



Matthew Margo
Senior Vice President of Program Practices, East Coast
CBS Corporation
51 W. 52 St.
New York, NY 10019

Dear Mr. Margo,

We are writing to request that CBS reconsider its decision to air an advertisement by the anti-choice group Focus on the Family, featuring Pam and Timothy Tebow during Super Bowl XLIV.

In recognition of its responsibility to operate the network in the public interest, CBS has long followed a policy requiring that all claims in advertisements be carefully and closely reviewed for accuracy. It has also been CBS's widely announced policy not to "sell time for the advocacy of viewpoints on controversial issues of public importance." (See "Advocacy and Political Advertising," CBS, Jan. 28, 2004.) We believe it is essential that you determine whether the proposed Tebow advertisement meets CBS's own standards with regard to accuracy and advocacy.

While the precise content of the advertisement has not been fully revealed, the Associated Press has reported that "the commercial is likely to be an anti-abortion message chronicling Pam Tebow's 1987 pregnancy." (See "Tebow to appear in Super Bowl commercial," Associated Press, Jan. 16, 2010.)

Past media coverage of the Tebows suggests that the ad may present a misleading picture of the reality of abortion in the Philippines. In 2007, the *Gainsville Sun* reported that Pam Tebow was living and working as a missionary in the Philippines in 1987 when she was pregnant with her son Tim. According to the *Sun* story, doctors encouraged Mrs. Tebow to terminate her pregnancy because she had suffered a medical condition that endangered her health and the pregnancy.

Abortion was criminalized in the Philippines in 1870. It has been illegal ever since. Filipino law does not contain a single exception to its abortion ban – not even to save the life of the pregnant woman or to protect her health. Indeed, in 1987 – the year in question in the advertisement – the Catholic Bishops Conference of the Philippines succeeded in making the Philippines constitution the first ever to recognize a government obligation to protect "the life of the unborn from conception."

Physicians and midwives who perform abortions in the Philippines face six years in prison, and may have their licenses suspended or revoked. Women who receive abortions – no matter the reason – may be punished with imprisonment for two to six years. Abortion is so deeply stigmatized in the Philippines that women who seek care for complications from unsafe, illegal abortions are routinely punished by healthcare workers, who threaten to report them to the police, harass them verbally and physically, and delay care.

Because of these draconian and discriminatory laws and practices, women with life-threatening pregnancies have had no choice but to risk their lives, either by continuing their high-risk pregnancies or seeking unsafe abortions. In 2008 alone, at least 1000 women died, and 90,000 more suffered complications, as a result of the Philippines' criminal abortion ban.

Given this context, it raises questions about whether physicians in the Philippines would have urged a married pregnant woman to illegally terminate her pregnancy in 1987. Attached is a brief factsheet further detailing the situation in the Philippines and the abuses women suffer as a result of its draconian anti-abortion laws and stigmatizing legal and political climate.

The Tebow ad violates CBS's long-standing advocacy policy, which prohibits advertisements advocating viewpoints on an issue that has "a significant impact on society or its institutions, and is the subject of vigorous debate with substantial elements of the community in opposition to one another." According to the policy, both explicit and implicit advocacy messages are "unacceptable." (See "Advocacy and Political Advertising," CBS, Jan. 28, 2004.)

CBS has stated that in the past it has rejected "hundreds of advocacy ads" on "all sides of issues from gun control to abortion to the North American Free Trade Agreement." (See "CBS Statement on Advocacy Advertising," CBS, Jan. 28, 2004.) Instead of rigorously applying this policy to the Tebow ad, CBS announced on Tuesday that it has decided to "ease its restrictions," stating that "its policies toward advocacy ads ... [have] evolved over the past several years." (See "CBS willing to air more Super Bowl advocacy ads," *Associated Press*, Jan. 26, 2010.) We are very concerned about including in this evolution an ad that recounts a story out-of-context paid for by an anti-choice organization.

There is still time before February 7 to reconsider your action and we urge you to do so.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Northup".

Nancy Northup

President
Center for Reproductive Rights