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The Honorable Edward J. Markey
United States Senate
255 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Richard Blumenthal
United States Senate
706 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Chris Van Hollen
United States Senate
110 Hart Senate Office Building
Washington, D.C. 20510

Dear Senators Markey, Blumenthal and Van Hollen:

I write in response to your joint letter of April 15, 2019 to CBS Corporation CEO Joe Ianniello asking that we help you understand our company's policies and practices regarding the depiction of tobacco use in our programming material.

CBS Corporation produces, licenses and delivers tens of thousands of hours of video content each year via broadcast, cable, satellite and OTT platforms. Content is the heart of what we do at CBS. We invest billions of dollars a year to provide viewers --free of charge in the case of our over-the-air broadcast and advertiser-supported online platforms-- with what they want. That our programming is among the most highly watched in the world is testament to our success in meeting the needs and tastes of our audiences.

A critical aspect of delivering top-notch, popular content is ensuring that it is appropriate for our viewers. We expend great human and capital resources in doing so, mostly through our Standards & Practices Department. That department, which I oversee, is responsible for

reviewing numerous aspects of programming, including appropriateness of visuals, dialog, wardrobe, indecency, privacy, legal and other concerns.

On the West Coast, we employ a large team of staff and executives whose sole jobs are reviewing content and applying TV Ratings to some 2,025 hours of CBS broadcast and All Access original entertainment and live programming per year. That group is also responsible for reviewing all program promotions, a full reel five days a week, or about 520 hours a year.

Our East Coast Standards & Practices group, comprised of a separate team of staff and executives, is dedicated to reviewing all advertisements on CBS and CBS Sports Network, numbering nearly 1,000 submissions of scripts, storyboards and rough cuts per week. That group also reviews The Late Show with Stephen Colbert, reality shows, specials such as The Kennedy Center Honors and, along with the West Coast Group, live programming, such as the Grammys and Tony Awards shows.

When it comes to depictions of tobacco use on CBS platforms, we acknowledge the harmful health risks of smoking and endeavor to render it unattractive and unappealing to all of our viewers. To that end our Standards & Practices Department, both West and East Coast groups, adhere to internal guidelines that provide: There should be no depiction of tobacco use unless it is portrayed in a negative light. That means that on the rare occasion when a character is shown using tobacco, the character will be chided for doing so, will be warned about the adverse impact on health, and/or will be viewed as an unsympathetic or unlikeable person. An example of the application of this guideline is demonstrated in a story arc in the Emmy-award-winning show “Mom,” in which the character Christy, a sober and recovering addict is trying to quit smoking. Christy’s friend Wendy bombards her with texts urging her to quit and gifts Christy a pair of educational artificial lungs, one healthy and one of a smoker, in an attempt to get her friend to consider curbing her smoking habit. The episodes in this arc are all rated TV-14.

A variation of the CBS tobacco use guidelines applies to period pieces, that is, programming that is set in an earlier era, when smoking was not deemed dangerous to health and was prevalent and widely accepted behavior. In such settings, tobacco use is permitted if presented in a neutral manner and does not promote such behavior or portray it in a positive light. For example, an episode of “Hawaii 5-0” focused on a JFK assassination conspiracy theorist and included historical characters from the 1960s who were smokers. Their tobacco use on the show was part of the historical setting and did not glorify such use. We assigned that episode a TV Rating of TV-14. More recently, in an awards show, a performer proposed a period setting that would have included tobacco use in a glamorous way. As a result, the CBS Standards & Practices group and the performer both concluded that tobacco use should be cut from the piece.

With respect to promotional materials for our programming, the CBS Standards & Practices guidelines are absolute: No tobacco use at all is permitted in this material. The brief nature of the material makes the context we demand in our guidelines nearly impossible.

The TV Parental Guidelines ratings system, which our company actively supports and applies in order to provide parents with helpful tools in determining viewing plans for their children, does not specifically address tobacco use. However, our Standards & Practices Department takes into account tobacco use in programming material when assigning a rating. Such programming likely will be assigned a TV-PG rating (material that parents may find unsuitable for younger children; many parents may want to watch it with their younger children) and, sometimes, a TV-14 rating (program contains some material that many parents would find unsuitable for children under 14 years of age; parents are strongly urged to exercise greater care in monitoring this program and are cautioned against letting children under the age of 14 watch unattended).

At the same time our Standards & Practices Department employees review and apply TV Parental Guidelines ratings to our programming, they do so by coordinating and consulting with those who create, produce, write and direct the content. We greatly value the work of the artistic community and seek to protect their creativity and innovation. The content we review, rate and distribute on all platforms is a collaborative effort with that community.

Thank you for your inquiry about our programming practices. We at CBS are extremely proud of the robustness of the standards to which we hold our valuable, popular content for the good of our viewers.

I am happy to respond to any additional questions you may have.

Sincerely,



Jonathan Anshell

Executive Vice President/Deputy General Counsel/Corporate Secretary