

PUBLIC NOTICE

FCC Seeks Comment on Issues Relating to Broadcaster Proposals to Provide Time to Presidential Candidates

From Federal Communications Commission

■(WASHINGTON) On April 25, 1996, the Fox Broadcasting Company filed with the Commission a Request for Declaratory Ruling regarding a proposal to present statements by Presidential candidates over the network prior to the November 5, 1996 general election. Fox has proposed to offer news event coverage of back-to-back statements by the major presidential candidates, as determined by the Commission on Presidential Debates, in a one-hour block of time on 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 interpre-

tation 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.

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performance based compensation system," added Chambers.

Firms in the state may sign contracts with Mondlak to serve as a distribution agent and pay a commission based on first year sales. Another option for state firms is to pay a \$250 fee through a U.S. Department of Commerce program to find a distribution agent.

This program should help Oklahoma companies capitalize from the privatization of Mexican industries, said Eric James, regional director of Commerce's International Division. "The addition of Mr. Mondlak should prove valuable to state firms in the areas of oil and gas, power co-generation, telecommunications, aerospace and aviation and others," commented James.

Mondlak will be available for interviews in Oklahoma in June. For more information, please contact the International Division of the Commerce Department at (405)841-5289.

