



United States Senate

CIGARETTE ADVERTISING-ROBO

March 24, 1969

Dear :

Thank you very much for your recent letter pertaining to the proposed rule making by the Federal Communications Commission which would provide that after a certain date broadcast licensees shall not present cigarette advertising. The Commission, in its notice of proposed rule making, stated:

"however, we specifically raise the issue whether there should be an exemption so as to inform the public concerning cigarettes low in tar and nicotine and related aspects. While it may be that information at the point of purchase is very useful in this respect, we also request comment on whether there should be an exemption from any ban in order to permit broadcast dissemination via commercials of such information."

The Commission noted that, in its review, Congress should be fully apprised of any administrative action which this agency might take, assuming the absence of a contrary Congressional direction. That was the essential purpose of the notice. They also noted that specifically they propose for the comment of interested persons and for the consideration by the Congress in its review, a rule which would ban the broadcast of cigarette commercials by radio and television stations. What action Congress or the FCC takes depends upon the RECORD OF THE PROCEEDINGS, created by presentations directed to the Members of Congress as to pending legislation and also directed to the Federal agencies--particularly the Federal Communications Commission, which has adopted and issued the notice of proposed rule making.

You are well aware of the battle that took place during the passage of the Cigarette Packaging and Labeling Act of 1965 (Public Law 89-92, 15 U.S.C. 1331 et seq.). The battle in 1969 could be of greater intensity, I shall keep an abiding interest in this issue and your communication is important.

Sincerely,

Everett McKinley Dirksen