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Correspondence to Roger J. Traynor Concerning the Chairman's Position for the Proposed National Press Council, July 20, 1972 - August 30, 1972

Murray J. Rossant
The Twentieth Century Fund

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July 20, 1972

Chief Justice Roger Traynor

Dear Justice Traynor:

I must repeat my delight at your decision to serve as chairman of the National Press Council. I am sure that I speak for all those associated with the project -- the Fund, the independent Task Force and other foundations -- in expressing my appreciation -- and anticipation -- of your association with this admittedly experimental but potentially significant institution. With you at its head, the prospects for its success are much enhanced.

Under separate cover I am sending you a copy of the report calling for the establishment of the press council made by an independent task force set up by the Fund. In addition, I enclose the Fund's latest annual report. When we meet, I will go over any questions you may have as well as such issues as possible candidates for the council and your own requirements.

We have already received assurances of funding for the council from a number of foundations. However, I am still seeking to broaden the base of the foundation consortium in terms of numbers and location of benefactors.

I will be in touch by telephone on Monday, August 21, and look forward to seeing you at your convenience during that week. Although I am not a lawyer, I have been much impressed by all that I have heard and read about your career, and I have a personal and perhaps selfish desire to become exposed to your clear and independent thinking.

Let me express once again my appreciation for your joining with us in this venture in the public interest. I know the council will benefit from you. I hope that you will find it both enjoyable and worthwhile too.

Sincerely,

M. J. Rossant

MJR/cs
Chief Justice Roger Traynor

August 28, 1972

Dear Justice Traynor:

I want to thank you for the time and interest that you have taken in the proposed national press council. The Task Force, the foundations participating in the funding consortium and the Fund are all grateful for your willingness to act as chairman of the council. I must add that I myself feel that your involvement, in the gestation stage as well as when the council is in being as an independent entity, will enhance the chances of its success.

As I mentioned when we last met, the Fund will pay you an honorarium of $7,500 for your help and advice in the formative stages of the council. Once it is in operation, our compensation as chairman on a part-time basis will be $25,000 a year, plus travel and accommodation expenses for Mrs. Traynor and you. I hope you will let me know if you have any special desires about the timing of the payment of the honorarium; if not, I will ask the Controller of the Fund to send out a check to you early next month.

Turning to substantive matters, I would like your thinking on the issues of confidentiality as well as on accessibility, which would involve the kind of hearings or investigations that the council -- or its staff -- would conduct. As I am lunching tomorrow with Alexander Bickel of Yale and Richard Salant of CBS and Lucy Benson of the League of Women Voters (both of whom were members of the Task Force), I may be in touch again this week about their views on both accessibility and confidentiality.

In the meanwhile, I am sending under separate cover a number of reading materials, including annual reports and two books on the British Press Council, a background paper done for the Task Force on press councils, and some critiques of the Task Force report. I hope you will find them of interest.

I will be in touch soon about developments, including the plans for a meeting with the Task Force, the funding consortium and media representatives. I still hope that this meeting will take place at the Johnson Foundation in Racine, Wisconsin, sometime early in October.
Again, my gratitude for your cooperation in what I hope will be a challenging yet worthwhile venture. And I look forward to meeting both you and Mrs. Traynor very soon.

Sincerely,

M. J. Rossant

P.S. I neglected to mention that we also want your ideas on the best composition of the council as well as on the way in which succession could be handled.

MJR/qs
Chief Justice Roger Traynor

August 30, 1972

Dear Justice Traynor:

I want to report briefly on the lunch with Alexander Bickel. It was agreed that there ought to be a statement appended to, rather than made an integral part of the Task Force document, suggesting some general guidelines regarding the issue of confidential information. It was Mr. Bickel's view that the statement ought to build on the decision made by Justice Powell in the Caldwell case, restricting the government in efforts to harass the press. He also felt that the instances when the council will need confidential information will be very few, and did not expect it to be a major problem, although it is a serious psychological one for most people in the media. A draft of his ideas for a statement will be prepared and sent to you.

Ithiel Pool has also been in touch. He says that he has prepared a memorandum detailing questions raised by the Task Force report during the seminars at Aspen, where a goodly number of media representatives and other authorities were gathered over the past fortnight. It too will be sent on to you.

At yesterday's lunch it was decided to hold another meeting of the Task Force to go over the criticisms. We plan to invite foundation executives to the meeting and the Task Force would be most appreciative if you could make it as well. The probable date for the meeting is Friday, September 22, but I will be in touch as soon as it is firm.

I also want to inform you that a telephone credit card has been applied for; as soon as it is in, it will be sent out to you. Meanwhile, do call collect whenever you feel the need.

One other point. The problem of succession to the council worries some people. They fear that the council may be transformed if and when the original members are replaced. I don't regard this as an insuperable problem, but it is one on which your thoughts would be most welcome.

Sincerely,

M. J. Rossant