

HARLEY O. STAGGERS
2D DISTRICT, WEST VIRGINIA

CHAIRMAN:
COMMITTEE ON
INTERSTATE AND FOREIGN
COMMERCE

HOME ADDRESS:
KEYSER, WEST VIRGINIA

Congress of the United States
House of Representatives
Washington, D.C. 20515

September 23, 1971

The Honorable
Sam J. Ervin, Jr.
Chairman
Subcommittee on Constitutional Rights
Senate Judiciary Committee
2226 Senate Office Building
Washington, D. C.

Dear Mr. Chairman:

Thank you very much for your letter of September 13, advising your Subcommittee on Constitutional Rights has scheduled Hearings concerning the First Amendment's guarantee of freedom of the press.

I deeply appreciate your inviting me to appear before the Subcommittee and present testimony.

At the present time, it looks as though it will be impossible for me to testify because of the extremely heavy schedule of our House Commerce Committee. However, should the situation change, I will be glad to let you know.

Again, thanking you and with kind personal regards, I am

Sincerely yours,

HARLEY O. STAGGERS

9/22/71 Copy sent Dan Manelli -

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United States Senate

COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS
(PURSUANT TO SEC. 6, S. RES. 32, 92D CONGRESS)

WASHINGTON, D.C. 20510

September 13, 1971

SEP 21 1971

Honorable Harley O. Staggers
House of Representatives
Washington, D. C.

Dear Congressman Staggers:

As part of its study on the state of freedom of the press in America, the Senate Subcommittee on Constitutional Rights has scheduled hearings this fall to explore the constitutional issues and practical problems surrounding the First Amendment's guarantee of freedom of the press.

I am writing to invite you to appear before the Subcommittee and present testimony concerning this subject. The hearings will begin on September 28, 1971, and will continue through the next few weeks. If possible, I would like for you to appear on the morning of September 28 or October 19, 1971.

The scope of the Subcommittee's study is broad. Among other matters, we are concerned about the increased subpoenaing of newsmen by government, the recent effort to secure injunctions against certain newspapers, the use of false press credentials for investigative "covers," and new fears about government control and regulation of the broadcast media.

We intend to examine the application of First Amendment principles to both the printed and broadcast press and to analyze the relationship between the press and all branches of the government. We will be seeking to create a better appreciation of the First Amendment's purpose and its crucial importance to a free society.

In view of your position as Chairman of the Committee on Interstate and Foreign Commerce of the House of Representatives, the Subcommittee would be particularly interested in your views concerning the First Amendment implications of present statutes and regulations governing the broadcast media. The impact of the application of the "fairness doctrine" on broadcasters is of special concern to the Subcommittee. Also, the Subcommittee would be interested in your analysis of the relationship between the government's asserted need to secure information from newsmen in connection with certain investigations and the newsmen's asserted interest in protecting confidential information, sources of information, and the editing and reporting process from government scrutiny.

original sent Dan Manelli

Honorable Harley O. Staggars

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September 13, 1971

In my judgment, it is necessary at this time in our nation's history to re-examine the purposes and the principles embodied in the constitutional guarantee of freedom of the press. I am confident that your participation in the Subcommittee's hearings will be of great assistance in this endeavor.

Subcommittee rules require 10 copies of a witness's statement one week in advance of the scheduled appearance and 50 additional copies to be made available when testimony is presented.

I look forward to hearing from you in the near future. If you have any questions about your appearance before the Subcommittee or about the hearings in general, please feel free to contact me or the staff of the Subcommittee at 225-8191.

With kindest wishes,

Sincerely yours,

Sam J. Ervin, Jr.

Sam J. Ervin, Jr.

SJE:bps

September 13, 1971

SEP 13 1971

MEMORANDUM

TO: CHAIRMAN STAGGERS

FROM: Daniel J. Manelli, Acting Chief Counsel *dm*

SUBJECT: Invitation to Appear Before Senator Ervin's Subcommittee on Constitutional Rights

Hand delivered

Last week I was contacted by Mr. William Pursley, with Senator Ervin's office. He informed me that Senator Ervin will hold hearings on freedom of the press during the months of September and October. These hearings will include the subject of broadcasting. He informed me that the Senator would be writing you a formal invitation in the very near future. He wished me to know in advance, however, that the Senator was most anxious for you to testify: "The Senator would like the Chairman to present his own personal view in his own terms."

The tentative dates for the hearings are September 28, 29 and 30, and October 12, 13, 14, 19 and 20. The October 14, 19 and 20 dates have been set aside to discuss broadcasting and Mr. Pursley stated that the Senator hoped you would be able to testify on one of those dates. He also indicated, however, that Senator Ervin, in view of his strong desire to have you testify, would be flexible as to setting a convenient time for this purpose if the above dates are not satisfactory. I told him I did not know what your schedule was but I would pass along this information.

The Subcommittee is composed of the following members:

Sam Ervin, N. C., Chairman

John L. McClellan, Ark.
Edward Kennedy, Mass.
Birch Bayh, Ind.
Robert C. Byrd, W. Va.
John V. Tunney, Cal.

Roman Hruska, Nebr.
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Strom Thurmond, S. C.
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