

FEDERAL NEWS WEEKLY SUMMARY CONTINUED



Election Eve, and of ten 60 second position statements by each candidate in a seven-week period before the election. ABC, NBC, PBS and CNN also have announced plans to provide broadcast time to candidates.

Fox seeks a Commission ruling that its proposed programming would be exempt from the "equal opportunities" provision of Section 315 of the Communications Act as bona fide news programming. Section 315 requires that when a legally qualified candidate appears on a broadcast station outside the context of bona fide news programming, the station must afford equal opportunity to all legally qualified opponents. The statute exempts the following news programming from the requirement: 1) bona fide newscasts; 2) bona fide news interview programs; 3) bona fide news documentaries; and 4) on-the-spot coverage of bona fide news events. Also before the Commission is a letter dated April 16, 1996 from the Free TV for Straight Talk Coalition requesting that the Commission hold a public hearing to "better enable the Commission to discharge its important function of affording guidance as to the application of the equal opportunities requirement and exemptions thereto."

The Fox Request raises important issues regarding broadcasters' ability under the Communications Act and the Commission's rules to provide time to political candidates and, specifically, regarding the Commission's interpretation of the news exemptions to Section 315 obligations. The Commission seeks comment from interested parties on whether an exemption for the Fox proposal would be consistent with the statutory language, legislative history, and judicial Commission case law regarding the news exemptions. Also, commenters should address whether the Commission's current interpretation of Section 315 may limit the ways in which broadcasters may voluntarily provide time for candidates to speak directly to voters, and whether programming that broadcasters in good faith deem to be bona fide news should be exempt from the equal opportunities rules regardless of format. Interested parties may express their views in written comments on or before June 3, 1996.

The Commission also will hold an en banc hearing in June to afford further public exploration of these important issues. Persons interested in participating in this hearing should express interest, in writing, by

June 3, 1996, in a letter to Jonathan Cohen, Assistant Chief, Mass Media Bureau, Room 314, 1919 M Street, N.W., Washington, DC 20554. A date and an agenda for this hearing will be announced in a subsequent Public Notice.

Copies of the Fox request and the Coalition letter may be obtained from the Commission's Public Reference Room, Room 239, 1919 M Street, N.W., Washington, DC 20554, from the Commission's copy contractor, International Transcription Services, Inc., Suite 140, 2100 M Street, N.W., Washington, DC 20037, telephone (202) 857-3800, or from the FCC's World Wide Web site, www.fcc.gov, in the Mass Media Bureau "informal" directory under "fox_request.txt" and "coalition_ltr.txt". Comments should be filed with the Acting Secretary, Federal Communications Commission, Room 222, 1919 M Street, N.W., Washington, DC 20554, not later than June 3, 1996.

For further information, contact Bobby Baker (202-418-1440) or Jonathan Cohen (202-418-2600) of the Commission's Mass Media Bureau.

—FCC
05/16/96

HEALTH & HUMAN SERVICES

FDA APPROVES FIRST HIV HOME TEST SYSTEM

■(WASHINGTON) The Food and Drug Administration Tuesday approved the first HIV test system that includes collection of blood samples at home. Until now, all HIV tests, whether using blood or saliva samples, were done under the supervision of a health professional at medical facilities, clinics, physicians' offices or blood establishments. The new testing system is comprised of three integrated components: an over-the-counter home blood collection kit, HIV-1 antibody testing at a certified lab, and a test result center that provides test results, counseling and referral anonymously.

The test kit system is called the Confide HIV Testing Service, developed and marketed by Direct Access Diagnostics, a subsidiary of Johnson and Johnson, Bridgewater, NJ.

More than 60 percent of Americans at risk for contracting HIV have not been

tested, according to estimates by the Centers for Disease Control and Prevention.

"Too many Americans do not know their HIV status. Knowledge is power, and power leads to prevention," said HHS Secretary Donna E. Shalala. "The availability of a home test should empower more people to learn their HIV status and protect themselves and their loved ones."

"We are confident that this new home system can provide accurate results while assuring patient anonymity and appropriate counseling," said Commissioner of Food and Drugs David A. Kessler, M.D. "Science and technology have evolved to the point where we believe the benefits of this new product outweigh the risks."

Initially, the company will make the kit available for over-the-counter purchase in the state of Texas. The kits will also be sold through a toll-free number in two states, Texas and Florida, for people who would prefer having the kits mailed confidentially to their homes.

—US DEPT. OF HHS
05/15/96

STUDY OFFERS NONSURGICAL OPTION FOR TREATING GUM DISEASE

■(WASHINGTON) Persons with severe periodontal disease may be able to avoid surgery by taking antibiotics, a new study shows. Dental scientists report that scaling and root planing (deep cleaning of teeth above and below the gum) combined with short-term use of oral and locally applied antibiotics dramatically reduced the need for gum surgery and tooth extractions by 88 percent. The regimen spared 690 of 783 teeth initially recommended for surgery or extraction.

In a study supported by the national Institute of Dental Research, Dr. Walter J. Loesche of the University of Michigan School of Dentistry, Dr. James Giordano at the University of Detroit/Mercy School of Dentistry, and their colleagues used debridement plus antibiotics to significantly decrease levels of these damaging bacteria and reverse the majority of what were inevitable surgical cases. Dr. Loesche commented about the findings, "This antimicrobial regimen not only provides a treatment option for severe periodontal disease, but also brings such treatment into the realm of greater accessibility for many individuals."

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