

News from Senator

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DOLE SUBMITS TESTIMONY ON CONTROVERSIAL
KANSAS RADIO STATION KTTL-FM,
"VIOLENCE NOT IN THE PUBLIC INTEREST"

WASHINGTON -- Kansas Senator Bob Dole today submitted testimony on a controversial Kansas radio station to a House Subcommittee on Telecommunications hearing looking into broadcast regulatory reform. Dodge City radio station KTTL-FM, which has aired threatening programming, was a prime topic of concern at the hearing. Under federal law, a radio station must operate "in the public interest" in order to maintain its license to broadcast.

The following is the text of Senator Dole's statement:

I APPEAR, MR. CHAIRMAN, BECAUSE OF MY ABIDING INTEREST IN KTTL, AN FM STATION IN DODGE CITY, KANSAS. WHILE I AM TOLD THIS HEARING MAY FOCUS ON POSSIBLE REFORMS OF THE RENEWAL PROCESS AND OTHER REGULATORY MATTERS, IT IS MY BELIEF THAT THE PERTINENT ISSUES AND QUESTIONS ARISING FROM THE KTTL EPISODE ARE NOT IN THE CONTEXT OF THE RENEWAL QUESTION AT ALL. SIMPLY PUT, IT IS A COINCIDENCE THAT KTTL'S LICENSE IS UP FOR RENEWAL DURING THE PERIOD IN WHICH THE CONTENTS OF ITS OFFENSIVE PROGRAMMING, WHICH I WILL RECOUNT IN SOME DETAIL, BECAME KNOWN OUTSIDE OF WESTERN KANSAS. THE REAL QUESTION IS WHETHER PROGRAMMING LIKE THIS OUGHT TO BE ALLOWED TO PERMEATE THE PUBLIC AIRWAVES -- WHETHER IT IS IN THE FIRST OR LAST YEAR OF A STATION'S LICENSE.

IN APPROXIMATELY JUNE OF 1982, I AM TOLD, KTTL BEGAN BROADCASTING A TYPE OF MESSAGE WHICH THIS SENATOR FEELS OUGHT NOT BE TOLERATED BY THE CITIZENS OF THAT AREA AND OUGHT NOT TO BE PERMITTED BY THOSE THAT ARE ENTRUSTED WITH THE RESPONSIBILITY OF PROTECTING THE PUBLIC INTEREST IN ACCORDANCE WITH THE COMMUNICATIONS ACT OF 1934. WHILE I MUST CONFESS I HAVEN'T PERSONALLY HEARD THESE BROADCASTS, I HAVE READ EXCERPTS OF TRANSCRIPTS FROM SOME OF THE BROADCASTS, HAVE BEEN BRIEFED BY MY STAFF AND HAVE RECEIVED LETTERS AND PHONE CALLS FROM ANGRY CONSTITUENTS SEEKING MY SUPPORT IN ELIMINATING THIS KIND OF PROGRAMMING. A FEW EXAMPLES OF WHAT HAS BEEN HEARD OVER THE AIR:

- THE BROADCASTS URGED PEOPLE TO TAKE THE NAMES OF LOCAL JEWS AND TO KILL THEM. WARNINGS WERE ISSUED THAT "IF THE JEWS EVEN FOOL AROUND WITH US, OR TRY TO HARM US IN ANY WAY, EVERY RABBI IN L.A. WILL DIE WITHIN 24 HOURS." LISTENERS WERE ALSO TOLD TO BUY RAWHIDE CORDS SO THEY COULD STRANGLE JEWS IN THEIR SLEEP.
- LISTENERS WERE EXHORTED TO BE "GOD'S BATTLE AX...(TO) CLEANSE THIS LAND... JUST THE WAY IT WAS CLEANSED IN SYMBOLISM -- WITH BLOOD, BECAUSE THAT'S THE WAY GOD SAID IT WAS GOING TO BE...AND ISN'T THAT GOING TO BE FUN? SO KEEP YOUR AMMUNITION DRY."
- "CLEANSING THE EARTH" OF "BLACK BEASTS" HAS BEEN URGED.
- IT HAS BEEN URGED THAT PUBLIC OFFICIALS WHO "VIOLATED THE CONSTITUTION" OUGHT TO BE TAKEN TO THE MOST POPULATED INTERSECTION OF THE LOCAL TOWNSHIP AND HUNG AT NOON.

THESE ARE BUT A FEW EXAMPLES THAT HAVE BEEN BROUGHT TO MY ATTENTION. I AM TOLD THAT OTHER GROUPS UPON WHOM VIOLENCE HAS BEEN URGED ARE ROMAN CATHOLICS, ASIANS, THE COURTS, AND EMPLOYEES OF THE INTERNAL REVENUE SERVICE.

LET ME SAY, MR. CHAIRMAN, THAT WHEN THESE BROADCASTS WERE FIRST DESCRIBED TO ME -- BEFORE EXCERPTS OF TRANSCRIPTS WERE MADE AVAILABLE TO ME -- MY FIRST REACTION WAS TO STOUTLY DEFEND THE RIGHT OF THE STATION OWNERS TO BROADCAST AND DISSEMINATE OPINIONS THAT MAY SEEM NOXIOUS TO THE MAJORITY OF THE POPULATION. ONE OF THE

CHARACTERISTICS OF A FREE SOCIETY HAS ALWAYS BEEN THAT WE MUST TOLERATE CERTAIN GROUPS WHOSE IDEAS ARE ANATHEMA TO MOST CLEAR THINKING CITIZENS.

NONE OF US IS COMFORTABLE WITH THE IDEA OF CENSORSHIP BY A PUBLIC OFFICIAL OR A GOVERNMENT AGENCY. WE CANNOT LIGHTLY ABANDON THE PRINCIPLES OF FREE SPEECH GUARANTEED BY THE CONSTITUTION. BUT, MR. CHAIRMAN, IN MY VIEW THE EXHORTATIONS OF KTTL SEEM TO EXCEED THE LIMITS OF CONSTITUTIONALLY PROTECTED FREE SPEECH. THE BOUNDS OF FREE SPEECH CAN NEVER BE EXTENDED TO INCLUDE THE ADVOCACY OF KILLING OF MINORITY GROUPS. INCITING LISTENERS TO COMMIT VIOLENT ACTS AGAINST OTHERS SEEMS TO ME TO BREACH THE FEDERAL COMMUNICATIONS COMMISSION REQUIREMENTS THAT STATIONS SERVE AS TRUSTEES OF THE PUBLIC INTEREST.

SO MY MESSAGE TODAY IS QUITE SIMPLE, MR. CHAIRMAN: RENEWAL QUESTIONS ARE NOT CENTRAL TO THE RESOLUTION OF THE KTTL MATTER. THAT MATTER INVOLVES INTERPRETATION OF THE AMORPHOUS TERM "PUBLIC INTEREST", BUT THAT TEST MUST BE MET REGARDLESS OF WHETHER A RENEWAL APPLICATION IS PENDING. VARIOUS GROUPS OF CITIZENS IN MY STATE HAVE PETITIONED THE FCC URGING THAT KTTL'S LICENSE OUGHT TO BE REVOKED BECAUSE OF FAILURE TO SATISFY THE "PUBLIC INTEREST" TEST.

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WASHINGTON -- Kansas Senator Bob Dole today submitted testimony on a long-overdue Kansas radio station to a House Subcommittee on Telecommunications hearing looking into broadcast regulatory reform. Dodge City radio station KTTL, which has aired threatening programming, was a prime topic of concern at the hearing. Under federal law, a radio station must operate "in the public interest" in order to maintain its license to broadcast.

The following is the text of Senator Dole's statement:

I appear, Mr. Chairman, because of my abiding interest in KTTL, an FM station in Dodge City, Kansas. While I am told this hearing may focus on possible reforms of the renewal process and other regulatory matters, it is my belief that the pertinent issues and questions arising from the KTTL episode are not in the context of the renewal question at all. Simply put, it is a coincidence that KTTL's license is up for renewal during the period in which the contents of its offensive programming, which I will recount in some detail, became known outside of western Kansas. The real question is whether programming like this ought to be allowed to permeate the public airwaves -- whether it is in the first or last year of a station's license.

In approximately June of 1982, I am told, KTTL began broadcasting a type of message which this Senator feels ought not to be tolerated by the citizens of that area and ought not to be permitted by those that are entrusted with the responsibility of protecting the public interest in accordance with the Communications Act of 1934. I must confess I haven't personally heard these broadcasts. I have read transcripts from some of the broadcasts, have been briefed by my staff and a number of letters and phone calls from angry constituents seeking my support in opposing this kind of programming. A few examples of what has been reported are:

...and broadcasts urged people to take the names of local Jews and to kill them. ...were also told to buy rawhide cords so they could strangle Jews in their sleep.

Listeners were exhorted to be "good" battle ax... (to cleanse this land...). The way it was cleaned in symbolism -- with blood, because that's the way you said it was going to be -- and isn't that going to be true? ...feel your participation try.

...calling the pastor of "black beasts" has been urged.

It was also urged that public officials who violated the constitution, ought to be taken to the next populated intersection of the local township and hung by noon.

These are but a few examples that have been brought to my attention. I am told that other groups whose violence has been urged are Roman Catholics, Asians, the blacks and the owners of the Internal Revenue Service.

Let me say, Mr. Chairman, that these broadcasts were first described to me -- because I don't believe I was available to me -- my first reaction was to stimulate the issue of the station to be heard and disseminate information that was being used to the benefit of the station. We are