A young lawyer and a fledgling organization against the corporate power of the tobacco industry and its broadcasting allies.
AT STAKE: The healthy lives of the one million young Americans attracted to cigarette smoking each year.

For the first time concerned adults have a chance to help compete with the barrage of televised cigarette ads which help persuade approximately 4,000 youngsters to take up the smoking habit EVERY DAY. Hailed by the nation's health experts, a Federal Communications Commission (FCC) ruling of June, 1967 makes possible about one minute of free anti-smoking broadcast time for every three minutes of cigarette advertising — **an estimated $50,000,000 of free anti-smoking time a year!**

The opportunity to use the airwaves to protect life rather than destroy it was the result of one man's work. John F. Banzhaf was concerned about the cigarette commercials on television and radio which are "trying to convince young people to kill themselves." He felt that there should be a chance for the American public, especially the youth, to see the deadly second side of the "seven minute cigarette" and the "taste worth fighting for" through the eyes of the health experts.

To the shock of the tobacco and television tycoons the FCC agreed with Mr. Banzhaf. In response to his complaint and legal persuasion the FCC issued its momentous ruling that EVERY radio and television station which broadcasts cigarette commercials must make a "**significant** amount of time" available to present the health hazards of smoking. Commissioner Lee Loevinger stated that "suggesting smoking to young people, in the light of present-day knowledge, is something very close to wickedness."

The decision was immediately challenged by the three major television networks, the large cigarette manufacturers, the National Association of Broadcasters, the Tobacco Institute, and over two hundred broadcasting stations — a bloc of powers representing more than 10 billion dollars of vested interest. The ruling is now under concerted attack in the United States Court of Appeals in Washington, D.C. and will shortly be carried to the Supreme Court.

It was impossible for one man, working evenings and weekends, to contend successfully in the nation's second highest court defending a decision involving close to $200 million dollars a year in advertising revenues — especially against the leading law firms of New York and Washington. Those who represent the anti-smoking forces in the country rallied to Mr. Banzhaf's aid with the formation of ASH — ACTION ON SMOKING AND HEALTH.

ACTION ON SMOKING AND HEALTH brings together leaders in the medical and legal professions and other prominent citizens to serve the public interest as the LEGAL ACTION ARM OF THE ANTI-SMOKING, PRO-HEALTH MOVEMENT. Our young people must be told the truth about the subtle messages which imply that smoking increases popularity, makes one more attractive to the opposite sex, and enhances social poise. Accordingly, ASH has launched a vigorous campaign to defend and enforce the FCC decision.

The struggle ahead will be akin to that of David and Goliath. The tobacco industry is an 8 billion dollar business which spends approximately $300,000,000 a year to promote its deadly wares — and an additional one million dollars in "public relations". Their partners, the broadcasters, are a very powerful and persuasive group with an income of 3 billion dollars from advertising alone. Together they have engaged over a dozen of the leading law firms in the country to overturn the FCC decision. Although the FCC will attempt to defend its ruling, the agency is widely regarded as overburdened and under heavy political pressure — hardly an opponent able to mount the type of defense which a precedent-setting decision of this importance requires. The large, interested charitable organizations have been unable to render effective legal assistance.

According to the United States Court of Appeals, "The American people own the broadcast frequencies." As Commissioner Elman of the Federal Trade Commission has so aptly stated, "...it is an intolerable abuse of a public resource that it should be exploited for private profit to aggravate 'the greatest single public health problem this nation has ever faced.' " In effect, the Federal Communications Commission has recognized this abuse of the airwaves and has ruled in favor of the people. ASH is ready to defend this decision and represent the American people in the courts.

However, even if the FCC ruling is upheld in the courts, it will be meaningless unless it can be enforced — and it can only be enforced if complaints are filed. ASH will file complaints, and take appropriate action against offending stations, encouraging and assisting other groups to do the same.

ASH urgently needs a minimum of $100,000 to pay the legal and other costs involved in defending and enforcing the FCC decision. $100,000 can protect $50,000,000 worth of free anti-smoking time over the air to show the American people, particularly our teenagers, the whole story of the smoking habit. It will help inform the one million children now in school who, it is calculated, will otherwise die prematurely from diseases associated with smoking. We must enable them to make an informed choice. In the interest of fairness to the adults of tomorrow can we do any less?

A major victory has been won by Mr. Banzhaf and ASH. Already, increased television exposure has resulted in the first significant drop in per capita consumption of cigarettes. ASH needs your help if we are to keep on winning. Your tax-deductible gift, in whatever amount possible, will be an investment in the health of young Americans!