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*Oct 20, 1979
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REMARKS OF
SENATOR BOB DOLE
NATIONAL NEWSPAPER ASSOCIATION
ORLANDO, FLORIDA

IT IS A GENUINE HONOR FOR ME TO BE APPEARING BEFORE YOU THIS MORNING. YOUR ORGANIZATION, SERVING MORE THAN 7000 PUBLISHERS IN ALL 50 STATES, REPRESENTS AN IDEAL AS OLD AS THE REPUBLIC ITSELF -- A FREE, UNFETTERED PRESS.

YET, AS OLD AS THAT IDEAL MAY BE, IT HAS NOT GONE UNCHALLENGED. INDEED, PRESS FREEDOM IS NOT AN UNABRIDGED, ABSOLUTE RIGHT, BUT RATHER A CONTESTED THEORY, SUBJECT TO THE WINDS OF JUDICIAL CHANGE.

TODAY, I WOULD LIKE TO SPEAK BRIEFLY ABOUT MY QUEST FOR THE REPUBLICAN NOMINATION FOR THE PRESIDENCY OF THE UNITED STATES. I WANT TO DISCUSS MY CONCERNS, HOPES AND DREAMS FOR THIS NATION AND ITS PEOPLE.

AS A PRESIDENTIAL CANDIDATE, I FIND I HAVE A LOT IN COMMON WITH THE NEWSPAPER EDITORS AND PUBLISHERS OF THIS COUNTRY. WE ARE BOTH TRYING TO COMMUNICATE A MESSAGE. AND I THINK I FEEL A SPECIAL AFFINITY FOR THIS PARTICULAR GATHERING, WHICH IS COMPRISED MAINLY OF WEEKLY AND SMALL DAILY PUBLICATIONS.

PERHAPS THAT IS BECAUSE I AM FROM A SMALL TOWN, OR PERHAPS IT IS MY INATE DISTRUST OF "BIGNESS," BE IT BIG GOVERNMENT, BIG BUSINESS OR BIG LABOR. BIGNESS TOO OFTEN LEADS TO ARROGANCE -- AND ARROGANCE TOO OFTEN LEADS TO ABUSE OF POWER.

I AM REMINDED OF THE WORDS OF ERIC SEVAREID, WHO ONCE SAID "THE BIGGER THE INFORMATION MEDIA, THE LESS COURAGE AND FREEDOM THEY ALLOW. BIGNESS MEANS WEAKNESS."

YOU MEN AND WOMEN OF THE PRESS ARE ON THE FRONT LINES OF JOURNALISM. YOU PRODUCE NEWSPAPERS FOR YOUR NEIGHBORS -- PEOPLE YOU MEET FACE TO FACE, DAY IN AND DAY OUT. YOUR JOB IS DIFFICULT -- AND IT IS GETTING MORE SO. UNFORTUNATELY, GOVERNMENT -- ALL THREE BRANCHES OF GOVERNMENT, PLUS A FOURTH BRANCH, THE REGULATORY BRANCH -- ARE MAKING IT EVEN MORE DIFFICULT.

LET ME BEGIN WITH ONE EXAMPLE I'M SURE YOU ARE ALL TOO FAMILIAR WITH.

ON JULY 1, THE UNITED STATES POSTAL COMMISSION GRANTED ANOTHER IN A SERIES OF RATE HIKEs FOR ALL SECOND-CLASS, SOME THIRD-CLASS AND CERTAIN FOURTH-CLASS POSTAGE. ALTHOUGH THIS PARTICULAR INCREASE AMOUNTED TO AN 'INSIGNIFICANT' 22-PERCENT JUMP, IT HAS CONTRIBUTED TO WHAT HAS BECOME AN OVERWHELMING BURDEN ON PUBLISHERS, ESPECIALLY THOSE WITH PUBLICATIONS IN RURAL AREAS. IN THE PAST EIGHT YEARS, MAILING COSTS HAVE RISEN FIVE-FOLD. EVEN THIS NATION'S EXORBITANT INFLATION RATE PALES IN COMPARISON TO THIS FIGURE.

CHIEF JUSTICE JOHN MARSHALL ONCE REMARKED THAT "THE POWER TO TAX IS THE POWER TO DESTROY."

TODAY HE MIGHT ADD: "THE POWER TO REGULATE IS THE POWER TO DESTROY."

PUBLISHERS DO NOT HAVE TO BE REMINDED OF THE RAMIFICATIONS OF EXTREME RATE INCREASES. THE THREATS OF LESS FREQUENT PUBLISHING, BOOSTS IN SUBSCRIPTION PRICES, AND EVEN POTENTIAL SHUTDOWNS ARE CONCERNS WHICH AFFECT NOT ONLY PUBLISHERS, BUT THE READING PUBLIC AS WELL. ALTERNATIVES, SUCH AS RELYING ON PRIVATE CARRIERS TO DISTRIBUTE MATERIALS, ARE USUALLY UNREALISTIC.

EARLIER THIS MONTH, DURING NATIONAL NEWSPAPER WEEK, I ANNOUNCED THAT I FAVOR A GRADUAL PHASE-IN PERIOD FOR ANY FURTHER RATE INCREASES. WHAT I AND SOME OF MY COLLEAGUES ARE SUGGESTING IS AN EXTENSION, FOR THREE YEARS, OF THE PHASING-IN PERIOD FOR POSTAL RATE INCREASES ON SECOND CLASS, CONTROLLED, NON-PROFIT THIRD-CLASS, AND SPECIAL FOURTH-CLASS MAIL. THE THRUST OF THIS BILL, S. 1096, IS TO SOFTEN THE INFLATIONARY IMPACT OF A SUDDEN POSTAL RATE INCREASE. IN SIMPLE TERMS, IT WOULD ALLOW NEWSPAPER, MAGAZINE, BOOK AND SOUND RECORDING PUBLISHERS TO ABSORB THE MOST RECENT 22-PERCENT INCREASE ON AN INSTALLMENT BASIS.

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I SUPPORT THIS LEGISLATION BECAUSE I BELIEVE IT IS IN THE
BEST INTEREST OF THE AMERICAN PEOPLE. IF AMERICANS ARE
DENIED ACCESS TO INFORMATION -- OR ARE LIMITED TO JUST A
FEW, POWERFUL SOURCES FOR THEIR NEWS -- WE WILL ALL LOSE.
I PLEDGE THAT AS PRESIDENT I WILL DO ALL IN MY POWER TO
ASSURE THAT YOUR INDUSTRY WILL BE ALLOWED TO FUNCTION
EFFECTIVELY -- AND PROFITABLY. I, FOR ONE, SEE NO
CONTRADICTION OR PROBLEM WITH MIXING PROFITS AND
JOURNALISM.

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THE PROBLEMS OF OVER-REGULATION ARE NOT CONFINED TO YOUR FIELD, OF COURSE. FEDERAL REGULATION WILL COST EVERY MAN, WOMAN AND CHILD IN AMERICA \$400 IN 1979 -- OR A TOTAL OF \$102.7 BILLION. THIS MAKES THIS NEW FOURTH BRANCH OF GOVERNMENT A VERY EXPENSIVE ONE INDEED. AND I CAN PROMISE YOU ONE THING -- THE SITUATION WILL NOT GET ANY BETTER UNDER FOUR MORE YEARS OF JIMMY CARTER, AND IT'LL GET A HECK OF A LOT WORSE UNDER TED KENNEDY.

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JUDICIAL DECISIONS

LET ME NOW TURN TO ANOTHER AREA WHICH CONCERNS ME, AND
I AM SURE CONCERNS MANY OF YOU.

IN RECENT YEARS, A NUMBER OF JUDICIAL DECISIONS HAVE
BEEN HANDED DOWN WHICH, IN MY OPINION, THREATEN FREEDOM
OF THE PRESS IN THIS COUNTRY.

THE STANFORD DAILY CASE IS A PRIME EXAMPLE.

THE SUPREME COURT RULED THAT THE FIRST AMENDMENT DOES NOT
PROTECT A NEWSPAPER FROM UNANNOUNCED SEARCHES, EVEN IF THE
PAPER'S REPORTERS ARE NOT SUSPECTED OF ANY WRONGDOING.

I MUST SAY I AGREE WITH THOSE WHO HOLD THAT SUCH A RULING
CAN ONLY HAVE A "CHILLING" EFFECT ON THE PRESS.

LAST YEAR, DURING THE 95TH CONGRESS, I INTRODUCED LEGISLATION TO OVERTURN THE STANFORD DAILY CASE -- AND I PLEDGE TO DO ALL I CAN, IN THE SENATE AND AS PRESIDENT OF THE UNITED STATES, TO SEE THAT THIS CASE IS IN YOUR PHRASE, "SENT BACK TO REWRITE."

MORE RECENTLY, IN GANNETT VS. DEPASQUALE, THE SUPREME COURT RULED THAT NEITHER THE PUBLIC NOR THE PRESS HAS A RIGHT TO ATTEND PRE-TRIAL HEARINGS.

AS A LAWYER AND A MEMBER OF THE SENATE JUDICIARY COMMITTEE, THIS DECISION DISTURBS ME -- AND IT SHOULD DISTURB YOU.

PRETRIAL HEARINGS ARE CRITICAL TO THE JUDICIAL PROCESS. FULLY 90 PERCENT OF ALL CRIMINAL CASES END BEFORE TRIAL.

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I WOULD LIKE TO ANNOUNCE TODAY MY INTENTION TO INTRODUCE
LEGISLATION WHICH WOULD PROHIBIT THE EXCLUSION OF THE
PUBLIC FROM JUDICIAL PROCEEDINGS, INCLUDING ALMOST ALL
PRETRIAL HEARINGS.

AMERICANS ARE CONCERNED ABOUT THE OPERATION OF OUR COURTS.
SECRECY WILL ONLY INCREASE THOSE CONCERNS. THE TIME TO ACT
IN THIS AREA HAS COME.

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LEADERSHIP FOR THE 1980's

MY COMMITMENT TO A STRONG AND FREE PRESS IS LONGSTANDING AND GENUINE. SO IS MY COMMITMENT TO STRENGTHENING THIS NATION OF OURS AND MAKING LIFE BETTER FOR ITS INHABITANTS. MY CAMPAIGN IS BASED ON A FIRM BELIEF THAT THE AMERICAN PEOPLE WANT NEW LEADERSHIP -- LEADERSHIP WITH EXPERIENCE, CAPABLE OF COPING WITH THE PROBLEMS OF WASHINGTON AND THE WORLD.

THERE IS MUCH MORE I COULD HAVE DISCUSSED HERE WITH YOU TODAY -- MY PLANS FOR EFFECTIVELY DEALING WITH INFLATION, MY VIEWS ON THE SALT II TREATY AND OUR OVERALL DEFENSE POSTURE, MY WORK ON THE SO-CALLED "WINDFALL PROFITS TAX" -- BUT THESE ARE MATTERS WE CAN LEAVE TO THE QUESTION AND ANSWER PERIOD. I DID WANT TO STRESS THAT I SHARE MANY OF THE CONCERNS OF YOUR PROFESSION -- AND, BEYOND THAT, THAT I HAVE ACTED TO PROVIDE RESPONSIBLE, POSITIVE SOLUTIONS. WE IN AMERICA DESPERATELY NEED CREATIVE, RESPONSIVE LEADERSHIP. WE NEED TO MAKE AMERICA AMERICA AGAIN. THAT IS THE TASK I HAVE UNDERTAKEN IN MY QUEST FOR THE PRESIDENCY.