income

The income for all educational television stations is increasing each year. Not only are more stations coming on the air, but as stations get established in their communities, their budgets rise during the first number of years. At the time of this study, it took approximately $35,000,000 to operate ninety-five stations, an average of $370,000 per station.

More than half of the money stations receive comes from direct budgeted support. These are funds budgeted each year by a parent organization - a university, a state legislature, a local board of education, etc. - and presumably the funds are available to the station without further action. It is important, especially in considering the future financing of the medium, to note that "direct budgeted support" can and often does include tax dollars. When a state agency, a school or a public university budgets money for the operation of its educational television station, public funds are being spent.

More than one-fifth of the income reported by ETV stations is realized through gifts and grants; 35% of this comes from individuals, and about the same amount comes from foundations and industry. $2,096,000, or another 27% of gifts and grants, was reported as having come from the federal government. Miscellaneous gifts accounted for the other 3%.

The average community station takes in five times as much money from individuals as does the typical university station, and seventeen times that of the average school station. State stations reported no income from subscribers or other individuals.

Most stations earn money by providing "services" to outside agencies or institutions. A community station, for instance, may contract with a board of education to produce and air an instructional series, and for this service, the station receives money. (This is, obviously, different from direct budgeted support.) Services include all production contracts. In addition, a station may lease its facilities to an outside organization for a non-broadcasting activity such as a filming, an audition or a production for videotape. This, too, is considered a "service" for the purpose of this study.

More than half (53%) of the money earned by ETV stations for services is as a result of arrangements with local boards of education, and another 31% is earned by way of other program contracts. Arrangements with universities account for 6%, and 10% is earned through miscellaneous services.

Figure 7 shows the major sources of money for educational television stations. In general, stations receive just about as much for services as they do in gifts, grants and donations. There are differences among stations, and some interesting patterns appear when income is treated as in Figure 8. Here, as with the charts on Programming, the school stations and university stations show some striking similarities. Both get 77% of their support from the direct budgets of their parent institutions; both earn close to 10% by providing services; both receive about 12% of total income in gifts, grants and donations.
EDUCATIONAL TELEVISION STATIONS
THE INCOME DOLLAR
(Total ETV Station Income, 1963-64: $34,961,367)

Fig. 7

Services—21¢

Other—2¢

Direct Budgeted Support—54¢

Gifts, Grants, Donations—23¢

Services.........................Program contracts with local boards of education, universities, other agencies; rental of equipment or facilities, etc.

Direct Budgeted Support......Income as a result of budgeting by parent educational organization, a local board of education, a state agency, etc. Includes tax funds.

Gifts, Grants, Donations.......Subscribers, individuals, foundations, industry, federal government, etc.
Fig. 8

AVERAGE SOURCES OF THE INCOME DOLLAR

COMMUNITY STATIONS

A - Services (Including Production Contracts)
B - Direct Budgeted Support (Including Tax & School Funds)
C - Gifts, Grants, Donations
D - Other

A - 37%
B - 24%
C - 37%
D - 2%

UNIVERSITY STATIONS

A - 104%
B - 77%
C - 11%
D - 2%

SCHOOL STATIONS

A - 84%
B - 77%
C - 12%
D - 3%

STATE STATIONS

A - 95%
B - 44%
The differences among station types are most marked, as far as income is concerned, between community and state stations. The latter are financed almost wholly by direct support, while the former must rely more heavily than any other station type on services and gifts. At community stations the percentage earned through services is again equal to the percentage received in gifts, just as the two were roughly equal with university and school stations.

Average incomes by station types are pictured in Figure 9. As with amounts of money invested in broadcasting properties, a few large metropolitan stations tend to pull the average upward. While the average income for community stations is large - over $500,000 - if four large stations are omitted from the calculation, the mean drops to about $390,000, as shown with a dotted line. State stations, heavily supported with tax dollars, show up as having large budgets, while university and school stations do not.

These averages are perhaps not so indicative as they might be, and a closer look at some of the variation is appropriate. Income figures ranged from less than $50,000 to more than $2,500,000, but all types of stations were not represented along the entire spectrum. Figure 10 shows the range of income figures, with a reflection of the clusters that form among station types. University stations have not only the smallest variation in total income, but they are, as a group, operated on comparatively small budgets. The state stations show a scattered distribution, and the reason for the high arithmetic mean becomes clear, as with the community stations: one or two stations reporting uniquely high incomes stretched the ranges and averages of their particular groups.

The ninety-five stations were divided into quintiles, based on their reported figures for total income. Figure 11 shows the resulting patterns, which at first glance may be deceiving. In the first quintile - those nineteen stations reporting the lowest incomes - there are ten university stations and two community stations. The fifth quintile, which is made up of the nineteen highest-income stations, shows the reverse: eleven community stations and two university stations. The number of community stations increases with remarkable regularity with each quintile, and university stations almost match the figures in reverse. State and school stations appear in all quintiles (except Q3), with no marked design.

Community stations, then, seem to be predominately among the high-income stations, while university stations appear in large number in the lower-income group. If we are inclined to match success with income, we would conclude that the community stations seem to be doing surprisingly well, and university stations are the least fortunate.

Figure 12 shows the fallacy of this reasoning. A full half of the community stations reported expenses greater than incomes, while only 12% of the university stations reported similar deficits. School stations were alone, among licensees, in having not one station in this precarious situation.

The conclusion to be reached is not that community stations are most successful, nor that they are least successful. Without the heavy and guaranteed support of parent organizations, such as schools, universities or states,
Fig. 9

AVERAGE ETV STATION INCOMES—1963-64

- All Stations
- Community Stations
- University Stations
- School Stations
- State Stations

Thousands of Dollars
Fig. 10

TOTAL ANNUAL INCOME BY LICENSEE TYPES

31 University Stations

19 School Stations

13 State Stations

32 Community Stations

Each short vertical line represents the total annual income for a single station.

Hundreds of Thousands of Dollars

2 4 6 8 10 12 14 16 18 20 22 24 26
ANNUAL ETV STATION INCOME—QUINTILES

Q1—$21,560 to $124,827
Q2—$127,746 to $207,266
Q3—$207,729 to $332,217
Q4—$344,600 to $505,608
Q5—$540,093 to $2,512,934

Community Stations
State Stations
School Stations
University Stations
RELATIONSHIPS BETWEEN INCOME AND EXPENSE BY LICENSEE TYPES

COMMUNITY STATIONS
A—Stations Reporting Income Greater than Expense
B—Stations Reporting Expense Greater than Income
C—Stations Reporting Income Equal to Expense

UNIVERSITY STATIONS
A—47%
B—12%
C—41%

SCHOOL STATIONS
A—63%
B—15%
C—37%

STATE STATIONS
A—39%
B—15%
C—46%
these community stations become involved with larger expenses and larger debts. Costs that are often absorbed elsewhere with other stations must be faced squarely by community stations, and so their financial plight is perhaps more of a day-to-day emergency than it is with the others.

In order to get a more accurate reference for income at all stations - regardless of type - a histogram was developed, as shown in Figure 13. The income figures were grouped, and the number of stations in each group was represented graphically. The distribution is hardly normal, but normality would not necessarily be expected with this population. The Figure shows that sixteen stations (17%), operate with incomes less than $100,000, and that thirty-seven stations (39%) stay on the air for less than $200,000 a year. Only five stations are large enough to require annual incomes greater than $1,000,000.

Educational Television Stations - Expenses

There are differences in amounts of money spent by ETV stations, but the basic similarities are undeniable. Salaries are the largest expenses for stations, accounting for almost half of station outgo, and the purchase of equipment and engineering supplies is usually the next largest item.

As shown in Figure 14, stations spend 3¢ out of every dollar on procurement of programs from outside sources.

Figure 15 compares expenses among the four licensee types. As expected, the similarities are easily seen, and apparently the expenses of various stations are at least roughly proportional. There are, however, two areas that merit comment. It appears that state stations spend a surprisingly large amount in the category labeled "other expenses." This is due to the fact that two state stations operate extensive closed circuit facilities, and the heavy line charges have been included in the stations' budgets. Since there were only thirteen state stations in the study, these figures tended to distort the mean.

The community stations spend a good deal more than other station types in the category marked "overhead, affiliations, office supplies and travel." It is the overhead figure that causes the discrepancy, and this is an example of the "hidden" cost: the item covered usually by a parent organization in other types of stations. The average community station pays $53,000 annually for overhead, while school stations pay an average of $13,400, state stations $16,700 and university stations $11,000.

Summary

Part of the Study on the Long-Range Financing of Educational Television Stations involved the collection of data regarding present financial practices at ETV stations. A questionnaire was developed, and ninety-five stations participated. They were classified as follows: thirty-one community
Fig. 13
HISTOGRAM—ANNUAL ETV STATION INCOME, 95 STATIONS

Ranges, in Hundreds of Thousands of Dollars
Fig. 14

EDUCATIONAL TELEVISION STATIONS
THE EXPENDED DOLLAR
(Total ETV Station Expenses, 1963-64: $35,299,885)
Fig. 15

**AVERAGE TARGETS FOR THE EXPENDED DOLLAR**

**COMMUNITY STATIONS**
- A - Salaries
- B - Equipment and Engineering Supplies
- C - Overhead, Affiliations, Office Supplies, Travel
- D - Expansion of Facilities
- E - Programs Secured from Outside Sources
- F - Other

**UNIVERSITY STATIONS**
- A - Salaries
- B - Equipment and Engineering Supplies
- C - Overhead, Affiliations, Office Supplies, Travel
- D - Expansion of Facilities
- E - Programs Secured from Outside Sources
- F - Other

**SCHOOL STATIONS**
- A - Salaries
- B - Equipment and Engineering Supplies
- C - Overhead, Affiliations, Office Supplies, Travel
- D - Expansion of Facilities
- E - Programs Secured from Outside Sources
- F - Other

**STATE STATIONS**
- A - Salaries
- B - Equipment and Engineering Supplies
- C - Overhead, Affiliations, Office Supplies, Travel
- D - Expansion of Facilities
- E - Programs Secured from Outside Sources
- F - Other
stations, thirty-two university stations, thirteen state stations and nineteen school stations.

The following is a summary of patterns among educational television stations as reflected by the study:

a) The average station is on the air between nine and ten hours a day, and a little more than five days a week.

b) School stations emphasize classroom television to the extent that more than 60% of their programming is of a direct instructional nature. Most stations devote a little less than one-half of on-the-air time to in-school broadcasting.

c) There are 2,445 people employed by ninety-five educational television stations on full time bases, with 1,199 working part-time. The average station employs about twenty-six people full-time. University stations tend to make greater use of part-time help than do other types of stations.

d) Most educational television stations, after several years, have investments of between $400,000 and $500,000 each in broadcast properties. Community stations tend to own more property than do other types of stations.

e) More than half of the money ETV stations receive comes from direct budgeted support - money budgeted each year by a parent organization. A little less than one fourth of the income realized by ETV stations comes from gifts and donations, with approximately the same amount coming from services rendered by the stations.

f) Community stations show the highest percentage of money earned through services or gifts; state stations are supported directly by state taxes for 95c out of every dollar, and earn very little money through contract services.

g) Average ETV station income, regardless of ownership, is $368,000 per year. Community and state stations tend to operate on larger budgets than school and university stations.

h) Station incomes range from less than $50,000 to $2,500,000. Community stations are more predominate in the higher income groups, while university stations
tend to be found among the stations with lower budgets. However, a full 50% of the community stations report that their expenses are greater than their incomes. Of the other varieties, only school stations have no reports of such situations.

i) 17% of all stations operate on less than $100,000 per year, and 39% on less than $200,000.

j) 3¢ out of every dollar expended by educational television stations is used for procurement of programs from outside sources. 44¢ is spent for salaries, and 25¢ for engineering supplies and equipment.
Dear Mr. Fletcher:

I want to extend my greetings and best wishes to the educational leaders assembled in Washington this week to discuss the future development of educational television.

This nation must continue to nourish and strengthen our educational effort in order that we can grant to every citizen the right to an adequate education. Television, a proven tool for aiding and improving instruction, has immense potential for the benefit of American education and the nation's welfare. Its educational application, therefore, should be given wide support and encouragement.

In slightly more than a decade, educational television has grown from an idea in the minds of the visionaries to the 95 stations now on the air. I am hopeful that this number will increase greatly in the next few years.

For this record of achievement, credit is due to those institutions which had the vision and boldness to pioneer in educational television and support its early beginnings, to educators who have shown great determination and initiative, and to the many citizens who have contributed both financially and through public-spirited service.

The Federal government has recognized an obligation to encourage and assist public and private efforts in this field. The Educational Television Facilities Act passed in 1962 provided matching grants for the States as a stimulus to the construction of new stations. Recently the Congress extended the National Defense Education Act, which continues Title VII, to assist and foster research
in the new media, and adds Title XI, which includes aid for teacher training institutes in the instructional use of television.

The progress which has been made, however, can only be considered as a gratifying prelude to that which remains to be done. If we are to project educational television into the full potential of service to education and the national welfare, we must not be content with the status quo. Therefore, I hope that the sources of support which have been so important to the launching of educational television broadcasting will not only continue to assist this development, but will increase their participation. In addition, I hope that you will find new sources of financial support. In this way, educational television stations will realize their collective potential as the instruments of national purpose in the vast program of social action upon which we are embarked.

You are the leaders in educational television broadcasting and I hope you will continue your effort in this important work. If you succeed, the advancement of the Great Society we seek will be strongly assisted.

I wish you well.

Sincerely,

Mr. C. Scott Fletcher
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ANCIL PAYNE  
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Secretary, Tacoma School Board  
Tacoma, Washington  

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Conway, Arkansas  

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Tampa, Florida  

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NAEB  
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97
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Coordinator, Federal Program  
Department of Public Instruction  
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Executive Vice President
University of New Hampshire
Durham, New Hampshire

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Treasurer, KLKN-TV
Austin, Texas

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Assistant General Manager, KTCA
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Recorder:

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HARRY BRAWLEY
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Chairman:

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  President, WGBH Educational Foundation
  Boston, Massachusetts

Discussion Leader:

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  General Manager, WGBH-TV
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  Program Officer, Ford Foundation
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  New York, New York

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  President
  Duluth Superior Area ETV Corporation and
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  Duluth, Minnesota

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  Board of Directors, KVIE
  Sacramento, California

MARTIN P. BUSCH
  Director, KUSD-TV
  University of South Dakota
  Vermillion, South Dakota

RUSSELL L. CASEMENT
  Executive Director, KRMA-TV
  Denver, Colorado

BETTY COPE
  General Manager, WVIZ
  Educational Community Television
  Cleveland, Ohio

JOHN C. CRABBE
  General Manager, KVIE
  Sacramento, California

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  Associate Superintendent of Public Instruction
  Springfield, Illinois

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MRS. MERCER BRUGLER
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House Interstate and Foreign Commerce Committee
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III. CONFERENCE PROCEEDINGS

This chapter of the report is based on the Conference Program and Agenda.

PROGRAM

SATURDAY, MARCH 4
5:00 p.m. Special Briefing
Discussion leaders, ETS staff

SUNDAY, MARCH 5
11:30 a.m. Board of Directors Meeting
2:00-6:00 p.m. Registration
3:00 p.m. Special Preliminary Briefing
Chairmen, leaders, recorders of discussion groups
6:00 p.m. Reception
Hosted by ETS Board of Directors
7:00 p.m. Dinner
Jack O. McBride, ETS Chairman — Presiding
William C. Harley, NAEB President
C. Scott Fletcher, Conference Chairman and ETS Executive Consultant
Chalmers H. Marquis, ETS Executive Director

MONDAY, MARCH 6
8:45 a.m. Report of The Carnegie Commission on Educational Television
Hartford N. Gunn, Jr., ETS Vice Chairman — Presiding
Alan Pifer, Acting President
Carnegie Corporation of New York
Dr. James R. Killian, Jr., Chairman of the Corporation of the Massachusetts Institute of Technology, and Chairman
Carnegie Commission on ETV
10:00 a.m. Study — Discussion Group Meetings
12:30 p.m. Luncheon
James Robertson, ETS Director — Presiding
Honorable E. William Henry former FCC Chairman and member, Arnold & Porter
General James McCormack, Chairman of the Board
Communications Satellite Corporation
2:30 p.m. Study — Discussion Group Meetings
6:00 p.m. Reception
Special Address by:
The Vice President of the United States
Hubert H. Humphrey
7:00 p.m. Banquet
Donald V. Taverner, ETS Director — Presiding

TUESDAY, MARCH 7
8:30 a.m. Breakfast
Robert F. Schenkkan, NAEB Vice Chairman, ETS Director, Presiding
Honorable E. William Henry
McGeorge Bundy, President Ford Foundation
10:00 a.m. Study — Discussion Group Meetings
12:30 p.m. Luncheon
Loren B. Stone, ETS Director — Presiding
Introduction, Discussion Leaders
2:00 p.m. Study — Discussion Group Meetings
3:30 p.m. Report of Recorders
Dr. Frederick Breitenfeldt, Jr. Coordinator of Recorders
4:00 p.m. Adjournment

AGENDA

The recommendations of the Carnegie Commission were the bases for conferees discussion.* The general conclusions reached regarding these recommendations are reported along with specific comments and caveats by Conference discussion groups. Special attention has been paid to alternative suggestions and to minority or conflicting points of view expressed by the discussion groups in order that a comprehensive coverage of the range of opinion might be possible.

In the presentation of the Agenda items, statement of general conference-consensus appears first, followed by the Carnegie Commission discussion materials; specific statements elaborating on or dissenting from

the consensus are reported by discussion group number (1 through 11) at the points in the Agenda where discussions occurred. A complete discussion group membership list may be found in Appendix N.

The Agenda departed from the sequence of the Carnegie Report in the cases of recommendations 11 and 6 (and the results of the discussions are reported here in that altered sequence). This departure was made to facilitate Conference discussion.

STUDY-DISCUSSION SESSION A, MARCH 6, A.M.

PLANS FOR ADEQUATE AND LONG-RANGE FINANCIAL SUPPORT FOR INDIVIDUAL EDUCATIONAL TELEVISION STATIONS

Conference Findings on Carnegie Commission Recommendation #1
Extend and Strengthen ETV Stations

The conferees strongly endorsed this recommendation with the following emphasis: the local station should be the key unit for the development of a public television system which is national in scope; national action to strengthen local stations should occur in response to and as a result of local need rather than exterior design. Any action to strengthen local stations must include a base of support for operations in addition to facilities funds. The nurturing of local support by the local station will be even more important than it is today when national public television funds become available.

"An effective national educational television system must consist in its very essence of vigorous and independent local stations, adequate in number and well equipped. They should reach all parts of the country. They should be individually responsive to the needs of the local communities and collectively strong enough to meet the needs of a national audience. Each must be a product of local initiative and local support.

"Many good stations exist; they must be made better. Weak stations must be provided with the kind of support which will cure and not perpetuate their weakness. All educational television stations require greatly increased resources." (pages 4-5)

"Yet we have seen that the local stations, as they are now constituted, are inadequate for the ends they must serve. There are not enough of them. Those that exist are inadequately staffed, inadequately equipped, and inadequately financed. Deficiencies affect the entire system; even the few stations that provide leadership for educational television wage a daily struggle for survival.

"The Commission believes that the first task, upon which any further accomplishment must be built, is the strengthening of the local stations. We believe further that support for those stations must become available at all levels of government, augmented and stimulated by private initiative. . . .

"To be truly local, a station must arise out of a sense of need within a community, must have roots in the community, and must be under community control. It is not the physical location of studio and transmitter that is significant but the degree to which the station identifies itself with the people it seeks to serve.

"In recommending further assistance for local stations from the federal government, we do not intend to suggest that the federal government assume responsibility for local stations. Rather, we recommend that federal assistance be made available as stimulus and support for local and state initiative. . . ." (pages 33-34)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

GROUP 1. The emphasis should be on a need to keep Corporation funds on a matching basis in order to maintain local support.
GROUP 4. Raising of the $1 million per state ceiling is essential; the present matching formula is not sufficiently liberal in dollars or in the variety of possible dollar applications; private philanthropy is important to the diversity of support and consequent freedom and insulation of ETV against hard times.

GROUP 7. The Corporation's grant-giving function should relate to an area's educational needs and resources, not to the dollars and cents available.

GROUP 8. There is a need for regular, unmatched, insulated funds from the Corporation to provide a solid operational "floor" for local stations; operating totals suggested by the Carnegie Commission cannot be reached without such a source of regular income, plus HEW matching grants for operating, plus available local funds.

GROUP 10. First priority should be given to strengthening existing stations as opposed to building new stations.

GROUP 11. The public must be informed about continued need for local support; changing attitudes based on the assumption that increased governmental aid will eliminate need for private individual and corporate support have already been seen.

"It is encouraging that there has been, in recent years, a marked elevation in state ambitions for educational television. Almost every state has some kind of plan for a state instructional system, and most plans include educational television stations of the sort being considered here. For those plans to come to fruition with local stations capable of more than straightforward classroom services, substantial federal support will be necessary.

"The local support we contemplate, however, must go beyond the provision of funds. Public Television in particular is dependent for its well-being upon an identification with the community it serves. It must look for leadership to those who are leaders in the community. Those leaders must know its goals well enough to respect them and its mode of operation well enough to assist it.

"We have found in our station surveys that many stations do not possess ties of this sort; that many boards of directors have lent nothing more than their names to the effort. We have found also that in those stations where directors and trustees take an active interest, the station itself is most likely to thrive.

"In stations which are part of larger institutions such as school districts and universities we have found that the place of the station in the larger organization is too often at the bottom of the ladder. We consider this state of affairs to be particularly regrettable when the station is operated by a college or university.

"..." (pages 34-35)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

GROUP 2. Steps should be taken to upgrade the status of ETV in both the academic community and among members of the general audience.

GROUP 9. Many ineffective stations, particularly certain of those licensed to school systems and institutions of higher learning, should be improved by a re-evaluation of the station's placement in the institutional organization.

GROUP 10. Active involvement by key community leaders of board of control of community stations is a necessity; institutional ETV stations should be upgraded to include broadened public service responsibilities.
THE TOTAL SYSTEM

Conference Findings on Carnegie Commission Recommendation #11
New Legislation for ETV Station Support

The need was recognized for new legislation which would permit the Department of Health, Education, and Welfare to assist in the development of new stations, the expansion of existing stations, general operational costs, and enlarged support for instructional television. The conferees recommended that any new legislation provide for a liberalization of conditions previously imposed on grants so that components such as microwave links, receivers, buildings, and real estate (the total system in essence) would be included on the "eligible" list; that a basic matching formula of 75/25 be established but that there be sufficient flexibility to increase the non-local contributions in those extreme cases where local resources are meager; that funds for operations be provided on a similar formula but that these be channeled through the Corporation for Public Television; and that some portions of the Department of Health, Education, and Welfare contribution to operations be earmarked for instructional television.

"The full system, as we estimate it, will include a total of 380 stations. (Footnote: Apart from the number of stations projected under this particular model, localities over this number may wish to have, or indeed may need, educational television stations. The costs of such stations are not included in these estimates.) Of this number, 43 will be second stations in 43 major metropolitan areas. Of the total, we propose 60 flag stations to provide each state with at least one station capable of major production in instructional programming and a few large states with two. We expect approximately 75 smaller stations, capable of some substantial instructional programming. In addition, there would be 75 stations of modest programming capability and a further 127 stations which would be little more than transmitters and towers.

"It is highly unlikely that costs of this size can be met by state and local governments, which provide most of the cost of the existing educational television substructure. If such a system is to be brought into being, it will require substantial federal support. The Commission recommends that such support be forthcoming, by means of the ordinary procedures of the government acting through the Department of Health, Education, and Welfare.

"The figures can conveniently be summarized in two tables. The first of these shows annual expenditures, including capital costs, over the first four years of the system, postulated on a buildup of the system which we consider to be rapid, but not excessively so:

<table>
<thead>
<tr>
<th>Costs and Sources of Funds for System</th>
<th>(First four years, annual average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Corporation</td>
<td>HEW</td>
</tr>
<tr>
<td>Capital</td>
<td>66*</td>
</tr>
<tr>
<td>Station Operations</td>
<td></td>
</tr>
<tr>
<td>Direct Public Programming Costs</td>
<td>19</td>
</tr>
<tr>
<td>Other Costs</td>
<td>64</td>
</tr>
<tr>
<td>Production Centers</td>
<td>12</td>
</tr>
<tr>
<td>Interconnection</td>
<td>10</td>
</tr>
<tr>
<td>Public Television Corporation (non-broadcast activities)</td>
<td>7</td>
</tr>
<tr>
<td>TOTAL</td>
<td>178</td>
</tr>
</tbody>
</table>

NUMBER OF STATIONS AT BEGINNING OF PERIOD = 150***
NUMBER OF STATIONS AT CLOSE OF THREE YEARS = 240

* Includes $2 million per year for production centers.
** Including only operating component of cost of national programs at key stations.
*** Projected to January 1, 1969
"As this table shows, during the first four years the annual average cost is estimated at $178 million, of which $56 million would come from the Corporation, $68 million from the Department of Health, Education, and Welfare, and $54 million from state and local government and private sources.

"The second table shows annual expenditures at equilibrium, which we have assumed to occur in 1980. In this table, it is assumed that the system is completely built and no capital costs, aside from amortization of existing equipment, are included:

<table>
<thead>
<tr>
<th>Costs and Sources of Funds for System (1980)</th>
</tr>
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<tr>
<td></td>
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<tr>
<td></td>
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<tr>
<td>Total</td>
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<tr>
<td>Amortization</td>
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<td>Station Operations:</td>
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<td>Direct Public Programming Costs</td>
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<td>Production Centers</td>
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<tr>
<td>Interconnection</td>
</tr>
<tr>
<td>Public Television Corporation (non-broadcast activities)</td>
</tr>
<tr>
<td>TOTAL</td>
</tr>
</tbody>
</table>

NUMBER OF STATIONS IN 10 YEARS = 380

* Includes $29 million operating component of $31 million for national programs from key stations.

"After the system has been developed over a period of years to an equilibrium stage, its annual costs will amount to $270 million, of which $104 million will come from the Corporation, $91 million from the Department of Health, Education, and Welfare, and $75 million from other non-federal sources.

"These tables include assumptions in regard to matching provisions that the Department of Health, Education, and Welfare might wish to apply. Those assumptions were necessary to the preparation of the table but are not intended to be more than suggestive of the course of action the Department might consider. Funds listed as 'other' are expected to come primarily from local and state governments, augmented by private and foundation contributions. Not included are funds that might be made available to the Corporation by such government agencies as the National Foundation for the Arts and the Humanities or by other sources.

"Since some time must elapse before the full system begins to come into being we propose that in the interim Congress act to extend and amend the present Educational Television Facilities Act of 1962, which will otherwise expire with the present fiscal year. In particular, we urge that in extending the act Congress liberalize the requirements which limit funds flowing to any single state, and that it make funds applicable to the purchase of the full range of facilities and equipment, rather than limiting them, as it does now, primarily to towers, transmission equipment, cameras, and video recording equipment. Such extension will permit the system to grow steadily, as it has been growing in recent years, although not as rapidly as we submit that it should grow.

"In making these proposals, the Commission calls attention to its belief that in this area, as in Public Television, the participation of the state government and of the local community is an essential
factor. The level of state and local support that we propose, to be matched against federal assistance, is somewhat greater than what is now provided, but not excessively so; the Commission believes that a state which wishes to operate more stations than it now does should be prepared to contribute to their support to a somewhat greater degree." (pages 74-78)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

GROUP 1. A need priority should be established which recognizes public television as a national responsibility and instructional television as the states' responsibility.

GROUP 2. The concept of a 75/25 formula for matching funds is endorsed; HEW funds should not be used for station operation.

GROUP 3. A more equitable allotment formula should be established for stations in smaller markets.

GROUP 5. Stations should be able to include use of land, buildings and construction costs as their portion of matching funds; planning funds should be made available through HEW to assist new stations and to modernize existing stations.

GROUP 9. Operating funds should be disbursed on a regular basis on a formula to be determined by the Corporation rather than HEW; policies and formulas should be established in consultation with ETV practitioners.

GROUP 10. Criteria for facilities grants should be based upon a factor more consonant with population served by the station than the Standard Metropolitan Population Area used by the Carnegie Commission.

GROUP 11. Strong reservations were voiced regarding HEW involvement in basic operations of individual stations; the Corporation should administer funds that the Carnegie Commission recommended be placed with HEW.

STUDY-DISCUSsION SESSION B, MARCH 6, P.M.

PLANS TO PROGRAM, IMPROVE AND FINANCE PUBLIC TELEVISION

THE CORPORATION

Conference Findings on Carnegie Commission Recommendation #2

A New Institution for ETV, A Public Corporation

The concept of the Corporation for Public Television and its functions as described were heartily endorsed with the following caveats: that the insulation of the Corporation from temporal pressures is of paramount importance; that the Corporation provide funds for operation (in addition to programming); and that the Corporation, per se, not be engaged directly in any operation — production, interconnection, or station. The conferees recognized that differing proposals have been advanced for the appointment of the Corporation's Board of Directors, found commendable elements in each, and were willing to entrust the guarantee of corporate insulation to the wisdom of the Administration and Congress, the collective responsibility of local broadcasters, and faith that the American people will take corrective action if required.

"The Corporation will exist to serve the local station but will neither operate it nor control it. Its primary mission will be to extend and improve Public Television programming. Programs financed by the Corporation will be made available to all stations, but each station will decide whether and when it will use the program. We stress the critical importance of having private funds available to the Corporation; such funds should be available at the outset." (page 3)
The local stations must be bedrock upon which Public Television is erected, and the instruments to which all its activities are referred. But there are needs that the local stations alone cannot meet. There must be effective leadership for the system as a whole...” (page 36)

“. . . The Corporation will be neither an agency nor an establishment of the United States government. It will be a free-standing institution, like other non-profit corporations created to serve the public interest.” (page 37)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

GROUP 4. It is inappropriate to refer to ETV as “public” television and leave out of the Corporation title any reference to educational radio; by substituting “public television” for ETV, there is some possible sacrifice of a symbol which has already received wide public acceptance and support.

“We propose that the Corporation be governed by a board of directors of twelve distinguished and public-spirited citizens, of whom six will be initially appointed by the President of the United States with the concurrence of the Senate, and the remaining six initially elected by those previously appointed. Thereafter, one-third of those appointed by the President and one-third of those elected will complete their terms at two-year intervals, with the President appointing two members every two years for six-year terms and the entire board electing two members every two years for six-year terms.” (page 37)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

GROUP 1. The Corporation should be restricted from activities related to any representation of stations.

GROUP 2. Educational broadcasters should be excluded from membership on the board but should be given a voice in the selection of those employed by the Corporation to handle its day-to-day business.

GROUP 5. Six members should be appointed by the President and six should be selected from the public at large, i.e., without the necessity of Presidential selection and Congressional approval; the public group should be representative of such interest groups as ETV licensees, JETP, NAEB, etc.

GROUP 6. A larger and more diverse board than recommended by the Carnegie Commission would be freer from potential political control.

GROUP 7. The Board of Directors of the Corporation should represent to some extent — hopefully 50 percent — personnel from the educational TV stations; stations should somehow be involved in decision-making before they are called on to accept or reject programs.

GROUP 8. The complete membership of the directing board should be appointed by the President with approval of the Congress.

GROUP 11. The Board of Directors should have no direct control over daily network programming and operations.

"In general, the Corporation will act by means of grants to and contracts with stations within the system, entities of various kinds engaged in work associated with television, colleges and universities. Except for its obligations in providing interconnection and dissemination of information, and perhaps for the establishment of archives, it should not act as an operating institution...
"The categorization given here omits, as any categorization must, any account of the general role the Corporation is expected to play. The Corporation should become, upon appointment of its Board of Directors and recruitment of its staff, the center of leadership for Public Television. By the very nature of its activities, it should be engaged steadily in establishing standards for Public Television. It should provide the means by which strong stations use their strength for the benefit of the entire system, and by which weak stations become strong.

"For its support, it must inevitably look primarily toward the federal government, but by no means exclusively. The Corporation should be prepared to solicit funds actively from private sources, such as industry and the major foundations. Its freedom from political control will be all the greater if it possesses resources for which it is not dependent upon the government, even though those resources constitute only a part of its total needs." (pages 40-41)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

GROUP 2. Further study is needed on the necessary contractual relation bringing scheduling decisions closer to production decisions; some means of managing the scheduling function by entities outside the Corporation should be sought.

GROUP 4. There is a need for careful articulation of operating and non-operating aspects of the Corporation in its relation to production centers and local stations; there is particular concern about the relation between the Corporation, NET, EEN, etc.

GROUP 9. The Corporation should have operating functions and funds as well as programming funds.

GROUP 10. Solicitation for private funds should not be in competition with local station fund raising activities and should be limited by the Corporation to its initial campaign to raise $25 million.

GROUP 11. There is a need for clarification of the relationships which will exist between the new organization and local stations, existing libraries, and production/distribution centers; where possible, operating functions (program selection, information, distribution) should be provided through contracts with other agencies and not by the Corporation itself.

PROGRAM PRODUCTION
Conference Findings on Carnegie Commission Recommendation #3
National Production

The need for sources of programming, national in scope, was recognized as essential. The support and strengthening of this activity by the Corporation was endorsed. The conferees recommended that the character of the national program service should be predicated upon nationwide local station external programming needs, i.e., let the development of regional and local programming dictate the production and provision of national level programming. If national production centers are supported by the Corporation and if more than one is established, they should be complementary rather than competitive; they should be operated under different philosophies, be geographically diverse, and be addressed to different service priorities (e.g., public television and instructional television). Opinion favored the specific designation of National Educational Television (NET) as one of those centers.

"At present, programs intended for national use are produced almost exclusively by National Educational Television (NET) in New York. The Commission believes that NET, its staff and the experience that it has accumulated constitute an important resource for the Public Television system that is contemplated here. Certainly, one of the two national production centers which are proposed in this Report
will be built upon NET. (Indeed, the continuation of NET activities is essential, for even after the Corporation is created the primary source of national programming will continue for some time to be NET.)" (page 42)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

GROUP 3. High initial priority should be given to NET and local production sources.

GROUP 6. A second production center should be located away from the East Coast to counterbalance the New York orientation of NET.

GROUP 10. Priority should be given to strengthening the present national programming center.

"The mode of operation proposed by the Commission is one in which the national producing center will outline to the Corporation each year the general schedule it intends to meet and, in broad terms, the programs it proposes to produce. The Corporation will pass judgment on the proposal, and will provide support, including capital support where it is required, to enable the center to carry out those portions approved by the Corporation. The Corporation should encourage and support long-range planning as well, including two-year, three-year, and even five-year grants. It is clear that the degrees to which any center is supported by the Corporation will depend on the persuasiveness of its proposals and on the degree to which its product meets standards established by the Corporation. But perhaps a third criterion is most important of all: since the programs will be offered to local stations for them to use or ignore as they see fit, the stations themselves will provide a continuing evaluation of programs each center supplies." (page 43)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

GROUP 1. Program decisions should be made at the production centers.

GROUP 4. Production centers should be free to contract with independent producers, including overseas producer, to prepare program material; the relationship between the individual station consumer and the production center should be direct, with the Corporation standing by to provide funds.

"The Commission recommends at least two such centers, in part because it is reasonable to believe that at least two separate organizations should apply themselves to the production of national programming, and in part because the Commission believes that competition between two or more centers will act as a spur and will provide a basis for comparison. As contributory to the same process, the Corporation should be able to contract with other program producers, here and abroad, for single programs or for program series.

"The national production centers will be, like the Corporation itself, non-profit institutions. It is expected that they will derive the largest part of their income from the Corporation, but they will be encouraged to look to other sources of revenue, including grants from private foundations and commercial enterprises and grants and contracts with departments and agencies of federal, state, and local government. Such grants might be used either to expand production or to extend budgets of programs produced under contract with the Corporation.

"In general, the programming to be expected from the national producing centers will be comparable in subject matter to those now available from NET, although of greater diversity. . . ." (pages 43-44)
SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION
STATEMENTS BY DISCUSSION GROUPS

GROUP 2. Additional centers should be complementary rather than competitive (i.e., one devoted to ETV or public TV and one to ITV); competition should be in the area of production quality rather than in program content where duplication of effort might prove wasteful.

GROUP 6. Two national centers should be established with different program philosophies and geographical locations.

GROUP 7. Plurality of programming on a national level is most important.

GROUP 9. Determination of the number of national production centers should remain open to time, experience, and need.

MORE-THAN-LOCAL PRODUCTION

Conference Findings on Carnegie Commission Recommendation # 4
Grants to Stations for Production of Programs for More-Than-Local Needs

The concept of grants to local stations for the production of programs for national use was enthusiastically endorsed by the conferees with the explicit recommendation that all stations be eligible for such grants; the prime criterion for award should be demonstrated competence, not station category; the development of competence should be by evolution rather than master plan.

The greatest practical diversity of program production sources is essential to the health of the system. Stations exist which now produce programs of interest outside their own areas, but which are in need of further financial assistance. Other stations should be encouraged to develop comparable talent and capacity.” (page 6)

"Over the past few years several local stations, under vigorous leadership, have managed to build respectable production capacities and to finance a limited amount of ambitious Public Television programming. They have tapped every conceivable source of funds; the private foundations, the business community, and their audiences. They have produced programs under contract with NET. Under great difficulties, they have accomplished a great deal." (page 46)

"The procedure for the production of such programs is equivalent to that proposed above for national production centers. Any station in the system would be able to make proposals to the Corporation for single programs, sets of programs, or program series. The Corporation would exercise its judgment on the proposals, and react accordingly. As the process becomes established, stations with known capacities would emerge, and would undoubtedly receive the bulk of the contracts; The Commission hopes and expects that in time twenty such stations, distributed throughout the country would be the prime producers of programs for more-than-local use.” (page 47)

LOCAL PRODUCTION

Conference Findings on Carnegie Commission Recommendation #5
Grants to Local Stations for Local Production

The concept of Corporation support for local station production was enthusiastically supported. However, it was strongly recommended that the Corporation provide a regular annual base of unrestricted support for local production in addition to a program of grants for specific program production.
"A third family of programs comprises those which are of interest entirely or very nearly so, to the community served directly by a given station. Some categories are immediately obvious: news of purely local interest, civic affairs, local sports, local personalities. Others appear where the local station manager seeks them out: local musical or artistic talent, dramatic presentations prepared by little-theatre groups, and a whole host of intellectual activities which may be found in colleges and universities.

"It is clear that by producing and presenting such programs the station manager can provide an honest local flavor for his station and perform a comprehensive service for his community which is not now being performed by any other medium. Almost all stations and particularly the community and university stations, make real efforts to produce programs of this sort. Except for a few stations which can absorb production costs in their other activities, the task is an almost impossible one. Local or not, programs require time for planning and some investment in costs of production.

"The Commission recommends that the Corporation be prepared to support by grant a portion of this purely local programming. It should do so in response to specific proposals from the station which seeks such support; the criteria for approval should be in the first instance the judgment of the Corporation upon the station’s ability to produce the programs and perhaps also the willingness of the station to match in some degree a Corporation grant with funds raised locally." (page 49)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

GROUP 2. Appropriate methods should be devised for equitable distribution of funds to individual stations.

GROUP 3. Regular financial assistance should be provided to local stations for their general programming operations.

GROUP 5. A replenishable contingency fund for production of "emergency" or "special" productions should be established, without the necessity of negotiating through the process.

GROUP 7. Restrictions on grant-giving for local programming should be minimized; flat opposition is registered to the creation of a grant-making formula based purely on population density.

GROUP 8. Local stations should be the final determiners of what is to be produced; provision could be made for yearly review and evaluation by the Corporation of a local station’s use of programming funds.

"The total effect of this recommendation and the two that precede it will be to provide for each station a body of programs from national production centers, key stations, and local production. In the first category there will be a steady supply of ten hours a week for each station. The second category adds approximately twenty hours a week. The third category is somewhat more difficult to estimate. Strictly speaking, it adds an hour of local programming for each station. In reality, the system today exchanges some of this programming, and it is quite reasonable to expect that a Boston program built upon local cultural affairs, local talent and even in some cases local civic events will have an audience elsewhere in New England and that one hour of such production per station adds up to five hours of availability — that is, that over the system as a whole each such program will be used in five stations.

"The total is therefore thirty-five hours of programming each week. To this can be added whatever can be produced by the station’s own staff and equipment, which at present provide most local programming. It is reasonable to expect that such staff-produced local programming will increase in both quality and quantity." (pages 50-51)
SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

GROUP 11. Station proposals should not be screened on a program-by-program basis.

EXPERIMENTAL PRODUCTION
Conference Findings on Carnegie Commission Recommendation #7
Experimental Programming and Production

The conferees strongly endorsed the Commission's proposal to support experimental programming and production, commenting that this was a vital activity which production agencies have never yet been able to afford. However, they urged that excessive proliferation, centralization, and repetition of experimental production be avoided.

"Public Television should be free to experiment and should sponsor research centers where persons of high talent can engage in experimentation. The kind of experimentation once sponsored by the Ford Foundation TV-Radio Workshop is an example of what we are reaching for." (page 7)

"Considering Public Television in its broadest sense, there is a clear need for experimental work designed to put television to use in communicating with citizens of our inner cities who have special needs. Those requirements and needs are not being fully met today by the mass media, including television. Television as it now exists can provide no guidelines that will assist in establishing this communication. It is something that must be learned.

"Wherever the experimentation takes place, and to whatever end it is directed, it must enjoy an environment hospitable to risk, to a search for new forms, and to creative work by persons of exceptional talent. It must look to the fullest exploitation and realization of television as a medium in its own right. It must think in terms of new audiences. In the end, it may be a means by which a whole world of creative talent, which now stands aloof from television can begin to serve and to draw strength from the diverse audiences that Public Television will reach." (page 60)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

GROUP 2. Little known existing research should be brought to light and made available on an industry-wide basis.

GROUP 7. Excessive proliferation, centralization, and repetition of any experimental production should be avoided.

TECHNICAL RESEARCH
Conference Findings on Carnegie Commission Recommendation #8
Technical Experimentation to Improve Television Technology

The support of experimentation to advance the technology of educational broadcasting was strongly endorsed. However, recognizing the probable limitations on amounts of money available for this activity and the massive dimensions of industry-supported technical research, conferees stressed that Corporation funds for technological experimentation be invested in projects which relate uniquely and directly to noncommercial television programs and applications.
SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION
STATEMENTS BY DISCUSSION GROUPS

GROUP 7. A continuing dialogue with research and development in industry should be maintained.

GROUP 11. More should be done to advance technology with strict application to educational problems.

RECRUITMENT AND TRAINING
Conference Findings on Carnegie Commission Recommendation #9
Recruiting and Training Personnel

The recommendation that the Corporation provide funds for the recruitment and training of personnel for Public Television was unanimously and strongly endorsed. In addition, the Commission was commended for its identification of this problem as one of prime significance and for its proposal for action. While the need for personnel in all categories was recognized, the conferees stressed the importance of recruiting and training future management personnel. Finally, the need for education as well as training was noted as was the importance of utilizing all existing resources for personnel development — stations, production centers, and institutions of higher learning.

"An important part of the whole task for Public Television is the provision of opportunities for talented persons in all branches of programming and of technology to develop their crafts through association with production centers and broadcast stations. We believe that these centers should systematically provide in-service training and the Corporation should help them do so." (page 66)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION
STATEMENTS BY DISCUSSION GROUPS

GROUP 6. An independent management consultation firm should be contracted to establish a procedure to recruit and train personnel.

GROUP 7. Extensive study of the field's current and future needs should be made.

GROUP 8. Recruitment and training of more minority group members should be undertaken.

GROUP 11. Existing facilities (universities, technical institutes, community and educational stations) should be used for training.

"We suggest that individual educational television stations consider appointing advisors from the community to review their programming, serving as individual consultants or as members of advisory panels. We believe that such an arrangement can provide, in terms of Public Television, a more discriminating and useful standard of judgment than that of the conventional ratings so widely used in commercial television today." (page 67)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION
STATEMENTS BY DISCUSSION GROUPS

None

"We believe also that there will be a need for an independent journal devoted to Public Television which will deal creatively and critically with all aspects of the system.

"To the Corporation functions listed in this section there should be added such others as the dissemination of information, the preservation of archives, and the promotion of programs." (page 67)
SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

None

REVENUES

Conference Findings on Carnegie Commission Recommendation #10
Support of the Corporation

The necessity for employing public funds in the development of a nationwide Public Television system was recognized. Insulation of these public funds from temporal pressures and annual appropriation was viewed as a *sine qua non* for success. Diversity of support (other than public federal funds) was perceived as an important guarantor of insulation and independence of action. Though the conference generally supported the Carnegie Commission's recommendation for an excise tax on television sets as one possible source of public fund support for Public Television, they declined to rule out other feasible alternative sources and preferred to leave the resolution of this crucial question to the wisdom of Congress.

"In this manner a stable source of financial support would be assured. We would free the Corporation to the highest degree from the annual governmental budgeting and appropriation procedures: the goal we seek is an instrument for the free communication of ideas in a free society.

"The excise tax will provide the Corporation with approximately $40 million of federal funds during its first year of operation, rising gradually to a level of $100 million a year. We propose that the rate be raised to 3 per cent, bringing in $60 million, after the first year. The Commission intends these revenues to be added to those available from other federal, local, and private sources to be used primarily for the support of programming for Public Television. We recommend that federal agencies continue to make grants to educational television stations for special purposes." (page 8)

"For these funds, within the area in which public program is most sensitive to government involvement, the Commission cannot favor the ordinary budgeting and appropriations procedure followed by the government in providing support from general funds. We believe those procedures are not consonant with the degree of independence essential to Public Television. We have relied, therefore, upon a mechanism which Congress has used repeatedly in the past, by which revenues from clearly specified sources are collected by the government and the proceeds (or amounts equal to the proceeds) are paid into or credited to an account or trust fund and held in the Treasury for use in carrying out specified purposes as provided in the statute. Such mechanisms maintain intact the ultimate Congressional control over the use of public funds but permit the funds to be disbursed outside the usual budgeting and appropriations procedures." (page 69)

"For the source of funds for the Corporation, the Commission recommends a manufacturer's excise tax on television sets as the most appropriate and least onerous. It is not a new tax; from 1950 to 1965, there was a 10 per cent excise tax on sets. It is easily specified and easily administered. The tax would, of course, be passed along to the purchaser in the form of a small increase in the price of any new set he might buy; over the years of the useful life of the set the annual additional cost will be extremely small. If it is at all a regressive tax, it is only mildly so; high-income families tend to buy more television sets and replace them more often. Finally, the improved service made possible by the tax directly increases the real value of the set." (pages 69-70)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

GROUPS 1-4-9-10. Funds for Public Television should not be subject to annual appropriations.
GROUPS 3-6-8-9-10-2. Congress should determine the best source for public funds.

GROUPS 2-4. Vitality and independence of the local station should continue to depend on local support as expressed in private contributions and matching funds.

"The Ford Foundation, to which educational television owes an historic debt, has proposed a satellite system (and an independent corporation to manage it) which would provide free interconnection for educational television and would also provide, out of profits from commercial activities, financial support for educational television. We see no conflict between such proposals and the organization and plan we present. We heartily approve in principle the objective of reducing the cost of interconnection for educational television, as we have already stated. We cannot be certain that the ingenious Ford proposal or similar plans would yield benefits large enough to provide more than a small part of the funds needed by educational television, but we do suggest that any funds that might become so available be applied to reduce the ceiling on the excise tax we recommend. We also conclude that the Ford Foundation proposal for a domestic satellite corporation, as well as other proposals recently presented to the Federal Communications Commission, involve issues of public communications policy that go beyond the scope of this Commission, and indeed beyond the domain of educational television. We feel that the Carnegie Commission should not undertake to formulate conclusions of these contending issues, and we urge that the adoption of a program to strengthen educational television not be delayed for their resolution." (pages 70-71)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

None

"Other proposals for financing Public Television have been laid before the Commission and considered at length. Among them were proposals for the imposition of license fees for the use of television sets (perhaps the most common procedure outside the United States for the financing of television); for removing restrictions which prevent educational television from accepting advertising; for conversion of educational television to some kind of pay television, or alternatively for the assignment of rights to operate pay television systems as a means of financing educational television; for gross revenue or franchise taxes upon commercial television; and for a procedure by which ordinary income taxes paid by commercial television would be earmarked for the support of educational television. None of these appeared to be as appropriate, as manageable, and as equitable as the excise tax. (Footnote: Concurring opinion of Mr. McConnell of the Commission: . . . I suggest that those who are licensed to use the airways in the 'public interest' — the television stations — should at least share in the cost of Public Television. If they should pay a franchise tax for that purpose, we can assume, as in the case of the tax on television sets, that this would be passed along to the purchaser — the advertiser. Perhaps it is the advertiser, with his basic test of program content, to whom we refer (page 13) when we speak of 'acceptability — which . . . keeps commercial television from climbing the staircase.' If this is what has brought about the need for Public Television, it would seem to be equitable that the advertiser bear a part of the cost, so that television could realize the promise for it so ably and so eloquently set forth in the Commission's Report). . .

"The total revenues to Public Television programming may therefore be expected to be somewhat greater than those provided by government funds.

The Corporation itself will have the use of private money, and the stations may be expected to add the resources they themselves have been able to produce. Federal funds, however, must be the mainstay of the system, and the Corporation will not be viable without federal support of approximately the size recommended here." (pages 71-73)
STUDY-DISCUSSION SESSION C, MARCH 7, A.M.

PLANS FOR THE USE OF TELEVISION IN
FORMAL AND INFORMAL INSTRUCTION
INSTRUCTIONAL TELEVISION

Conference Findings on Carnegie Commission Recommendation #12
A Study of Instructional Television

The conference strongly recommended that a study of instructional television — comparable in scope, prestige, magnitude, and financing to the Carnegie Commission report — be undertaken immediately. The effectiveness and efficiency of televised instruction have been well documented in the laboratory and in isolated cases in practice. Therefore, it was recommended that the proposed study of instructional television direct its efforts to two major problem areas: organization of national resources for the facilitation (not control) of instructional television development on a nationwide basis, and methods and procedures for integrating televised instruction into the instructional system of educational organizations. (The latter charge implies the necessity for a basic restructuring of the instructional system in some educational organizations and will require that the administrations of educational organizations be thoroughly enlightened regarding television in formal education.) Finally, it was strongly recommended that Public Television and instructional television be so developed at the local station level that they may share the production skills, technical skills, equipment, and facilities which are common to both services. Separation of Public Television and instructional television could lead to expensive duplication of personnel, equipment, and facilities and ultimately might lead to a deterioration of both services.

"This report and almost all its recommendations refer primarily to Public Television, and only upon occasion take note of instructional television. Yet to have attempted to maintain a rigorous separation between the two would have been at once unrealistic and futile. The two services share the same structure, are part of the same educational television system, and at times are so inextricably intermingled that to speak of one is at once to force the other upon our attention. Thus, whether it chose or not, the Commission found itself repeatedly dealing with instructional television . . ."

"Since the views adopted by the Commission in relation to Public Television are clearly such that they maximize the role of the local station and lead to steps that will strengthen the local station, implementation of the recommendations of the Commission would tend toward general improvement of Instructional as well. A station which enjoys adequate financing, possesses modern facilities, and has attracted talented leadership and staff will inevitably be in a position to provide better programming for instructional television. Strengthening the components of the system strengthens both services the system provides, whether it is designed to do so or not.

"The Commission believes, however, that the deficiencies in instructional television go far beyond matters of staff and equipment. It is of much greater consequence that instructional television has never been truly integrated into the educational process . . ."

"In short, the Commission believes that instructional television must be regarded as an element in the total educational process. The question must be asked whether, in a given educational context, television has a role of its own to play in relation both to a set of educational objectives and to the full battery of educational tools available. If television contributes to the quality of education, or makes possible a greater quantity of education, it will take its place as a tool of education, but it is in those terms that it should be approached and ultimately judged." (pages 80-82)
SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION
STATEMENTS BY DISCUSSION GROUPS

GROUP 1. Utilization training should begin in teachers colleges; ITV personnel should become a part of regional research centers where development should occur; the formal-informal distinction between types of television programs should be abolished.

GROUPS 4-10. Duplication of studies and production facilities should be avoided.

GROUP 10. The distinction between "Public Television" and "ITV" is detrimental to public school support of local stations; the totality of educational communications available to a community should be seen as integrated and coordinated.

"In its consideration of technological advances, the Commission has dealt at times with matters of considerable significance to instructional television. The most important of these are the low-cost storage devices, whether by television or by motion-picture techniques. The outstanding characteristic of such devices is that they promise to return to the classroom the flexibility that the present use of open-circuit broadcasting denies it . . .

"Should such devices come into general use, they will alter the manner in which the local educational television station serves the schools, as they might alter the use of closed-circuit television or point-to-point broadcasting over the 2500 megacycle band, and perhaps ultimately inhibit speculations which look toward broadcasting from satellites direct to antennas on school building roofs.

"But it is unlikely that the total need for instructional television emanating from outside the classroom will diminish. The development of instructional television within the full context of education will make the schoolroom need for television even greater than it is now. Much of that need — indeed, that very part of it now satisfied by open-circuit television — will be provided by other television techniques. Open-circuit television itself will then be freed to provide material which cannot be brought to the school in any other way: the material that must be handled and moved quickly if it is to have real value, such as that for use in current affairs courses. Properly used, television can bring a liveliness and an immediacy to education that no other medium can provide." (pages 82-83)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION
STATEMENTS BY DISCUSSION GROUPS

None

"... we recommend here a major program of research and development in instructional television, designed to discover, within the full context of education, the manner in which television can best serve education.

"Such a program is clearly within the area of responsibility of the Department of Health, Education, and Welfare. The Office of Education now supports some research which would contribute toward a full program. The Regional Educational Laboratories now being established under the Elementary and Secondary Education Act of 1965 might well undertake a major share of the broader research which is required. Parts might also be carried out by local stations, supported by state and local funds; indeed, an ambitious program conducted in close association with existing educational establishments is a most promising procedure. It is, moreover, highly desirable that commercial enterprises, and in particular those now being created by the combination of educational and industrial organizations, should play a major role." (pages 83-84)
SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION
STATEMENTS BY DISCUSSION GROUPS

GROUP 6. A compilation and coordination of extant ITV studies should be included in any new study of ITV.

STUDY-DISCUSSION SESSION D, MARCH 7, P.M.

PLANS FOR INTERCONNECTION AND SATELLITES

INTERCONNECTION

Conference Findings on Carnegie Commission Recommendation #6
Corporate and Congressional Help for Interconnection

The need for immediate state, regional, and national interconnection of all stations was recognized and the Corporation's proposed provision of this service was unanimously endorsed. The networking and distribution functions of interconnection were, on the whole, considered to be of equal importance. Reiterating that the Corporation should not be directly involved in operation, it was suggested that some alternative agency or device be given the responsibility for programming the network. Finally, it was agreed that free or preferential rate interconnection for Public Television would seem to be highly desirable, but that a question of such basic import to the total communication rate structure be left to the wisdom of the Congress.

"The Corporation has the responsibility for the distribution of programs. Public Television can never be a national enterprise until effective interconnection has been provided both in order to distribute programs to educational television stations promptly and economically and to provide for live regional or national broadcasts when the occasion demands. The interconnection of stations should make the best of each community available to all communities." (page 7)

"Once in place, an interconnection can be used in two quite distinct ways. It can be used for networking—that is, to enable all interconnected stations in a given area (which may be the entire continent) to transmit at the same time a single signal emanating from a central point. Alternatively it can be used for distribution, in which case the interconnection becomes a rapid and efficient means of delivering a program from a central point to all potential users, any of whom can either play it immediately or record it for later use. In either case, the interconnection itself remains unchanged; the difference lies only in the manner in which the interconnection is being used . . .

"The Commission . . . proposes that Public Television look to interconnection primarily as a device for the distribution of programs. Whatever is produced within the system would be transmitted over the interconnection, according to a schedule made known in advance to station managers. There would be no expectation that the programs would be immediately rebroadcast by the local station (although of course there would be nothing to prevent such use). Instead, the local station manager would be expected to record those programs he might later use, ignoring the rest." (pages 53-55)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION
STATEMENTS BY DISCUSSION GROUPS

GROUP 2. The program distribution function will, in practice, prove secondary to live network capability.

GROUP 3. The networking function of an interconnection system should be organized carefully for planned programming.
GROUP 4. The primary purpose of interconnection might not necessarily be for attainment of simultaneity.

GROUP 6. Both networking and distribution are necessary; network option time should be limited to 6-8 hours per week; option time is necessary to promote national programming on a national scale.

GROUP 9. The development of conventional ground interconnection should be continued, despite new interest in satellite systems.

GROUPS 8-10-11. Equal emphasis should be given to the distribution and networking of ETV programs.

"The Commission recommends that Congress take action which would make it possible to allow preferential rates for Public Television, whatever the communications facilities used, to the extent that this is not provided by existing law. The Federal Communications Commission already grants preferential telegraph and cable rates for the press.

"So far as communications satellites are concerned, we recommend that Congress consider legislative directives that would make possible free satellite interconnection for educational television to the extent that this is not provided for under existing law. Proposals to this effect have recently been made, notably by the Ford Foundation, in response to a Notice of Inquiry by the Federal Communications Commission, which is considering policy and regulatory problems arising out of satellite developments.

"We recognize the matter of common carrier rates to be intricate and of far reaching consequence. Any changes must certainly undergo the scrutiny of the Federal Communications Commission, and possibly the scrutiny of Congress." (pages 57-58)

"The Commission does not contemplate that the Corporation itself will conduct programs of research and development. What we seek for the Corporation is the capacity to sponsor or encourage research at a modest level. It is the possibility of a catalytic effect that leads us to favor such research rather than any belief that educational television should assume any major responsibility for advancing the technology of television. We propose that the Corporation be able to contract with research-and-development organizations, both public and private, for general investigations or for specific programs of applied research that might contribute to the advancement of both Public Television and instructional television." (pages 61-62)

"Since television is so likely to be affected by technological advances, it is essential that the Corporation be enabled to participate, in however modest a degree, in the process of change itself. Only by participating will Public Television possess some confidence that it can be at least in part the master rather than the servant of change." (page 65)

SPECIFIC COMMENTS, ALTERNATIVE SUGGESTIONS, AND MINORITY POSITION STATEMENTS BY DISCUSSION GROUPS

GROUP 5. Satellite service to ETV stations should be provided free; savings in money should be used to generate further programming and not to reduce excise taxes.

FINALE

The proceedings of the Conference make clear that the participants believe the time is here to take bold steps to ensure that a total educational television system is developed to serve all of the citizens in the United States, that the television system thus developed will be second to none, and that it will have the necessary strong foundation which will permit it to serve in perpetuity.
Sources of Funds

Private Philanthropy
1. Gifts, grants, and donations would provide an initial endowment of $25 million, and annual support of $4 million to Corporation.
2. Socio would continue to seek local support.

TV Manufacturers' Excise Tax
1. Tax of 2 percent on TV receivers would provide $60 million in first year, then increased to 3 percent to provide $85 million for each of next 5 years.
2. Cutting an excise tax would be 5 percent, yielding $100 million in 1980.

ETV Trust Fund
1. Entire taxes would be credited to trust fund held by U.S. Treasury.
2. Trust fund would have Congressional control of use of public funds, yet provide limitation against political control at TV program level.

American Public

Revenues from Other Federal Taxes

Annual Appropriations

Revenues from State/Local Taxes

Annual Appropriations

CARNEGIE COMMISSION PLAN
Uses of Funds

Directly to Stations

Corporation for Public TV
- 1. National, non-governmental corporation (2) operated to service and defend public and private funds to expand and improve Public TV.
- 2. Corporation governed by 12 directors, 4 are appointed by the President, with the concurrence of the Senate, and these 8 chosen & others. Directors serve terms of 6 years, with one-third of board removed every 2 years.

Department of HEW
- 1. On-exchange basis, HEW would provide facilities for new & existing stations, support for basic station operations, and support for station and programming.
- 2. Support would amount to $56 million in early years, and $75 million in 1980.

Station Operations
- 1. Operations would be supported by HEW, state and local agencies, and private philanthropy.
- 2. Annual cost is $44 million in early years, $87 million in 1980.

Interconnection
- 1. Although there would be some free programming, the principal cost would be for distribution for delayed broadcasting.
- 2. Annual cost is $57 million in early years, $71 million in 1980.
- 3. Corporation would make arrangements for interconnection, and share costs with HEW and others.

Station/Studio Facilities
- 1. Number of stations would grow to 340 in 10 years.
- 2. Annual capital investment is $46 million in early years, $57 million in 1980.
- 3. Corporation would provide capital for national production centers.

State/Local Agencies
- 1. Agencies budget direct support of ETV services from annual stations, or purchase contractual ITV services from non-related stations. Also provide funds for non-sharing basis for construction and station operations.
- 2. Together with private philanthropy, these agencies would provide $34 million in early years, and $75 million in 1980.

Development
- 1. Corporation would support some programming and equipment development, as well as personnel training and recruitment.
- 2. Non-broadcast activities, including library and archives, would cost $7 million in early years, $15 million in 1980.

ITV Studies
- 1. Corporation was used for major program of R&D in ETV.
- 2. Funding would come from HEW, state and local agencies, and private philanthropy.

Programming
- 1. Corporation would support program production by two or more national centers, by independent producers, and by local stations.
- 2. Weekly production of at least 23 hours is desired.
- 3. Annual cost is $38 million in early years, $74 million in 1980.

National Center for Programming

Independent ETV Stations
- 1. Stations remain responsible for all programs which they broadcasts.
- 2. Stations must continue to initiate their own income-producing projects.

Public TV and Instructional TV Services to American Public

Diagram of Carnegie Commission Plan

a) Relationship between various recommendations
b) Sources and uses of funds

Prepared by Educational Television Stations
A Division of National Association of Educational Broadcasters
March 1967
APPENDIX C

Berry Memo
Letters on Interconnection
Memorandum to: Hon. William L. Springer

From: Lewis E. Berry
Re: Report of Carnegie Commission on Educational TV

The report contemplates a federally chartered "corporation for public television" to do the following things:

1. Support two centers to produce programs plus making contracts with independent producers for the same purpose. NET, the existing production center financed mostly by Ford, would be one of these.

2. Make grants to local stations for program creation.

3. Support local programs.

4. Provide network type interconnections via conventional land lines (coaxial and microwave). It is suggested that preferential rates be authorized as now possible for cable rates for the press.

5. Support research and experimentation in programming and TV technology.

Such a corporation would have a 12 man board of directors. Six would be appointed by the President with consent of the Senate. These six would pick six more. The bare-bones organization would look like this:

Board
Executive Committee
Executive Officer

Interconnection Information Grants and Planning & Contracts Policy
From the above it can be seen that the proposed corporation has nothing to do with building or running ETV stations. It is designed to supply services and programs to them. There are now 124 ETV stations supported by funds from foundations, the federal government (ETV Facilities Act of 1962—$32 million over five years on a matching basis), private subscription and income from governmental units for purely instructional TV. Industry has also been helpful in financing and program support. These sources would still be needed for operational finances. If programs improve markedly, the report anticipates increased support.

The corporation would be financed by getting money from every present source plus a trust fund created from the proceeds of a 2½ to 5% excise tax on TV sets. This would bring in about $10 million in a year at 2%. Total anticipated operating expense of the corporation would be $104 million per year broken down as follows:

- Program production: $80 million
- Interconnection: 9 million
- Corporation expenses: 15 million

It has been hinted that the Carnegie scheme is broadcasting's answer to the Ford Foundation satellite proposal. It may have hidden bugs, but basically it sounds fairly practical. It utilizes systems and organizational concepts already in being. It does not ask the broadcasting industry to directly subsidize a rival. It would tend to keep ETV in its own backyard. If there are dangers, they may lie in the kind of people who get control of this thing and the kind of material they bring forth for ETV to use. This, however, is the fundamental problem of education today.
The Honorable John O. Pastore
United States Senate
Washington, D. C.

Dear Senator Pastore:

This letter is written by the National Association of Educational Broadcasters (NAEB) in response to inquiries made during recent hearings on S. 1166, regarding the operation functions of the Corporation for Public Broadcasting. Pursuant to your Committee's suggestion, meetings were held among representatives of the Carnegie Commission on Educational Television, National Educational Television and the National Association of Educational Broadcasters. These meetings provided a number of areas of agreement and understanding. Specifically, NAEB agreed to associate itself with the following statement, which was included as part of a longer letter which is being submitted to your Committee by Dr. Killian:

"The ultimate responsibility for interconnection for national program distribution must rest with the Corporation.

"In exercising this responsibility, the Corporation clearly has the option of choosing among several methods. It might appoint an advisory committee, including representatives of local educational broadcast stations, to suggest to it policies for the handling of interconnection or to review the interconnection decisions which it had made over a stated period. As another approach, the Corporation might exercise its interconnection responsibility by special contractual arrangements. It might wish to aid in the formation of a new organization or advisory group, including representatives of the local stations and the program suppliers, to handle day-to-day decisions on interconnection. Whatever special administrative arrangements are made by the Corporation in exercising its option, however, it must retain ultimate responsibility".
The Honorable John O. Pastore
Page 2
May 8, 1967

The following NAEB comments are offered in light of the foregoing statement:

1. An important distinction exists between an interconnected national program "distribution" system and a "network" system. "Distribution" involves an interconnection system which delivers programs unrelated to scheduling and unidentified as emanating from a common source. A "network" on the other hand, is an identifiable entity responsible for initiating and supplying a known body of programs either by regular shipment on tape or film, or by simultaneous interconnection. Regardless of which method is used, individual stations always retain the right to accept or reject any program. Section 396(a)(3) of S. 1160 prohibits the Corporation from owning or operating a "network."

2. While associating ourselves fully with Dr. Killian's desire for insuring the greatest possible diversity of programming for the local stations, we believe it is essential to the full development of a viable noncommercial educational nationwide service that educational stations, both television and radio, have access to a "network" service, as defined above. Two such networks -- NET and NER (National Educational Radio) -- exist today, which attempt to meet these network demands of educational stations, though limited financing provokes a truly interconnected service. These networks were specifically created to meet the needs of local stations for a regular dependable supply of quality programming.

Section 396(a) of S. 1160 declares that the general welfare would be encouraged by educational broadcast service not only "in particular localities" but "throughout the United States", and encourages a "national policy" which would make such service "available to all the citizens of the United States". The corporate purposes outlined in Section 396(g) include assistance for "one or more systems of noncommercial educational television or radio broadcast stations throughout the United States." At least three separate sections of the bill (Sections 396(a)(2), (4), and (g)(1) (A)) emphasize the desirability of diverse programming sources. There is thus ample provision in S. 1160 for the Corporation to foster such a system of networks, be they the two mentioned above or others.
3. Interconnection, whether for "distribution" or for "network" purposes, raises potentially delicate program decision-making problems. At some juncture, a decision must be made regarding the choice of product to be placed in the system, if only because of capacity limits. In many instances program content will be a significant decisional factor. For these reasons, the NAEB strongly favors the second and third options in the above-quoted statement of Dr. Killian. More specifically, the NAEB believes that the Corporation would best serve its own interests as well as those of educational broadcasting by exercising "its interconnection responsibility by special contractual arrangements." The complexity of operational needs, the urgency for a regular program service of high quality, and the desirability of scheduled interconnection from the viewpoint of the local station, all require day-to-day decisions that may best be made by other experienced organizations under specific contracts or grants from the Corporation. Likewise, the NAEB believes that a mutual authority, including representatives of the stations and program suppliers, and operating on a daily basis with these daily problems independent of the Corporation, except for its continuing support and surveillance, affords the best opportunity for satisfying these needs in a practical and free manner.

4. The Corporation is the supplier of funds. As such, it carries the ultimate responsibility for all of its activities, including the essential interconnection service as Dr. Killian indicates. That responsibility should be exercised in its review of the conduct of those entrusted with providing the service, and in its decisions to continue to support one such entity over another. But that review should not properly encompass day-to-day program decision-making functions by the Corporation of the interconnection entity.

5. We share Dr. Killian's fear of the establishment of such a strong educational network that programs would be determined by remote fiat with an attendant loss of diversity and local autonomy. However, the NAEB submits that the fears generated by historical reference to commercial networks are greatly allayed by the absence in noncommercial operations of the commercial motivations surrounding such network systems.

6. The NAEB thoroughly supports Dr. Killian's view that the Corporation should be precluded from program production, and from the prerogative of program scheduling.
7. Finally, the NAEB concurs strongly with Dr. Killian's comments concerning Section 396(g)(2)(D) of S. 1160, with respect to dissemination of information about noncommercial educational broadcasting. On the other hand, we view this section of the bill as not relating to the ability of the Corporation to fund the vital public information services of networks or stations themselves. "Public Broadcasting" must allow stations and program suppliers the means to alert the public to its programs. A public unalerted to program offerings at a particular time is a public unable to utilize such programs. In the NAEB's experience, these promotional activities are an integral part of production and broadcast services.

We trust that our comments on these matters will be useful to the Committee in its deliberations upon S. 1160.

Sincerely yours,

William G. Harley

WGH/bb
May 8, 1967

The Honorable John O. Pastore
Senate Commerce Committee
Communications Subcommittee
Old Senate Office Building
Washington, D.C.

Dear Senator Pastore:

Because of our deep concern with the purposes of Senate Bill 1160 and its potential impact on the whole future of educational television, the Board of Directors of National Educational Television devoted a major portion of its meeting this past weekend to a thoroughgoing scrutiny and discussion of the Bill's provisions as reported out of your Committee. This discussion was informed by previous study of the admirable report of the Carnegie Commission and of the testimony developed at your recent hearings. It benefited, too, from a report of N.E.T. officers of their recent meetings in Boston, as suggested by your Committee, with officials of the National Association of Educational Broadcasters and with the Chairman and other officials of the former Carnegie Commission on Educational Television.

As you know, the President of N.E.T., Mr. John F. White, gave strong support in his testimony to the Bill as originally drawn. Thus, our attention at the Board meeting was focused primarily on the revisions authorized by your Committee and our concern to assist in resolving such conflicting views as the revised Bill has sought to take into account. In this respect, thanks in no small measure to the Boston meetings, we feel that we have made substantial progress.

Certainly, we agree with Dr. Killian and NAEB that the Corporation for Public Television must have both authority and funds to make program promotion possible, if even the best programs are to command an audience. Certainly, we join Dr. Killian and the NAEB in applauding the provisions of the Bill which clearly state that the Corporation shall make grants and contracts for programming and, therefore, shall not itself engage in programming. We further agree that the Corporation might well be authorized to contract with common carriers for the provision of technical facilities for interconnection at favorable rates.

We are convinced, however, that the Corporation should contract elsewhere for operational management and scheduling of these facilities.
Thus, we are encouraged that Dr. Killian has included this possibility among the options which he believes should be available when he says: "As another approach, the Corporation might exercise its interconnection responsibility by special contractual arrangements. It might wish to aid in the formation of a new organization or advisory group, including representatives of the local stations and the program suppliers, to handle day-by-day decisions on interconnection."

We would expect this kind of contractual arrangement to be proposed to the Corporation. Certainly, it would be natural for a consortium of producers and users to seek a contract to perform the day-by-day scheduling and distribution operations. Thus, we would expect local stations, National Educational Television, Educational Television Stations and regional organizations such as the Eastern Educational Network to form a producer-user partnership designed to provide a practical, economical and appropriate agency to conduct this phase of the system operation. We would also expect a similar partnership of educational radio producers and users to seek a contract for the purposes of the radio interconnection system called for in the Bill.

I should add in all candor that on this point the directors were unanimous in their conclusion that a clarifying amendments to this section is so important as to be imperative if the Bill, as finally enacted, is to be, in fact, the effective charter for Public Broadcasting that you and your associates—and indeed all parties concerned—deeply want it to be. While we stand ready, at any time that you or others might find it helpful, to suggest such specific amendment to Subsection (E) of Section 396(g)(2) as would enable us to support with enthusiasm the entire Bill as revised, it is perhaps more important at this juncture to spell out the considerations drawn from experience which support our conviction on this point. Among these are—

1. The local stations and the national producers desire that the interconnected system be used both for programs which demand immediacy and simultaneity and programs which do not. They place equal importance on the two. Such a system can function effectively only if the scheduling decisions and arrangements for distribution are performed by the two parties most concerned, the producers and the users.

2. The Corporation which controls the funds granted to local stations for production and operations should not also control the decisions and operations governing program supply by interconnection. If it does, there is a double line of control between the Corporation and the station which would threaten the freedom, flexibility and variety sought by the Commission and the Bill alike.
3. The Corporation must be responsible for objective evaluation of the entire Public Television and Radio system. When it is asked to assess the performance of others with whom it is contracting, no better judge could be found. Here objective assessment of performance presents no problem, and certainly the Corporation has adequate sanctions to insist on high standards of performance. The moment, however, that it becomes involved in operating functions itself it would be placed in the untenable position of judging its own performance.

4. Finally, if station or producer is dissatisfied with the network service and its complaint falls on deaf ears, the Corporation should always be available as a "court of appeal." Obviously, there can be no such clear channel of appeal if the Corporation itself is the operator of the service.

In summary, N.E.T.'s position on this vital question is that the Corporation for Public Television's authorization to deal with the common carriers in behalf of Public Broadcasting should be limited to making long term arrangements for interconnection services; and this would be assured by providing that the Corporation contract with other nonprofit agencies for this function.

In instructing me to transmit these views for your consideration, the directors of National Educational Television also asked me to convey their deep appreciation for the vigor and devotion with which you have supported the goals of Public Television and legislation designed to bring them nearer to realization. We would appreciate your conveying this message to your fellow Committee members as well.

 Faithfully yours,

Everett Case,
Chairman

cc: All members of the Subcommittee
May 3, 1967

The Honorable John O. Pastore
Senate Commerce Committee
Communications Subcommittee
Room 126-A
Old Senate Office Building
Washington, D. C.

Dear Senator Pastore:

I have been following your Subcommittee's hearings with great interest. One cannot help being impressed with the thorough understanding of the important and complex issues presented by S. 1160 displayed by you and your Subcommittee. However, I must note that one key element of my testimony before your Subcommittee, which is also a key element of the proposal of the Carnegie Commission on Educational Television, appears to have been misunderstood by some of the witnesses who later appeared before you.

I refer specifically to the function of the Corporation for Public Television with respect to a national system of interconnection for local noncommercial stations. The question of interconnection, however, cannot be considered in isolation, for it is one of three closely interrelated programming functions which must somehow be served if a coherent system of Public Television is to be brought into being. Program distribution (whether effected by electronic interconnection or other means) is one of those functions; program production is another; program scheduling a third.

In commercial television all three functions are performed by a single institution. An organization such as NBC or CBS maintains close control over the production of programs which are to be issued under its name, either by producing them itself as in all programs which relate to news or public affairs, or by firm and inalienable supervision over programs produced for its use. Program distribution is also in the hands of the institution, which leases landlines
for the purpose. Program scheduling is in the hands of the institution for all prime time, and for much of daytime and late night television: CBS and NBC determine not only what programs are to be seen at what times throughout the country, but upon their own initiatives can alter those schedules at will. It is the concentration of these three responsibilities in a single institution that constitutes a network. Thus NBC, CBS, the BBC and virtually any other television system with which we are familiar are networks simply by virtue of the fact that they combine under one institutional roof those three central activities. Whatever station freedom survives does so in the interstices of the networking operation.

The Carnegie Commission believed strongly that the extreme centralization inherent in a networking operation stood in direct contradiction to the needs and the purposes of Public Television. Its plea for diversity in Public Television was more fundamentally a plea that Public Television be organized on principles other than those of networking, and most of its recommendations were directed toward that end. We did not believe that the best interests of the viewing public would be best served by still another television system in which local stations were reduced to "affiliates," and in which the viewers' choice of programs was determined by fiat from a remote central point of decision. We sought to prevent such an outcome by designing a system that scrupulously seeks to differentiate program production, program distribution and program scheduling, and to provide that within the system, except in purely local programming, no two of those functions will be found concentrated in the same hands, or placed under the same controlling body.

Thus we recommend that the Corporation for Public Television be rigorously precluded from program production. The Corporation will not own cameras, studios or editing equipment; it will not employ producers, directors, or editors. Program production is to be carried out by production centers, local stations and independent producers, acting upon their own initiative. Programs produced for more than local use, and some portion of those produced for local use, will indeed be funded by the Corporation, but in a manner that retains for the producer the maximum of authority and the maximum of local responsibility.
The Corporation is precluded also from exercising upon its own initiative the prerogative of program scheduling. The system places this in the hands of the local station, which is fully responsible for the choice of programs and their placement in its schedule.

The third function, that of distribution, in accordance with the fundamental principles we had adopted, could not be assigned either to program producers or to local stations. We chose to assign the responsibility for this function to the Corporation for Public Television. Programs having been produced, the Corporation would be responsible for distributing them to local stations, initially by coaxial cable and microwave relay and perhaps ultimately by satellite relay.

We recognized further that under special circumstances the functions of program distribution and program scheduling could be intimately connected. The clearest case of such intermingling comes when it is desirable to transmit events as they occur -- the live, simultaneous telecast. In such a case, program distribution and program scheduling merge, for the program is intended for use as it comes over the lines. Programs of that sort, moreover, are likely to be the liveliest and the most important that the system provides. If the system we propose is incapable of handling such occurrences, it is clearly inadequate. We believe, however, that it can in fact handle them expeditiously and easily, and without any violation of our general principles. The mode of operation can perhaps best be stated by putting forward some specific instances of how the system would work.

Let me consider first the unanticipated event, and postulate such an occasion as a sudden disaster in an American city. In a healthy Public Television system, the educational station in that city would respond at once by sending cameras and crews to the scene, for its own local coverage. It would also advise the appropriate officer at the headquarters of the Corporation that the event, in its judgment, warranted the use of the interconnection for simultaneous live broadcasting. The decision to preempt for interconnection, or not to do so, would be made at once by that officer, and the appropriate action would immediately be taken.
The anticipated event would be handled in much the same fashion. I will assume, in this case, that hearings are to be held before your own Committee which are clearly of national interest. In such an event, WETA in Washington, or National Educational Television, or both, would so advise the Corporation, and seek the interconnection for immediate live distribution. The decision to go to live telecasts would once again be made by the Corporation. Note, however, that the decision to cover the hearings is not made by the Corporation: presumably both WETA and NET have those funds in their regular budgets. The Corporation is being called upon merely to provide, or in its own best judgment refuse, use of a live interconnection.

Finally, in both instances it would be our expectation that the burden would be upon denial of interconnection. We would hope that the Corporation would seek to favor proposals to go live, and that it would deny them only when the subject was clearly not of national interest, or when it conflicted directly with another, more important, use of live interconnection.

In the two hypothetical cases above, it was an intermingling of distribution and scheduling that was in issue. There are cases also where program production enters as well. In general, these are programs which are of such widespread importance or concern that it is in the public interest that the widest possible audience be attracted to them. One manner of attracting such an audience is to present those programs nationwide (or at least time-zone-wide) at the same day and hour, and to utilize the promotional power of the system itself and of other media to alert the audience to the program.

We propose that if a case for such handling can be made either by the program producer or by the local stations, the Corporation be prepared to use its interconnection for the purpose. The frequency of such requests cannot be judged at this time; the system must evolve to a steady state before any assessment can be made. But once again it should be noted that the Corporation is not asked to make direct decisions on producing the programs, but merely on making available the special resource of simultaneous interconnection.
We believe that all those who are concerned in this matter place their first emphasis on creating a Corporation in which men and women of eminence and responsibility will look first and foremost to the spirit in which your legislation has been drawn. You have recognized that one great protection for the Corporation as well as one safeguard against its becoming a monolithic agent of thought control, is the quality of its board of directors and the high professional ability of all concerned with the operations of the Corporation. As Mr. E. William Henry pointed out when he appeared before this Subcommittee, if the Corporation cannot make meaningful decisions in this area, it would be fatally weakened and would fail to attract the caliber of people that are so vital to its mission.

While we are firmly convinced that the responsibility for interconnection should rest with the Corporation we can visualize several methods of exercising that responsibility. The Corporation might appoint an advisory committee, including representatives of local educational broadcast stations, to suggest to it policies for the handling of interconnection or to review the interconnection decisions which it had made over a stated period. As another approach, the Corporation might exercise its interconnection responsibility by special contractual arrangements. It might wish to aid in the formation of a new organization or advisory group, including representatives of the local stations and the program suppliers, to handle day-to-day decisions on interconnection. Such operations would be conducted in close conformity with the guidelines and policies of the Corporation.

Whatever special administrative arrangements the Corporation might employ, in my judgment it should not be denied the authority or permitted to avoid the ultimate responsibility for the basic decisions affecting the use of interconnection.

For all these reasons, I am troubled by the section headed "(E)" on page 16 of S. 1160 as it now appears. That section reads: "( . . . the Corporation is authorized) to arrange by grant or contract with appropriate or nonprofit private agencies, organizations or institutions, interconnection for facilities suitable for distribution and transmission of educational television or radio programs to noncommercial educational broadcast stations."
In that form, the legislation would prevent the Corporation from contracting directly for landlines, or at a later date with a profit or nonprofit domestic satellite corporation, for interconnection facilities. I believe the Corporation should have that authorization. The language suggests also that more than one interconnection agency is contemplated. I believe that the question should be left open, for later decision by the Corporation. The section would be entirely satisfactory to me if the following words were stricken: "with appropriate public or nonprofit private agencies, organizations or institutions."

I should like also to remark briefly on the section marked "(D)" on page 15 of the bill as it now appears. The reference to the dissemination of information has been interpreted by some witnesses as empowering the Corporation to engage in propaganda. Since it reflects certain remarks in the Report of the Carnegie Commission, permit me to say that our intention was to enable the Corporation to engage in those conventional promotional activities intended to attract audience to local educational stations. Such activities are an essential part of the ordinary operation of a television system, and are a direct service to the entire viewing public. Nothing beyond this was intended in our report nor, I am sure, in your legislation.

Sincerely yours,

James R. Killian, Jr.

JRK/mm

cc: All members of the Subcommittee
Public Law 90-129
90th Congress, S. 1160
November 7, 1967

An Act

To amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities; by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities; by establishing a nonprofit corporation to assist in establishing innovative educational programs; to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television and radio; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,That this Act may be cited as the “Public Broadcasting Act of 1967”.

TITLE I—CONSTRUCTION OF FACILITIES

EXTENSION OF DURATION OF CONSTRUCTION GRANTS FOR EDUCATIONAL BROADCASTING

Sec. 101. (a) Section 301 of the Communications Act of 1934 (47 U.S.C. 391) is amended by inserting after the first sentence the following new sentence: “There are also authorized to be appropriated for carrying out the purposes of such section, $10,500,000 for the fiscal year ending June 30, 1968, $12,000,000 for the fiscal year ending June 30, 1969, and $15,000,000 for the fiscal year ending June 30, 1970.”

(b) The last sentence of such section is amended by striking out “July 1, 1968” and inserting in lieu thereof “July 1, 1971”.

MAXIMUM ON GRANTS IN ANY STATE

Sec. 102. Effective with respect to grants made from appropriations for any fiscal year beginning after June 30, 1967, subsection (b) of section 392 of the Communications Act of 1934 (47 U.S.C. 392(b)) is amended to read as follows:

“(b) The total of the grants made under this part from the appropriation for any fiscal year for the construction of noncommercial educational television broadcasting facilities and noncommercial educational radio broadcasting facilities in any State may not exceed 8 1/2 per centum of such appropriation.”

NONCOMMERCIAL EDUCATIONAL RADIO BROADCASTING FACILITIES

Sec. 103. (a) Section 390 of the Communications Act of 1934 (47 U.S.C. 390) is amended by inserting “noncommercial” before “educational” and by inserting “or radio” after “television”.

(b) Subsection (a) of section 392 of the Communications Act of 1934 (47 U.S.C. 392(a)) is amended by—

(1) inserting “noncommercial” before “educational” and by inserting “or radio” after “television” in so much thereof as precedes paragraph (1);

(2) striking out clause (B) of such paragraph and inserting in lieu thereof—“(B) in the case of a project for television facilities, the State noncommercial educational television agency or, in the case of a project for radio facilities, the State educational radio agency;”;

(3) inserting “(1)” in the case of a project for television facilities,” after “(D)” and “noncommercial” before “educational” in paragraph (1) (D) and by inserting before the semicolon at
the end of such paragraph "(i) in the case of a project for
radio facilities, a nonprofit foundation, corporation, or association
which is organized primarily to engage in or encourage non-
commercial educational radio broadcasting and is eligible to
receive a license from the Federal Communications Commission;
or meets the requirements of clause (i) and is also organized to
eengage in or encourage such radio broadcasting and is eligible for
such a license for such a radio station";
(4) striking out "or" immediately preceding "(D)" in para-
graph (1), and by striking out the semicolon at the end of such
paragraph and inserting in lieu thereof the following: " or (E) a
municipality which owns and operates a broadcasting facility
transmitting only noncommercial programs;";
(5) striking out "television" in paragraphs (2), (3), and (4) of
such subsection;
(6) striking out "and" at the end of paragraph (3), striking
out the period at the end of paragraph (4) and inserting in lieu
thereof "; and", and inserting after paragraph (4) the following
new paragraph:
"(5) that, in the case of an application with respect to radio
broadcasting facilities, there has been comprehensive planning for
educational broadcasting facilities and services in the area the
applicant proposes to serve and the applicant has participated in
such planning, and the applicant will make the most efficient use
of the frequency assignment."
(c) Subsection (c) of such section is amended by inserting "(1)
after "(c)" and "noncommercial" before "educational television broad-
casting facilities", and by inserting at the end thereof the following
new paragraph:
"(2) In order to assure proper coordination of construction of non-
commercial educational radio broadcasting facilities within each State
which has established a State educational radio agency, each applicant
for a grant under this section for a project for construction of such
facilities in such State, other than such agency, shall notify such agency
of each application for each grant which is submitted by it to the
Secretary, and the Secretary shall advise such agency with respect to
the disposition of such an application."
(d) Subsection (d) of such section is amended by inserting "non-
commercial" before "educational television broadcasting facilities, as the case may be,"
after "educational television broadcasting facilities" in clauses (2) and (3).
(e) Subsection (f) of such section is amended by inserting "or
radio" after "television" in the part thereof which precedes paragraph
(1), by inserting "noncommercial" before "educational television pur-
poses" in paragraph (2) thereof, and by inserting "or noncommercial
educational radio purposes, as the case may be" after "educational tele-
vision purposes in such paragraph (2).
(f)(1) Paragraph (2) of section 394 of such Act (47 U.S.C. 394) is
amended by inserting "or educational radio broadcasting facilities"
after "educational television broadcasting facilities," and by inserting
"or radio broadcasting, as the case may be" after "necessary for tele-
vision broadcasting;"
(2) Paragraph (4) of such section is amended by striking out "The
term 'State educational television agency' means" and inserting in lieu
thereof "The term 'State educational television agency' and 'State
educational radio agency' mean, with respect to television broadcasting
and radio broadcasting, respectively, and by striking out "educational
television" in clauses (A) and (C) and inserting in lieu thereof "such broadcasting".

(g) Section 397 of such Act (47 U.S.C. 397) is amended by inserting "or radio" after "television" in clause (2).

FEDERAL SHARE OF COST OF CONSTRUCTION

SEC. 104. Subsection (c) of section 392 of the Communications Act of 1934 (47 U.S.C. 392(c)) is amended to read as follows:

"(c) Upon approving any application under this section with respect to any project, the Secretary shall make a grant to the applicant in the amount determined by him, but not exceeding 75 per centum of the amount determined by the Secretary to be the reasonable and necessary cost of such project. The Secretary shall pay such amount from the sum available therefor, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine."

INCLUSION OF TERRITORIES

SEC. 105. (a) Paragraph (1) of section 394 of the Communications Act of 1934 is amended by inserting a comma in lieu thereof, and by inserting before the period at the end thereof "the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands".

(b) Paragraph (4) of such section is amended by inserting "and, in the case of the Trust Territory of the Pacific Islands, means the High Commissioner thereof" before the period at the end thereof.

INCLUSION OF COSTS OF PLANNING

SEC. 106. Paragraph (2) of section 394 of the Communications Act of 1934 is further amended by inserting at the end thereof the following: "In the case of apparatus the acquisition and installation of which is so included, such term also includes planning therefor."

TITLE II—ESTABLISHMENT OF NONPROFIT EDUCATIONAL BROADCASTING CORPORATION

SEC. 201. Part IV of title III of the Communications Act of 1934 (47 U.S.C. 394) is further amended by—

(1) inserting

"SUBPART A—GRANTS FOR FACILITIES"

immediately above the heading of section 390;

(2) striking out "part" and inserting in lieu thereof "subpart" in sections 390, 393, 395, and 396;

(3) redesignating section 397 as section 398, and redesignating section 394 as section 397 and inserting it before such section 393, and inserting immediately above its heading the following:

"SUBPART C—GENERAL"

(4) redesignating section 398 as section 394 and inserting it immediately after section 393:

(5) inserting after "broadcasting" the first time it appears in clause (2) of the section of such part IV redesignated herein as section 398 "or over the Corporation or any of its grantees or contractors, or over the charter or bylaws of the Corporation,."
(6) inserting in the section of such part IV herein redesignated as section 397 the following new paragraphs:

"(6) The term 'Corporation' means the Corporation authorized to be established by subpart B of this part.

"(7) The term 'noncommercial educational broadcasting station' means a television or radio broadcasting station, which (A) under the rules and regulations of the Federal Communications Commission in effect on the date of enactment of the Public Broadcasting Act of 1967, is eligible to be licensed or is licensed by the Commission as a noncommercial educational radio or television broadcasting station and which is owned and operated by a public agency or nonprofit private foundation, corporation, or association or (B) is owned and operated by a municipality and which transmits only noncommercial programs for educational purposes.

"(8) The term 'interconnection' means the use of microwave equipment, boosters, translators, repeaters, communication space satellites, or other apparatus or equipment for the transmission and distribution of television or radio programs to noncommercial educational television or radio broadcast stations.

"(9) The term 'educational television or radio programs' means programs which are primarily designed for educational or cultural purposes."

(7) striking out the heading of such part IV and inserting in lieu thereof the following:

"PART IV—GRANTS FOR NONCOMMERCIAL EDUCATIONAL BROADCASTING FACILITIES; CORPORATION FOR PUBLIC BROADCASTING"

(8) inserting immediately after the section herein redesignated as section 395 the following:

"EDITORIALIZING AND SUPPORT OF POLITICAL CANDIDATES PROHIBITED

"Sec. 399. No noncommercial educational broadcasting station may engage in editorializing or may support or oppose any candidate for political office."

(9) inserting after section 395 the following new subpart:

"SUBPART B—CORPORATION FOR PUBLIC BROADCASTING

"Congressional Declaration of Policy

"Sec. 306. (a) The Congress hereby finds and declares—

"(1) that it is in the public interest to encourage the growth and development of noncommercial educational radio and television broadcasting, including the use of such media for instructional purposes;

"(2) that expansion and development of noncommercial educational radio and television broadcasting and of diversity of its programming depend on freedom, imagination, and initiative on both the local and national levels;

"(3) that the encouragement and support of noncommercial educational radio and television broadcasting, while matters of importance for private and local development, are also of appropriate and important concern to the Federal Government;

"(4) that it furthers the general welfare to encourage noncommercial educational radio and television broadcast programs which will be responsive to the interests of people both in particular localities and throughout the United States, and which will constitute an expression of diversity and excellence;"
"(5) that it is necessary and appropriate for the Federal Government to complement, assist, and support a national policy that will most effectively make noncommercial educational radio and television service available to all the citizens of the United States;

"(6) that a private corporation should be created to facilitate the development of educational radio and television broadcasting and to afford maximum protection to such broadcasting from extraneous interference and control.

"Corporation Established

"(b) There is authorized to be established a nonprofit corporation, to be known as the 'Corporation for Public Broadcasting', which will not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of this section, and, to the extent consistent with this section, to the District of Columbia Nonprofit Corporation Act.

"Board of Directors

"(c)(1) The Corporation shall have a Board of Directors (hereinafter in this section referred to as the 'Board'), consisting of fifteen members appointed by the President, by and with the advice and consent of the Senate. Not more than eight members of the Board may be members of the same political party.

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

"(3) The members of the initial Board of Directors shall serve as incorporators and shall take whatever actions are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act.

"(4) The term of office of each member of the Board shall be six years; except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and (B) the terms of office of members first taking office shall begin on the date of incorporation and shall expire, as designated at the time of their appointment, five at the end of two years, five at the end of four years, and five at the end of six years. No member shall be eligible to serve in excess of two consecutive terms of six years each. Notwithstanding the preceding provisions of this paragraph, a member whose term has expired may serve until his successor has qualified.

"(5) Any vacancy in the Board shall not affect its power, but shall be filled in the manner in which the original appointments were made.

"Election of Chairman; Compensation

"(d)(1) The President shall designate one of the members first appointed to the Board as Chairman; thereafter the members of the Board shall annually elect one of their number as Chairman. The members of the Board shall also elect one or more of them as a Vice Chairman or Vice Chairman.
(2) The members of the Board shall not, by reason of such membership, be deemed to be employees of the United States. They shall, while attending meetings of the Board or while engaged in duties related to such meetings or in other activities of the Board pursuant to this subpart be entitled to receive compensation at the rate of $100 per day including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, equal to that authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

"Officers and Employees"

"(c) (1) The Corporation shall have a President, and such other officers as may be named and appointed by the Board for terms and at rates of compensation fixed by the Board. No individual other than a citizen of the United States may be an officer of the Corporation. No officer of the Corporation, other than the Chairman and any Vice Chairman, may receive any salary or other compensation from any source other than the Corporation during the period of his employment by the Corporation. All officers shall serve at the pleasure of the Board.

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

"Nonprofit and Nonpolitical Nature of the Corporation"

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

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

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

"Purposes and Activities of the Corporation"

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

"(A) facilitate the full development of educational broadcasting in which programs of high quality, obtained from diverse sources, will be made available to noncommercial educational television or radio broadcast stations, with strict adherence to objectivity and balance in all programs or series of programs of a controversial nature;

"(B) assist in the establishment and development of one or more systems of interception to be used for the distribution of educational television or radio programs so that all noncommercial educational television or radio broadcast stations that wish to may broadcast the programs at times chosen by the stations;

"(C) assist in the establishment and development of one or more systems of noncommercial educational television or radio broadcast stations throughout the United States;

"(D) carry out its purposes and functions and engage in its activities in ways that will most effectively assure the maximum
freedom of the noncommercial educational television or radio broadcast systems and local stations from interference with or control of program content or other activities.

(2) Included in the activities of the Corporation authorized for accomplishment of the purposes set forth in subsection (a) of this section, are, among others not specifically named—

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

(B) to contract with or make grants to program production entities, individuals, and selected noncommercial educational broadcast stations for the production of, and otherwise to procure, educational television or radio programs for national or regional distribution to noncommercial educational broadcast stations;

(C) to make payments to existing and new noncommercial educational broadcast stations to aid in financing local educational television or radio programming costs of such stations, particularly innovative approaches thereto, and other costs of operation of such stations;

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

(E) to arrange, by grant or contract with appropriate public or private agencies, organizations, or institutions, for interconnection facilities suitable for distribution and transmission of educational television or radio programs to noncommercial educational broadcast stations;

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

(G) to encourage the creation of new noncommercial educational broadcast stations in order to enhance such service on a local, State, regional, and national basis;

(H) conduct (directly or through grants or contracts) research, demonstrations, or training in matters related to noncommercial educational television or radio broadcasting.

(3) To carry out the foregoing purposes and engage in the foregoing activities, the Corporation shall have the usual powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act, except that the Corporation may not own or operate any television or radio broadcast station, system, or network, community antenna television system, or interconnection or program production facility.

"Authorization for Free or Reduced Rate Interconnection Service

(h) Nothing in the Communications Act of 1934, as amended, or in any other provision of law shall be construed to prevent United States communications common carriers from rendering free or reduced rate communications interconnection services for noncommercial educational television or radio services, subject to such rules and regulations as the Federal Communications Commission may prescribe.
"Report to Congress"

"(i) The Corporation shall submit an annual report for the preceding fiscal year ending June 30 to the President for transmittal to the Congress on or before the 31st day of December of each year. The report shall include a comprehensive and detailed report of the Corporation's operations, activities, financial condition, and accomplishments under this section and may include such recommendations as the Corporation deems appropriate.

"Right To Repeal, Alter, or Amend"

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

"Financing"

"(k) (1) There are authorized to be appropriated for expenses of the Corporation for the fiscal year ending June 30, 1968, the sum of $8,000,000, to remain available until expended.

"(2) Notwithstanding the preceding provisions of this section, no grant or contract pursuant to this section may provide for payment from the appropriation for the fiscal year ending June 30, 1968, for any one project or to any one station of more than $250,000.

"Records and Audit"

"(1) (A) The accounts of the Corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audits shall be conducted at the place or places where the accounts of the Corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation and necessary to facilitate the audits shall be made available to the person or persons conducting the audits; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents and custodians shall be afforded to such persons or persons.

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

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

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

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

"(B) The Corporation or any of its duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this section. The Comptroller General of the United States or any of his duly authorized representatives shall also have access thereto for such purpose during any fiscal year for which Federal funds are available to the Corporation.

TITLE III—STUDY OF EDUCATIONAL AND INSTRUCTIONAL BROADCASTING

STUDY AUTHORIZED

Sec. 301. The Secretary of Health, Education, and Welfare is authorized to conduct, directly or by contract, and in consultation with other interested Federal agencies, a comprehensive study of instructional television and radio (including broadcast, closed circuit, community antenna television, and instructional television fixed services and two-way communication of data links and computers) and their relationship to each other and to instructional materials such as videotapes, films, discs, computers, and other educational materials or devices, and such other aspects thereof as may be of assistance in determining whether and what Federal aid should be provided for instructional radio and television and the form that aid should take, and which may aid communities, institutions, or agencies in determining whether and to what extent such activities should be used.
DURATION OF STUDY

Sec. 302. The study authorized by this title shall be submitted to the President for transmittal to the Congress on or before June 30, 1968.

APPROPRIATION

Sec. 303. There are authorized to be appropriated for the study authorized by this title such sums, not exceeding $300,000, as may be necessary.

Approved November 7, 1967.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 572 accompanying H. R. 6736 (Comm. on Interstate & Foreign Commerce) and No. 794 (Comm. of Conference).

SENATE REPORT No. 222 (Comm. on Commerce).

CONGRESSIONAL RECORD, Vol. 113 (1967):

May 17: Considered and passed Senate.


Oct. 26: Senate agreed to conference report.
BIBLIOGRAPHICAL ESSAY
This writer relied on primary sources and documents for the greater part of this dissertation. Many of those who were active in the political and legislative process which led to enactment of the Public Broadcasting Act of 1967 are still working in educational broadcasting or the Government. A number of secondary analyses and articles in books, newspapers, trade publications and other periodicals were also helpful.

More time was spent with some individuals than others in compiling information for this dissertation. Several hours were spent with C. Scott Fletcher, William Harley, Dean Coston, Chalmers Marquis, Lewis Berry and Dr. Hyman Goldin. Less time in the interviewing process was spent with Nicholas Zapple, Leonard Marks, Richard Hull, Dr. Robert Hilliard, Robert Guthrie, John Macy, Dr. James Fellows, Holt Riddleberger, Douglas Cater, Terry Turner, Robert Blakely, Dr. Frederick Breitenfeld and Dr. Clay Whitehead.

The interview with Mr. Fletcher and the documents provided by him were of special value in understanding the importance of the First National Conference on Long-Range Financing, the Second National Conference and the early efforts of the Educational Television Stations division of the National Association of Educational Broadcasters.

Mr. Marks was extremely helpful in explaining events prior to and during the work on the ETV Facilities Act of
1962. Mr. Harley discussed the relationship of the major events leading to passage of the Act and elaborated the role of the NAEB in the process. Mr. Coston reviewed in detail the efforts of the White House and H.E.W. staffs in the preparation of legislation and the management of the bills through Congress. Dr. Goldin was very helpful in detailing the work of the Carnegie Commission and the preparation of the Commission's final report. Finally, Mr. Berry supplied a very complete discussion of the views of the minority or "loyal opposition" in the House of Representatives. Others interviewed were asked the same basic questions to corroborate or nullify the information obtained from the principle interviewees. In almost all instances the information was substantiated.

Other primary sources included the files of the National Association of Educational Broadcasters in Washington, D. C., House and Senate Committee files and the hearings and reports in both the House of Representatives and the Senate. These included the NAEB Report of a Study on the Long-Range Financing of Educational Television Stations (Report of the First National Conference on Long-Range Financing of ETV) and The Long-Range Financing of Educational Television Stations (Report of the Second National Conference), also a product of the ETS division of the NAEB. The Hearings of the Senate Committee on Commerce, Subcommittee on Communications (Serial No. 90-4) and the
Committee on Interstate and Foreign Commerce in the House (Serial No. 90-9) on the Public Television Act of 1967 were of equal importance. Senate Report No. 222 and House Report No. 572 on the Public Broadcasting Act were very useful in summarizing the work of the committees and the amendments which resulted from that work. The Conference Report to accompany the Act (Report No. 794) was invaluable in summarizing the agreements reached between the two Houses as well as the minority views on the legislation. The 1967 Congressional Record of the 90th Congress was used to summarize the action on the floor of both the House and the Senate.


Several books and articles were useful in gaining insight into events during the period studied. The criticism of Jack Gould in the New York Times, articles in Broadcasting and Variety were, at times, helpful. Several of the basic documents were available for quick reference in Frank Kahn's Documents in American Broadcasting (Appleton-Century-Crofts, 1968). Richard Hull's semi-private report to the Fund for Adult Education, Educational Television in the United States - Status Report, 1957, emphasized major
problems confronting the ETV movement in the mid-1950's. Articles in the NAEB and NEA journals were helpful in analyzing the Ford Foundation and Carnegie Commission proposals. Two FCC bulletins (INF Bulletins No. 16-B and 21-B) provided general background information on educational radio and television as did a brief history in mimeograph form provided by National Educational Television (NET, June, 1967). The Library of Congress Legislative Reference Service also provided a useful summary of the legislative history of Public Law 90-129 and its major provisions.