

BROADCASTERS' NEWS BULLETIN

Reporting accurately and promptly current happenings of special interest to Broadcasting
Stations in the Commercial, Regulatory, Legislative and Judicial Fields

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

Incorporated

NATIONAL PRESS BUILDING

WASHINGTON, D. C.

NEW YEAR'S MESSAGE

BY Walter J. Damm, President

National Association of Broadcasters

Broadcasters have cause for New Year's rejoicing in the fact that radio as an advertising medium has shown appreciable gains during 1930 in the face of losses to other media. During 1931 stations which ignore depression propoganda and go out aggressively for business should find that both local and national firms are more receptive to broadcast ideas than ever before.

The need will be for thoughtful consideration of the prospect's business and the creation of a program that will command listener attention and at the same time will identify and sell his product or service. Test after test shows that sales messages for the printed page fail to register over the air. If we sell program ideas rather than time - and persuade the advertiser to present his story through the program rather than in "canned" sales talks, both advertiser and station should benefit.

The year 1931 should witness a fuller realization on our part of the fact that the real judge of a program's appeal is the listener. Broadcasters who cater to financial gain alone, rather than to listener interest, will find that representative stations are jealous of their audiences and quick to protect themselves against loss of listeners.

I believe that 1931 will bring a greater volume of business to radio stations, which in turn will be able to augment and improve their services to listeners. I also look forward to a successful year for the National Association of Broadcasters and take this opportunity to wish each of its members a most prosperous New Year.

S. C. RADIO TAX CASE ARGUED

An early decision by the three-judge federal court is expected in the case involving the validity of the South Carolina tax on radio receiving sets. Argument was heard by the court at Columbia on December 22. Station WBT, Charlotte, N. C., Louis D. Rubin Electrical Company, a radio dealer, and Hugh A. Ray, a set owner, asked that the court grant an injunction restraining the State tax commissioner from collecting a tax on receiving sets on the grounds that it constituted a burden upon interstate commerce.

BUREAU OF STANDARDS ANNOUNCES IMPROVED SERVICE OF RADIO STANDARD FREQUENCY TRANSMISSIONS

A new service for adjustment of broadcast transmitters to exact frequency is being instituted by the Bureau of Standards. Signals are transmitted from the Bureau's Station, WWV, at Washington, D. C., and can be heard and utilized by stations equipped for continuous-wave reception at distances up to about 1000 miles from Washington, and some of them at all points in the United States. In addition to usual monthly transmissions, there will be a transmission by continuous wave telegraphy on a frequency of 5000 kc. This will consist primarily of a series of very long dashes. The first five minutes of this transmission will give the general call and announcement of the frequency. Every ten minutes thereafter the call letter (WWV) and the frequency will be given. Information on how to utilize the signals is contained in Bureau of Standards Letter Circular #280, which may be obtained by applying to the Bureau of Standards, Washington, D. C.

APPLICATION FORMS EXPLAINED

Inquiries have been received requesting information on the various application blanks which are filed with the Commission. Each class of application has a key number by which it should be designated. Form #6A1 is used where change in transmitter site is proposed; where main studio move is to be made (see General Order #98); where any change is to be made in transmitter or circuit involving the external effects of signal (see General Orders #91 and #97). Form #9A is used where license is requested following construction permit. (For temporary operation and test authority pending issuance of regular license by Commission see "rider" attached to issued construction permit). Form #54 is for modification of construction permit. This form is used whenever it is desired to deviate from the terms of an existing construction permit or an extension of completion date is requested. Form #13 is used for modification of existing license where changes in frequency, power or hours of operation are involved. Form #AAPL is to be used for assignment of existing station license or construction permit, where there is any change in licensed name or ownership of the station. Form #71A is to be used where installation of automatic frequency control equipment alone is to be made. Form #37B is used when application for renewal of existing license is made. These forms should be secured from the Office of the Supervisor of Radio, Department of Commerce, for the various districts.

DECISIONS OF THE COMMISSION

The following actions, subject to ratification by the full Commission, were reported by the Commission since its last formal meeting on December 19:

CALL	NAME OF APPLICANT	NATURE OF ACTION
WRAX	WRAX Broadcasting Company Philadelphia, Penna.	Granted Construction Permit to install RCA Maximum 250 w. DCC equipment.
WPDW	Metropolitan Police Department Washington, D. C.	Granted Mod. of C.P. for extension of completion date of C. P. to 3/1/31.
WOKO	H. E. Smith & R. M. Curtis d/b as Hudson Valley Brdcstg. Co. Albany, New York	Granted Mod. of C. P. to change transmitter location on c. p. from Hudson Ave., North and Beaver St., Albany to East side of Albany, Troy Road opposite Mid-City Amuse- ment Park Menands, Albany.
WOKO	H. E. Smith & R. M. Curtis d/b as Hudson Valley Brdcstg. Co. Poughkeepsie, New York	Granted Voluntary Assignment of License to WOKO, Inc.
KSTP	National Battery Brdcstg. Co., St. Paul, Minn.	Granted Mod. of C. P. for extension of completion date of c. p. to 3/20/31.
WFBR	Baltimore Radio Show, Inc. Baltimore, Maryland	Granted License to cover C. P. 1270 kc., 500 w., unlimited time.
WMCA	Knickerbocker Broadcasting Co. Inc., New York City	Granted License to cover C. P., 570 kc, 500 w.; shares with WNYC. Also granted authority to operate an auxiliary trans- mitter at same location.
WDRC	The Doolittle Radio Corporation Hartford, Conn.	Granted License to cover C. P. 1330 kc., 500 w., unlimited time.

ANSLEY ASKS FOR HEARING

Counsel for W. O. Ansley Jr., Abilene, Texas, last week filed a request with the Court of Appeals of the District of Columbia to reconsider Ansley's appeal from a decision of the Commission denying an application for a construction permit to erect a new station at Abilene to operate on 550 kc with 1 Kw. The Court, in a decision handed down recently, sustained the action of the Commission denying the application. The motion for rehearing states that the Court inadvertently based its decision upon an inaccurate statement in the brief filed by the Commission.

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THE VESTAL COPYRIGHT BILL

To the Members of the National Association of Broadcasters:

Action by Congress on the Vestal Copyright Bill (H.R. 12549) is imminent. The Bill is pending on the House calendar and its proponents are pressing for a vote on it early in January. It is urgently necessary that you make known your views to your Senators and Congressmen without delay.

The dangers presented by the proposed legislation have already been communicated to you. They were the subject of a report by the Association's Copyright Committee at the Cleveland Convention, where the Association unanimously adopted resolutions opposing the bill. In order to assist you in explaining the situation to your Senators and Congressmen, we have asked our special counsel, Louis G. Caldwell, to prepare a brief discussion of the bill. Enclosed you will find a copy of this discussion.

The chief danger of the bill is the so-called "automatic copyright" which it proposes to establish. This means that any literary or musical work may be copyrighted by its author without bearing any notice of copyright and without any necessity for registration in Washington. In order to persuade Congress to pass the bill, much misinformation is being circulated about the alleged necessity that the United States enter the International Copyright Union in order to protect the American author. The enclosed discussion contains the answer to misstatements on this score.

You can help prevent the passage of the Vestal Copyright Bill:

1. By writing to your own Congressman and to all others from your city and your state.
2. By writing to both Senators from your State.
3. By writing to all other Congressmen and Senators whom you know, including Hon. Albert H. Vestal, Chairman of the House Committee on Patents, or any of the members of that Committee, who are as follows:

Hon. John Q. Tilson (Conn.) Rep. leader, or Hon. John N. Garner (Texas), Dem. leader; Randolph Perkins (N.J.); Clarence J. McLeod (Mich.); Godfrey G. Goodwin (Minn.); William P. Holaday (Ill.); F. D. Letts (Iowa); Harry L. Englebright (Calif.); J. Mitchell Chase (Pa.); Charles E. Kiefner (Mo.); C. Murray Turpin (Pa.); Fred A. Hartley (N.J.); Robert Blackburn (Kentucky); Fred G. Johnson (Neb.); Victor Christgau (Minn.); Fritz G. Lanham (Texas); Mell G. Underwood (Ohio); Allard H. Gasque (S. Carolina); William I. Sirovich (N.Y.); Lafayette L. Patterson (Ala.); Wall Doxey (Miss.); William F. Brunner (N.Y.)

4. By bringing the matter to the attention of your local newspapers (there have been a number of editorials favorable to the bill in the press, based for the most part on a misunderstanding of the facts).

Be sure to direct their attention to the injustice of the automatic copyright scheme, which, if enacted into law, will make it utterly impossible for the broadcaster or any other user of music to avoid frequent violations of the copyright law and would expose him continuously to suits for infringement and liability for damages no matter how innocent may be his infringements.

No effort should be spared to acquaint Congress, the press and the public with the real issues involved.

JOINT COMMITTEE ON COPYRIGHT OF THE
NATIONAL ASSOCIATION OF BROADCASTERS

HENRY A. BELLOWS
WALTER J. DAMM
MORGAN EASTMAN

THURSDAY, January 21, 1931

NEW W. E. Whitmore C. P. 1500 kc 100 w
Roswell, N. M.

NOTIFIED: KGKB, Brownwood, Texas, The Dispatch Publishing Company,
Roswell, N. M. Louis Falconi, Roswell, N. M.

NEW R. S. McEwan C. P. 1000 kc 100 w D
Clovis, N. M.

NOTIFIED: K. L. Horton & L. C. McConnell, Clovis, N. M.

NEW Louis Falconi C. P. 1300 kc 15 w
Roswell, N. M. 8 a.m. to 6 p.m. daily

NOTIFIED: KTBI, Los Angeles, Calif. W. E. Whitmore, Roswell, N. M.
The Dispatch Publishing Company, Roswell, N. M.

FRIDAY, January 22, 1931

NEW The State Journal Co. C. P. 1200 kc 100 w
Lansing, Mich.

NOTIFIED: Anderson Gross Brdcstg Co. Lansing, Mich.
W R A F, La Porte, Ind. WEBE, Cincinnati, Ohio

NEW Anderson Gross Brdcstg. Co. C. P. 570 kc 500 w
Lansing, Mich.

NOTIFIED: The State Journal Co. Lansing, Mich. WKBN, Youngstown, Ohio
WNAX, Yankton, S. D. WIBO, Chicago, Ill. WPCC, Chicago, Ill.
WEAO, Columbus, Ohio WSYR-WIAC, Syracuse, N.Y.
WNYC, New York City WMCA, New York City WWNC, Asheville, N.C.
WKZO, Berrien Springs, Mich.

WGCM Great Southern Land Co. C. P. 950 kc 1 kw
Gulfport, Miss. 8½ hours Daily
3½ hours Daily
Present Assgn. 1210 kc 100 w

NOTIFIED: KMBC, Kansas City, Mo. WRC, Washington, D. C.
WJBY, Gadsden, Ala.

The following applications were denied by the Commission at its sessions during the current week:

<p>KIX The Tribune Publishing Co. Oakland, Cal.</p>	<p>Asked for C.P. to move transmitter from Oakland to E. Oakland or Alameda, Cal., install new eqpt. increasing max. power to 5 KW, and increase operating power to 5 KW, and to use portable to test for location.</p>
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The following cases were denied by the Commission, as the applicants have failed to file notice of appearance or requested hearings, under the provisions of General Order No. 93:

NAME OF APPLICANT	CALL	NATURE OF APPLICATION
Julian L. Roberts Key Broadcasting Co. Sterling, Colo.	New	C.P. -- 1220 kc -- 150 w.
Ber-Bailey Brdcstg. Co. Rayne, La.	New	C.P. -- 1120 kc -- 5 w.
Hersch Batt. & Rad. Co. Cape Girardeau, Mo.	KFVS	C.P. -- 1210 kc -- 100 w. 150 w L S
J. M. McCarmack and Sons, Inc. Reno, Nevada.	New	C. P. -- 1220 kc -- 1 kw
Oregon Brdcstg. Co. Portland, Oreg.	New	C.P. -- 1500 kc -- 100 w.
Charles E. McKay Hannibal, Mo.	New	C.P. -- 1210 kc -- 15 w.
St. Louis Truth Center Inc., St. Louis, Mo.	KFWF	C.P. -- 1200 kc -- 100 w. 150 w. L S
Utah Poultry Pro. Corp. Assn., Salt Lake City, Utah	New	C.P. -- 1200 kc -- 100 w.
KXL Broadcasters, Portland, Oreg.	KXL	C.P. -- 1390 kc -- 500 w.
Radio Wire Program Corp. of Amer. Oil City, Penna.	WLBW	C.P. -- 940 kc -- 500 w. 1 kw. L S
Lester J. Berry, Newark, Ohio	New	C.P. -- 1240 kc -- 50 w.
Kirk Johnson Co., Lancaster, Penna.	WKJC	C.P. -- 940 kc -- 1 kw.
Linville H. Clemmons, Thomasville, N. C.	New	C.P. -- 1200 kc -- 5 w.

APPLICATIONS DENIED (CONTINUED)

NAME OF APPLICANT	CALL	NATURE OF APPLICATION
Long Island Brdcstg. Corp. Long Island, N. Y.	WWRL	Mod. Lic. 1500 kc -- 100 w.
Carl L. Wheeler, Lexington, Mass.	WLEY	Mod. Lic. 1370 kc -- 100 w.
Howitt-Wood Radio Co. Linc., Binghamton, N. Y.	WNBF	C.P. -- 1500 kc -- 100 w. 250 w. L S
Westchester Broadcasting Corp., Yonkers, N. Y.	WCOH	Mod. Lic. 930 kc -- 100 w.
D. Estes, Vernon, Tex.	New	C.P. -- 1260 kc -- 100 w.
James A. Noe, Monroe, La.	New	C.P. -- 1480 kc -- 100 w.
Estes Park Brdcstg. Co. Estes Park, Colo.	New	C.P. -- 1370 kc -- 100 w.
R. J. Bondreau & J.A. Tatti, Lake Charles, La.	New	C.P. -- 1000 kc -- 5 kw.
S. L. McFadin & J. H. White, Borger, Tex.	New	C.P. -- 1250 kc -- 50 w.
Ben. H. Daniel, Boise, Idaho.	New	C.P. -- 1290 kc -- 1 kw.
F. H. Bayno, Trenton, Mo.	New	C.P. -- 1150 kc -- 100 w.
Border Brdcstg. Co., Laredo, Tex.	New	C.P. -- 1310 kc -- 100 w.
Wilson Duncan, Kansas City, Mo.	KWKC	Mod. Lic. 1370 kc -- 100 w.
Spokane Brdcstg. Corp., Spokane, Wash.	KFIO	Mod. Lic. 1120 kc -- 100 w.
Starret Const. Co., Detroit, Mich.	New	C.P. -- 1480 kc -- 100 w.

The following action was taken by the Commission during the past week:

W R B I	Kent's Furniture & Music Store, Tifton, Ga.	Construction Permit was granted to increase power from 20 to 100 watts on 1310 kc.
W S O C	A.J. Kirby Music Co. Gastonia, N.C.	Consent was granted to voluntary assignment of license to WSOC, Inc.

The following application was designated for hearing:

W F O X	Paramount Brdcstg. Corp. Brooklyn, N.Y.	Applicant requested authority to change frequency from 1400 to 1300 kc, and change operating hours to share with WBBR, WHAZ and WHAP.
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SET FOR HEARING

The following applications were ordered set for hearing by the Commission at its sessions during the current week:

New	Martin C. Newman Sturgis, Mich.	Requests C.P. 1310 kc 100 watts, unlt'd. time with Call letters WKAT.
New	Thomas F. Harkins, D/B as The Brdcstg. Service Co. Upper Darby, Pa.	Requests C.P. 900 kc, 250 watts day - day- time operation.
New	The Ardmoreite Publishing Co. Inc. Publishers of the Daily Ardmoreite Ardmore, Okla.	Requests C.P. 1210 kc, 100 watts, unlt'd. time.
KFWF	St. Louis Truth Center, Inc. St. Louis, Mo.	Requests C.P. to change eqpt. including automatic freq. control.
KGIR	KGIR, Inc. Butte, Mont.	Requests C.P. to move studio and transm. locally in Butte; increase power to 1 KW. and change hours of operation from dividing with KFBB to unlt'd.
New	Kirby Lee Horton & Lee Colbin McConnell, Clovis, N. Mex.	Requests C.P. 1310 kc, 7½ watts, hours up to 8:30 P.M.
WSBT	The South Bend Tribune South Bend, Ind.	Requests Mod. of C.P. to increase power on C.P. (already filed) to 1000 watts.
WASH	WASH Brdcstg. Corp. Grand Rapids, Mich.	Requests Mod. of License to increase hrs. of operation from dividing with WOOD to unlimited.
WTEL	Foulkrod Radio Eng. Co. Philadelphia, Pa.	Requests Mod. of Lic. to change freq. from 1310 to 1200 kc, and change hours of opera- tion from dividing with WHAT to division of time with any one local station accept- able.
WOOD	Walter B. Stiles, Inc. Grand Rapids, Mich.	Requests Consent to Vol. Assign. of Lic. to the Kunsy-Trendle Broadcasting Corp.

APPLICATIONS GRANTED

The following applications were granted by the Commission at its sessions during the current week:

CALL	NAME OF APPLICANT	NATURE OF ACTION
WSAZ	WSAZ, Incorporated Huntington, W. Va.	Granted C.P. to change eqpt. increasing maximum rated power of transmitter from 250 to 1000 watts, and move transmitter locally in Huntington. No increase in operating power.
KRGV	KRGV, Incorporated Harlingen, Texas	Granted C.P. to make changes in eqpt. to comply with Gen. Orders 91 and 97.
WJAK	Marion Broadcast Co. Marion, Ind.	Granted C.P. to install a new transmitter 50 watts, including automatic frequency control.
KFLV	Rockford Broadcasters, Inc. Rockford, Ill.	Granted C.P. to install new equipment, including automatic frequency control.
KGIZ	Grant City Park Corp. Grant City, Mo.	Granted C.P. to change eqpt. increasing maximum rated power from 50 to 100 watts, and to increase operating power from 50 to 100 watts.
WPCH	Eastern Broadcasters Inc. New York City.	Granted license, 810 kc, 500 watts, daytime.
WDAH	E.E. Wilson, C.T. Wilson, E.M. Wilson and Ernest Wilson, D/B as Eagle Brdcstg. Co. El Paso, Texas.	Granted License, 1310 kc, 100 watts, shares with KTSM.
KRSC	Radio Sales Corp. Seattle, Wash.	Granted License 1120 kc, 50 watts, daytime.
WNAX	Gurney Seed & Nursery Co. Yankton, S. Dak.	Granted Consent to Vol. Assignment of license to the House of Gurney, Inc.
NEW	Shortwave & Television Corp. Boston, Mass.	Granted C.P. 1604 kc, 500 watts; to use transmitter for sound transmissions in connection with visual broadcasting.

APPLICATIONS RECEIVED

The following applications were received by the Commission during the current week:

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WLEY	CARL S. WHEELER, trading as THE LEXINGTON AIR STATIONS Adams St., Lexington, Mass.	1370	----	Cons. Permit to move transmitter from Lexington, Mass. to a location to be selected in Mass., move studio from Adams St., Lexington to Springfield, Mass., install a new transmitter, and change time from $\frac{1}{2}$ time to Unlimited on 1370 kc.
WFDF	FRANK D. FALLIAN 511 $\frac{1}{2}$ South Saginaw St., Flint, Michigan	1310	----	License to cover Cons. Permit issued 12/16/30 to move transmitter and studio and change equipment.
WJAS	PITTSBURGH RADIO SUPPLY HOUSE 427 Fourth St., Pittsburgh, Penn.	1290	----	License to cover Cons. Permit issued 11/25/30 to change equipment and increase power from 1 KW. to 2 $\frac{1}{2}$ KW. day and 1 KW. night.
WJJD	SUPREME LODGE OF THE WORLD, LOYAL ORDER OF MOOSE Mooseheart, Illinois	1130	----	Cons. Permit to change equipment.
WLBC	DONALD A. BURTON 200 S. Mulberry St., Muncie, Ind.	1310	----	Cons. Permit to install a new transmitter.
NEW	PIONEER MERCANTILE COMPANY Hotel El Tejon, 17th & K Sts., Bakersfield, California.	----	1490	Cons. Permit to erect a station 1490 kc., 5 KW., Unlimited hours.
NEW	YORK BROADCASTING COMPANY Continental Sq., York, Penn.	----	820	Cons. Permit application amended request locate transmitter 6 to 10 miles from York, 820 kc. instead of 1000 kc., 5 KW. instead of 500 watts.
NEW	E. DWIGHT CRAIG 3021 N. Illinois St., Indianapolis Indiana	----	580	Cons. Permit application amended to request 580 kc. instead of 1500 kc., 250 W. instead of 50 watts, and Limited time.
ZM	LEON P. TENNEY 880 B St., Hayward, California	1370	----	Cons. Permit to change Equipment

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WBEN	EDWARD H. BUTLER, Trustee for EADA BUTLER MITCHELL & EDWARD H. BUTLER, tr. as BUFFALO EVENING NEWS Hotel Statler, Buffalo, New York	900	----	Request voluntarily assign license to WBEN, INCOR- PORATED.
WCAO	MONUMENTAL RADIO, INCORPORATED 811 West Lanvale St., Baltimore, Maryland	600	----	License cover Cons. Permit 11/11/30, move old equip- ment from 848 N. Howard St. to 811 West Lanvale St. used as auxiliary.
WCAO	MONUMENTAL RADIO, INC., 811 West Lanvale St., Baltimore, Maryland	600	----	Mod. of License to in- crease power from 250 watts to 500 watts day and 250 watts night with an addi- tional 750 watts night and 500 W. day on experimental basis.
WBAX	JOHN H. STENGER, JR. 13 S. Main St., Wilkes-Barre, Pa.	1210	----	Cons. Permit to change equipment.
KGMP	HOMER F. BRYANT, trading as BRYANT RADIO & ELECTRIC CO. 215 S. Main St., Elk City, Oklahoma	1210	----	Request install Automatic Frequency Control.
WGST	GEORGIA SCHOOL OF TECHNOLOGY Ansley Hotel, Atlanta, Georgia	890	----	License to cover Cons. Permit issued 12/16/30.
WHBQ	BROADCASTING STATION WHBQ, INC. 3rd & Court Sts., Memphis, Tenn.	1370	----	Cons. Permit to change equipment.
KGKO	WICHITA FALLS BRDCSTG. COMPANY 9th & Indiana Aves., Wichita Falls, Texas	570	----	Cons. Permit to move trans- mitter from 9th & Indiana Aves. to Seymour Rd., Wichita Falls, Texas, install new transmitter, and in- crease power from 250 W. night and 500 W. day to 1 KW. on 570 kilocycles.
WJAG	THE NORFOLK DAILY NEWS Hotel Norfolk, 4th St. and Norfolk Ave., Norfolk, Neb.	1060	----	Cons. Permit to move trans- mitter from 114 Fourth St. to section 21, township 24, range in Madison County, Nebraska, north of city limits on West Norfolk Ave., Norfolk, Nebraska, and change equipment.
KOY	NIELSEN RADIO & SPORTING GOODS CO. 621 N. Central Ave., Phoenix, Arizona.	1390	----	Cons. Permit to install a new transmitter.

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WCSH	Congress Square Hotel Co. 579 Congress Street Portland, Maine	940	-----	Mod. of License to increase power from 1 KW. to 5 KW. on 940 kc.
New	William J. Hays 1511-13-15 Chillicothe Street Portsmouth, Ohio	-----	1310	Cons. Permit application amended to request 1310 kc. and 100 W. night and 250 W. day instead of 1340 kc. and 50 watts with unlimited hrs.
New	Earle T. Henderson Dry Branche Pike, Harrodsburg, Kentucky	-----	1260	Cons. Permit to erect a new station to use 1260 kc. 15 watts and daytime hours.
New	F. R. Schmidt & Delmar Kuhlman D/B. as Radio & Electric Shop 108 West 9th Street Hays, Kansas	-----	1500	Cons. Permit application amended to change equipment and request 50 watts instead of 15 watts on 1500 kc.
KFXJ	R. G. Howell & Chas. Howell D/B as Western Slope Broadcasting Co. 2938 Benton Street Edgewater, Colorado	1310	-----	License to cover Cons. Permit issued 10/21/30 to move transmitter and studio to Grand Junction, Colo, change equipment and increase power from 50 W. to 100 watts.
WSMB	Saenger Theatres Inc. and Maison Blanche Company 901 Canal Street New Orleans, La.	1320	-----	Mod. of License to increase power from 500 watts to 1 KW on 1320 kc.
WSMB	Saenger Theatres Inc. and Maison Blanche Company 901 Canal Street New Orleans, La.	1320	-----	License to cover Cons. Permit issued 9/16/30 to move transmitter about 8 miles from center of New Orleans.
New	Shermon D. Bracken 212 Colorado St., Portales, New Mexico	-----	1200	Cons. Permit application amended to request 1200 kc. instead of 960 kc.
KMTR	KMTR Radio Corporation 1025 North Highland Avenue Los Angeles, California	570	-----	Cons. Permit to move transmitter and studio from 1025 North Highland Avenue to the Cor. of Willoby and Formosa Sts., Los Angeles, install a new transmitter, and increase power from 500 watts to 1 KW on 570 kc.
New	G.B.Chick & Elton M. Baker, D/B as KRZ Broadcasting Company Barnes & College Sts., Alva, Okla.	-----	1500	Cons. Permit to erect a new station to use 1500 kc. 100 watts and Unlimited hours.

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WDBO	Orlando Broadcasting Co. Inc. 545 North Orange Street Orlando, Florida	1120	-----	License to cover Cons. permit issued 9/19/30 to change equipment.
WCAJ	Nebraska Wesleyan University 51st and St. Paul Streets Lincoln, Nebraska	590	-----	Mod. of Cons. Permit to change equipment and increase power on C. P. from 250 watts to 500 W. on 590 kc.
NEW	Louis F. Kuester 900 North Main Street West Bend, Wisconsin	-----	1310	Cons. Permit to erect a new station to use 1310 kc. 50 watts and Unlimited hrs.
NEW	Stewart A. Heigold and Cecil M. Johnson 320 - 1st Avenue Yuma, Arizona	-----	1310	Cons. Permit application amended to request 1310 kc. instead of 1500 kc, with 100 watts and unlimited hrs.
KFJY	C. S. Tunwall Riverdale (suburb of Ft. Dodge) Iowa	1310	-----	Cons. Permit to change equipment.
KMED	Mrs. W. J. Virgin Sparta Building, Main & Riverside Avenues Medford, Oregon	1310	-----	Request for authority to install Automatic Frequency Control.
KGA	Northwest Broadcasting System, Inc. 1023 Riverside Avenue Spokane, Washington	1470	-----	Cons. Permit to change equipment.
KFXF	Colorado Radio Corporation 1755 Glenarm Street Denver, Colorado	920	-----	Cons. Permit to install new equipment and change power assignment from 500 watts day and 500 W. night on experimental basis to 500 watts day and night, on 920 kc.
NEW	Thomas F. Hardins, trading as The Broadcasting Service Company 69th and Market Streets Upper Darby, Pennsylvania	-----	900	Cons. Permit application amended to request 900 kc. instead of 1200 kc., 250 W. (day only) instead of 250 W. day and 100 W. night, and Daytime hours instead of Unlimited.

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THE VESTAL BILL

The Vestal Bill (H.R. 12549), proposing a consolidation and revision of the copyright laws, is expected to come up for consideration in the House early next week. Indications are that the bill will be passed and sent to the Senate before the end of the week.

The National Association of Broadcasters has conducted a vigorous fight against fundamental features of the measure on the grounds that interests of broadcasters would be adversely affected were the bill to become law. All broadcasting stations and all members of the House have been advised of the arguments against the bill.

There is still hope. If the bill succeeds in the House it will still have to be acted upon by the Senate. The bill will be referred to the Senate Patents Committee, in the event it passes the House. The members of this Committee are Senators Waterman of Colorado, Norris of Nebraska, Goldsborough of Maryland, Hobert of Rhode Island, Smith of South Carolina, Broussard of Louisiana, and Dill of Washington. The bill must be reported by this Committee before it can come up in the Senate. Failure of a report would mean death to the bill. It would then have to be reintroduced next December in the new Congress.

The Association is asking that the Senate Patents Committee hear the broadcasters' case before reporting the bill. If you are called upon for assistance you should respond willingly and promptly.

EQUALIZATION ORDER ADOPTED

The Commission on January 8 adopted General Order No. 102 "in order to bring about an equalization of radio facilities as among the States in the zones".

The order provides as follows:

1. Where a zone has already in use its pro rata share of facilities, the Commission will not allocate any further radio facilities to that zone, which would increase its quota.
2. Applications from under-quota States in zones which have already allocated to them their pro-rata share of radio facilities should be for a facility already in use in that zone by an over-quota State.
3. Likewise, where a State is already over quota, the Commission will not allocate any further radio frequencies to that State, which would increase its quota.
4. Applications from States which now have their quotas, or from states which are over quota, should be for facilities already in use in that State.
5. Applicant from an under quota State in an under quota zone may apply either for facilities in use in an over quota state in that zone or an over quota state in an over quota zone.

The order undoubtedly refers to the quota system set up by General Order No. 92. Under this order the Commission regards the total number of units in the United States as 400. Eighty units are assigned to each of the five zones. On this basis the first and second zones are the only ones under quota. The third, fourth and fifth are over and are directly affected by the order.

In adopting the order the Commission has provided that existing kilocycle and mileage separations shall not be compromised.

It is difficult to foresee the practical effect of the order. It changes to some extent the theory of the Davis Amendment which provides for a "fair and equitable" distribution of facilities among the states within a zone as compared with the mathematical precision declared in the order.

The following states, now over quota, are in danger of losing facilities: (Figures after each state indicate present number of units over quota)
FIRST ZONE---Units over quota---New York, 3.80; New Jersey, 0.22; Delaware, 0.03;
SECOND ZONE---Kentucky, 0.08; Virginia, 2.56; THIRD ZONE---Texas, 6.55; Tennessee, 2.67; Florida, 4.26; FOURTH ZONE---Illinois, 10.00; Missouri, 1.28; Minnesota, 1.42; Iowa, 5.32; Nebraska, 1.72; South Dakota, 1.37; North Dakota, 0.40; FIFTH ZONE---California, 1.68; Washington, 5.76; Colorado, 2.88; Utah, 3.33; Nevada, 0.21, Alaska, 0.62; Oregon, 2.22.

EQUALIZATION ORDER ADOPTED (CONTINUED)

The following states, now under quota, may gain facilities: (Figures after each state indicate present number of units under quota) FIRST ZONE---Massachusetts, 1.77; Maryland, 0.46; Connecticut, 0.84; Porto Rico, 3.72; Maine, 0.22; Rhode Island, 0.51; Dist. Col., 0.03; New Hampshire, 1.11; Vermont, 0.50; Virgin Islands, 0.06; SECOND ZONE---Pennsylvania, 7.95; Ohio, 0.60; Michigan, 2.68; West Virginia, 1.35; THIRD ZONE---North Carolina, 1.01; Georgia, 0.49; Alabama, 2.89; Mississippi, 2.70; Arkansas, 0.77; South Carolina, 3.12; FOURTH ZONE---Indiana, 3.35; Wisconsin, 0.91; Kansas, 0.65; FIFTH ZONE---Montana, 0.58; Idaho, 0.29; Arizona, 0.23; New Mexico, 0.40; Hawaii, 0.79; Wyoming, 1.26

SUPREME COURT DISMISSES CASES

The Supreme Court of the United States dismissed certificates from the Circuit Court of Appeals for the Seventh Circuit in the cases of Clinton R. White v George E. Q. Johnson and H. D. Hayes (No. 29) and American Bond and Mortgage Company et al v United States (No. 210). In both cases the Circuit Court had certified questions on the subject of property rights of broadcasting stations and the determination of these questions by the Supreme Court was anxiously awaited by the entire broadcasting industry. It was the second time within a year that the court refused to take jurisdiction over radio cases after hearing argument. The WGY case was the first.

The court, in opinions handed down on January 5, held that the questions were too "broad and indefinite" and admitted of "one answer under one set of circumstances and a different answer under another." The substantive law involved in the cases was not discussed in either opinion.

The effect of the court's ruling returns the cases to the Circuit Court where they will have to be argued on their merits.

WWJ WANTS KYW CHANNEL

The Commission has received an application from WWJ at Detroit seeking authority to change its present assignment from the regional frequency of 930 kc to the clear channel of 1020 kc. Under the terms of General Order No. 40, this frequency is assigned to the Second Zone, but is now used by KYW at Chicago. WWJ also asks permission to increase power from 1 to 50 kw.

WEVD EXCEPTS TO REPORT

G. August Gerber, Executive Secretary of Debs Memorial Radio Fund., Inc., operators of WEVD, New York, has filed exceptions to the report of Examiner Pratt, which recommended that the license renewal of WEVD be denied. The report of the Examiner contended that WEVD admitted 29 violations of the Radio Act and Commission Regulations. This is denied in the pleading and it is declared that the report was based solely on Commission affidavits, and did not consider the testimony or statements of WEVD.

EDUCATION BILL BY FESS

Senator Fess, Republican, Ohio, on January 8 introduced in the Senate a bill (S. 5589) to have set aside 15 per cent of the broadcasting facilities available to the United States for educational purposes.

The text of the bill follows:

"Not less than 15 per cent, reckoned with due weight to all factors determining effective service, of the radio broadcasting facilities which are or may be subject to the control of or allocation by the Federal Radio Commission, shall be reserved for educational broadcasting exclusively, and allocated when and if applications are made therefor, to educational agencies of the Federal or State governments and to educational institutions chartered by the United States or by the respective States or Territories."

The National Association of Broadcasters, at its Cleveland convention, un-
animously adopted a resolution opposing the reservation of broadcasting channels exclusively for educational purposes.

The measure is supported by the Advisory Committee on Education by Radio which was appointed by Secretary Wilbur and groups affiliated with the committee have been active in securing support for the Fess Bill. Undoubtedly a drive will be made to have the bill considered at the present session of Congress.

RADIO DIVISION TRANSFER OPPOSED

The resolution to transfer the activities of the Radio Division of the Department of Commerce to the Radio Commission (S. J. Res. 176) came up for con-
sideration in the House on January 5. Congressmen Jenkins, Sabath and Ramspeck objected and the resolution went over.

DILL WOULD AMEND RADIO ACT

A bill to correct certain irregularities in the present Radio Act of 1927 was introduced in the Senate on January 5 by Senator Dill, Democrat, Washington. The bill is S. 5583.

The measure would make several necessary minor changes in the existing law and among other things would set up a system of procedure for hearings before the Commission modeled substantially after that in General Order No. 93.

Section 16 of the present act would be amended to permit appeals from denial of construction permits which is questionable under the existing law. Broad-
casting licenses would be limited to one year.

The bill also includes a provision for the transfer of the Radio Division to the Commission similar to that in the House resolution.

Broadly speaking, the measure embodies the corrective features which have been suggested by the National Association of Broadcasters. Senator Dill will make an effort to have the bill passed during the present session.

EXAMINERS' REPORTS

In re application of Benson Polytechnic School (KBPS) for renewal of license on 1420 kc, 100 w sharing with KXL, Docket No. 925, Report No. 46 by Chief Examiner Yost recommends granting of application.

In re application Electric and Radio Corporation (~~WIEO~~-WABO) for renewal of license on present frequency of 1440 kes with 500 watts, sharing time with WOKO, Docket 955, Report 49 of Examiner Pratt recommends that application be granted.

In re application of Olympic Radio Company, Hoquiam, Wash. for construction permit to erect new station to operate on 1320 kes with 100 watts. Docket 1035 Report 45 by Examiner Pratt recommends denial as in case of defaults.

In re application of E. A. Holmes, Jr. and Idris J. Jones, as Bessemer Broadcasting Association, Bessemer, Ala. for construction permit to erect new station to operate on 1500 kes with 50 watts. Docket 932. Report 48 by Chief Examiner Yost recommends denial as in case of defaults.

NEWSPAPER DETAILS PROGRAMS

The Washington Daily News, a Scripps-Howard newspaper, believes that radio programs are news and that it is the duty of newspapers to print such programs in some detail.

The News bought and paid for time over three Washington stations which was utilized by Ralph Palmer, city editor of the paper, in telling the radio audience of his paper's policy.

"We believe these programs constitute news; that publishing them is a service to our readers, and that it is not a real service unless the programs are given with sufficient completeness to indicate to radio owners what they actually will hear, if they tune in," he said.

"If Babe Ruth is playing left field for the Yankees, our sports editor doesn't tell you merely that an outfielder is playing that position. If Secretary Wilbur were to resign, our political reporter wouldn't write merely that a cabinet member had quit. And so if it is the Lucky Strike orchestra, our radio editor doesn't simply say 'orchestra'."

The Daily News is a successful afternoon tabloid newspaper. Copies of Mr. Palmer's talk may be secured by writing to NAB headquarters.

BUTCHER IS CONVALESCING

Harry C. Butcher, Columbia's Washington representative, is convalescing from an operation at the Garfield Hospital in Washington. Not being able to leave his bedroom, Butcher insisted that a dictating machine be installed for his use. He'll be back on the job soon, he says.

WFLA-WSUN TO GET HEARING

The Commission on January 5 adopted a motion offered by Commissioner Sykes ordering that the renewal applications of WFLA-WSUN, Clearwater, and WDAE, Tampa, Florida, be designated for hearing with the view to determining if the present interference with WTMJ, Milwaukee, Wisconsin, on 620 kc, may be minimized or obviated by an exchange of frequencies between WDAE and WFLA-WSUN. The motion declared that interference was not present when WDAE and WTMJ operated simultaneously on 620 kc.

RADIO LAW JOURNAL PROPOSED

The editorial advisory board of the proposed Journal of Radio Law was announced this week by Louis G. Caldwell, former general counsel of the Commission and editor of the publication. The board follows: Col. Thad H. Brown, general counsel of the Commission; Ralph Colin, New York, general counsel, Columbia Broadcasting System; Stephen Davis, New York, former solicitor, Department of Commerce; William C. Green, Washington, special counsel, Senate Committee on Interstate Commerce; Dr. Willy Hoffman, editor, Archiv fur Funchrecht, Leipzig, Germany; Robert Homburg, editor, Revue Juridique internationale de la Radio-electricite, Paris, France; Philip G. Loucks, managing director, National Association of Broadcasters; Ira E. Robinson, Washington, Member Federal Radio Commission; Paul M. Segal, Washington, former assistant general counsel of the Commission; Dr. Irvin Stewart, treaty division, Department of State; William R. Vallance, assistant to solicitor, Department of State; John W. Van Allen, general counsel, Radio Manufacturers' Association; Dr. Alfred Wegerdt, ministerial counselor at the ministry of Communications of the Reich, Berlin, Germany; Wallace H. White, Washington, Member of Congress; Carl Zollman, Milwaukee, Wisconsin, lecturer, Marquette University.

SHORT WAVE CASES DECIDED

The Court of Appeals of the District of Columbia on January 6 handed down an opinion in the separate appeals of the Intercity Radio Telegraph Company, Wireless Telegraph and Communications Company, R.C.A. Communications Company, Incorporated and Mackay Radio and Telegraph Company (Nos. 4987, 4988, 4990 and 4991) from a decision of the Commission granting 40 high frequency channels to the Universal Wireless Communications Company. The decision modifies the stay order previously granted by the court to permit Press Wireless and Western Radio Telegraph Company to utilize their grants but continues the appeal insofar as it relates to the frequencies granted to Universal. The Commission is directed to take such steps as it "deems necessary and proper" with respect to grants to the Universal and Intercity and is authorized to make a new allocation among the appellants. The court retained jurisdiction over the cases and ordered the Commission to report its proceedings to the court. Justice Robb in a separate opinion declared that the channels should be allocated to the R.C.A. and Mackay companies.

WHAS AND WHAM WIN APPEALS

General Order No. 87, proposing shifts in the frequencies of certain clear channel stations, was declared void by the Court of Appeals of the District of Columbia in opinions handed down in the cases instituted by the Courier-Journal Company and the Louisville-Times Company (WHAS), No. 5190 and the Stromberg-Carlson Telephone Manufacturing Company (WEAM), No. 5278. Station WHAS appealed to the court under Section 16 of the Radio Act while WEAM sought injunctive relief in the Supreme Court of the District of Columbia and was before the higher court on appeal by the Commission from the order of the lower court granting a preliminary injunction.

In the WHAS case the court, reversing the Commission, ordered the Commission to "renew appellants' license from time to time, to operate as heretofore upon the frequency of 820 kc until such time as it may be determined as the result of a hearing, after due notice, upon issues clearly defined, that such continued operation is not in the public interest, convenience or necessity."

In the WHAM appeal the court upheld the lower court's order granting a preliminary injunction restraining the Commission "until final determination of this case from effectuating any order changing the frequency assignment of station WHAM without prior notice and hearing or from changing it as a result of any hearing wherein it is required that appellee show cause why said change be not made."

These decisions, read in connection with previous decisions of the courts, substantiate the right of a station to have its license renewed from time to time in the same terms as long as it continues to serve the public interest. The Commission may not, without notice and hearing, change any of the material terms of a license and at such hearing, it would appear, the burden of proof is upon the Commission to show affirmatively that the change proposed would be in the public interest. In the past the Commission has always maintained that the burden of proof was upon the licensee (except in revocation proceedings).

The Commission, at such hearings, is required to prove its side of the controversy affirmatively. Ex-parte findings, such as reports of the engineering and legal divisions, are not sufficient to constitute a prima facie case and do not in and of themselves shift the burden to the applicant licensee. "The provision for hearing implies that the applicant is entitled to hear all of the evidence and examine and cross-examine the witnesses as in other cases."

Properly construed, these decisions will prevent the Commission from effecting any general shift in a class of stations, if as a result of such shift the interests of a licensee are adversely affected, unless there be a hearing in the legal acceptance of the term.

KOMO APPEALS COMMISSION DENIAL

KOMO, Seattle, Wash. has filed an appeal with the District of Columbia Court of Appeals, against the order of the Commission, denying the station authority to operate on 970 kcs with power of 5 kw. The requested frequency is now assigned to KJR, Seattle, Wash. operated by Northwestern Broadcasting System, Inc.

REGIONALS ~~SIX~~ 5 KW POWER

WCSH, Portland, Maine, WFIW, Hopkinsville, Ky, WDAY, Fargo, N.D. and KOIN, Portland, Oregon have made application to the Commission for authority to increase their power to 5 KW. No change in frequency is involved. These stations are now assigned to the regional frequency of 940 kc. The applicants claim that there will be no increase in interference, nor will the stations themselves or the listeners be adversely affected by the granting of these applications. Under the terms of General Order 40, the maximum night power licensed on any regional frequency is 1 KW.

FOUR APPEALS ARGUED

The following cases were argued in the District of Columbia Court of Appeals, during the past week - WHAD, Milwaukee, Wis., Marquette University, Docket 5253; WGBS, New York, General Broadcasting System, Inc. Docket 5196; KYW, Chicago, Ill. Westinghouse Electric & Manufacturing Company, Dockets 5104-5107-5150-5192; KFKB, Milford, Kan. KFKB Broadcasting Station, Docket 5240.

ASSOCIATION IN NEW HOME

The National Association of Broadcasters is now established in its new quarters in Suite 970, National Press Building, Washington, D. C. The telephone number is DISTRICT 9497. The office will be open from 9 a.m. to 5 p.m. daily. Members are invited to make the new offices their headquarters when in Washington. You will find the Managing Director, his assistant, Eugene V. Cogley, and his secretary, Miss Olivine Fortier, on the job and ready to aid you in every manner consistent with the policies of the Association.

HIGH POWER REPORT HELD UP

Chief Examiner Yost is expected to return from the Pacific Coast, where he heard testimony in connection with the application of Station KGEF, operated by Rev. Bob Schuler, early next week but it is not expected that he will have his reports in the high power cases ready for consideration by the Commission until next month. Chief Examiner Yost on December 15 proposed a report to the Commission in which he recommended that 50 kw power be permitted on all clear channels. The Commission ruled that this report was not in accordance with General Order No. 42 as amended and remanded it for further consideration and report. In the meantime Station WJZ, operated by the National Broadcasting Company, filed exceptions to the report, alleging, among other things, that the examiner had failed to take into consideration that WJZ was now licensed for 30 kw and therefore belonged to that class of stations having more than 25 kw power.

LONGER LICENSE TERMS DELAYED

The Commission on January 6 ordered that "licenses of all broadcasting stations expiring January 31, 1931, (except those which have been or may be cited for alleged violations of the Radio Act of 1927 as amended, and/or rules and regulations of the Commission) be extended by General Order for a period of 90 days beginning 3 a.m. January 31, 1931 and that the applications for renewals which are now being received be accepted as applications for the new period beginning 3 a.m. April 30, 1931." If the previous order had become effective, the license period would have expired on July 31, while the Commission is in recess. The recent action will fix the expiration periods on April 30 and October 31.

GENERAL ORDER NO. 97 POSTPONED

The effective date of General Order No. 97, affecting power output and modulation, has been postponed from January 31 to April 30, 1931, by action of the Commission on January 6.

APPEALS JUSTICES NAMED

President Hoover on January 5 sent to the Senate the nominations of D. Lawrence Groner of Virginia and William Hitz of the District of Columbia to be associate justices of the Court of Appeals of the District of Columbia. Justice Hitz is now serving as a justice of the Supreme Court of the District of Columbia and wrote that court's opinion in the WEAM case which was upheld by the appeals court this week. The addition of these two justices, provided for by Congress last session, will make the court having jurisdiction over radio appeals a five-judge court. Their confirmation by the Senate is expected daily.

APPLICATIONS GRANTED

The following applications were granted by the Commission at its sessions during the current week:

CALL	NAME OF APPLICANT	NATURE OF ACTION
WGCP	May Radio Broadcast Corp. Newark, N. J.	Granted C. P. to make changes in eqpt.
WHOM	N. J. Broadcasting Corporation Jersey City, N. J.	Granted C. P. to change eqpt. increasing max. rated power from 250 to 500 watts.
KJR	Northwest Brdcastg. System, Inc. Seattle, Washington	Granted C. P. to make changes in eqpt.
WSYR- WMAC	Clive B. Meredith Syracuse, N. Y.	Granted Mod. of C. P. to change transmitter location from Salina to Syracuse, N. Y.
WLS	Agricultural Broadcasting Co. Chicago, Illinois	Granted Mod. of C. P. extending completion date to Feb. 6, 1931.
WSMX	Stanley M. Krohn Jr. Dayton, Ohio	Granted Mod. of Lic. to operate simultaneously with KQV at Pittsburgh, Pa. during daylight hours and divide time equally thereafter with Pittsburgh station. (1380 kc, 200 w.)
WELK	WELK Broadcasting Station Inc. Philadelphia, Penna.	Granted Lic. 1370 kc, 100 watts night 250 watts LS. Unlimited.
WEDH	Eric Dispatch Herald Brdcastg. Corporation Eric, Penna.	Granted License 1420 kc, 100 watts, unlimited.
WJBO	Valdemar Jensen New Orleans, La.	Granted Authority to install automatic frequency control.
KGFV	Otto F. Sothman & Roy H. McConnell Ravenna, Nebraska	Granted Consent to Vol. Assignment of License to Central Nebraska Broadcasting Corporation.
W6XG	General Electric Company Portable - California	Granted Consent to Voluntary Assignment of License to the National Broadcasting Company.
W6XG	General Electric Company Portable	Granted Renewal of License, 790 kc, 10 KW.
WBCM	Bay City Broadcasting Assoc. Bay City, Michigan	Granted Mod. of Lic. specifying power of station to be determined by direct measurement of antenna input as specified in G.O. 91.

APPLICATIONS GRANTED (Continued)

W2XE	Atlantic Brdcastg Corp. Long Island, N. Y.	Granted Mod. of C. P. extending completion date to June 1, 1931.
WRNY	Aviation Radio Station Inc. New York City	Granted C. P. to make changes ineqpt. increasing rated max. power of transmitter from 250 to 700 watts, including automatic freq. control and high percentage modulation.
KTAP	Alamo Brdcastg. Co. Inc. San Antonio, Texas	Granted C. P. to make changes in eqpt. including automatic freq. control and high percentage modulation.
WABC- WBOQ	Atlantic Brdcastg. Corp. New York City	Granted Mod. of C. P. extending completion date to Feb. 1, 1931.
KFI	Earle C. Anthony Inc. Los Angeles, California	Granted Mod. of C. P. extending completion date to April 17, 1931 and commencement date to Jan. 17, 1931.
WGCM	Great Southern Land Co. Gulfport, Miss.	Granted License, 1210 kc, 100 watts, unlimited.
WHP	WHP, Incorporated Harrisburg, Penna.	Granted License 1430 kc, 500 watts night, 1 KW LS, shares with WBAK and WDAH.
KWG	Portable Wireless Tel. Co. Stockton, California	Granted License 1200 kc, 100 watts, unlimited time.
WIAS	Morris W. and James F. Poling D/B as Poling Elec. Co. Ottumwa, Iowa	Granted Vol. Assign. of Lic. to Iowa Broadcasting Company.
KGKB	E.M.C.T. & E. E. Wilson D/B as Eagle Publishing Company Brownwood, Texas	Granted authority to extend time off air to conform to appl. for C.P.

SET FOR HEARING

The following applications were ordered set for hearing by the Commission at its meetings this week:

CALL	NAME OF APPLICANT	NATURE OF REQUEST
WDRC	The Doolittle Radio Corporation Hartford, Conn.	Requests Mod. of Lic. to increase daytime power from 500 w. to 1 KW.
New	Marius Johnson Prop. Johnson Music Store Ironwood, Mich.	Requests C. P. 1420 kc, 25 watts, daytime until 7 P.M.
WTFI	Toccoa Falls Institute Toccoa, Ga.	Requests C. P. to move transmitter and studio; increase operating power from 500 w. to 1 KW, and change eqpt. increasing max. rated power to 1 KW.
New	Herbert A. Morris Clarksdale, Miss.	Requests C. P. 1420 kc, 100 watts, daytime and to use portable to test for location.
KMLB	J. C. Liner Monroe, La.	Requests C. P. to make changes in eqpt. increasing max. rated power from 75 to 100 watts, and increase operating power from 50 to 100 watts.
KGKL	KGKL Incorporated San Angelo, Texas	Requests C. P. to make certain changes in transmitter and incr. of operating power from 100 to 250 w. day and 100 w. night.
WDGY	Dr. George W. Young Minneapolis, Minn.	Requests C. P. to make changes in eqpt. increasing max. rated power from 1 KW to 2500 watts; change freq. from 1180 to 920 kc, and increase power from 1 KW to 1 KW night and 2½ KW day, and change hours to unlimited.
New	Jack E. Stranger Coeur d'Alene, Idaho	Requests C. P. 1070 kc, 100 watts daytime, and to use portable to test for location.
WHK	Radio Air Service Corp. Cleveland, Ohio	Requests Mod. of Lic. to increase operating power from 1 KW to 2½ KW day and 1 KW night
WDBO	Orlando Brdcastg. Co. Inc. Orlando, Fla.	Requests Mod. of Lic. to increase hours of operation from half time on channel to unlimited.

APPLICATIONS DISMISSED

KOY, Phoenix, Ariz., Mod. of L. 940 kc, 500 w.; New, Hardin, Mont., C.P. 600 kc, 10 watts; New, Vicksburg, Miss., C.P. 550 kc, 100 w; New, Wellsboro, Pa., C.P. 580kc, 10 w; KID, Idaho Falls, Idaho, C.P. 1320 kc, 500 watts; New, So. Hampton, N.Y., C.P. 1190 kc, 150 watts, unlimited time; KMED, Medford, Ore., C.P. 580 kc, 500 w; New, Brownsville, Tex., C.P. 1330 kc, 15w; WTFI, Toccoa Falls, Ga., C.P. 1450 kc. 500 w; New, Parma, Mo., C.P. 1370 kc, 50w; New, Carlsbad, N.Mex., C.P. 1420 kc, 25 watts.

HEARINGS SCHEDULED

The following hearings are scheduled for the week commencing Monday, January 12. All hearings commence at 10 a.m.

MONDAY, January 12, 1931

New F. B. Wilson & Richard C. P. 1210 kc. 37 w.
Dearing - Jamestown Broadcasting To share with WOCL
Company, Jamestown, New York

NOTIFIED: WOCL - Jamestown, N. Y.

New Earle H. Barton C. P. 920 kc. 50 w D
Lake Placid, N. Y.

WCDA Italian Educational Broadcasting C. P. 1350 kc. 1 KW
Company, Incorporated To share with WKBQ, WMSG & WBNY
New York, N. Y.

Present assignment: 1350 kc 250 watts
Shares with WKBQ, WMSG and WBNY

NOTIFIED: KWK, St. Louis, Mo.; WFBL, Syracuse, N.Y., WDRC, New Haven,
Conn.; WFOE, Patchogue, N. Y.

New Tingley, Roy & Larimore, C. P. 1200 kc. 7 1/2 w D
Leroy, Minn.

NOTIFIED: KFJB, Marshalltown, Iowa; WOLO, Janesville, Wisconsin; WJBC,
La Salle, Ill.; KGDE, Fergus Falls, Minn.; WBY, W. DePere,
Wisconsin; KGDY, Oldham, South Dakota.

TUESDAY, January 13, 1931.

WNYC City of New York, Mod. L. 570 kc. 500 w.
Dept. of Plant & Structures Unlimited time
New York City

Present Assignment: 570 kc 500 w.
Shares with WMCA

NOTIFIED: WMCA, New York City

Knickerbocker Broadcasting Mod. L. 570 kc 500 w.
Company Incorporated Unlimited time
New York City

Present Assignment: 570 kc 500 watts
Shares time with WNYC

NOTIFIED: WNYC, New York City

APPLICATIONS RECEIVED

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WLBL	State of Wisconsin Department of Agriculture & Markets 201 Strongs St. Stevens Point, Wisconsin	900	-----	Cons. permit to change equipment.
KLPM	John B. Cooley 26 E. Central Avenue Minot, North Dakota	1420	-----	License to cover cons. permit for change in equipment which was issued 11-25-30
KPPC	Pasadena Presbyterian Church 535 East Colorado Street Pasadena, California	1210	-----	Cons. permit to change equip- ment and increase power from 50 watts to 100 watts on 1210 kilocycles.
KPCB	Westcoast Broadcasting Company 3rd & Pine Streets Seattle, Washington	650	-----	Cons. permit to change equip- ment.
WELL	Enquirer-News Company 74 W. Michigan Street Battle Creek, Michigan	1420	-----	Construction permit to change equipment and install auto- matic frequency control.
NEW	J. Milton Guyton West Main Street Uniontown, Penna.	-----	620	Cons. permit resubmitted to request 250 watts day and night instead of 250 watts day and 100 watts night, on 620 kc, daytime and 3 even- ings per week.
WABZ	Coliseum Place Baptist Church 1376 Camp Street New Orleans, La.	1200	-----	Request for authority to install Automatic Frequency Control.
WABZ	Coliseum Place Baptist Church 1376 Camp Street New Orleans, La.	1200	-----	Request for authority to voluntarily assign license to SAMUEL D. REEKS.
NEW	J. A. Eugh & Non Binion d/b as KTL BROADCASTING COMPANY 106 South First Street Lufkin, Texas	-----	1460	Cons. permit to erect a new station to use 1460 kc. 7½ watts unlimited.
WGST	Macon Junior Chamber of Commerce 220 Second Street Macon, Georgia	890	-----	Cons. permit to change equip- ment and install automatic frequency control.
KFPW	John Brown Schools 1213 Garrison Street Fort Smith, Arkansas	1340	-----	Cons. permit to change equip- ment and install automatic frequency control, also to increase hours of operation from Daytime to Unlimited.

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
NEW	Weber Jewelry & Music Co. Inc. 714 St. Germain Street St. Cloud, Minnesota	-----	1370	Cons. Permit to erect a new station to use 1370 kc., 7½ watts, and Daytime hours. (2 hours per day.)
KNX	Western Broadcast Company 5555 Marathon Blvd. Hollywood, California	1050	-----	Mod. of Cons. Permit to extend completion date on Cons. Permit to 3/31/31.
KGIQ	Radio Broadcasting Corporation 262 - 3rd Avenue, West Twin Falls, Idaho	1320	-----	Mod. of cons. Permit to increase power on C.P. from 250 W. night and 500 W. day to 500 W. day and night and extend completion date to January 3, 1931.
KXL	KXL Broadcasters 269 Pine Street Portland, Oregon	1420	-----	Cons. Permit to change equipment.
KGIR	KGIR Incorporated 121 West Broadway Butte, Montana	1360	-----	Cons. Permit application amended to request 1360 kc. (their present frequency) instead of 1470 kc., and 1 KW. instead of 5 KW. with Unlimited hours of operation. (said changes to be made at present location, 121 West Broadway, Butte, Montana.)
NEW	Kirby Lee Horton & Leo Colvin McConnell 403 Main Street Clovis, New Mexico	-----	1310	Cons. Permit application amended to request 1310 kc. instead of 1110 kc. with 7½ watts.
WWJ	The Evening News Association, Inc. 615 West Lafayette Blvd. Detroit, Michigan	920	1020	Cons. Permit to move transmitter from 810 W. Lafayette Blvd., Detroit, Mich. to a location to be determined, install new equipment, change frequency from 920 kc. to 1020 kc., and increase power from 1 KW. to 50 KW.
NEW	Martin C. Newman 104 East Chicago Street Sturgis, Michigan	-----	1310	Cons. Permit application amended to request 1310 kc. instead of 950 kc. with 100 watts and Unlimited hrs.

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
KFJB	Marshall Electric Company Inc. 1603 West Main Street Marshalltown, Iowa	1200	-----	Cons. permit to change equipment and install automatic frequency control.
WJAR	The Outlet Company 176 Weybosset Street Providence, Rhode Island	890	620	Mod. of licence to change frequency from 890 kc. to 620 kc., and increase power from 250 W. night and 400 W. day to 500 watts day and night, with Unlimited hours.
WHEC- WABO	Hickson Electric & Radio Corp. 40 Franklin Street Rochester, New York	1440	-----	Mod. of License to increase hours of operation from sharing with WOKO to Unlimited on 1440 kc.
WOCL	A. E. Newton Eagle Temple Jamestown, New York	1210	-----	Cons. Permit to install new equipment, increase power from 25 W. to 50W., and change location of mainstudio from Eagle Temple to Main and Richmond Sts., Jamestown, N.Y.
WIBR	George W. Robinson 141 North 4th Street Steubenville, Ohio	1420	-----	Request for authority to install Automatic Frequency Control.
WAIU	American Insurance Union Deshler-Wallick Hotel Columbus, Ohio	640	-----	Cons. Permit to move transmitter from Sharon Road to Robinwood Road $7\frac{1}{2}$ miles East of Columbus, Ohio, install new equipment, and increase power from 500 W. to 1 KW. on 640 kc.
KGFF	D. R. Wallace, owner KGFF Broadcasting Company Barnes & 5th Streets Alva, Oklahoma	1420	-----	Request for authority to voluntarily assign license and construction permit to the KGFF Broadcasting Co. Incorporated.
WTA7	Agricultural & Mechanical College of Texas College Station, Texas	1120	-----	Cons. Permit to install a new transmitter.
KGNF	Herbert Logan Spencer 1621 West 12th Street North Platte, Nebraska	1430	-----	Request for authority to voluntarily assign license to the Great Plains Broadcasting Company.(a corp.)

THE VESTAL COPYRIGHT BILL

The Vestal Copyright Bill (H.R. 12549) in the form in which it comes before the House might well be entitled "a bill to encourage copyright racketeers," according to H. A. Bellows of Minneapolis, Chairman of the legislative committee of the National Association of Broadcasters, who is in Washington seeking amendments to the bill.

"The measure as it stands simply throws open the whole field of musical performance to be exploited by copyright racketeers," said Mr. Bellows. Under the present law, users of copyright material have at least the reasonable protection afforded by the requirement of registration and of publication of the copyright notice. The pending bill would create copyright from the inception of a work, before publication, and without compliance with any formalities whatsoever.

"Every broadcaster uses dozens of musical compositions daily, and for these he is entirely willing to pay a fair royalty. All he asks is to know where he stands. Under the pending bill, he could know neither which compositions are covered by copyright, nor who owns such copyrights. Despite his most conscientious diligence, he would be an innocent infringer, and thus liable to heavy damages, many times every day

"The copyright racketeer, the author, composer or publisher who encourages public performance with the intention of subsequently threatening action for violation of copyright, is today restrained only by the fact that the law requires him to give public notice of his claim. The proposed law denies to the public even this measure of protection.

"Copyright law is so highly technical in its method of protecting the public from exploitation that it has been possible to create a considerable sentiment in favor of the Vestal bill, changing the entire basic principle of American copyright legislation, among people who have no clear notion of what it is all about. Nobody confronted with the actual language of the bill can fail to see that it sacrifices the rights of the American people in favor of a small group of special interests.

"The broadcasters of America have gone on record unanimously as opposing certain features of this bill. They ask no special favors, nor would they in any way deny the right of authors or composers to fair rewards for their work. They do, however, claim that the American people have a right to know the ownership of property in which they have a definite and lasting interest, and to be protected against the unscrupulous practices of copyright racketeers."

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BROADCASTERS' NEWS BULLETIN

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Stations in the Commercial, Regulatory, Legislative and Judicial Fields

Issued by

OFFICERS

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EDWIN W. SPENCE, Atlantic City, N. J.
Vice President
O. D. FISHER, Seattle, Wash.
Vice President
PAUL W. MORENCY, Hartford, Conn.
Treasurer

THE NATIONAL ASSOCIATION OF BROADCASTERS

Incorporated
NATIONAL PRESS BUILDING
WASHINGTON, D. C.
Telephone District 9497

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Managing Director
EUGENE V. COGLEY
Assistant to Managing Director
OLIVINE FORTIER
Secretary

THE VESTAL BILL

The Vestal Copyright Bill, with all of its provisions dangerous to broadcasting, is now before the Senate.

Before the bill was officially before the Senate, the Senate Patents Committee held a meeting and voted a favorable report on the measure, denying the requests of broadcasters that their case be heard.

Demanding that broadcasters be given an opportunity to express their views on the measure, Senator Dill of Washington, when the bill reached the Senate, was successful in having it tabled. At the same time he is insisting that the bill be referred to the Senate Interstate Commerce Committee or that the Senate Patents Committee grant hearings. Senator Dill is a member of both committees.

Senator Dill, rallying to the cause of the broadcasters, deserves the unstinted thanks of every member of the Association as well as every other station licensee. His work undoubtedly will secure the hearing broadcasters are demanding.

The whole-hearted response and cooperation of officers and directors of the Association, as well as members and non-members alike has been encouraging. As far as can be learned, every officer and member of the Board promptly and efficiently responded to requests sent out from headquarters.

EXAMINER'S REPORTS.

In re application of Paul J. Gollhofer (WMBQ) for renewal of license on 1500 kc, 100 watts sharing with WCLB, WWRL and WLBX, Docket No 927, Report No. 50 by Examiner Pratt recommends denial of application.

In re application Voice of Brooklyn, Inc., (WLTH) for renewal of license on 1400 kc, 500 watts sharing with WCGU, WBBC and WSGH-WSDA, Docket No. 970, Report No. 51 by Examiner Pratt recommends denial of application.

In re application of WCLS, Inc., (WCLS) for renewal of license on 1310 kc, 100 watts sharing with WKBB, Docket No. 936, Report No. 52 by Examiner Pratt recommends denial of application.

In re application of Long Island Broadcasting Corporation (WWRL) for renewal of license on 1500 kc, 100 watts, sharing time with WMBQ, WLBX and WCLB, Docket No. 956, Report No. 53 by Examiner Pratt recommends denial of application.

In re application of The Rice Hotel (KTRH), for renewal of license on 1120 kc, 500 watts sharing with WTAW, Docket No. 971, Report No. 54 by Examiner Pratt recommends approval of application.

In re application of Camith Corporation (WKBO), for renewal of license on 1450 kc, 250 watts, sharing with WBMS, WNJ and WHOM, Docket No. 943, Report No. 55 by Examiner Pratt recommends denial of application.

In re application of Standard Cahill Co., Inc., (WKBQ) for renewal of license on 1350 kc, 250 watts sharing with WAWZ, WMSG and WCDA, Docket No. 937, Report No. 56 by Examiner Pratt recommends denial of application.

In re applications of Radio Operators, Inc., and Los Angeles Broadcasting Company (KFVD), the first for authority to erect a new station on 860 kc, 500 watts and Limited Time, and the second to change frequency to 860 kc, 1 KW and Limited Time under Docket Nos. 922 and 963, were both covered by Report No. 57 by Examiner Pratt who recommended denial of both applications.

ACTION ON EXAMINERS' REPORTS.

The following action was taken by the Commission on Examiners' Reports during the current week.

In re application of Daily Telegraph Printing Company, (WHIS) Bluefield, West Virginia, for a construction permit to change frequency from 1420 to 1410 kc; and increase power to 250 watts and change hours of operation from unlimited to half time on requested frequency. Docket 974, Report No. 43. Request of applicant granted, sustaining Examiner Yost.

In re application of Henry Dean Harris, Dyersburg, Tenn., for construction permit to erect new station on 1390 kc with 15 watts, for operation 3 to 5½ hours daily. Docket 946, Report No. 31. Request of applicant denied, sustaining Examiner Pratt.

In re application of C. L. Carrell (formerly WIBJ), Springfield, Missouri, for a construction permit to permanently locate formerly licensed portable station WIBJ on 1200 kc with 100 watts and unlimited time. Docket 904, Report No. 35. Request of applicant denied, sustaining Examiner Pratt.

In re application of Debs Memorial Radio-Fund, Inc., (WEVD) for renewal of license on 1300 kc, 500 watts, sharing time with WHAZ, WHAP and WBBR, Docket No. 969, Report No. 38. Request of applicant was first granted earlier in the week, reversing recommendation of Examiner Pratt. At the Commission meeting Friday, this prior action was reversed and the entire report reconsidered and the case was remanded for the taking of further testimony.

REGIONAL APPLICATIONS RETURNED

The Commission this week returned to stations WCSH, Portland, Maine, WDAY, Fargo, N.D. WFIW, Hopkinsville, Ky, and KOIN, Portland, Ore. their applications to increase their operating power to 5 kw each. In returning these applications the Commission pointed out that the maximum power permissible on the channel of 940 kc, on which they now operate, is 1 kw under the provisions of General Order No. 40.

Following the action of these stations, WOW, Omaha, Nebr. WEEL, Boston, Mass. and KHQ, Spokane, Wash. this week filed applications also asking that their power be laterally increased to 5 kw.

If these applicants insist upon being heard upon their applications the Commission will be confronted with the first direct attack upon General Order 40 in months.

KHJ PERMITTED TO INTERVENE

The Court of Appeals of the District of Columbia this week granted permission to the North West Broadcasting System, KJR, to intervene in the appeal filed several days ago by the Fisher's Blend Station, KOMO, Seattle, Wash. from a decision of the Commission denying KOMO's application to operate on 970 kc, KJR's frequency.

The Court also has denied the petition for a rehearing in the case of W. O. Ansley, jr. who was denied authority to erect a new station at Abilene, Tex. to operate on 550 kc with 1 kw.

"TOO MUCH ADVERTISING" AGAIN

In the wake of Dr. Lee DeForest's annual announcement that radio advertising is killing the goose that laid the golden egg, newspaper editorial writers have been busy criticising what Senator Dill has aptly termed the "American plan" of broadcasting.

A leading American newspaper this week printed an editorial warning broadcasting stations to "temper the amount and kind of advertising" and elevate programs above the "thirteen-year-old" level or "the government control movement, now gathering momentum in Canada will probably spread to the United States."

On the other hand, Commissioner Harold A. LaFount stated publicly this week that "the very fact that broadcasters are progressing and that there is no general complaint, seems to show that the majority of stations, at least, are operating in the public interest in this respect. The Commission seldom receives complaints against stations for excessive advertising alone."

Arthur Batcheller, travelling supervisor, Radio Division, Department of Commerce, returned to Washington from a swing around the country and reports that broadcasting stations on the whole are showing improvement not only with respect to frequency stability and general mechanical operation, but that there has been a marked improvement in program material.

STATIONS WARNED OF GENERAL ORDERS.

Recently the Federal Radio Commission adopted a general order providing for six months license commencing January first. Monday, January 5th, the Commission postponed the effective date of that order until April 30, in order to give the Commission time to scrutinize respective worthiness of all applications for renewal licenses.

The National Association of Broadcasters takes this occasion to remind its members that there are various general orders of the Federal Radio Commission which are frequently being ignored by stations. Among these are the announcement of call letters and electrical transcriptions.

With regard to the first point the Commission's General Order No. 8, issued on May 5, 1927, contained the following language: "* * * * is hereby directed to announce its call letters and location as frequently as may be practical while it is broadcasting, and in any event, not less than once during each fifteen minutes of transmission. It is understood, however, that this requirement is waived when such announcement would interrupt a single consecutive speech or musical number, and in such cases announcement of the call letters and location shall be made at the beginning and end of such number."

A careful check by members will develop that there is almost constant violation of this order. It is almost an assured fact that unless stations become more active in enforcing this rule they will find themselves cited for violations.

The announcement of transcriptions and phonograph records, the Commission's General Order No. 78 contains the following language: "phonograph records, mechanical piano players, etc., all broadcasting stations shall announce clearly and distinctly the character of * * * * *. In such announcement each talking machine, phonograph or graphophone record used, whatever its character, shall be described by the use of the EXACT words 'this is a talking machine record' or 'this is a phonograph record' or 'this is a graphophone record.' Each player piano selection used shall be described as played by a mechanical piano player after every mechanical reproduction and shall be similarly described by the term generally understood and used by the public and meaning such mechanical reproduction."

The radio inspectors of the Department of Commerce are becoming more active in checking stations in this matter, and stations must not assume that such phrases as "we now play a record by - - -, of the popular dance hit - - -" or the use of the word "recording" will get them by.

On the subject of electrical transcriptions for broadcast purposes, the Commission says as follows, in its same General Order No 78 - "* * * each such recording shall be immediately preceded and followed by the following statement: 'this program is an electrical transcription made exclusively for broadcast purposes.' Broadcasting stations shall not use records, transcriptions or piano player rolls when the length of rendition thereof exceeds fifteen minutes unless provision is made for the announcement of the station's call letters, which must be given together with the statement above set forth, at least every fifteen minutes."

Station owners are finding that the Department of Commerce radio inspectors will not recognize such phrases as "this is an electrical transcription," nor will they recognize failure to include the standby in half hour programs or the repeated phrase that the program is an electrical transcription.

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STATIONS WARNED OF GENERAL ORDERS (CONTINUED)

Station owners should watch all electrical transcriptions because of the growing tendency to incorporate in transcriptions such phrases as "this is an electrical transcription," with the expectation that the station will consider that sufficient announcement. Several programs are being broadcast which are a half hour in length which allow for no fifteen minute cut-in.

In one particular series of program the electrical transcription was stopped at intervals and an announcement made, which ended up with a phrase such as "we now continue with the dance music."

Several station owners found themselves confronted with citations of violations of the Commission's General Order 78. Without placing undue emphasis on the manufacturers of electrical transcriptions, station owners are cautioned, for their own benefit, to watch the manner in which the credit for the program being an electrical transcription is made, and it would seem that the safest way is for the station to make a statement as follows at the opening "the program of - - - - which we now present from station - - - - comes to you in the form of an electrical transcription made exclusively for broadcast purposes" and follow this with whatever further introductory announcement is necessary. A similar statement in the middle of the program and after the announcement at the end, to conclude with the statement " - - - - program has come to you from - - - - in the form of an electrical transcription made exclusively for broadcast purposes," then if the transcription itself contains some phrase which is not in accordance with General Order 78, the station, at least, is protected.

NAB LIBRARY

The following hearings are scheduled for the week commencing Monday,

January 19th. All hearings commence at 10 a. m.

MONDAY, January 19, 1931.

KXA	American Radio Telephone Co. Seattle, Wash.	Mod. Lic. Present Assgn.	570 kc Unlimited 570 kc Unlimited provided no interference with K U O M results.	1 kw Time 500 w.
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NOTIFIED: KMTR - Hollywood, Calif.

WREC	WREC, Inc. Memphis, Tenn.	Ren. Lic.	600 kc	500 1 kw L S
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KGKO	Wichita Falls Brdcst. Co. Wichita Falls, Tex.	C. P. Present Assgn.	570 kc 570 kc Unlimited - -	500 w 250 w 500 L S
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NOTIFIED: WNAX, Yankton, S. D. WWNC, Asheville, N. C.

KMTR	KMTR Radio Corp. Hollywood, Calif.	C. P. Present Assgn.	570 kc 570 kc Unlimited	1 kw 500 w
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NOTIFIED: WNAX, Yankton, S. D. KGKO, Wichita Falls, Tex.
KXA, Seattle, Wash.

TUESDAY, January 20, 1931

NEW	R. P. Denman, Paris, Texas	C. P.	1210 kc	100 w
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NOTIFIED: KWKH, Shreveport, La. WOAI, San Antonio, Texas
KGMP, Elk City, Okla.

KGKL	KGKL, Inc. San Angelo, Texas	C. P. Present Assgn.	1370 kc 1370 kc	100 w 250 L S 100 w
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NOTIFIED: KFJZ, Fort Worth, Texas KMAC, San Antonio, Texas
KONO, San Anotnio, Texas

NEW	King Evans, Marshall, Texas	C. P.	1420 kc	100 D
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NOTIFIED: KXYZ, Houston, Texas KFYO, Abilene, Texas
KTBS, Shreveport, La.

APPLICATIONS RECEIVED

The following applications were received at the Commission during the week ended January 3:

call	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
KGBX	Foster-Hall Tire Company 1829-37 Colhoun St., St. Joseph, Missouri	1310	-----	License to cover Cons. Permit issued 1/17/30 to install new equipment.
KFIZ	The Reporter Printing Company 18 Forest Avenue Fond du Lac, Wisconsin	1420	-----	Cons. Permit to move transmitter and studio from 18 Forest Ave. to West First St. 18-20-22, Fond-du-Lac, Wisconsin, and install new equipment.
WGN-WLIB	The Tribune Company 140 East Walton Place Chicago, Illinois	720	-----	Cons. Permit to change equipment.
KGEZ	Kalispell Chamber of Commerce Main and Third Sts. Kalispell, Montana	1310	-----	Request for authority to voluntarily assign license to Donald C. Treloar and Stanley R. Church, trading as Treloar-Church Brdcstg. Company.
KGW	Oregonian Publishing Company 6th and Alder Sts., Portland, Oregon	620	-----	Cons. Permit to move transmitter from 6th and Alder Sts., Portland to Faloma, Oregon.
KGEK	Elmer G. Beehler, trading as Beehler Electrical Equipment Co. 109 West 2nd Ave., Yuma, Colorado	1200	-----	Cons. Permit to change equipment.
WTBO	Associated Broadcasting Corp. Frederick & Liberty Sts., Cumberland, Md.	1420	-----	License to cover construction permit issued 12-5-30 to install new equipment and increase power from 100 watts to 100 watts night, 250 watts day.
WMBC	Michigan Broadcasting Co. Woodward at Adelaide Detroit, Michigan	1420	-----	License to cover cons. permit issued 9/2/30 for change in equipment.
WBZ	Westinghouse Electric & Mfg. Co. Hotel Kimball, Springfield, Mass.	990	-----	Mod. of Cons. Permit to extend completion date on Cons. Permit to 2/28/31.

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WOKO	H. E. Smith & R. M. Curtis, d/b as Hudson Valley Brdcstg. Co. 311 Mill St., Poughkeepsie, N.Y.	1440	1430	Mod. of License to change frequency from 1440 kc. to 1430 kc. and hours of operation from sharing with WHEC-WABO to Unlimited.
WFOX	Paramount Broadcasting Corp. Fox Theatre, Brooklyn, N. Y.	1400	1300	Mod. of License to change frequency from 1400 kc. to 1300 kc. and hours of operation from sharing with WGGU, WLTH, and WBBC to Unlimited.
WMC	Paul Dillard & Enoch Brown, Jr. 30 North 2nd Street Memphis, Tennessee	780	-----	Request for an involuntary assignment of license from Memphis Commercial Appeal, Inc. to Paul Dillard and Enoch Brown, Jr.
KFJM	University of North Dakota Decotah Hotel, 3rd St. & 1st Ave. Grand Forks, North Dakota	1370	-----	Request for authority to install Automatic Frequency Control.
WCRW	Clinton R. White 2756 Pine Grove Avenue Chicago, Illinois	1210	-----	Cons. Permit to change equipment.
KPSN	Pasadena Star-News Publishing Co. 525 E. Colorado Street Pasadena, California	1360	-----	Request for authority to install Automatic Frequency Control.
KFUP	Fitzsimmons General Hospital U. S. Army Colfax & Peoria Streets Denver, Colorado	1310	-----	Cons. Permit to move transmitter about 300 ft. from present location and change equipment.
KFXD	Frank E. Hurt, tr. as Service Radio Company 1024 - 12th Ave. S., Nampa, Idaho	1420	-----	Cons. Permit to install new equipment and increase power from 50 watts to 500 watts on 1420 kc.
WWJ	The Evening News Association, Inc. 615 West Lafayette Blvd., Detroit, Michigan	920	1020	Cons. Permit to move transmitter from 810 W. Lafayette Blvd., Detroit, Mich. to a location to be determined, install new equipment, change frequency from 920 kc. to 1020 kc., and increase power from 1 KW. to 50 KW.

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
NEW	Martin C. Newman 104 East Chicago Street Sturgis, Michigan	-----	1310	Cons. Permit application amended to request 1310 kc. instead of 950 kc. with 100 watts and Unlimited hrs.
NEW	THOMAS F. HARDINS, trading as The Broadcasting Service Company 69th and Market Streets Upper Darby, Penna.	-----	900	Cons. Permit application amended to request 900 kc. instead of 1200 kc., 250 W. (day only) instead of 250 W. day and 100 W. night, and Daytime hours instead of Unlimited.
WDBO	Orlando Broadcasting Co. Inc. 545 North Orange Street Orlando, Florida	1120	-----	License to cover Cons. Permit issued 9/19/30 to change equipment.
WCAJ	Nebraska Wesleyan University 51st and St. Paul Street Lincoln, Nebraska	590	-----	Mod. of Cons. Permit to change equipment and increase power on C.P. from 250 watts to 500 W. on 590 kc.
NEW	Louis F. Kuester 900 North Main Street West Bend, Wisconsin	-----	1310	Cons. Permit to erect a new station to use 1310 kc. 50 watts, and Unlimited hrs.
NEW	Stewart A. Heigold and Cecil M. Johnson 320 - 1st Ave., Yuma, Arizona	-----	1500	Cons. Permit application amended to request 1310 kc. instead of 1500 kc, with 100 watts and unlimited hrs.

LAFOUNT DISCUSSES SYNCHRONIZATION

Synchronization will not spell ruin of the local and regional stations, Commissioner Harold A. Lafount declared in a statement this week. "I want to allay any fear that synchronization, or the operation of more than one high-powered station on a single channel, will spell the ruin of the local and regional station," the Commissioner declared. "There will be no monopoly of the wave lengths, as some individuals have predicted, with the advent of synchronization."

RADIO ON TRAINS IN ENGLAND

According to the Department of Commerce a train of the London and North Eastern Railway Company's running from King's Crossing to Leeds has been equipped with broadcasting service. The train, a dining express, will be equipped with receiving apparatus supplying broadcast programs to passengers through headphones.

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Managing Director
EUGENE V. COGLEY
Assistant to Managing Director
OLIVINE FORTIER
Secretary

January 23, 1931

COPYRIGHT HEARINGS GRANTED

The Senate Patents Committee this week voted to grant the request of the National Association of Broadcasters for a hearing on the Vestal Copyright Bill (H.R. 12549) which has already passed the House. The Committee previously had voted to report the bill favorably without further hearings.

The following telegram was received from Senator C. W. Waterman, chairman of the Committee:

"PHILIP G LOUCKS
MANAGING DIRECTOR NATIONAL ASSOCIATION OF BROADCASTERS
NATIONAL PRESS BUILDING WASHINGTON D C

SENATE COMMITTEE ON PATENTS WILL HOLD HEARINGS ON H R TWELVE FIVE FOUR NINE BEING THE VESTAL GENERAL COPYRIGHT REVISION BILL ON WEDNESDAY AND THURSDAY JANUARY TWENTY EIGHT AND TWENTY NINE INSTANT BEGINNING AT TEN OCLOCK IN THE FORENOON IN ROOM 224 SENATE OFFICE BUILDING STOP HEARINGS WILL BE LIMITED TO THESE TWO DAYS STOP ONE HALF OF THE TIME WILL BE ALLOTTED TO THE REPRESENTATIVES OF THOSE OPPOSING THE BILL OR PORTIONS THEREOF AND THE REMAINING HALF TO THE SUPPORTERS OF THE BILL

C W WATERMAN CHAIRMAN SENATE PATENTS COMMITTEE"

Broadcasters will be represented by officials of the Association, members of the Copyright Committee, and Louis G. Caldwell, special counsel to the Copyright Committee, who will present the case of the broadcasters and offer the amendments designed to safeguard their interests.

NAB COMMITTEES NAMED

President Walter J. Damm, WTMJ, has announced a tentative list of committee appointments for the current year. The list below is complete with the exception of a few additions to be added later.

In making the announcements President Damm said:

"It is hoped that each committee will report at least twice a year. First, for the mid-year directors' meeting; and, second, for the annual meeting."

"It is suggested that each committee chairman notify the managing director of the dates and places of all meetings, and furnish a report for review in the weekly bulletin."

"As the president is an ex-officio member of all committee meetings it is desirable that he be notified of meetings."

"All chairmen are urged to appoint such committees to handle various subjects coming under the jurisdiction of the committee."

"The Commercial Committee has several tasks before it; namely, a sub-committee to meet monthly with the A.A.A.A., studying the problem of coverage based on method of procedure similar to the audit bureau circulation, the single commission problem and the discount problem."

The appointments follow:

ETHICS - Dr. Elliott, WOC-WHO, Chairman; Clark, WLW; Manchester, WAAW; Elwood, WEAJ; Seebach, WABC; Fitzer, WDAJ; Laughlin, KPO; Church, KMBC; Gluck, WBT; Junkin, KMOX; Swartwout, WCAO.

COMMERCIAL - Carpenter, WPTF, Chairman; Hedges, WMAQ; Shepard, WNAC; Witmer, WEAJ; Boice, WABC; Cormier, WOR; Hutchinson, KVOO; Campbell, WEAS; Gammons, WCCO; Kales, KFI; Howlett, WHK; Morency, WTIC; Shaw, WMT; Storey, WTAG; Brunton, KJBS.

AGRICULTURAL - Sessions, WIBW, Chairman; Mullen, WEAJ; Stuart, KFAB; Smith, WBEM; Peak, KFJB; Chamberlain, WMC; Cole, KELW; Stiles, WOW; Meyer, KFJR; Manchester, WAAW; Church, KMBC; Bill, WLS; Craney, KGLR; Kadderly, KOAC, Taylor, WBEN.

CONVENTION - Spence, WPG, Chairman.

(Committee subject to appointment by Chairman at time of selection of 1931 Convention).

MEMBERSHIP - Morency, WTIC, Chairman; Russell, WRC; Butcher, WABC; Ore, WLBW; Wooten, WREC; Gluck, WBT; Bill, WLS; Fitzpatrick, WJR; Meyer, KFJR; O. D. Fisher, KOMO; Hubbard, KSTP; Storey, WTAG; Burton, WEEI; Rogers, KNX; Junkin, KMOX.

LOCAL - Thompson, WFBG, Chairman; Peak, KFJB; Blackwell, KTSM; Benson, WIL Hogan, WLBW; Cummins, WRAK. (To be added to by Chairman).

REGIONAL - Shaw, WMT, Chairman; Gettler, WJAR; Webb, WWJ; Ore, WLBW; Wooten, WREC; Zimmerman, KPRC; Church, KMBC; Barnard, KVI; Bridges, WEBC; Perry, WFEM; Melcher, WCSH; Holloway, KFEC.

NAB COMMITTEES NAMED (Continued)

COPYRIGHT - Eastman, WENR, Chairman; Laughlin, KPO; Gluck, WBT; Webb, WWJ; O'Fallon, KFEL; Levy, WCAU; Lowman, WABC; Huber, WBAL; Twamley, WOC; Halley, KMBC; Kay, WSB; Chatterton, KGW; Blackwell, KTSM.

EXECUTIVE - Hedges, WMAQ, Chairman; Russell, WRC; Bellows, WCCO.

ENGINEERING - John V. L. Hogan, Chairman; Horn, WEAJ; Cohan, WABC; Chatterton, KGW; Hutchinson, KVOO; Chamberlin, WMC; West, KMOX; Lindsay, WMAQ; Meyer, WGN; Chase, WFAA; Chambers, WLW; Fox, KDYL; Adams, KFSD; Howlett, WHK; Hogan, WLBF.

LEGISLATIVE - Bellows, WCCO, Chairman; Shaw, WMT; Russell, WRC; Butcher, WABC; Harris, WHAS; Clements, WSM; Thompson, WFBG; Lee, KFRC; Lucy, WRVA; McCosker, WOR.

EDUCATIONAL - Judith Waller, WMAQ, Chairman; Elwood, WEAJ; Educational Director WLW; Educational Director, WABC; Heggy, WEAO; Campbell, WAPI; Nalder, KWSC; Swartwout, WCAO; Berkeley, WRC.

INCOME TAX INFORMATION

The National Association of Broadcasters has secured from the Valuation Division of the Internal Revenue Bureau for the benefit of its members a schedule of depreciation rates for broadcasting stations. The schedule is not to be regarded as official but may be used as a safe guide in calculating depreciation. Members may secure a copy of the schedule by writing to the Managing Director, NAB Headquarters, National Press Building, Washington, D. C.

DX CLUBS ASK NAB HELP

The DX clubs of the Newark News and the Chicago Daily News, through C. M. Falconer, 414 Water Street, Baltimore, Md. vice president in charge of programs for the Newark club, have asked the assistance of the NAB in carrying on their activities. The thousands of DXers throughout the country are performing an interesting and constructive work and the NAB is pleased to aid in every possible way.

GOVERNOR BROADCASTS FROM OWN STUDIO

Remote control apparatus, connected with WBZ, Springfield, and WBZA, Boston, has been installed in the Executive Offices of Governor John G. Winant of New Hampshire. Governor Winant will broadcast weekly or bi-weekly directly from his office. The Governor made the statement that he heartily endorses radio and considers it to be an intimate and important means of communication.

YOST STILL ON PACIFIC COAST

The hearings being conducted in California by Chief Examiner Yost of the Commission are expected to end this week. Mr. Yost may return to Washington by the end of next week. The high power hearing report cannot be expected for several weeks.

S. C. TAX LAW UNCONSTITUTIONAL

A radio receiving set is a "necessary instrument of interstate commerce" and a state is without power to enact a statute imposing an ordinary property tax on such instruments, it was ruled in a decision handed down this week by the District Court for the Eastern District of South Carolina. The decision was given in the equity suit brought by Station WBT Inc. against the South Carolina Tax Commission (No. 509) and held the statute enacted by the state legislature imposing a tax on receiving sets unconstitutional and void. An interlocutory injunction was granted to restrain the collection of the tax.

The opinion, written by District Judge Ernest F. Cochran and concurred in by U. S. Circuit Judge John J. Parker and District Judge J. Lyles Glann, after holding that the court had jurisdiction and that in the present state of the art all radio communications are interstate commerce, stated:

"Here the plaintiff is engaged in interstate commerce. The value of its business is impaired, and if the amount of the tax should be increased may be destroyed, by unlawful exactions made upon the owners of radio receiving sets. The power to tax is the power to destroy. If the state can levy a small tax, it can lay a tax which would be prohibitive. The direct and necessary result of the imposition of the tax in question is to impair the value of the plaintiff's business and a heavier tax might destroy it entirely."

The tax "cannot be sustained under those cases which hold that the State has a right to impose an ordinary property tax upon property having a situs within its territory and employed in interstate commerce; for here the tax is not a general property tax, but a license tax for the privilege of using an instrument of interstate commerce."

In the case of *Whitehurst v. Grimes* (21 Fed.(2d)787) it was held that a city, under its inherent police power, was without authority to levy a license tax upon the operation of transmitters because they were instruments to the carrying on of the business of radio communication.

CHAINS GROSS: \$27,000,000 in 1930

Despite the hue and cry about general business depression, gross income of the National Broadcasting Company and the Columbia Broadcasting System during 1930 amounted to \$26,667,391. or an increase of 42 per cent over 1929 revenues, according to Martin Codel, radio editor of the McClure Newspaper Syndicate.

According to Mr. Codel, "gross income to the N.B.C. from time sold to advertisers during 1930 was \$20,062,771, an average of about \$1,671,148 per month. Columbia's gross income from time sold was \$6,704,620, an average of about \$558,718 per month." In 1929, the two chains sold time to the value of \$18,729,571, showing an increase of 83 per cent over the preceding year.

While no figures are available to show the income from time sold on local stations and smaller networks, the Bureau of Advertising of the American Newspaper Publishers Association estimates the sum spent at from \$30,000,000 to \$50,000,000, exclusive of talent.

63 STATIONS AFFECTED BY ORDER

Sixty-three broadcasting stations, more than 10 per cent of the total number licensed in the United States, are affected by the Commission's General Order No. 103, adopted January 20th.

The first paragraph of the order extends the licenses of all stations, except the 63 specifically mentioned, from January 31st to April 30th.

The licenses of WLBX, KFQU, WJBW, KTSA, WHK, WCGU and KZM were extended for an indefinite period, but not later than March 31st, because of their pending applications heretofore designated for hearing.

Stations KFXI, KGB, KWKH, WJAY, WRUF, WMRJ, WIBR, WJW, WALR, WWL, WHBC, WRBL, WGBM, KRLD, KONO, KFYO, KIRA, WLOE and WMBC also received extension of their licenses for an indefinite term, but not later than March 31st, for the reason that these stations are now under investigation.

Stations WBRE, WCLS, WELL, WEVD, WHEC, WKBO, WKBQ, WLTH, WMBJ, WMBQ, WWRL, KBPS, KFUL, KGAR, KGBZ, KMPC, KTNT, KTRH, WNJ, WAIU, WREC and KFQW, had their licenses extended for an indefinite term, but not later than April 30th, for the reason that applications involving these stations have been heard but no decision has yet been reached.

Stations WAWZ, WDRC, WKAQ, WOAX, WDBJ, WGAR, WHP, WACO, WDAG, KGCR, KFVD, KFXI, KOL, KSEI and KUJ were not granted renewals of their licenses because of failure to file renewal applications in accordance with General Order No. 89.

NAB FILES COPYRIGHT BRIEF

The National Association of Broadcasters, through its counsel, Louis G. Caldwell and Philip G. Loucks, on Monday filed in the Supreme Court of the United States a brief as amicus curiae in the Buck v. Jewell-LaSalle Realty Company cases (Nos. 138 and 139). The case is before the court on certificate from the U. S. Circuit Court of Appeals for the Eighth Circuit and involves the right of a hotel company to receive broadcast programs for the benefit of its guests. The NAB brief argues:

1. The communication, by means of a radio receiving set and one or more loud speakers, of a broadcast musical composition to listeners, is not a performance of the musical composition.

2. If the communication by receiving set is a performance of the musical composition then the broadcaster does not perform publicly.

Members of the Association desiring copies of the brief should communicate with the Washington office immediately. Only a limited number of copies are available and requests will be filled in the order received.

COMMISSION APPROPRIATION BOOSTED

The House Appropriations Committee this week reported to the House the independent offices appropriation bill carrying an appropriation of \$465,000 for the Federal Radio Commission for the next fiscal year. This represents an increase of \$15,000 over the appropriation for the current fiscal year and is to be used largely for expansion and travelling expenses.

CRAVEN ASKS HEARING ON PLAN

Lieut. Commander T. A. M. Craven, former acting chief engineer of the Commission, who recently resigned from the Navy to enter private practice as a consulting radio engineer, this week submitted to the Commission a comprehensive plan for the improvement of radio broadcasting in the United States. Commander Craven has requested the Commission to hold a public hearing on his plan.

Explaining that the plan is evolutionary rather than revolutionary, Commander Craven believes the present situation can be improved by bringing about (a) a clearer understanding of the problem; (b) improvements in the fundamental organization of the broadcast structure; (c) improved technical developments; (d) improvements in legislative policy; (e) improvements in administrative policy; (f) improved management.

The plan may be summarized as follows:

(1) Adopt an administrative and legislative policy which will encourage the organization of radio broadcasting facilities conforming to the political, social, economic and geographical organization of the nation.

(2) In order to facilitate fundamental organization improvements in broadcasting, Congress should amend the present law. Definite suggestions for such a law are contained in this brief under the heading "Improvements in Legislative Policy."

(3) Congress should appropriate funds to carry out experiments with regard to precise frequency control and sky wave repression antenna.

(4) The Department of State should negotiate a more permanent and satisfactory arrangement relative to the use of broadcast frequencies with Canada, Mexico, Cuba and other North American nations.

(5) The Federal Radio Commission should require higher engineering standards on the part of licensees and should encourage the adaptation of synchronization, precise frequency control, high percentage low level modulation and sky wave repression antenna.

(6) The Federal Radio Commission should adopt the "bloc" principle of frequency allocation.

(7) The Federal Radio Commission should adopt a more accurate system of evaluation of radio frequency assignments.

(8) The Federal Radio Commission, after having established an accurate evaluation system and adopted higher standards of engineering, should increase the number of stations by taking advantage of the closer geographical separations made possible as the result of such improvements.

(9) The Secretary of Commerce should collect data and publish information as to the following:

- (a) The relation between the service area of a broadcasting station and the trade area of the community in which the station is located.
- (b) The effect on the service area of new technical developments of radio.
- (c) Economic organization of broadcast stations.

(10) Every broadcaster should familiarize himself thoroughly with the details of all of the issues involved in broadcasting, and should then arrive at some basis of cooperation in the interest of the entire public.

(11) All receiver manufacturers should give added attention to the selectivity characteristics of receivers and to this end, if cooperation is not forthcoming, the Department of Commerce should publish the characteristics of all types of receivers manufactured for general sale to the public.

(12) Federal authorities should give consideration to the practicalities of widening the band of frequencies now available for broadcasting, and should endeavor to make negotiations with foreign nations with respect thereto.

At the request of Commander Craven, the entire report has been turned over to the Engineering Committee of the NAB for study.

LABOR RESOLUTION PRESENTED

Senator Brookhart of Iowa, inserted in the Congressional Record this week a resolution adopted by the American Federation of Labor requesting Congress to set aside three channels for the use of the Labor, Interior and Agriculture Departments. Senator Glenn of Illinois, earlier in the session, introduced a bill embodying the request of the Labor organization.

The Senate also has before it the bill introduced by Senator Fess providing that 15 per cent of all broadcast channels be set aside for the exclusive use of educational institutions.

While there is little hope for the passage of either of these bills during the present short session, it is rumored here that the Labor organization has the pledges of 90 per cent of the members of the next Congress to support its move.

SMOOT INTRODUCES BILL

Senator Smoot of Utah introduced an amendment to the copyright revision bill providing that "No owner or operator of any broadcasting station, hall, or other place and no sponsor of any program broadcast for hire, shall be deemed to infringe any copyright on account of the broadcasting or performance of any copyright work by any independent contractor from or in such station, hall, or other place, or in connection with such program." The bill also exempts charitable, educational and religious broadcasts from infringement. The bill would limit the term of copyright to 17 years.

MANAGING DIRECTOR NAMED ON COMMITTEE

The Managing Director of the NAB has been named as a member of the Committee on Convention preparing for the participation of the United States Government in the International Radiotelegraph Conference to be held in Madrid in 1932. The Managing Director has been assigned to the committee studying allocations and will represent the interests of broadcasters.

SERVICE BUREAU BEING ORGANIZED

A Service Bureau, which has as its purpose keeping all members of the Association advised of the receipt of all applications and actions of the Commission affecting their assignments is now being organized. The Bureau is in charge of Eugene V. Cogley, assistant to the Managing Director, who was formerly a member of the engineering staff of the Federal Radio Commission. This service will supplement the weekly Bulletin and will keep members promptly informed of each specific application and action affecting their interests.

BATCHELLER SEES IMPROVEMENT

Arthur Batcheller, travelling supervisor of radio of the Commerce Department's Radio Division has returned from a trip through the West and Southwest and has found that "because of increased carrier stability, frequency adherence and program improvement, radio broadcasting in the United States was never in a better condition. The report states "there are too many broadcasting stations being operated in the United States."

Batcheller's report reviews the work being performed by the Radio Division in checking stations and has found that largely due to this work objectionable interference is being minimized.

"There is every evidence," the report states, "that the good-will built up over a period of 18 years between the Department of Commerce through the Radio Inspection Service, and the radio industry and general public is still present. It is also apparent that radio legislation is considered to be one of the most important legislative matters now before Congress." The inspection service, it is claimed, is 60 per cent undermanned.

KWKH DRAWS ADVERSE REPORT

The application of the Hello World Broadcasting Corporation (Station KWKH) Shreveport, La. for an increase from 10 to 30 kw in power and from sharing with Station WWL to unlimited, should be denied by the Commission, Examiner Pratt recommended in a report this week. The report states that W. K. Henderson has used the station primarily as his "personal mouthpiece"; that much of the language used is "inimical to the moral and esthetic development of the youth of America"; that the station "is not devoted to a public but a private service"; and that the primary object is the "solicitation and accumulation of money." During the present week the Commission, in General Order No. 103, named KWKH as one of 19 stations being investigated.

ACTION ON EXAMINERS' REPORTS

The following action on Examiners' Reports was taken by the Commission during the current week.

WHEC-WABO Rep. #49	Hickson Electric and Radio Corp., Rochester, N.Y.	Granted renewal of License, 1440 kc, 500 Watts, divides with WOKO; sustaining Examiner Pratt.
WMBQ Rep. #50	Paul J. Gollhofer, Brooklyn, N.Y.	Granted Ren. of Lic. 1500 kc, 100 watts, divides with WCLB, WWRL, WL BX; sustain- ing Examiner Pratt.
New Rep. #47	William S. Walker Pittsburgh, Pa.	Granted C.P. 1500 kc, 100 watts, unlt'd. time, sustaining Examiner Pratt.
KTBH Rep. #54	The Rice Hotel Houston, Tex.	Granted Ren. of License, 1120 kc, 500 w. Divides with WTAW; sustaining Examiner Pratt.
KBPS Rep. #46	Benson Polytechnic School Portland, Oregon	Granted Ren. of Lic. 1420 kc 100 watts, 1/4th time, sharing with KXL; sustaining Examiner Yost.
WMBJ Rep. #47	Rev. John W. Sproul Pittsburgh, Pa.	Denied renewal of license to operate on 1500 kc. 100 watts, unlt'd. time; sustain- ing Examiner Pratt.

REGIONAL GROUP ASKS SYNCHRONIZATION

Applications have been received by the Commission requesting authority to conduct synchronization tests on the regional frequency of 1430 kilocycles for a one year period. WHEC-WABO, Rochester, New York, WOKO, Albany, New York, WBAK, WHP, Harrisburg, Pennsylvania, and WCAH, Columbus, Ohio, are the stations seeking authority to conduct these tests, using the matched crystal method. The applicants are now assigned to the frequencies of 1430 and 1440 kilocycles and due to their close geographical separation, they claim their listeners are experiencing considerable interference due to cross talk.

However, the applicants propose to use the same programs, and it is claimed that such simultaneous operation will alleviate the present cross talk, and result in general betterment of receiving conditions within the service areas of the applicant stations.

WHITE INTRODUCES RADIO BILLS

Congressman White, Senator-elect from Maine, on Thursday introduced in the House four bills (H.R. 16474, 16475, 16476, 16477) designed to carry out the recommendations of the Commission contained in its last annual report. The bills would amend Sections 2, 4, 9 and 14 of the Radio Act of 1927. The most important bill would give the Commission power to suspend licenses under certain conditions.

APPLICATIONS GRANTED

The following applications were granted by the Commission at its sessions during the current week:

CALL	NAME OF APPLICANT	NATURE OF ACTION
WNBR	Memphis Broadcasting Co. Memphis, Tenn.	Granted C.P. to change transmitter location locally in Memphis, install new eqpt, increase max. rated power of eqpt. from 700 w. to 1KW.
WGN WLIB	The Tribune Company Chicago, Ill.	Granted C.P. to make change in eqpt.
WCRW	Clinton R. White Chicago, Ill.	Granted C.P. to make changes in eqpt. reducing max. power output from 250 to 100 watts, and install automatic freq. control.
WBZ	Westinghouse E. and M. Co. Boston, Mass.	Granted Mod. of C.P. to extend completion date to Feb. 28, 1931.
WDBO	Orlando Brdestg. Co. Inc. Orlando, Fla.	Granted License authorizing change in eqpt; 1120 kc, 500 w. night 1 KW LS, half time.
WLEX	Carl S. Wheeler D/B as Lexington Air Stations Lexington, Mass.	Granted Consent to Vol. Assign. of Lic. to Bay State Broadcasting Corp.
WRDW	Warren C. Davenport's Musicove, Inc., Augusta, Ga.	Granted consent to Vol. Assign. of Lic. to Musicove, Inc.
WMC	Memphis Commercial Appeal, Inc. Memphis, Tenn.	Granted Involuntary Assign. of License to Paul Dillard and Enoch Brown, Jr., as receivers.
WCAZ	Robert E. Compton & Walter H. Tanner, D/B as The Superior Broadcasting Serv. Carthage, Ill.	Granted Consent to Vol. Assign. of C. P. to Superior Broadcasting Service, Inc.
KPSN	Pasadena Star-News Publ. Co. Pasadena, Calif.	Granted auth. to install automatic freq. control.
WISN	Evening Wisconsin Co. Milwaukee, Wis.	Granted auth. to use an auxiliary transmitter at same location as main transmitter.
WABZ	Coliseum Place Baptist Church New Orleans, La.	Granted authority to install automatic frequency control
KLPM	John B. Cooley, Minot, N. D.	Granted license authorizing change in equipment.
KMTR	KMTR Radio Corporation. Los Angeles, Calif.	Granted C.P. to move studio and transmitter -- install new equipment

APPLICATIONS GRANTED (CONTINUED)

The following applications were granted to make changes in equipment to conform to the terms of General Orders 91 and 97;

CALL	NAME OF APPLICANT	NATURE OF ACTION				
KWJJ	KWJJ Broadcast Co, Inc. Portland, Oregon.	Granted C.P. to make changes in equipment to conform to General Orders 91 & 97.				
KFJB	Marshall Electric Co., Inc. Marshalltown, Iowa.	"	"	"	"	"
KPCB	Wescoast Brdcstg. Co. Seattle, Wash.	"	"	"	"	"
KGJF	First Church of the Nazarene Little Rock, Ark.	"	"	"	"	"
KGKB	Eagle Publishing Co. Brownwood, Texas	"	"	"	"	"
WFOX	Paramount Broadcasting Corp. Brooklyn, N. Y.	"	"	"	"	"

REHEARING ASKED IN WHAM CASE

The Commission this week asked the Court of Appeals of the District of Columbia to grant a rehearing in the case of Stromberg-Carlson Telephone Manufacturing Company v Commission which was decided against the Commission on January 6. The case involved the validity of the Commission in proposed clear channel shift in General Order No. 87.

KOMO WINS FIRST ROUND

A petition filed by the Commission asking the Court of Appeals of the District of Columbia to dismiss the appeal of Station KOMO, Seattle, Wash., was denied by the court this week. The Seattle station appealed from a decision of the Commission denying its application for a construction permit to change its frequency to 970 kc, now assigned to Station KJR, Seattle, Wash., and to increase its power to 5 kw. The Commission alleged that Section 16, as amended, does not provide an appeal from refusal of a construction permit.

PROCEEDINGS BEING PRINTED

The NAB this week arranged for the publication of the proceedings of the eighth annual convention of the Association at Cleveland, Ohio, November 17, 18 and 19. Copies will be ready for distribution within the next few days. One hundred copies have already been sold.

APPLICATIONS RECEIVED

CALL LETTERS	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WEAI	CORNELL UNIVERSITY University Campus, Ithaca, N.Y.	1270	-----	Mod. of License to change power assignment from 500 W. with an add'l 500 W. on experimental basis to 1 KW. (without exp. clause) and hours of operation from Daytime to Daytime and occasionally after midnight.
WGAL	WGAL, INCORPORATED 8-10 West King St., Lancaster, Penn.	1310	1340	Cons. Permit to change frequency from 1310 kc. to 1340 kc., power from 100 W. to 500 W., hours from sharing with WRAW to Unlimited and change equipment.
KTHS	HOT SPRINGS CHAMBER OF COMMERCE (Scott D. Hamilton, Sect-Mgr.) 135 Benton St., Hot Springs, Ark.	1040	-----	License to cover Cons. Permit issued 10/14/30 to change equipment.
WBIG	NORTH CAROLINA BROADCASTING CO. INCORPORATED O. Henry Hotel, Greensboro, N.C.	1440	1240	Mod. of License to change frequency from 1440 kc. to 1240 kc. with Unlimited hours of operation.
NEW	NEW PHILADELPHIA BROADCASTING Co. (R.C. Hefling, Pres.), 112-114 Fair Ave., N. E., New Philadelphia, Ohio.	-----	1370	Cons. Permit to erect a new station to use 1370 kc., 100 watts and Unlimited hours.
NEW	KIRK JOHNSON & COMPANY 16-18 W. King St., Lancaster, Penna.	-----	1000	Cons. Permit to erect a new station to use 1000 kc., 1 Kilowatt and Daytime until sunset at Des Moines, Ia.
WOBV	WOBV, INCORPORATED Ruffner, Hotel, Charleston, W. Va.	580	-----	Amended to request authority to locate transmitter at 4 miles S.W. of Charleston, W. Va. instead of Daniel Boone Hotel, Charleston, W. Va.
WQDX	STEVENS LUKE 135 East Jackson St. Thomasville, Georgia	1210	-----	Cons. Permit to change equipment and increase power from 50 W. to 100 W. night and 250 W. day on 1210 kc.
NEW	STEWART A. HEIGOLD and CECIL M. JOHNSON 320 1st Ave., Yuma, Arizona	-----		Cons. Permit application amended to request different equipment.
NEW	PAUL R. HEITMEYER Lewiston, Idaho	-----	1200	Cons. Permit to erect a new station to use 1200 kc., 100 W., and Unlimited hours.
WGAR	THE WGAR BROADCASTING COMPANY Hotel Statler, Cleveland, Ohio	1450	-----	Mod. of Cons. Permit to extend commencement and completion dates to 1/20/31 and 4/20/31 respectively.

APPLICATIONS RECEIVED (Cont'd)

CALL LETTERS	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WCKY	L. B. WILSON, Inc. 6th & Madison Aves., Covington, Kentucky	1490	----	Mod. of License amended to request Unlimited hours on 1490 kc. instead of to request 6/7 time sharing with WORD. Station at present uses 4/7 time, sharing with WCHI, WJAZ, and WORD.
WFAN	KEYSTONE BROADCASTING COMPANY Broad & Fairmont Aves., Phila., Pennsylvania	610	----	Cons. Permit to move studio to 8th & Market Sts., and to use WIP's transmitter at 9th & Market Sts., Phila.
WFAN	KEYSTONE BROADCASTING COMPANY Broad & Fairmont Aves. Phila., Pa.	610	----	License to cover Construction Permit listed above.
KGBZ	DR. GEORGE R. MILLER 715 Grant Ave., York, Nebraska	930	----	Mod. of License to change hours of operation from sharing with KMA to Limited time on 930 kc.
WCAL	ST. OLAF COLLEGE Administration Bldg., Northfield, Minnesota.	1250	----	Cons. Permit to change equipment.
KPQ	WESCOAST BROADCASTING COMPANY 1st & Wenatchee Sts., Wenatchee Washington.	1500	----	Cons. Permit to change equipment.
WEEI	THE EDISON ELECTRIC ILLUMINATING COMPANY OF BOSTON 182 Tremont St., Boston, Mass.	590	----	Cons. Permit to install new equipment and increase power from 1 KW. to 5 KW. on 590 kc.
NEW	AROOSTOOK BROADCASTING CORP. Mars Hill, Maine	----	1020	Cons. Permit to erect a new station to use 1020 kc., 125 watts, and Unlimited hours.
WNRJ	PETER J. PRINZ 146-10 Jamaica Ave., Jamaica, N.Y.	1210	----	Cons. Permit to move transmitter and studio from 146-10 Jamaica Ave. to 162-14 Jamaica Ave., Jamaica, N.Y.
WNBO	JOHN BROWNLEE SPRIGGS Silver Haven, Pa.	1200	----	Cons. Permit to change equipment and increase power from 100 watts to 100 watts night and 250 watts day on 1200 kc.
NEW	E. A. FITZGERALD 612 Main St., Natchez, Miss.	1500	----	Cons. Permit to erect a new station to use 1500 kc., 100 watts and Unlimited hours.
WHB	WHB BROADCASTING COMPANY 12th & Baltimore Sts., Kansas City, Missouri	860	1120	Mod. of License to change frequency from 860 kc. to 1120 kc., increase power from 500 watts to 1 KW., and change hours of operation from Day-time to Unlimited.
WOW	WOODMEN OF THE WORLD LIFE Insurance Association Farnum at 14th, Omaha, Nebraska	590	----	Cons. Permit to change equipment and increase power from 1 KW. to 5 KW. on 590 kc.
WKBF	INDIANAPOLIS BROADCASTING INC. 540 1/2 North Meridian St., Indianapolis, Indiana	1400	----	Cons. Permit to change equipment and increase power from 500 watts to 1 KW. on 1400 kc.

APPLICATIONS RECEIVED (Cont'd)

CALL LETTERS	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
KGFW	OTTO F. SOTHMAN & ROY H. McCONNELL, 323 Grand Ave. Ravenna, Nebraska	1310	----	Cons. Permit to change equipment.
KFMX	CARLETON COLLEGE College Campus, Northfield, Minn.	1250	----	Cons. Permit to change equipment.
KFRU	STEPHENS COLLEGE (James M. Wood, President) Broadway, Columbia, Missouri	630	----	Cons. Permit to change equipment.
KGKY	HILLIARD COMPANY, INC. 1713 Broadway, Scottsbluff, Nebraska.	1500	----	Cons. Permit to move studio and transmitter from 1713 Broadway to 1517 Broadway, Scottsbluff, Nebraska.
KOIN	KOIN, INCORPORATED Broadway & Salmon St., Portland, Oregon	940	----	Mod. of License to increase power from 1 KW. to 5 KW. on 940 kc.
KOIN	KOIN, INCORPORATED Broadway & Salmon St. Portland, Oregon	940	----	Cons. Permit to make changes in equipment and increase power from 1 KW. to 5 KW. on 940 kc.
NEW	HARRY BYRON LEE 405 E. Elm St., Lamar, Colorado.	----	1310	Cons. Permit to erect a new station to use 1310 kc., 50 watts, and Daytime hours.
KSMR	SANTA MARIA RADIO Jones & McClelland Sts. Santa Maria, California	1200	----	Cons. Permit to move transmitter and studio from Santa Maria to Bakersfield, Calif., install new equipment.
WHEC- WABO	HICKSON ELECTRIC & RADIO CORP. 40 Franklin St., Rochester, N.Y.	1440	1430	Mod. of License to change frequency from 1440 kc. to 1430 kc., and increase hours of operation from sharing with WOKO to Unlimited.
NEW	JOHN H. DOANE & HAROLD E. DOANE D/B as Stamford Broadcast Service Cor. Bedford & Roxbury Rds., Stamford, Connecticut	----	930	Cons. Permit application amended to request a change in name of applicants from Paul C. Brown and Harold E. Doane to John H. Doane and Harold E. Doane, to request 930 kc., instead of 630 kc. and 500 watts instead of 250 watts with Unlimited hrs.
WLIT	LIT BROTHERS 8th & Market Sts., Phila., Penn.	560	----	Cons. Permit to install new equipment.
WOAI	SOUTHERN EQUIPMENT COMPANY 1028 Navarro St., San Antonio, Texas.	1190	----	License application amended to cover direct crystal control in equipment.
WCAZ	SUPERIOR BROADCASTING SERVICE, INC. 97½ S. Adams St., Carthage, Illinois	1070	----	License to Cover Cons. Permit to install a new transmitter.
KRE	1ST CONGREGATIONAL CHURCH OF BERKELEY 2345 Channing Way, Berkeley, Cal.	1370	----	Request for authority to voluntarily assign license to the COMMUNITY BROADCASTING Corporation, LTD.
KDB	DWIGHT FAULDING 17 East Haley St., Santa Barbara Calif.	1500	----	Cons. Permit to change equipment.
KJBS	JULIUS BRUNTON & SONS COMPANY 1380 Bush St., San Francisco, Calif.	1070	----	Cons. Permit to install a new transmitter.

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WFAN	KEYSTONE BROADCASTING CO., Broad & Fairmount Ave., Phila., Pa.	610	-----	Mod. of License to use WIP's transmitter at 9th & Market Sts., Phila., and move studio to 8th and Market Sts. This ap- plication supersedes 2-P- B-1942 and 2-L-B-486.
NEW	WARREN C. DAVENPORT Route 3, Sand Bar Ferry Road, Augusta, Georgia	1200	-----	Cons. Permit to erect a new station to use 1200 kc., 100 watts, and 8 hours daily.
WIBA	THE CAPITAL TIMES COMPANY 111 King St., Madison, Wis.	1280	-----	Mod. of License to in- crease power from 500 W, to 1 KW. on 1280 kc.
KGIW	LEONARD E. WILSON 328 No. Commercial Street, Trinidad, Colorado	1420	-----	Request for authority to voluntarily assign li- cense to THE CHIEFTAIN PRINTING COMPANY
KUJ	PAUL R. HEITMEYER 1346-14th Ave., Longview, Washington.	1370	-----	License cover issued 11/ 11/30 move transmitter and studio from Long- view, to Walla Walla, Washington, and change frequency from 1500 kc. to 1370 kc. with $\frac{1}{2}$ time.
NEW	B. E. GAMBLE Marrland, Santa Susana, Calif.	1380	-----	Cons. Permit to erect a new station to use 1380 kc., 100 watts, and Un- limited hours.
KATR	KATR RADIO CORPORATION 1025 North Highland Ave., Los Angeles, California	570	-----	Cons. Permit to move transmitter and studio install new transmitter, and increase power from 500 watts to 1 KW, on 570 kc.
WHEC-- WABO	HICKSON ELECTRIC & RADIO CORP. 40 Franklin St. Rochester, N.Y.	1440	-----	Request for authority to install Automatic Fre- quency Control
WDBJ	RICHARDSON-WAYLAND ELECTRICAL Corporation, Kirk Ave. & Jef- ferson St., Roanoke, Va.	930	-----	License to cover Cons. Permit issued 12/5/30 to change equipment
WKZO	WKZO, INCORPORATED College Ave., Kalamazoo, Mich.	590	-----	Cons. Permit to move transmitter from Berrien Springs, Mich., to Parchment, Mich. and studio, Kalamazoo, Mich.

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
KGNO	DODGE CITY BROADCASTING CO., INC., Dodge City, Kansas, Cor. 2nd Ave. & Spruce St.	1210	-----	Cons. Permit applica- tion amended to request 1210 kc. (present fre- quency) instead of a change to 1120 kc. and request 100 watts night and 250 W. LS. instead of 500 watts day and 250 watts night.
KHQ	LOUIS WASMER, INC. Sprague Ave. & Post St., Spokane, Washington	590	-----	Mod. of License to in- crease power from 1 KW. night and 2 KW. LS. to 5 KW. on 590 kc.
WCLB	ARTHUR FASKE Franklin Hotel, Long Beach, N.Y.	1500	-----	Mod. of Cons. Permit to change location of transmitter and studio from 409 Rockaway Ave., Brooklyn to 1525 Pitkin Ave., Brooklyn, N.Y.
WOKO	WOKO, INCORPORATED Poughkeepsie, New York	1440	1430	Mod. of License to change frequency from 1440 kc. to 1430 kc., and hours of operation from sharing with WHEC-- WABO, to synchronizing unlimited time with WCAH WHEC, WHP, WRAX, basis for one year.
NEW	WINTERS JONES & HUGH H. JONES, Jr., N. W. Edmondson & Swan Ave., Baltimore, Md.	1320	-----	Cons. Permit applica- tion amended to request 1320 kc. instead of 1210 kc., and 250 watts instead of 100 W., with Daytime hours.
WRAX	WRAX, BROADCASTING COMPANY 1608 West Allegheny Ave., Philadelphia, Pa.	1020	-----	Mod. of Cons. Permit to change equipment and Increase power from 250 watts to 1 KW. on 1020 kc.
WDAG	NATIONAL RADIO & BRDCSTG. CORP. 400 East 4th St., Amarillo, Texas.	1410	-----	License to cover Cons. Permit issued 5/12/30 to move transmitter from 605 East Fourth St., Amarillo, Texas to Tri State Fair Park, Amarillo, Install new equipment, and increase power from 250 W. to 1 KW. on 1410 kc.

BROADCASTERS' NEWS BULLETIN

Reporting accurately and promptly current happenings of special interest to Broadcasting
Stations in the Commercial, Regulatory, Legislative and Judicial Fields

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

Incorporated

NATIONAL PRESS BUILDING

WASHINGTON, D. C.

January 31, 1931

MEMORANDUM TO ALL ACTIVE MEMBERS

There have been so many requests for the brief filed in the Supreme Court of the United States by the National Association of Broadcasters in the cases of GENE BUCK, AS PRESIDENT OF THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS, ET AL. v. JEWELL-LA SALLE REALTY COMPANY (Nos. 138 and 139) that it was necessary to have an additional supply printed. We are, therefore, able to send a single copy to each member of the Association.

We hope you will give careful study to the questions of law discussed in the brief.

The Court will probably hear arguments in the case in the near future and a decision is expected in the Spring.

The aggressiveness of your Association is indicated by the work it is performing in connection with the question of copyright both in the Congress and in the Courts.

No one familiar with the general broadcasting situation, as it exists today, can dispute the imperative need for a single, aggressive organization of broadcasting stations. The National Association of Broadcasters is filling this need. But we need members. The strength of the Association is dependent upon the size of its membership.

Every member should assume the task immediately of inducing other stations, not now members, to join. The future of broadcasting, its stability, and the correction of evils which have grown up depend upon the organized strength of broadcasters through the National Association of Broadcasters.

NATIONAL ASSOCIATION OF BROADCASTERS

PHILIP G. LOUCKS, MANAGING DIRECTOR.

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Secretary

January 31, 1931

SENATE HEARS BROADCASTERS' ARGUMENTS

Hearings on the Vestal copyright bill, which has already passed the House, were held by the Senate Patents Committee during Wednesday and Thursday of this week.

Opponents of the measure in its present form were heard on Wednesday and proponents were given a hearing Thursday. Numerous amendments were suggested by both sides during the two-day hearing which was presided over by Senator Waterman of Colorado.

The arguments of broadcasters were presented by William S. Hedges, ~~WMAQ~~, Chicago, Illinois, and Louis G. Caldwell, special counsel to the Joint Copyright Committee of the National Association of Broadcasters. Mr. Hedges, who is chairman of the Executive Committee of the NAB, outlined the broadcasters' objections to the measure in its present form and he was followed by Mr. Caldwell who presented some nineteen amendments designed to give the broadcasters the protection they are seeking. Several amendments were of a minor nature while the principal ones went to the requirement for registration of copyright and the damages collectable for innocent infringement. Because of the limitation upon time, Henry A. Bellows, chairman of the NAB Joint Copyright Committee, conceded his time to other witnesses and was given permission to file a written statement setting forth his remarks.

Much of the hearing time was consumed with the presentation of amendments of a more or less technical nature and nearly every witness, for and against the measure, had suggestions for amendment to the bill.

The necessity for a copyright bill at this time, proponents of the measure argued, is based upon the fact that the present law must be changed if the United States is to enter the International Copyright Union. The change must take place before August, it was argued. Furthermore, the United States must provide for automatic copyright or be denied entrance into the Union.

The present copyright situation now faced by broadcasters was explained in detail to the Committee and the dangers to which the industry would be exposed if the present bill became law was also stressed by speakers for broadcasters.

No attempt will be made in this Bulletin to detail the amendments offered by the NAB since most of them followed out the questions discussed in the pamphlet prepared by the NAB and sent to all broadcasters. The principle of automatic copyright was opposed because the bill does not provide for registration and notice before suit for infringement. The damage sections, as they relate to innocent infringement, are considered entirely too drastic in the bill as it now stands and amendments were offered to change these in conformity with the views of broadcasters.

The measure, as it now stands, is a compromise bill and undoubtedly many changes will be made before it is reported by the Senate Patents Committee. The bill will likely be reported to the Senate next week.

There is little likelihood that the bill will be permitted to pass unless broadcasters are given the same treatment as other interests affected by the measure.

Senator Clarence C. Dill, Washington, led the fight for the broadcasters. His comprehensive understanding of the problems of broadcasters enabled him, through questioning, to bring out for the benefit of the committee, the reasons underlying the objections of broadcasting interests. He was alert to the copyright problem as it affects the broadcaster and served notice publicly that unless the bill was so amended to protect their interests, it would not be permitted to pass during the present session of Congress which has four and one-half weeks to live.

Among those who appeared against the bill in its present form were: Carl Fenning, Washington patent lawyer; Oswald Schuette, Radio Protective Association; E. C. Brockmeyer, counsel for the National Association of Retail Druggists; A. Julian Brylawski, representing the Motion Picture Theater Owners of America; H. E. Capehart, representing the automatic phonograph manufacturers; and the National Association of Broadcasters. In addition to Messrs. Hedges, Bellows and Caldwell, the following NAB representatives were present: Walter J. Damm, president; Paul W. Morency, treasurer; Harry C. Butcher, member of the Legislative Committee; and Philip G. Loucks, managing director.

Those who appeared in favor of the measure were as follows: William Hamilton Osborne, counsel for the Authors' League; Mr. Melcher, American Book Publishers; Otto C. Wierum, New York City Bar Association; Lewis E. Swarts, Paramount-Public; Arthur Weil, motion picture producers and distributors; McDonald DeWitt, Conde-Nest Publications; Carl Cannon, magazine publishers; Gene Buck, American Society of Composers, Authors and Publishers; Chester T. Crowell, magazine writer; and Thorvald Solberg, Library of Congress. Representatives Albert H. Vestal and Fritz G. Lanham, chairman and minority member, respectively, of the House Committee on Patents were present and took part in the questioning.

COUZENS INTRODUCES BILLS

Senator James Couzens this week introduced in the Senate four bills which are companion measures to the ones introduced in the House last week by Representative Wallace H. White of Maine.

The most important of these measures is the one giving the Commission authority to suspend a station for violation of rules and regulations. If this measure is enacted the public, which has no means of protecting itself, would be deprived of radio service for the wrongdoing of the station licensee.

Another of these measures excludes the territories and possessions of Virgin Islands, Porto Rico, Alaska, Guam, eastern Samoa and the Hawaiian Islands from the five radio zones thereby adding to the total facilities due the first and fifth zones under the Commission's quota system.

A third bill clarifies the allocation of facilities to the five zones and provides for the licensing of stations for 90-day periods on borrowed channels while a fourth gives the Commission authority to compel the lighting of radio towers.

An effort will be made to secure action on these measures during the present session.

NBC REPORTS INCREASED REVENUE

The annual report of M. H. Aylesworth, president of the National Broadcasting Company, made public this week, states that the gross revenue of his company in 1930 was in excess of \$22,000,000 with 263 sponsors. The gross revenue for 1929 was approximately \$15,000,000. The number of fan letters jumped from one million to two million. The company's personnel, exclusive of artists and musicians, last year was nearly double the staff of two years ago. The report reviews the activities of the company for the year, citing among technical developments the perfection of synchronization and its application to two broadcast transmitters.

ILLITERATES PREFER SERMONS

Illiterate people in the United States prefer sermons to other types of radio entertainment, according to a report of a survey conducted by H. Robinson Shipherd, president of Lincoln Memorial University of Tennessee, and made public by Secretary Wilbur. People who cannot read or write desire to possess radio sets. After sermons they prefer the National Farm and Home Hour and thirdly, business talks and news flashes.

JOLLIFFE REPORTS CLEAR CHANNEL RECEPTION

The complaints received in connection with interference reported to the reception of K W K H, Shreveport, La. from various parts of the United States, in many instances show there is not a clear understanding of what is to be expected from an assignment such as that used by the Shreveport station. These statements were very forcibly presented this week to the Commission in a lengthy report by Chief Engineer C. B. Jolliffe, of the Commission.

After completing an exhaustive survey of the reports which have come to the Engineering Division from Supervisors of the Department of Commerce from all parts of the country, Dr. Jolliffe concludes his statement with the opinion that in every case of reported interference to station K W K H, it is believed that they would be found to be due to one or more of the following reasons: "(a) Receiving sets of poor design; (b) Improperly operated receiving sets; (c) Receiving sets in need of repairs (d) Over-estimation of the capability of the receiving set; (e) Location too close to a transmitting station on adjacent frequency; (f) Natural or 'man-made' interference."

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WMBJ APPEALS RENEWAL DENIAL

Rev. John W. Sproul, owner and operator of Station W M B J at Pittsburgh, Pa. operating on 1500 kc with 100 watts power, has filed an appeal in the Court of Appeal of the District of Columbia, from the action of the Commission in refusing to grant this station a renewal of license. The examiner's report as submitted to the Commission recommended that the W M B J application for renewal be denied. The appeal raises questions of the examiner's right to swear witnesses and pass on the admissibility of evidence.

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BEWARE OF GENERAL ORDER 75!

The Commission has called attention of all broadcasters to the importance of General Order 75 in a letter which was sent to all stations during the past week. The order relates to the necessary report which must be filed with the Supervisor or Inspector of the Department of Commerce within three days after a notification has been received by the station that a Federal law or regulation in connection with the operation of a station has been violated.

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PHONE LINES FOR RELAY BROADCASTS

A total of 35,662 miles of telephone circuit are necessary for a nation-wide radio network. Exactly 173 relay stations and more than 300 telephone and telegraph technicians are needed to maintain these circuits.

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TEST PROGRAMS ANNOUNCED

C. M. Falconer, chairman of the program committee of the Newark News Radio Club, announced that Monday morning, February 9, from 3:00 to 4:30 a.m. EST, Station WQDM, St. Albans, Vt. will broadcast a test program and on Sunday morning, February 1, at 1:00 A.M. EST, there will be a brief test by a foreign station whose identity is being withheld. The station will use a frequency of 1185 kc.

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APPLICATIONS DISMISSED

The following applications were set for hearing but dismissed at the request of applicants:

WMC, Memphis, Tenn. C.P. 650 kc, 50 KW, unlt'd time; WLEY, Lexington, Mass. C.P. 1200 kc, 100 W. 250 W. LS, unlt'd; WQAM, Miami, Fla. C.P. 560 kc, 1 KW, 2 $\frac{1}{4}$ KW LS, unlt'd; KFXJ, Grand Junction, Colo. C.P. 1310 kc, 1 KW, ult'd; NEW, Bakersfield, Calif C.P. 1450 kc, 1 KW, unlt'd.

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REHEARING IN WHAM CASE DENIED

The Court of Appeals of the District of Columbia this week denied the petition of the Commission for a rehearing in the appeal of the Stromberg-Carlson Telephone Manufacturing Company, Station W H A M, Rochester, N. Y. The court, in a decision handed down several weeks ago, held that the Commission was without authority to shift the frequency of W H A M without first holding a legal hearing on the question. W H A M had secured an injunction from the District Supreme Court enjoining the Commission from putting into effect its General Order No. 87, providing for a shift in certain clear channels. The case was appealed by the Commission to the Court of Appeals.

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WTMJ ASKS STAY ORDER

The Journal Company, Station WTMJ, Milwaukee, Wis. operating on 620 kc with 1 KW day and 2 $\frac{1}{2}$ KW night, has filed in the Court of Appeals for the District of Columbia an appeal from the Commission's decision granting renewal applications of Station WFLA-WSUN, Clearwater, Fla. In the appeal a stay order is sought under which the Commission would be precluded from issuing a renewed license of the Florida station. The Commission has filed a brief in opposition to the stay order setting up that by renewing the license of the Florida station the Commission has simply preserved the status quo.

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FIRST RADIO CENSUS REPORT

Forty-four and four tenths per cent, or 53,111 out of 119,660 families in New Hampshire own radio receiving sets, according to the first radio census report issued this week by the United States Census Bureau. The report shows the number of sets in use in each of the cities and counties of the state and is the first reliable guide to the number of sets ever published by the Government. Other reports will be issued from time to time and these may be obtained either by writing to the Bureau of the Census, Washington, D. C. or to the NAB headquarters, National Press Building, Washington, D. C.

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ROYAL NBC PROGRAM DIRECTOR

The National Broadcasting Company this week announced that John Royal, former managing director of WTAM, Cleveland, Ohio, has been named director of programs for the NBC. Royal succeeds George Engles, vice-president, who will devote his entire time to the NBC Artists Service which last week consolidated with the booking bureau of the RCA-Victor Company.

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APPLICATIONS SET FOR HEARING

The following applications were ordered set for hearing by the Commission at its sessions during the current week:

New	Howell Brdcstg. Co. Inc. Buffalo, N. Y.	Requests C.P. some freq. around 3000 kc, 250 watts, to be used in the development of a "fool-proof system of train control".
New	E. Dwight Craig Indianapolis, Ind.	Requests C.P. 580 kc. 250 w. unlt'd. time.
KFPC	Pasadena Presbyterian Church Pasadena, Calif.	Requests C.P. to install new eqpt. incr. max. power of eqpt. to 100 w. and operating power to 100 w.
WCKY	L. B. Wilson Inc. Covington, Ky.	Requests Mod. of Lic. to increase hrs. of operation from sharing with WCHI, WJAZ, WORD, to unlimited.
	Don Lee, Inc. Los Angeles, Calif.	Application for television station in Calif. reconsidered and set for hearing
NEW	York Broadcasting Co. York, Pa.	Requests C.P. 820 kc. 5 KW daytime.
NEW	Winters Jones & Hugh H. Jones, jr. Baltimore, Md.	Requests C.P. 1320 kc. 250 W. daytime.
WGAL	WGAL, Inc. Lancaster, Pa.	Requests C.P. install new eqpt increasing max. rated power of eqpt from 100 W. to 500 W; change freq. from 1310 to 1340 kc; change time from sharing with WRAW to unlt'd and incr. operating power from 100 to 500 watts.
WBIG	North Carolina Brdcstg. Co., Inc. Greensboro, N. C.	Requests Mod. of Lic. to change freq. from 1440 to 1240 kc.

AMENDMENT TO GENERAL ORDER 103

At a session of the Federal Radio Commission held at its offices in Washington, D. C. on the 30th day of January, 1931:

IT IS ORDERED:

That paragraph (D) of General Order No. 103, adopted on January 20, 1931, be and the said paragraph is hereby amended so as to exclude from the provisions thereof and to delete therefrom the following radio broadcasting stations, to wit:

WDRC, WKAQ, WOAX, WDBJ, WHP, WACO, WDAG, EGCR, KFVD, KOL and KSEI.

This order shall be effective on the day first above written.

APPLICATIONS GRANTED

The following applications were granted by the Commission at its sessions during the current week:

CALL	NAME OF APPLICANT	NATURE OF ACTION
WISJ	Wisconsin State Journal Brdcastg. Co. Madison, Wisconsin	License to continue operation on 780 kc., 500 W. day and 250 W. night, unlt. time on experimental basis, extended until a decision is reached by the Commission upon a hearing held on the appl. for lic. this authority not to exceed March 31/31.
WLCI	Luther Asso. of Ithaca, N. Y. Ithaca, N. Y.	Granted C.P. to make changes in eqpt. to conform to G.O. 91 and 97.
WILM	Delaware Brdcastg. Co. Inc. Wilmington, Del.	Granted C.P. to make changes in eqpt. to conform to G.O. 91 and 97, decreasing max. rated power of eqpt. to 100 w.
WJAG	The Norfolk Daily News Norfolk, Neb.	Granted C.P. to move transm. locally in Norfolk, and change eqpt. to conform to G.O.'s 91 and 97.
WIBQ	Broadcasting Station WIBQ, Inc. Memphis, Tenn.	Granted C.P. to make changes in eqpt. to conform to G. O. 91 and 97.
WTAR- WPOR	WTAR Radio Corp. Norfolk, Va.	Granted C.P. to move transmitter from Norfolk to Va. Beach Blvd. 1.7 miles from city limits, and install new eqpt. to conform to G.O. 91 and 97.
WBAX	John H. Stenger, Jr. Wilkes Barre, Pa.	Granted C.P. to make changes in eqpt. to conform with G.O. 91 and 97.
KEX	Western Broadcasting Co. Portland, Oregon	Granted C.P. to make changes in eqpt. to conform to G.O. 91 and 97, increasing max. rated power of eqpt. from $2\frac{1}{2}$ KW to 5 KW.
KFXF	Colorado Radio Corp. Denver, Colorado.	Granted C.P. to install new eqpt. to conform to G.O. 91 and 97.
KXRO	DXRO Inc. Aberdeen, Wash.	Granted C.P. to install new transmitter to conform to G.O. 91 and 97, increasing max. rated power of eqpt. to 100 watts and increasing operating power from 75 to 100 watts.
WLBC	Donald A. Burton Muncie, Ind.	Granted C.P. to install new eqpt. to conform to G.O. 91 and 97.

APPLICATIONS GRANTED (CONTINUED)

CALL	NAME OF APPLICANT	NATURE OF ACTION
KGKL	KGKL, Inc. San Angelo, Tex.	Granted C.P. to make changes in eqpt to conform to G.O. 91 and 97, decreasing max. rated power of eqpt from 250 to 100 watts.
KFIZ	The Reporter Printing Co. Fond du Lac, Wisconsin	Granted C.P. move transmitter and studio locally in Fond du Lac, install new eqpt to conform to G.O. 91 and 97.
WOAX	WOAX, Inc. Trenton, N. J.	Granted auth. to install automatic frequency control.
WGAR	WGAR Broadcasting Co. Inc. Cleveland, Ohio	Granted Mod. of C.P. to extend completion date C.P. to 4/20/31 and commencement date to 1/20/31/.
HTHS	Hot Springs Chamber of Commerce Hot Springs, Ark.	Granted license covering changes in eqpt 1040 kc. 10 KW share with KRLD.
KDYL	Intermountain Broadcasting Corp. Salt Lake City, Utah	Granted license covering changes in eqpt 1290 kc 1 KW unlimited
WFAN	Keystone Broadcasting Co. Inc. Philadelphia, Pa.	Granted Mod. of Lic. to permit use of regular licensed transmitter of WIP and discontinue use of present transmitter. WFAN and WIP divide time on 610 kc.
KGEZ	Kalispell Chamber of Commerce Kalispell, Mont.	Granted consent to vol. assign. of lic. to Donald C. Treloar and Stanley R. Church, D/B as Treloar-Church Brdgc Co.
KFEL	Eugene P. O'Fallon Inc. Denver, Colorado	Granted auth. continue tests to Jan. 24 in order to test eqpt.
KOH	Jay Peters Inc. Reno, Nevada	Granted auth. to reduce power of station to 250 W. for 10 days while making repairs to transmitter.
KONO	Mission Broadcasting Co. San Antonio, Texas	Granted extension of test period authorized when new eqpt has been installed.
WODX	Mobile Brdcastg. Corp. Mobile, Ala.	Granted auth. measure power by direct antenna input method.
WNBR	The Memphis Broadcasting Co. Memphis, Tenn.	Granted auth. transmit its program through WGBC's transmitter while its transmitter is being reconstructed.
WCBD	Wilbur Glenn Voliva Zion, Illinois	Granted auth. operate from 11 to 12 PM in compliance with provisions of its license which specifies ltd time. (Consent rec'd from WBT and WMBI).

APPLICATIONS GRANTED (CONTINUED)

CALL	NAME OF APPLICANT	NATURE OF ACTION
KGMT	Homer F. Bryant, D/B as Bryant Radio & Elec. Co. Elk City, Okla.	Granted authority to install automa- tic frequency control.
KMED	Mrs. W. J. Virgin Medford, Ore.	Granted authority to install automa- tic frequency control.
WGST	Georgia School of Tech. Atlanta, Ga.	Granted Lic. covering new eqpt. 890 kc. 250 w. night 500 w. day, shares with WMAZ.
WCAO	Monumental Radio Inc. Baltimore, Maryland	Granted License covering C.P. to move transmitter and using it as an auxili- ary; 600 kc, 250 w. unlimited.
WJAS	Pittsburgh Radio Supply House Pittsburgh, Pa.	Granted License covering C.P. which authorized installation of new eqpt. and increase in day power; 1290 kc, 1 KW night $2\frac{1}{2}$ KW day, unlt. time; also to use a composite transn. of 500 w. max. power as auxiliary, (which is located at same add. as main transmitter).
WFDF	Frank D. Fallain Flint, Mich.	Granted License covering changes in eqpt. and moving of transn. and studio 1310 kc, 100 w. unlt. time.
WSYB	H. E. Seward Jr. & Philip Weiss D/B as Seward & Weiss Music Store Rutland, Vt.	Granted license covering C.P. for new station, 1500 kc., 100 watts, unlt.
WTBO	Asso. Broadcasting Corp. Cumberland, Md.	Granted Lic. covering C.P. authorizing new eqpt. and incr. in day power; 1420 kc. 100 w. night 250 w. day, unlt.
KDYL	Intermountain Brdcastg. Corp. Salt Lake City, Utah.	Granted auth. to measure power by direct antenna input method as given in G.O.91
WSYB	Seward and Weiss Music Store Rutland, Vt.	Granted Auth. to continue program test in exact accord with eqpt. power, freq. and hours specified in C.P. for period ending Jan. 31/31, provided Radio Supervisor is properly notified.
KOY	Nielson Radio & Sporting Goods Phoenix, Arizona	Granted C.P. to install new eqpt in- creasing max. rated power of eqpt 1-KW
KFWF	St. Louis Truth Center Inc. St. Louis, Mo.	Granted C.P. install new eqpt to con- form to G.O. 91 and 97, decreasing max. rated power of eqpt from 250 W. to 100 W.

The following hearings are scheduled for the week commencing Monday,
February 2d. All hearings commence at 10 a. m.

MONDAY, February 2, 1931

NEW A. B. Murray & T. P. Singletary C.P. 1500 kc 100 W.
Baton Rouge, La. Unlimited time

NOTIFIED: WDIX, Tupelo, Miss.

WEDNESDAY, February 4, 1931

NEW Charles Smuch C.P. 1500 kc 100 W.
Springfield, Mo. Unlimited time

NOTIFIED: KGIZ, Grant City, Mo. Ozark Radio Corp. Cartersville, Mo.

NEW John R. Anderson C.P. 1420 kc 25 W.
Cardwell, Mo. Unlimited time

NOTIFIED: WMBH, Joplin, Mo. WPAD, Paducah, Ky WGBC, Memphis, Tenn.
WNBR, Memphis, Tenn. Dairy Farmers, Inc. Mayfield, Ky.

NEW Northeast Missouri State Teachers C. P. 1200 kc 100 W.
College (Formerly K F Z Z) Unlimited time
Kirksville, Mo.

NOTIFIED: WIL, St. Louis, Mo. WMAY, St. Louis, Mo. KFWF, St. Louis, Mo.
WJBL, Decatur, Ill. WJBC, La Salle, Ill. KTNT, Muscatine, Iowa
KFJB, Marshalltown, Iowa C. L. Carrell, Chicago, Ill.

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ACTION ON EXAMINERS' REPORTS

KVOA Robert M. Riculfi Mod. of license to incr. power from 500 to 250 W.
Rep.#30 Tucson, Arizona night and 500 W. LS, and change hrs. of operation
from daytime to unlt'd - denied; reversing Ex. Yost.

KGAR Tucson Motor Service Co. Ren. of license, 1370 kc, 100 W. night, 250 W.
Rep.#36 Tucson, Arizona day, unlimited time - granted; reversing Ex. Pratt.

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APPLICATIONS RECEIVED

The following applications were received by the Commission during the current week:

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WDEL	WDEL, INCORPORATED 10th & King Sts., Wilmington, Delaware	1120	-----	Mod. of Cons. Permit to change equipment on C. P. and extend commencement and completion date to 12/25/30 and 2/10/31 respectively.
WIBX	WIBX, INCORPORATED 187 Genesee St., Utica, N. Y.	1200	-----	License to cover Cons. Permit issued 12/19/30 to change equipment.
WRBL	DAVID PARMER Talbotton & Comer Sts., Columbus, Georgia	1200	-----	Request for authority to install Automatic Frequency Control.
NEW	BEACH M. CHENOWETH Mountain Brook Estates, Mountain Brook Village, Ala.	-----	1200	Cons. Permit to erect a new station to use 1200 kc., 100 watts, and unlimited hours.
NEW	MERLE J. JEWELL & MERINDA C. JEWELL Wahkoma Hotel, 2nd & Cascade Sts., Hood River, Oregon.	-----	-----	Cons. Permit application amended as to equipment
KGEK	ELMER G. BEEHLER, trading as BEEHLER ELECTRICAL EQUIPMENT CO. 109 West 2nd Ave., Yuma, Colo.	1200	-----	Cons. Permit application amended to change equipment.
WJBU	BUCKNELL UNIVERSITY Bucknell University, Lewisburg, Pennsylvania.	1210	-----	Cons. Permit to change equipment.
KGBX	KGEX, INCORPORATED 1829-1837 Colhoun St., St. Joseph, Missouri	1310	-----	Mod. of License to increase power from 100 watts to 250 watts day and 100 watts night on 1310 kc.
WOS	MISSOURI STATE MARKETING BUREAU Capitol Building, Jefferson City, Missouri	630	-----	Cons. Permit to install a new transmitter and increase power from 500 watts to 1 KW. day and 500 watts night on 630 kc.
NEW	CHARLES L. FOWER, 122 Weed St., Macon, Missouri	-----	1210	Cons. Permit to erect a new station 1210 kc., 100 watts, Unlimited hours.

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
KFVD	LOS ANGELES BROADCASTING CO. 8822 Washington Blvd., Culver City, California	1000	-----	License to cover Cons. Permit issued 12/19/30 to change equipment
KFSG	ECHO PARK EVANGELISTIC ASSO. 1100 Glendale Blvd., Los Angeles, California	1120	-----	Cons. Permit to change equipment
NEW	THE SHARTENBERG RADIO SERVICE, INC., 761 Chapel Street New Haven, Conn.	-----	930	Cons. permit application to erect a new station to use 930 kc., 250 watt and Unlimited hours.
WGCP	MAY RADIO BROADCAST CORP. 591 Broad Street Newark, N. J.	1250	-----	License to cover Cons. permit issued 1/6/31, to install new equipment
WFBL	THE ONONDAGA RADIO BRDCSTG. CORP. Jefferson & Warren Sts., Syracuse, N. Y.	1360	-----	License to cover Cons. permit to move transmit- ter near Collamer, N.Y., install new equipment and increase day power to 2½ KW.
WLEY	CARL S. WHEELER, d/d as THE LEXINGTON AIR STATIONS Adams Street, Lexington, Mass.	1370	-----	Cons. permit to install new equipment.
WHP	WHP, INCORPORATED 4th & Chestnut Sts. Harrisburg, Penna.	1430	-----	Authority to install special automatic fre- quency control for syn- chronization purposes.
KDKA	WESTINGHOUSE ELEC. & MFG. CO. Wm. Penn Hotel Pittsburgh, Penna.	980	-----	Renewal of special au- thority to synchronize old and new transmitters until 4/30/31.
NEW	HARROLD E. WARREN & KENNETH RETZLAFF Lynan St., R.F.D. # 1, Muskegon, Michigan.	-----	1500	Cons. permit to erect a new station to use 1500 kc., 15 watts, Unlimited time.
WSOC	A. J. KIRBY MUSIC COMPANY 245-255 E. Main Street Gastonia, N. C.	1210	-----	Requests authority to install automatic fre- quency control.
NEW	LYNN DICKERSON & C. A. NIETERT 851 Elizabeth Street Brownsville, Texas.	-----	1420	Cons. permit for a new station to use 1420 kc. 100 watts and unlimited time.

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
KMO	KMO, INCORPORATED Hotel Winthrop, 767 Broadway Tacoma, Washington	860	---	License Cons. Permit move transmitter to 1623 E. J St. Tacoma, Wash.
NEW	C. M. SCHAAP 218 Linden St. Ft. Collins, Colorado	---	1370	Cons. Permit applic. amended to request 1200 kc to operate 1/3 time sharing with KGEK and KGEW, but in event KGEW changes frequency, appl. wishes to operate 1/2 time.
WAWZ	PILLAR OF FIRE 1476 Broadway, New York, N. Y.	1350	---	Mod. of Cons. Permit to change equipment, in- crease power to 500 W. day and 250 W. night.
NEW	LOUIS REIS New York, N. Y.	---	660	Cons. Permit to erect a new station to use WEAJ's facilities -- 660 kc. 5 kw & unlimited hours.
WOL	LOYOLA UNIVERSITY New Orleans, La.	850	---	Cons. Permit to move transmitter, Kenner, La. Install new 10 KW eqpt increase power to 10 KW and hours of operation. Unlimited.
NEW	WILLIAM L. WILLIS 1/2 Mile East of Crewe, Virginia	---	1420	C.P. new station 1420 kc. 50 W. daytime.
NEW	G. L. JOHNSON Texarkana, Arkansas	---	1500	C.P. new station 1500 kc. 100 W. unlimited.
WIAS	IOWA BROADCASTING COMPANY Ottumwa, Iowa	1420	---	C.P. to move trans- mitter to North of City Limits of Des Moines and install new eqpt.
KFUM	W. D. CORLEY Colorado Springs, Colorado	1270	---	Request voluntary assign. license to THE REYNOLDS RADIO CO. INC.
KGU	MARION A. MULRONY & ADVERTISER PUBLISHING COMPANY LIMITED Honolulu, Hawaii	940	750	C.P. to change eqpt, change freq. from 940 kc to 750 kc, increase power from 1 KW to 5 KW Unlimited time.
KRE	FIRST CONGREGATIONAL CHURCH Berkeley, Calif.	1370	---	C.P. to install new eqpt.

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
NEW	JOE K. JERIGAN, CYRIL W. RED- DOCH, JULIAN C. SMITH & JOHN T. HUBBARD. Montgomery St., Troy, Ala.	-----	1500	Cons. permit to erect a new station to use 1500 kc. 50 watts, Daytime
NEW	MAJESTIC ELEC. CO. INC., 212 Main St., Perryton, Texas.	-----	660	Cons. permit to erect a new station to use 660 kc. 100 watts, Unlimi- ted time.
WAAM	WAAM, INCORPORATED 1060 Broad St., Newark, N. J.	1250	-----	License to cover Cons. Permit issued 9/26/30 to change equipment and increase power from 2 KW day and 1 KW. night to 2½ KW. day and 1 KW night on 1250 kc.
NEW	LANCASTER NEWSPAPERS, INC. Lancaster, Pennsylvania	-----	1000	Cons. Permit to erect a new station to use 1000 kc., 2½ KW. and Limited Time.
WSFA	MONTGOMERY BROADCASTING CO., INC. Catoma & Montgomery Sts., Mont- gomery, Alabama.	1410	-----	Request for authority to measure power of sta- tion by direct antenna input method.
NEW	BRYAN T. COLE Boyd & Asp Sts., Norman Okla.	-----	1370	Cons. Permit application resubmitted, requesting authority to erect a new station to use 1370 kc. 100 watts, and share time with KGFG.
KICK	RED OAK RADIO CORPORATION 116 Coolbough St., Red Oak, Iowa.	1420	-----	Mod. of Cons. Permit to install a new transmit- ter at location author- ized by Cons. Permit (601 Summitt St., Red Oak, Iowa).
WOI	IOWA STATE COLLEGE OF AGRICUL* TURE AND MECHANIC ARTS College Campus, Ames, Iowa	640	-----	License to cover Cons. Permit issued 12/2/30 to change equipment.
WKBB	SANDERS BROTHERS RADIO STATION 222 N. Chicago St., Joliet, Ill.	1310	-----	Mod. of License to change hours of opera- tion from sharing with WOLS to Unlimited on 1310 kc.

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
NEW	DISPATCH PUBLISHING COMPANY 108 $\frac{1}{2}$ North Main Street, Roswell, New Mexico	-----	1500	Cons. Permit to erect a new station to use 1500 kc., 100 watts, and Un- limited.
WEAF	NATIONAL BROADCASTING CO., INC. 711 Fifth Ave., New York, N.Y.	660	-----	License to cover Cons. Permit issued 5/12/30 to install new equipment
WDRC	THE DOOLITTLE RADIO CORPORATION Hotel Bond, Asylum Street, Hartford, Conn.	1330	-----	Mod. of License applica- tion amended to request 1 KW. day and 500 W. night on 1330 kc.
WHBD	F. P. MOLER Main St., Mt. Orab, Ohio	1370	-----	Request for authority to install Automatic Fre- quency Control.
WSAI	THE CROSLEY RADIO CORPORATION, Lessee 1329 Arlington St., Cincinnati, Ohio.	1330	-----	Mod. of License to in- crease power from 500 watts to 1 KW. day and 500 W. night on 1330 kc.
WHP.	WHP, INCORPORATED 4th & Chestnut Sts., Harris- burg, Pennsylvania	1430	-----	Mod. of License to change hours of operation from sharing with WBAC and WCAH to sharing with WBAK only and synchronize full time with WCAH, WIEC, and WOKO.
NEW	THE OHIO BROADCASTING CORPORATION (Studio Location not determined) Transmitter--Cleveland, Ohio	-----	1210	Cons. Permit to erect a new station and to use WALR's facilities, 1210 kc., 100 watts, and Unlim- ited hours.
NEW	A. E. HODGES & W. R. WINKLER Cor. Main & King Sts., Boone, North Carolina	-----	1200	Cons. Permit application amended to request 1200 kc., instead of 1500 kc., 100 W. instead of 15 W., and also amended as to name. Application former- ly in the name of A. E. Hodges, only.
KGVO	MOSBY'S INCORPORATED 132 N. Higgins St., Missoula, Montana	1420	-----	License to cover Cons. Permit issued 11/21/30 to erect a new station.

BROADCASTERS' NEWS BULLETIN

Reporting accurately and promptly current happenings of special interest to Broadcasting
Stations in the Commercial, Regulatory, Legislative and Judicial Fields

Issued by

OFFICERS

WALTER J. DAMM, Milwaukee, Wis.
President
EDWIN W. SPENCE, Atlantic City, N. J.
Vice President
O. D. FISHER, Seattle, Wash.
Vice President
PAUL W. MORENCY, Hartford, Conn.
Treasurer

THE NATIONAL ASSOCIATION OF BROADCASTERS

Incorporated
NATIONAL PRESS BUILDING
WASHINGTON, D. C.
Telephone District 9497

EXECUTIVE PERSONNEL

PHILIP G. LOUCKS
Managing Director
EUGENE V. COGLEY
Assistant to Managing Director
OLIVINE FORTIER
Secretary

February 5, 1931

SPECIAL MEMORANDUM TO MEMBERS

The report of Chief Examiner Ellis A. Yost on the high power hearings is expected next week.

If you want a brief telegraphic summary of the report as it relates to your zone, mail the enclosed card immediately. If you desire a copy of the report, mark the card accordingly.

Twenty-four stations have applied for the eight positions which are available under the provisions of General Order No. 42, as amended, which must be followed in the report.

In the First Zone, WJZ, New York; WOR, Newark, N. J.; WHAM, Rochester, N. Y.; and WBZ, Springfield, Mass. are competing for a single position.

In the Second Zone, WHAS, Louisville, Ky.; and WCAU, Philadelphia, Pa. are competing for a single position.

In the Third Zone, WSB, Atlanta, Ga.; WBT, Charlotte, N.C.; WSM, Nashville, Tenn.; WAPI, Birmingham, Ala.; and KVOO, Tulsa, Okla. are competing for two assignments.

In the Fourth Zone, WMAQ, WGN, and WBEM, Chicago; WCCO, Minneapolis, Minn.; and WHO-WOC, Des Moines, Iowa, are fighting for two positions.

In the Fifth Zone, KOA, Denver, Colo.; KSL, Salt Lake City, Utah; KPO, San Francisco, Calif. and KGO, Oakland, Calif. are competing for two positions available.

The report also will consider the applications of WWJ, Detroit, Mich. WREC, Memphis, Tenn. WTMJ, Milwaukee, Wisconsin, and WCFL, Chicago, Ill. for high power on clear channel assignments.

Send the card by return mail in order that your copy of the report may be reserved. Telegrams will be sent COLLECT the minute the report is publicly released.

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Secretary

SCHEDULE OF DEPRECIATION RATES FOR BROADCASTING STATIONS

The National Association of Broadcasters has obtained from the Valuation Division of the Internal Revenue Bureau a tentative schedule of depreciation rates for broadcasting station equipment.

This schedule is not to be regarded as official but it is recommended as a safe guide in the calculation of depreciation rates for income tax purposes. No official schedule has ever been published and this is the first tentative schedule ever announced.

There will not be complete agreement among broadcasting stations on all of the rates given and the Government itself does not have sufficient information to enable it to form a separate opinion as to the life of station equipment.

The Association is pleased to be able to present this schedule of rates and it is hoped that it will assist members in computing their income tax returns.

SCHEDULE OF DEPRECIATION RATES

FOR

BROADCASTING STATIONS

	Probable Useful Life Years
Adjusting and Testing Instruments	10
Amplifier Control	5
Amplifiers, Portable	3
Amplifier, Radio Frequency, Frame	8
Antenna and Ground Counterpoise System	7
Antenna and Ground System	
Radio Telegraphy	10
Radio Broadcasting (except steel masts - 10 yrs.)	5
Antenna Structure and Antenna Supports	5
Antenna Tuning Inductances	5
Audio Equipment	3
Batteries, Storage	
Radio Telegraphy	10
Radio Broadcasting	6-2/3
Cabinets, Mixed control	5
Checking and Reading Per Cent, modulation instrument	5
Circuit Breakers	6-2/3
Compensators	5
Condensers	5
Control, Amplifier	5
Control Relays	3
Control - Transmitter Units, Direct (Panel)	8
Control Units (Aircraft Radio Telegraphy)	3
Cooling Ponds	
Radio Telegraphy	10
Radio Broadcasting	6-2/3
Cooling Systems	10
Counterpoise (Station Equipment)	5
Equalizers, Line	3
Frequency Control Apparatus	3
Insulation	5
Listening Apparatus	4
Measuring Instruments	7
Microphones	3
Mixing Panels	3
Motor Generator Sets	6-2/3

	<u>Probable Useful Life</u> <u>Years</u>
Oscillators	5
Plate Supply	6-2/3
Plate and Filament	10
Power Control Equipment	6-2/3
Power Supply	
Radio Telegraphy	10
Radio Broadcasting(except motors and genera- tors 10 years)	6-2/3
Pumps and piping	6-2/3
Receivers, Radio	6-2/3
Rectifiers, main	5
Signalling Apparatus	4
Sound Treatment of Studios	5
Speech Input equipment	3
Sprays and Cooling ponds	6-2/3
Switches and Controls	7
Towers and Masts	10
Transmission Lines, Radio Frequency	5
Vacuum Tube Transmitters(except high voltage supply 10 years)	3
Voltage Supply, high	3

IN THE
Supreme Court of the United States

OCTOBER TERM, 1930.

No. 138.

GENE BUCK, as President of the American Society of
Composers, Authors and Publishers, and DE SYLVA,
BROWN & HENDERSON, INC., a corporation, *Appellants*,

vs.

JEWELL-LA SALLE REALTY COMPANY, a corporation,
Appellee.

No. 139.

GENE BUCK, as President of the American Society of
Composers, Authors and Publishers, and LEO FEIST,
INC., a corporation, *Appellants.*

vs.

JEWELL-LA SALLE REALTY COMPANY, a corporation,
Appellee.

ON CERTIFICATES FROM THE UNITED STATES CIRCUIT
COURT OF APPEALS FOR THE EIGHTH CIRCUIT.

Motion of National Association of Broadcasters, Inc.,
for Leave to File Brief as Amicus Curiae, and
Brief of Amicus Curiae.

LOUIS G. CALDWELL,
PHILIP G. LOUCKS,
*Counsel for National Association of
Broadcasters, Inc., as Amicus Curiae.*

INDEX.

	Page
Motion for Leave to File Brief as <i>Amicus Curiae</i>	1
Brief as <i>Amicus Curiae</i>	2
Preliminary Statement	2
Summary of Argument	5
Argument	8
Point I The communication, by means of a radio receiving set and one or more loudspeakers, of a broadcast musical composition to listeners is not a performance of the musical composition	8
Point II If the communication by receiving set referred to in Point I is a performance of the musical composition, then the broadcaster does not perform publicly	22
Conclusion	26

TABLE OF CASES CITED.

Brand Co. v. United States, 47 T. D. 40649-b. A. 8929 (1925)	14
Buck et al. v. Debaum et al., 40 F. (2d) 734.	3, 10, 13
Buck et al. v. Jewell-LaSalle Realty Co., 32 F. (2d) 366, 367	3, 13, 24
Dunbar v. Spratt-Snyder Co., 226 N. W. 22.	13
Herbert v. Shanley, 242 U. S. 591.	18
Jerome H. Remick & Co. v. American Automobile Accessories Co., 5 F. (2d) 411 (certiorari denied 269 U. S. 556).	22

	Page
Jerome H. Remick & Co. v. American Automobile Accessories Co., 298 F. 628.....	22
Jerome H. Remick & Co. v. General Electric Co., 4 F. (2d) 160	18, 22
Jerome H. Remick & Co. v. General Electric Co., 16 F. (2d) 829	18, 22
M. Witmark & Sons v. L. Bamberger & Co., 291 F. 776	22
Stern v. Rosey, 17 App. D. C. 562.....	25
United States v. Standard Oil Co., 33 F. (2d) 617	17
White-Smith Publishing Co. v. Apollo, 209 U. S. 1	25

TABLE OF STATUTES CITED.

U. S. Code Title 17 Sec. 1 (E) (Copyright Act of 1909)	3, 8, 25
Copyright Bill H. R. 12549, 71 Cong., 2d Session, Report 2016	20

TEXTBOOKS AND ARTICLES CITED.

Davis, S., "Law of Radio Communications", 1927, ch. IX, P. 140	21
Neugebauer, Dr. Eberhard, "Fernmelderecht mit Rundfunkrecht", 1929, pp. 707 et seq.....	21
Thirty-second Annual Report of Reg. of Copyrights, 1929, p. 28	16

IN THE
Supreme Court of the United States

OCTOBER TERM, 1930.

No. 138.

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vs.

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Appellee.

ON CERTIFICATES FROM THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE EIGHTH CIRCUIT.

**MOTION FOR LEAVE TO FILE BRIEF AS
AMICUS CURIAE.**

May It Please the Court:

The undersigned, as counsel for National Association of Broadcasters, Inc., respectfully moves this Honorable Court for leave to file the accompanying brief in this case as *amicus curiae*.

LOUIS G. CALDWELL,
PHILIP G. LOUCKS,
*Counsel for National Association of
Broadcasters, Inc., as Amicus Curiae.*

IN THE
SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM, 1930.

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ON CERTIFICATES FROM THE UNITED STATES CIRCUIT
COURT OF APPEALS FOR THE EIGHTH CIRCUIT.

**BRIEF OF NATIONAL ASSOCIATION OF BROAD-
CASTERS, INC., AS AMICUS CURIAE.**

PRELIMINARY STATEMENT.

This brief is directed solely to the following ques-
tion:

Question I. Do the acts of a hotel proprietor, in making available to his guests, through the instrumentality of a radio receiving set and loud speakers installed in his hotel and under his control and for the entertainment of his guests, the hearing of a copyrighted musical composition which has been broadcast from a radio transmitting station, constitute a performance of such composition within the meaning of 17 U. S. C. Sec. 1 (e)?

This question is the only one certified in No. 138 (p. 7) and is the first of four in the consolidated series of questions certified in Nos. 139 and 140 (pp. 8-9). It was answered in the negative by the District Court below (*Buck, et al. v. Jewell-LaSalle Realty Company*, 32 F. (2d) 366), and by the District Court for the Southern District of California (*Buck, et al. v. Debaum, et al.*, 40 F. (2d) 734).

The material portion of Sec. 1 (e) of the Copyright Act of 1909 reads as follows:

“Any person entitled thereto, upon complying with the provisions of this title, shall have the exclusive right: * * *

“(e) To perform the copyrighted work publicly for profit if it be a musical composition.
* * *”

The National Association of Broadcasters, Inc. (hereinafter referred to as the “Association”) is a Delaware corporation, not for profit. It has a membership of 136 broadcasting stations (out of a total of about 620) in the United States, including most of the larger and more important stations. As stated in its constitution:

“The object of this Association shall be to foster and promote the development of the art of radio broadcasting; to protect its members in every lawful and proper manner from injustices and unjust exactions; to foster, encourage and promote laws, rules, regulations, customs and practices which will be to the best interest of the public and the radio industry.”

The American Society of Composers, Authors and Publishers (hereinafter referred to as the “American Society”), is an unincorporated association with a membership exceeding 700, comprising authors, composers, and publishers of musical works (p. 2).

The certificate does not state, and appellant will not claim, that a license from the American Society for the public performance of the musical compositions controlled by its members will protect the licensee in the use of all copyrighted music used by broadcasting stations; or that there are not important classes of music used by broadcasting stations which are not controlled by the American Society, and as to which *other* organizations claim to have control and licensing authority; or that *any* broadcasting station, no matter how vigilant or how careful it has been to secure licenses from each of the known organizations of music publishers, has yet found it possible to protect itself against infringement claims by independent publishers and composers.

The number of radio receiving sets in use in the United States is generally estimated at approximately thirteen million. The radio audience cannot be exactly determined, but the number of receiving sets indicates its tremendous size.

In behalf of its members as well as of all broadcasting stations, the Association is interested in the above-quoted question for the following reasons:

1. The necessary result of an affirmative answer will be a reduction in the listening audience of broadcasting stations.

2. The question involves a principle of vital importance to broadcasters in more or less analogous situations arising in network or chain broadcasting, international or relay broadcasting, and remote-control broadcasting.

3. An affirmative answer to the question would seriously endanger judicial and legislative recognition of the right of the broadcaster to protection against unauthorized commercial exploitation of his programs by persons receiving those programs by means of receiving sets.

4. The question presents a proper occasion for determination of the underlying issue which has never been passed upon by this Court; i. e., whether in any event a broadcasting station which broadcasts a copyrighted musical composition is engaged in a public performance.

SUMMARY OF ARGUMENT.

I. The communication, by means of a radio receiving set and one or more loudspeakers, of a broadcast musical composition to listeners, is not a performance of the musical composition.

(1) The proper construction of the word "perform", with reference to the operation of a receiving set, depends on the physical acts constituting the alleged performance, and is independent of whether the broadcasting station is, or is not, licensed by the copyright owner.

(2) The broadcasting of a musical composition involves only one *actual* performance of that composition, i. e., the performance by the musician; the apparatus constituting a broadcasting station and the apparatus constituting a receiving set (linked by an hypothetical medium known as the ether) are like a telephone system and merely serve to communicate the musician's performance to listeners. The broadcaster may, if the musician be his employe, also be held to "perform" but, except for that, the broadcaster's acts consist simply in creating modulated radio waves. With the receiving set "turned on" and "tuned" to the broadcasting station, there is a clear avenue of communication from the musician to the listener. This cycle of purely physical events related by virtually instantaneous cause-and-effect is not strictly analogous to the slow succession of mixed physical events and human acts involved in the manufacture and playing of phonograph records.

(3) The consequences, viewed either practically or from the standpoint of the orderly development of the law, require that radio reception be held not to constitute performance. A contrary holding would be inconsistent with the policy of "free" reception heretofore followed by the United States and would result in reduction of the radio audience. It would

affect the use of devices similar to radio receiving sets and, depending on the principle adopted, would impose new burdens on broadcasting in such situations as those occurring in remote control, network, and international broadcasting. It would, again depending on the principle adopted, have an unfortunate effect on the development of sound legal principles, would introduce confusion where there should be simplicity, and would endanger recognition of legal principles necessary to protect broadcasting stations against unauthorized commercial exploitation of their programs.

II. If the communication by receiving set referred to in Point I is a performance of the musical composition then the broadcaster does not perform *publicly*. The theory on which the courts have hitherto held that the broadcaster does perform publicly is that the public listens to a performance by the broadcaster and not a multitude of performances by receiving-set operators.

(1) If appellant's theory is correct, every person operating a receiving set "performs", the only audience consists of persons listening to loud speaker performances, and, therefore, the broadcaster's "performance" is not public. The theory of "contributory infringement" is not appropriate since it would apply alike to public and private receiving-set operators.

(2) If the analogy between broadcasting and phonograph is correct, then it is clear that the broadcaster does not publicly perform the musical com-

position; he merely manufactures a fleeting record of it on modulated radio waves. The Copyright Act of 1909 does not cover this.

ARGUMENT.

Point I.

The Communication, by Means of a Radio Receiving Set and One or More Loudspeakers, of a Broadcast Musical Composition to Listeners is Not a Performance of the Musical Composition.

Section 1(e) of the Copyright Act of 1909 embodies three essential elements: (1) "perform"; (2) "publicly"; and (3) "for profit." The form in which the question is certified precludes any consideration of the second and third elements in the instant case, and the answer to the question turns exclusively on the proper construction to be given the word "perform."

(1) *The proper construction of the word "perform," with reference to the operation of a receiving set, depends on the physical acts constituting the alleged performance, and is independent of whether the receiving set is operated in public or in private, and of whether the broadcasting station is, or is not, licensed by the copyright owner.*

The physical acts of the person operating a receiving set consist essentially (a) in turning on a switch which provides the electrical current (from batteries or electric light lines) necessary to the operation of the set; (b) in "tuning" the set, by manipulation of a dial, so that it will respond to radio waves having

a given wave-length (or frequency) and proceeding from the desired broadcasting station; and (c) in adjusting, by manipulation of a dial, the amount of electric current used in the set so that the loudspeaker rendition will be of satisfactory volume. These acts may be simply summarized by stating that the person converts complicated electrical disturbances, which are known as modulated radio waves and are produced by a broadcasting station, into sound waves.

These acts are physically the same, whether done by a hotel proprietor in his public rooms for the entertainment of his guests or by a private owner of a receiving set in his home for the entertainment of himself and his guests. They are also physically the same, whether the broadcasting station to which the set is tuned happens to be licensed by the copyright owner or whether it is an infringer. If to turn on the switch and manipulate the dials is to "perform" in one case, so also is it in the other.

The intention, so far as it is material and concerns the word "perform," is the same in both cases. It is conceivable that a person, not knowing that a particular apparatus is a radio receiving set, or ignorant of its functions, might set it in operation accidentally. With this exception, every person operating a set intends the same result; i. e., the completion of the cycle of physical events by which a broadcast program is brought to the ears of all who happen to be within range of the loudspeaker. Such circumstances as the public or private character of the place where the loudspeaker is located have to do only with whether the occurrence is "public" and "for profit." Likewise, the circumstance that the broadcasting

station is or is not licensed by the copyright owner has nothing to do with the fundamental question as to whether the occurrence is a "performance" of the copyrighted composition. Even if the receiving-set owner, knowing that the broadcasting station is not licensed and that the station will without authority broadcast a copyrighted composition at a given hour, intentionally operates the set so as to receive the composition, the question as to whether he "performs" is exactly the same as that presented in the present case where the LaSalle Hotel Company had no such knowledge or intention (p. 6).

Consequently, the statement made by Judge McCormick in *Buck v. Debaum*, 40 F. (2d) 734, 736, with reference to the opinion of Judge Otis in the instant case; i. e.,

" * * * as far as the case discusses the meaning to be given to the word 'perform' in the Copyright Act, the decision is authority in this suit."

is neither incorrect nor *dictum*, as will be claimed by appellants.

(2) *The broadcasting of a musical composition involves only one actual performance of that composition, i. e., the performance by the musician; the apparatus constituting a broadcasting station and the apparatus constituting a receiving set, like a telephone system, merely serve to communicate the musician's performance to listeners.*

No extended discussion of the facts and principles of radio physics is necessary. The cycle of events

constituting the broadcasting and reception of a musical composition may be very simply stated.

The cycle begins with a performance of the composition by voice or by musical instruments; for convenience, it will be assumed to be by a single musician. The performance usually takes place in the studio of a broadcasting station. Frequently, however, it takes place elsewhere, at points commonly called "remote-control pick-ups", such as churches, theatres, dance-halls, hotels, restaurants, or on the college gridiron where a college band plays the composition during the intermission between halves in a football game.

Wherever the performance takes place, the musician's acts cause sound waves in the air which in turn cause vibrations in the diaphragm of a microphone connected by wire with the broadcasting station's transmitter. From that point on, there occurs a series of electrical phenomena which ends with the reproduction of the sound waves by a loudspeaker attached to a receiving set. The whole occurrence is like the transmission of a communication over a telephone system except that (a) the electrical phenomena are more complicated and involve, over the larger portion of the route between the musician and the listener, the use of radio waves traveling through an hypothetical medium called the ether, instead of through a tangible medium such as the wire (and sometimes the ground); (b) this medium, the ether, is not owned by the broadcaster, whereas the wire line is owned by the telephone company; (c) the radio receiver is usually owned by the person operating it, whereas the telephone receiver is usually rented from the telephone company; (d) in many

cases the broadcaster employs or otherwise controls the musician while the telephone company does not employ or otherwise control the person speaking over the telephone, and (e) the communication from musician to radio listener is all one-way whereas the ordinary telephone communication is two-way.

Throughout the entire series of events, which, for all practical purposes, occur simultaneously, only one performance has taken place, that of the musician who set the original sound waves in motion. Once they are set in motion, the acts of all others consist simply in *communicating* the musician's performance to the public. The broadcaster may, if the musician be his employe, also be held to "perform" but, except for that, the broadcaster's acts consist simply in creating the modulated radio waves. The receiving-set operator, who has no control over the musician, cannot be held to "perform"; his acts consist simply in reconverting the modulated radio waves into sound waves intelligible to himself and to any other persons within the audible range of his loudspeaker.

With the broadcasting station in operation and with the receiving set "turned on" and "tuned" to the broadcasting station, the sound waves originally produced by the musician set in motion a cycle of physical phenomena, related by a chain of pure cause-and-effect dependent on immutable scientific laws and uninfluenced by any human intervention. *There is a clear avenue of communication from the musician to the listener.* If, while that avenue is open, and during the course of a program (which may be a church service or a football game), the musician happens to play a copyrighted musical composition, this is not by reason of any act, command

or request of the person operating the receiving set.

The foregoing reasoning is, in substance, that adopted by the District Judge in the instant case, *Buck v. Jewell La Salle Realty Co.*, 32 F. (2d) 366, and approved by the District Judge in *Buck v. Debaum*, 40 F. (2d) 734. No better test of the soundness of this reasoning can be suggested than that implied in the following question: if it be assumed that a person desires to afford to listeners a rendition of a particular musical composition, can he do so solely by means of a radio receiving set? See *Dunbar v. Spratt-Snyder Co.* (Ia., 1929), 226 N. W. 22, in which it was held that a radio receiving set is not a "musical instrument" within the meaning of that term as used in an Iowa exemption statute.

It seems unnecessary to comment at length upon the differences between radio reception and the playing of phonograph records, which are pointed out by the District Judges both in the instant case and in *Buck v. Debaum, supra*. The chain of purely physical events related by virtually instantaneous cause-and-effect, which occurs when a musician's performance is broadcast to listeners, has little resemblance to the slow succession of mixed physical events and human acts consisting of the manufacture of a disque recording a musician's performance, the retailing of the record, its purchase, and the eventual playing of it from time to time by individual purchasers. Once the broadcasting cycle of sound waves, electrical disturbances, and again sound waves is permitted to die away, the performance is over and has vanished into the past beyond recall. To be repeated the musician must play again. With each playing of a phonograph record, a new cycle of sound waves is

set in motion, the nature of which depends upon the choice and act of the person playing the record. See *Brand Co.*, 2 United States, 47 T. D. 40649-b. A. 8929 (1925), in which it was held that a radio set is not a "similar article" to a phonograph under the Tariff Act.

If any analogy is to be enlisted, let broadcasting be compared with the telephone and let phonograph-record playing be compared with reading a written letter delivered by the post-office. The letter may be read and re-read at the will of the addressee; the voice over the telephone cannot be heard again unless the original speaker calls a second time.

3. The consequences, viewed either practically or from the standpoint of the orderly development of the law, require that radio reception be held not to constitute performance.

For convenience, the construction of "perform" heretofore urged in this brief will be called the "single performance" theory; the construction urged by appellants will be called the "multiple performance" theory. The terms are, of course, derived from the consideration that under the former theory, the only performance which takes place is that of the musician, while under the latter every person who takes part in communicating the performance to listeners is himself a performer, with the result that each broadcasting of a musical composition involves "performances" by countless persons. It must be kept in mind that under this heading we assume the correctness of the partly legal conclusions which have found their way into the "Statement of Facts" in the certificate in the instant case, wherein the Court states with reference to the broadcasting station **KWKC**:

“Such renditions and performances were public and were made available to the public, and were for the purposes of profit, both for said defendant and for others using the station or procuring their names or business to be mentioned over it” (p. 4),

in other words, that the broadcasting of a musical composition is a public performance thereof for profit.

The consequences of the “multiple performance” theory are such as to cause grave apprehension. They may be summarized as follows:

(a) *Effect on the audience of broadcasting stations.* The United States, unlike most of the other countries in the world, has not adopted the system of licensing or taxing radio receiving sets. In many foreign countries, where broadcasting stations are operated by the governments either directly or indirectly through government-controlled corporations, the proceeds of receiving-set license fees are used in part to defray the expense of operating the broadcasting stations. In the United States reception is “free” and by all portents will remain so. To this policy may be ascribed, at least in part, the fact that the United States is immeasurably in advance of the rest of the world in *per capita* ownership and use of radio receiving sets, and broadcasting is a far more effective and more popular means of mass communication than elsewhere. Adoption of the multiple performance theory will necessarily effect some reduction in the radio audience by making hazardous the operation of receiving sets in hotel

lobbies and hotel rooms, restaurants, retail radio stores, railroad club cars, dance-halls, theaters, moving-picture houses, hospitals and other public places. The copyright owners, who are given complete monopolies for the term of protection, without regulation as to rates and without restriction against discrimination, will be given power to impose burdensome, arbitrary, and discriminatory license fees on persons operating receiving sets in such places.

Even, however, should the copyright owners pursue a reasonable course, there is no way in which the receiving-set owner can protect himself fully against claim of infringement. During the period of five years ending in 1929 alone, there were copyrighted 130,234 musical compositions (Thirty-Second Annual Report of Register of Copyrights, June 30, 1929, p. 28). The receiving-set owner has no control over what will be broadcast by the many broadcasters to whose stations he may tune, and cannot be expected to ascertain each broadcaster's program in detail in advance. In fact, the broadcaster himself frequently does not know what musical compositions will be performed before his microphone, as in the case of a college band during a football game.

The certificate does not state, and appellants will not claim, that a receiving-set owner can obtain a license from the American Society which will protect him as to all music likely to be broadcast, or that there is not a large body of music not covered by any blanket license from any organization. Even if the certificate did so state, it cannot be assumed that the American Society, which after all is an organization of private individuals and not a govern-

mental institution, will continue in existence. It is not certain that such an organization, if it should have or acquire control of all or the larger portion of music used by broadcasting stations, would not violate the federal anti-trust laws. *United States v. Standard Oil Co.* (N. D. Ill., E. D., 1929), 33 F. (2d) 617.

(b) *Effect on use of devices similar to radio receiving sets.* If the operation of a receiving set is a performance, so also is the operation of an amplifier in a public hall, or one connected with a public hall and located in other rooms in the same building. The sound waves caused by the musician's performance on the stage are converted into electrical phenomena carried by wire to loudspeakers which reconvert the electrical phenomena into sound waves. Under the "multiple performance" theory, if in a large auditorium there are twenty amplifiers, twenty performances of the musical composition will take place in addition to that of the musician, and the proprietor will be liable for at least twenty-one times the minimum statutory damages.

(c) *Effect on analogous situations in broadcasting.* Broadcasting frequently involves much more complicated processes than those involved in the simple case where the broadcaster transmits the musician's performance directly from his studio to receiving sets. The three important situations, of which a number of variations are possible, and all three of which may be present in a given case, are the following:

Remote control broadcasting. The words "remote control" are here used to denote the fact that the performance takes place at some point other than the broadcasting station's studio (not, however, in-

cluding another radio station) with a wire connection from such other point to the station transmitter. Instances of this are legion and include churches, theaters, hotels, restaurants, dance-halls, the college gridiron, legislative halls, and many others, from which a variety of events may be communicated, usually including a large amount of copyrighted music. In a few cases, of course, the broadcaster controls the musician; in most cases, he does not. In many instances (*e. g.*, hotel and restaurant orchestras, under the doctrine of *Herbert v. Shanley*, 242 U. S. 591) the performance is already public and for profit, independently of the presence of the microphone. Yet it has been held by two District Judges sitting successively in the same case, first, that if the musician's performance is authorized then

“Such broadcasting merely gives the authorized performer a larger audience and is not to be regarded as a separate and distinct performance of the copyrighted composition upon the part of the broadcaster.” (*Jerome H. Remick & Co. v. General Electric Co.*, S. D. N. Y., 1924, 4 F. (2d) 160).

and second, that if the musician's performance is unauthorized then the broadcaster is guilty of “contributory infringement” (*same v. same*, 16 F. (2d) 829). There is nothing in either opinion to indicate whether the broadcaster knew that the original performance was unauthorized, and only the first opinion clearly recognizes the distinction between *performing* (either directly or through an employee) and *communicating another's performance*.

Network or chain broadcasting. In this situation

the original performance takes place at the studio (or at a remote control pick-up point) of the key-station of a network of broadcasting stations interconnected by wire, and is broadcast simultaneously both from the key-station and each of the interconnected stations. The latter are for the most part separately owned and operated, and only a comparatively small portion of their daily schedules consists of chain programs. Each station transmits to its own audience the performance relayed from the key-station. Such hook-ups vary from two to over a hundred stations for a single program. Does each station "perform" the musical composition which is already performed by the musician?

International or relay broadcasting. In this situation the original performance takes place at the studio (or at a remote control pick-up point) of a foreign broadcasting station, usually in Europe, and is broadcast by that station to its own audience on its regular broadcasting wave length. The same performance is simultaneously transmitted by "short waves" (radio waves with a high frequency which, because of their peculiar properties, are useful for communication over very long distances) to all parts of the world, where they may be captured and utilized directly by persons having receiving sets adapted for such reception. These waves are also received at broadcasting stations in the United States (usually at the key-stations of national networks), relayed to other stations by wire, and broadcast to the public. In this kind of broadcasting, while the process is much more complicated and involves the opening of more gateways before there is a clear avenue of communication from the musician in Europe to the listener

in the United States, the cycle of events is still one of purely physical cause-and-effect, resembling international telephony. No station in the United States has control over the musician's performance in Europe. A particular musical composition may have fallen into the public domain in Germany and yet have copyright protection in the United States. Is each station in the United States a "performer" of the composition which it transmits under such circumstances?

(d) *Effect on orderly development of sound legal principles.* Sufficient has been stated to show that under the "single performance" theory, a very desirable logic and simplicity will rule the juridical relations between the parties. Under the law the copyright owner has complete control over the original performance, and by exercising that control he may make impossible any communication of that performance to the public by radio broadcasting and reception. No one else has that power, neither the receiving set operator, nor the member station of a network, nor the station receiving a program by short waves from abroad, nor the station receiving a program from a remote control pick-up point.

If, however, the copyright owner is to be given such rights against those who merely communicate a performance (and we do not agree that he should be), let it be done not by a strained judicial construction of the word "perform," but by legislation in which to "communicate" a copyrighted work is specifically made an infringement. This has been recognized by Congress in legislation now pending before it (the Vestal Copyright Bill, H. R. 12549, 71st Congress, 2d session, Report No. 2016) which was passed by the

House of Representatives on January 13, 1931; Section 1 (g) enumerates *communication* to the public for profit by wire or by radio broadcasting as an exclusive right of the author separate and apart from a public performance for profit, which is enumerated as Section 1 (d).

The "multiple performance" theory will wholly or partially block development of legal principles which, as is already apparent, will be necessary to the future protection of the broadcaster, particularly if and when practical radio television is achieved. The broadcast program, made up though it is in large measure of the works of others, calls for creative effort and genius, and is susceptible of unauthorized appropriation to the unjust enrichment of the appropriators. The nature of the practices against which the broadcaster will need protection is clearly indicated by occurrences which have already taken place in both the United States and Europe. To avoid enumerating these practices we take the liberty of citing a chapter in the leading American treatise on radio law, and a portion of the leading German treatise on radio law. Stephen Davis, *Law of Radio Communication*, New York, 1927, Chapter IX on "Control of Broadcast Programs," p. 140; Dr. Eberhard Neugebauer, *Fernmelderecht mit Rundfunkrecht*, Berlin, 1929, pp. 707 *et seq.* These practices indicate that, to attain the needed protection, the broadcaster may eventually have to have control over unauthorized commercial exploitation of his programs by persons operating receiving sets, either by the extension of existing recognized principles such as those governing unfair competition, or by legislation. If the copyright owner, who has already been paid by

the broadcaster for the use of his work in a program, is also to control the receiving set operator, it is unlikely that the broadcaster's claims against the same person will ever be recognized.

Point II.

If the Communication by Receiving Set Referred to in Point I is a Performance of the Musical Composition, then the Broadcaster Does Not Perform Publicly.

Under Point I we have assumed that the broadcaster gives a public performance for profit of each musical composition he transmits, at least where the original performance takes place in his studio or by a musician in his employ. The Circuit Court of Appeals has specifically made the same assumption in its certificate (p. 6). Whether or not these assumptions are correct involves the soundness of the decisions in *M. Witmark & Sons v. L. Bamberger & Co.* (D., N. J. 1923), 291 F. 776; *Jerome H. Remick & Co. v. American Automobile Accessories Co.* (C. C. A. 6th, 1925) 5 F. (2d) 411 (certiorari denied, 1925, 269 U. S. 556), and perhaps also *Jerome H. Remick & Co. v. General Electric Co.* (S. D. N. Y., 1926), 16 F. (2d) 829, as contrasted with the decision of the lower court in *Jerome H. Remick & Co. v. American Automobile Accessories Co.* (S. D., Ohio, W. D., 1924) 298 F. 628, and the interlocutory decision in *Jerome H. Remick & Co. v. General Electric Co.* (S. D., N. Y., 1924), 4 F. (2d) 160.

It will suffice to point out that the leading case holding the broadcaster to be engaged in a public performance for profit, the decision of the Sixth Cir-

cuit Court of Appeals, *supra* (in which certiorari was denied by this Court), is based on the theory that persons gathered about receiving sets are listening to a performance by the broadcaster and not a multitude of performances by receiving-set operators. This is clearly indicated in the following paragraph from the court's opinion:

A performance, in our judgment, is no less public because the listeners are unable to communicate with one another, or are not assembled within an inclosure, or gathered together in some open stadium or park or other public place. Nor can a performance, in our judgment, be deemed private because each listener may enjoy it alone in the privacy of his home. Radio broadcasting is intended to, and in fact does, reach a very much larger number of the public at the moment of the rendition than any other medium of performance. The artist is consciously addressing a great, though unseen and widely scattered, audience, and is therefore participating in a public performance. (p. 412.)

It is the purpose of this portion of our brief to demonstrate that if the appellant's theory be correct, the conclusion reached by the Sixth Circuit Court of Appeals is erroneous.

(1) *If appellant's theory is correct, every person operating a receiving set "performs", the only audience consists of persons listening to loudspeaker performances, and therefore the broadcaster's "performance" is not public.*

Under our Point I (1) we have argued that the proper construction of the word "perform" is inde-

pendent of whether the receiving set is operated in public or in private. Under appellants' theory, *all* persons operating receiving sets become "performers." *All* persons hearing the resulting sound waves are listening to performances by the receiving set operators. *No* member of the public is listening to the performance which takes place in the studio of the broadcasting station.

If all this be so, the broadcaster has no audience. He may be guilty of a mere performance in the privacy of his studio, but it does not become public by reason of his broadcasting.

Nor is the theory of "contributory infringement" appropriate, unless it be held that every receiving set operator, public or private, contributes to the infringement by converting the inaudible into the audible. It is the aggregate of listeners, in private homes as well as in public places, which constitutes the public referred to in the above-quoted portion of the decision of the Sixth Circuit Court of Appeals.

(2) If the analogy between broadcasting and phonograph record is correct, then it is clear that the broadcaster does not publicly perform the musical composition; he merely manufactures a fleeting record by modulating radio waves.

It will be contended that there is no difference "in principle between playing by phonograph a record impressed on bakelite and playing by radio receiver a record impressed on the ether." (*Buck v. Jewell-LaSalle Realty Co.*, 32 F. (2d) 366, 367.) We are content to accept the contention as correct since its necessary corollary is that broadcasting does not involve a public performance.

It has never been held, or even suggested, that the manufacture of a phonograph record is a public performance of the musical composition impressed on the record; such a holding would necessarily assume that the "public" to which the composition is communicated, consists of the persons who may eventually hear the records played on phonographs. Prior to the Copyright Act of 1909, which for the first time protected the composer against the use of his composition in records or other instrument for mechanical reproduction, the recording of a musical composition in the form of a phonograph record or a perforated piano player roll was not a "copy" of the composition (*White-Smith Publishing Co. v. Apollo Co.*, 209 U. S. 1; *Stern v. Rosey*, 17 App. D. C. 562). By virtue of amendments to the previous statute, embodied in Sec. 1 (e) of the Copyright Act of 1909, the composer was given the additional exclusive right

"for the purpose of public performance for profit, and for the purposes set forth in subsection (a) hereof, to make any arrangement or setting of it or of the melody of it in any system of notation or any form of record in which the thought of an author may be recorded and from which it may be read or reproduced."

Thus Congress has not described the manufacture of records as a performance but has given it a separate classification. It has not yet provided a classification which covers the "manufacture" of modulated radio waves.

Without the acts of receiving-set operators (who, according to appellants, are performing just as they would if they were playing phonograph records), the Hertzian waves, launched into the hypothetical ether

from the broadcasting station antennae, would speed to the outer limits of the universe, unheard and unintelligible, as mute as a disque of bakelite when the phonograph is not in motion.

CONCLUSION.

This case, we believe, presents three possible alternative answers to the question certified: (1) that urged under Point I of our brief, the "single performance" theory, (2) that urged by appellants, the "multiple performance" theory, and (3) that urged under Point II of our brief, by which the phonograph analogy is accepted with its logical corollary, *i. e.*, that the broadcaster does not perform publicly. Of these, the National Association of Broadcasters, Inc., urges the Court not to adopt the second, both because of its inherent unsoundness and because of its unfortunate consequences. The third has some measure of logic to support it although it is not free from objection as to its consequences.

The National Association of Broadcasters, Inc., urges that this Court either (1) answer the question in the negative or (2), if the Court should answer it in the affirmative, it do so according to principles under which it will be held that the broadcaster, in the circumstances indicated, does not perform the copyrighted musical composition publicly.

Respectfully submitted,

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 Broadcasters, Inc., as Amicus Curiae.*

BROADCASTERS' NEWS BULLETIN

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February 7, 1931

"BY THEIR FRUITS YE SHALL KNOW THEM"

This doctrinal declaration recorded by St. Matthew twenty centuries ago in his Biblical writings has just been adopted by the Court of Appeals of the District of Columbia as the controlling legal principle in the relicensing of broadcasting stations.

Sustaining the Commission's action in denying to the K F K B Broadcasting Association Inc. a renewal of Station K F K B's license on 1050 kc with 5 KW power (limited time) at Milford, Kansas, the Court took occasion to enunciate a far-reaching rule to be followed in all cases where stations fail to adequately meet the standard of public interest, convenience and necessity. The decision was handed down February 2, 1931 and is as yet unreported.

The court found that Dr. J. R. Brinkley was actually in control of the station and that his "medical question box" was devoted to "diagnosing and prescribing treatments of cases from symptoms given in letters" written by patients he had never seen. The court ruled that Station K F K B was conducted "only in the personal interest of Dr. J. R. Brinkley" and that the "medical question box" conducted by him was "inimical" to public health and safety and for that reason is not in the public interest.

In considering an application for a renewal of license, an important consideration is the past conduct of the applicant, the court held, adding that "by their fruits ye shall know them."

The question of censorship was not involved in the case, the court stated, because "there has been no attempt on the part of the Commission to subject any part of appellant's broadcasting matter to scrutiny prior to release." The prohibition against censorship in the law does not preclude the Commission from its undoubted right to take note of a station's past conduct.

Stations operated carelessly and without due regard to the general interests of the public they serve, will find a note of warning in the Brinkley decision. Now that doubt has been removed from its authority, the Commission will probably enter upon a campaign to rid the country of stations failing to meet the standard of public interest.

COMMERCIAL COMMITTEE MEETING FEBRUARY 14

A joint meeting of the Commercial Committee of the National Association of Broadcasters with the Radio Committee of the American Association of Advertising Agencies will be held in New York on Friday, February 13. This meeting will be preceded by a meeting of the NAB Commercial Committee. Many interesting commercial questions have been submitted to the committee and all of these will receive consideration during the two-day meeting.

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DO YOU UNDERSTAND COPYRIGHT?

What is the solution to the present copyright question? Will the Vestal Bill help? What about the American Society and the future?

Copyright will be one of the broadcasters' most troublesome questions for some time to come. Its solution depends upon every broadcaster understanding the problem. Every broadcaster will want to read the complete discussion of the copyright question as it effects broadcasting which is now published in the Proceedings of the Eighth Annual Convention of the National Association of Broadcasters. The question is discussed by E. C. MILLS, former general manager of the American Society and now president of Radio Music Company; and LOUIS G. CALDWELL, former general counsel of the Commission and special counsel to the NAB Copyright Committee.

The Proceedings contain discussions of every phase of the broadcasting business. A limited supply of copies are available at \$5.00 per copy. Your check should be made out to the National Association of Broadcasters and mailed to the National Press Building, Washington, D. C. Orders will be filled in the order received until the supply of copies is exhausted.

THERE WILL BE NO REPRINT.

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ENGINEERING COMMITTEE ARRANGING STUDY

The Engineering Committee of the National Association of Broadcasters, headed by John V. L. Hogan, New York, is arranging to make a complete study of the broadcasting engineering plan offered to the Federal Radio Commission by Commander T. A. M. Craven, former acting chief engineer of the Commission. Chairman Hogan is planning to call a meeting of his committee in the near future for the purpose of making a preliminary study and report on the plan in which every broadcasting station in the United States has an interest.

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KOH JOINS COLUMBIA

KOH, Reno, Nevada, will become a link in the CBS on February 15.

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FIGHT LOOMS ON FESS BILL

The National Committee on Education by Radio, headed by Joy Elmer Morgan, has just received a donation of \$200,000 from the Payne Fund which will be used to secure enactment by Congress of the Fess Bill to set aside 15 per cent of the present band for educational purposes. The NAB is opposed to this bill and will be prepared to wage a successful fight against it if the moral and financial support of all broadcasting stations can be mobilized. Passage of the Fess bill would mean a new reallocation which would result in virtually every commercial station in the country being forced into power reduction, frequency change and further uneconomic time division. The bill has enormous support in Congress and can be defeated only if broadcasters will organize their maximum strength under the NAB.

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RADIO STATUTES COMPILED

Elmer A. Lewis, superintendent of the House Document Room, has compiled the 20 radio acts passed by Congress since 1910. Your Congressman or Senator may be able to secure copies for you.

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NEW WE 100-WATT IN AUGUST

The Western Electric Company plans to have ready for marketing in August a new 100-watt transmitting set, according to information received this week.

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BETTER PROGRAM CHECK SOUGHT

The Commission is requesting prices for the purchase of recording apparatus which would be used in making permanent records of broadcast programs to be used as evidence in passing upon renewal applications. It now has access to such a device privately-owned but has not as yet put it to use.

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VESTAL BILL STILL MUCH ALIVE

The Senate Patents Committee will hold a meeting next week for the purpose of considering the Vestal Copyright Bill, which already has passed the House. An attempt will be made to have the Committee report the bill favorably to the Senate next week and there is strong sentiment for Senate action before adjournment of the Congress. There are numerous amendments to be considered, among them are 19 submitted by the NAB on behalf of the broadcasters of the United States. Unless these amendments are incorporated in the bill, the broadcasters will have to throw their organized strength against passage of the measure. Watch next week's bulletin for developments.

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MADRID COMMITTEE TO MEET

A general meeting of the Radio Regulations Committee preparing for the Madrid Conference is scheduled for Wednesday, February 11, 1931, in the offices of the Commission. At this meeting final reports of the three Committees preparing U.S. proposals on the regulations will be made.

M. D. GETS COMMITTEE APPOINTMENT

The Managing Director of the National Association of Broadcasters has been named a member of the Membership Committee, American Section of the International Committee on Wireless Telegraphy. Senator-Elect Wallace H. White, jr. of Maine, is president of the American Section.

FIVE NEW MEMBERS WELCOMED

Stations W R A K, Williamsport, Pa.; W G A R, Cleveland, Ohio; W J B K, Detroit, Mich.; K Q V, Pittsburgh, Pa.; and W T O C, Savannah, Georgia, this week filed applications for memberships in the NAB. The Broadcasters' News Bulletin is pleased to welcome these five stations into the Association.

EDWARDS HEADED FOR COAST

S. W. Edwards, former Federal Radio Supervisor at Detroit, left Washington last week for a trip to the Pacific Coast. He will stop off at Grand Island, Nebraska, to inspect the government's giant monitoring station there, which he designed and constructed. According to Martin Codel, radio editor of McClure Newspaper Syndicate, "tests already conducted have brought in stations on all of the continents, including speech and music being broadcast on long, intermediate and short waves from England, France, Germany, Russia, Japan and Java." Although the plant has cost the Government about \$250,000, it has failed to appropriate the \$100,000 needed to man the station with adequate engineering personnel.

WALKER NAMED EXAMINER

Ralph L. Walker, formerly a member of the legal staff of the Commission, has been appointed as an examiner, bringing the number of examiners up to four. Ellis A. Yost, is chief of the examiners' division, which includes Elmer W. Pratt and R. H. Hyde. Mr. Walker is an attorney and has had wide experience at the Commission's table in hearings during the past year.

W A B C PETITION DISMISSED

The New Jersey Supreme Court has refused to review the decision of the Public Utilities Commission granting Station WABC authority to construct its new 50 KW transmitter in Wayne County, N. J. The petition for review filed by Richard E. O'Dea, Station WODA, Paterson, N.J. was dismissed for procedural reasons.

SYNCHRONIZED CHAIN RUMOR REVIVED

Rumors that a large motion picture corporation is contemplating the construction of a national system of synchronized broadcasting stations with an important New York station as key, have been revived. If such a system is contemplated it has not been officially brought to the attention of the Commission. No applications, proposing such a system have been filed by any applicant.

SHORT WAVE CASES MARCH 16

The Commission has fixed March 16 for a hearing in the short wave cases in which the Universal Wireless Communications Inc. bankrupt radio telegraph company, has been summoned to show cause why 40 frequencies allocated to it in December, 1928, shall not be recaptured by the Commission for reallocation in line with the decision of the Court of Appeals of the District of Columbia.

STATIONS WARNED OF G. O. No. 97

The transmitters of a number of broadcast stations do not conform to the terms of General Order 97, according to a letter sent out by the Commission during the past week. Licenses after April 30, will be issued only in accordance with this order, the Commission announced. The equipment of the stations concerned does not meet the requirements of the Commission in either one or more of the following respects: 1. The maximum rated carrier power of the transmitter is less than the licensed power; 2. The maximum percentage of modulation is less than 75%, as specified in Section 1 of the Order, and; 3. The operating current and voltage of the final radio stage as specified in the last renewal license gives a power output, which is less than the licensed power under the terms of General Order 91. It should be noted this letter pertains to conditions as outlined in renewals for October 31, or license in effect, January 1, 1931. If construction permits are outstanding, or applications have been filed, which would correct these conditions, this letter from the Commission may be ignored, provided the proposed installations can be completed and in operation to conform to the Order before April 30. The Commission calls attention to the known engineering principle that a 100-watt station using 100% modulation will render far better service and give greater coverage than a 500-watt station with 40% modulation. The coverage factor in a station is a function of power and modulation, but the heterodyne interference depends on power alone, and is changed by modulation.

MYSTERY STATION ON 1370 KC

A mystery station will broadcast on 1370 kc from two to three the morning of February 9, according to an announcement of C. M. Falconer, chairman of the program committee of the Newark Evening News Radio Club. The identity of this station is purposely being withheld. On this same morning, W Q D M, St. Albans, Vt. will broadcast a program from three to four-thirty on 1370 kc. On February 10, 10BF, Wingham, Ont. will broadcast from 1.00 to 2.30 a.m. on a frequency of 1190 kc. C K X, Brandon, Manitoba, will broadcast from 2.00 to 3.00 a.m. on 540 kc. On Friday, February 13, W P A W, Pawtucket, R. I. will broadcast a special program on 1210 kc starting at 10.30 p.m. and ending on Saturday morning at 1.00 o'clock.

APPLICATIONS SET FOR HEARING

The following applications were ordered set for hearing by the Commission at its sessions during the current week:

NEW	C. M. Schaap Ft. Collins, Colo.	Requests C.P. 1200 kc. 15 watts, share with KGEK equally if 5-P-B-1816 (designated for hearing Dec. 19) is granted, or one third time sharing with KGEK and KGEW if said appl. is denied.
KLCN	Chas. Leo Lintzenick Blytheville, Ark.	Requests Mod. of Lic. to increase operating power from 50 to 100 watts.
NEW	New Philadelphia Brdctg Co. New Philadelphia, Ohio	Requests C.P. to erect new station on 1370 kc with 100 watts.
WNBO	John Brownlee Spriggs Washington, Pennsylvania	Requests C.P. install new eqpt and increase 250 Watts, L.S.

EXAMINERS' REPORTS

In re application of Louis G. Baltimore (W B R E) for renewal of license on 1310 kc, 100 W. unlimited time, Docket 928, Report 60, by Examiner Pratt recommends denial of application.

In re application of Louis Falconi, Roswell, New Mexico, for construction permit to erect new station on 1300 kc with 15 W. and daylight hours of operation, Docket 1065, Report 61, by Examiner Hyde recommends denial of application as in the case of defaults.

In re application of Mayfield Music Company, Hutchinson, Kansas, for construction permit to erect new station on 1170 kc with 200 W. and daylight hours of operation, Docket 944, Report 62, by Examiner Hyde recommends denial as in the case of defaults.

In re application of Bensberg's Music Shop, El Dorado, Arkansas, for construction permit to erect new station on 1500 kc with 100 W. and daylight hours of operation, Docket 899, Report 63, by Examiner Pratt recommends denial of application.

In re application of E. R. Bennett, El Dorado, Arkansas, for construction permit to erect new station on 1200 kc with 20 W. and daylight hours of operation Docket 890, Report 63, by Examiner Pratt recommends denial of application.

CONSTRUCTION PERMITS GRANTED

During the current week the Commission granted construction permits to the following stations authorizing the installation of new equipment and changes in present transmitters to conform to the terms of General Orders 91 and 97: WLIT, Philadelphia, Penna.; KGA, Spokane, Wash.; WJJD, Mooseheart, Ill; WFI, Philadelphia, Penna.; WHEC, Rochester, N. Y.; KPQ, Wenatchee, Washington.

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, February 9th. All hearings commence at 10 a. m.

MONDAY, February 9, 1931

WEDH	Erie Dispatch Herald Broadcasting Corp. Erie, Penna.	C. P. Present Assgn.	940 kc Unlimited 1420 kc Unlimited	500 W Time 30 W Time
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NOTIFIED: WKJC, WAAT, WCSH, WFIW, WDAY, WRC, WIBG, KDKA, WIOD, WLBW

WLBW	Radio-Wire Program Corp. of America, Oil City, Pa.	C. P. Present Assignment.	1260 kc Unlimited time 1260kc Unlimited time	500 W 1 KW LS 500 W 1 KW LS
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Applicant requests authority to erect a new transmitter at Erie, Pa. to synchronize with present transmitter at Oil City, Pa., experimentally.

NOTIFIED: WEDH

NEW	John Magaldi, Jr., Philadelphia, Pa.	C. P. Daytime hours except on Sunday, then 6 P.M. to 1 A.M.	1420 kc	250 W
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NOTIFIED: WILM, WTBO, WHP, WCBA, WSAN, WBBC

WEDNESDAY, February 11, 1931

NEW	J. E. Richards, Greenville, S. C.	C. P.	1200 kc Unlimited time	100 W
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NOTIFIED: WRBL, WFBC, WEHC, WSOC,

WPTF	Durham Life Ins. Co., Raleigh, N. C.	C. P. Also requests change in transmitter loca- tion from 400 Fayetteville St., Raleigh, N.C. to 7 mi. west of Raleigh. Present Assign.	680 kc 680 kc	5 KW LT 1 KW LT
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NOTIFIED: KFEQ, KPO

WRBT	Wilmington Radio Assn., Inc., Wilmington, N.C.	C. P.	1320 kc Unlimited time	1 KW
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NOTIFIED: WADC, WSMB, WSJS

NEW	W. T. Hamilton, Greenville, S. C.	C. P.	1240 kc Unlimited time	500 W
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NOTIFIED: WXYZ, KTAT, WACO, WRBL

NEW	The Greenville News-Pied- mont Co., Greenville, S.C.	C. P.	1180 kc	1 KW LT
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NOTIFIED: WMAX, WDGY, WHDL, KEX, KOB

APPLICATIONS RECEIVED

The following applications were received by the Commission during the current week:

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WDAY	WDAY, INCORPORATED Fargo, North Dakota	940	----	Cons. Permit application resubmitted to change equipment increase power 1 to 5 KW. on 940 kc
NEW	CONARD STUDIO Garden City, Kansas	----	1370	Cons. Permit new station 1370 kc., 100 watts, and unlimited time.
KLZ	THE REYNOLDS RADIO CO. INC. Denver, Colorado.	560	1270	Request for authority to experimentally use 1270 kc. for a period of 10 days between 12:00 A.M. and 6:00 A.M.
KPOF	PILLAR OF FIRE Denver, Colorado.	880	----	Mod. of License increase power to 1 KW. day and 500 watts night on 880 kc.
NEW	BERKS BROADCASTING COMPANY Reading, Penna.	----	830	Cons. Permit new station 830 kc., 1 KW., day-time hours.
KMA	MAY SEED & NURSERY COMPANY Shenandoah, Iowa.	930	710	Mod. of License amended application now request authority to operate limited time on 710 Kc.
KQV	DOUBLEDAY-HILL ELECTRIC COMPANY Pittsburgh, Penna.	1380	----	Request for authority to voluntarily assign license to KQV BROADCASTING CO.
KVL	KVL INCORPORATED Seattle, Washington.	1370	----	Mod. of Cons. Permit to move studio and Transmitter to Benjamin Franklin Hotel, Seattle, Washington.
KFUO	EVANGELICAL LUTHERAN Synod of Missouri, Ohio and other States Clayton, Mo.	550	----	Request for authority to measure power of station by direct antenna input method.
KFUO	EVANGELICAL LUTHERAN SYNOD of Missouri, Ohio, and other States, Clayton, Mo.	550	----	Requests authority to install automatic frequency control.

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WOW	WOODMEN OF THE WORLD LIFE INSURANCE ASSOCIATION, Omaha, Nebraska.	590	-----	Mod. of License to in- crease power from 1 KW. to 5 KW. on 590 kc.
KFKB	THE KFKB BRDCSTG. ASSN. INC. Milford, Kan.	1050	-----	Vol. Assgn. Lic. to THE FARMERS & BANKERS LIFE INSURANCE COMPANY
WDAY	WDAY, Inc., Fargo, N. D.	940	-----	Mod. Lic. to increase power from 1 to 5 KW. on 940 kc.
WOMT	FRANCIS M. KADOW, Manitowoc, Wisconsin.	1210	-----	C. P. to make changes in equipment.

LICENSE APPLICATIONS RECEIVED

During the current week, the Commission received the following applications for licenses to cover construction permits which had been previously authorized by Commission action: WJSV, Alexandria, Va; WRAK, Williamsport, Penna; KEJI, Astoria, Ore; KGB, San Diego, Calif; WRAW, Reading, Penna; KJR, Seattle, Wash.

REGIONALS RENEW 5 KW REQUESTS

Regional stations on 590 and 940 kc--WEEI, Boston, Mass., KHQ, Spokane, Wash., WOW, Omaha, Nebr., WCSH, Portland, Me., WDAY, Fargo, N. D., WFIW, Hopkinsville, Ky., and KOIN, Portland, Ore.-- whose applications to increase power to 5KW were returned by the Commission as being contrary to the terms of General Order 40, have been refiled with requests that hearings be granted. This is obviously a direct attack on the validity of the order. The Commission has not yet taken action on these applications.

STATION K F N F RAISES RELIEF FUND

Station K F N F, The Henry Field Company station at Shenandoah, Iowa, has been instrumental in raising more than \$10,000 for Arkansas famine relief. This information was contained in a telegram from Henry Field, which was inserted in the Congressional Record February 3, 1931, by Senator Smith W. Brookhart of Iowa.

APPLICATIONS GRANTED

The following applications were granted by the Commission at its session during the current week:

CALL	NAME OF APPLICANT	NATURE OF ACTION
WOCL	A. E. NEWTON Jamestown, N. Y.	Granted C.P. to install new eqpt increasing licensed power from 25 to 50 watts, and move studio locally in Jamestown.
KGNF	HERBERT LOGAN SPENCER N. Platte, Nebraska	Granted consent to vol. assignment of license to Great Plains Broadcasting Co.
WPTF	DURHAM LIFE INS. CO. Raleigh, N. C.	Granted Authority to operate until 9:30 PM, EST, Feb. 12th, in order to broadcast speech by Chairman Legge of Federal Farm Board.
WOKO	HUDSON VALLEY BROADCASTING CO. Poughkeepsie, N. Y.	Granted permission to be off the air two or three weeks while transmitter is being moved.
WQDM	A. J. St. ANTOINE St. Albans, Vt.	Granted permission to broadcast Friday Feb. 6, from 7 to 8 PM, with 5 Watts power only.
WODX	MOBILE BROADCASTING CORP. Mobile, Ala.	Granted auth. to operate with power output of about 360 watts for several days until permanent repairs can be made to transm. in order that operation will be at regular licensed output which is 500 watts.
WOBV	WOBV, Inc. Charleston, W. Va.	Granted Mod. of C.P. to change location of transm. and studio locally and install new equipment to conform to G.O. 91 and 97.

DELAWARE AND VERMONT FIGURES RELEASED

More than one half the families in Wilmington, Delaware, own radio receiving sets, according to a report issued by the United States Census Bureau this week. Out of a total of 25,694 families there are 13,720 who own radio receivers in that community. In the State, 45.8%, or 27,183 out of 59,295 families have receivers.

In Vermont, 39,913 families have receiving sets, or 44.6% of the total families have receiving sets in the state. Copies of these reports may be obtained by writing to the Bureau of Census, Washington, D. C. or to NAB Headquarters, National Press Building, Washington, D. C.

DEPRECIATION RATES AVAILABLE

The National Association of Broadcasters has secured from the Valuation Division of the Internal Revenue Bureau a schedule of depreciation rates for broadcasting stations which will prove helpful in the preparation of income tax returns. Copies of the Special Bulletin containing the rates may be secured without charge by addressing a request to the Managing Director, National Association of Broadcasters, National Press Building, Washington, D. C.

COPIES OF BRIEF AVAILABLE

There are still available for distribution a small number of copies of the brief filed by the N A B in the *Geno Buck, as president of the American Society et al v. Jewell-La Salle Realty Company* case which will be argued in the Supreme Court of the United States this Spring. Until the supply is exhausted, copies will be sent to all stations requesting copies. Address your request to NAB Headquarters.

BROADCASTERS' NEWS BULLETIN

Reporting accurately and promptly current happenings of special interest to Broadcasting
Stations in the Commercial, Regulatory, Legislative and Judicial Fields

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OLIVINE FORTIER
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February 14, 1931

COPYRIGHT BILL CONSIDERED

The Senate Patents Committee held three meetings this week to consider the Vestal copyright bill with a view to reporting it favorably to the Senate at the earliest possible date. It is impossible to predict what will happen to the amendments proposed by the National Association of Broadcasters for the purpose of protecting the interests of all broadcasters.

There is a determined effort to have the Senate pass the bill at this session. There are those who have "rushed into print" with statements entirely unfair to the radio industry. They have charged that broadcasters are blocking meritorious legislation because they would be prevented from having free use of copyrighted works for their own commercial exploitation.

Clearly, this is misrepresentation. Broadcasting has furnished a new and valuable market for the works of composers and authors. Composers and authors need the broadcasting market and broadcasters need their product. The broadcasting industry is honest. It has no desire to steal and exploit the works of composers and authors. It desires to encourage creative work in order that there be a never-ending supply of music. It is willing to pay reasonable compensation for the use of copyrighted music in order that the American public may enjoy the best programs the art is able to furnish. Last year more than a million of dollars was paid by broadcasters to different organizations controlling public performance rights of authors and composers.

Broadcasters are only seeking what all others are seeking in the Vestal bill - protection. Broadcasters believe that their business, which the courts have declared to be "impressed with a public interest," is entitled to adequate protection against unjust exactions and exploitation in the future. Broadcasters owe it to the millions of the American public it serves to see to it that it is protected. The Congress of the United States owes the same duty to the American public. The Congress, by law, has declared that a broadcasting license is granted in trust for the public. It must protect the trust it grants.

In asking Congress for reasonable consideration the broadcasters have sought only for protection against the possible misuse of the copyright privilege. They have no quarrel with the legitimate composer, author or publisher of music or literature. They ask only that the storehouse of music and letters which already under the Constitution belongs to the American public shall

February 14, 1931

not be systematically raided for private profit, and that before the owner of a copyright monopoly can claim damages for innocent infringement he shall be required to have given public notice of his ownership. Certainly this is not denying to creative genius any of its legitimate rights.

During the past few days, there has been circulated a false interpretation of the meaning of one of the amendments which was submitted to the Senate Committee on patents in behalf of the broadcasters. This interpretation has been to the effect that the broadcasters are endeavoring to secure the right to broadcast copyrighted works for the first three months after registration without any liability whatsoever. In a letter to Senator Waterman, Chairman of the Senate Committee on Patents, Louis G. Caldwell, Special Counsel for the Association, pointed out the complete lack of any basis for the interpretation. Among other things, he called attention to the fact that under the amendment in question, a broadcaster would still be liable for a sum of from \$1500 to \$2000 a day for the broadcasting of musical compositions without a license, even if the broadcaster were entirely innocent with respect to each musical composition used, and that this would be true even in cases where there had been no copyright notice or registration in Washington. Where the infringements are wilful or intentional, the liability would be much larger. The purpose of the amendment in question is simply to prevent unfair advantage being taken of the broadcaster by last-minute registration and to subject him only to innocent infringement damages where he is thus imposed upon. It was also pointed out that somewhat the same protection against imposition could be achieved by another method, namely, the elimination of minimum damages for innocent infringement so as to permit a court to assess only nominal damages where any unfair advantage has been taken of the broadcaster.

The charge that broadcasters are endeavoring to kill the Vestal bill to promote their selfish interests is unfair. Broadcasters are asking only for fair treatment. Nothing can be gained by confusing the issue and misrepresenting the facts before the American people and the Congress. Broadcasters are fighting fairly and openly for what they conceive to be their rights under our form of Government. Their fight is the fight of the millions of the public who daily enjoy, without cost, the finest radio entertainment in the world.

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COMMISSION ADOPTS G. O. 105

The Commission on February 12 adopted G. O. 105, which is designed to define (a) the broadcasting day; (b) test or experimental period; (c) unlimited time stations; (d) stations sharing time; (e) limited time and day stations; (f) power reduction at sunset; (g) part time stations. Only a careful analysis of the order in the light of existing situations will reveal the effect of the order. Stations now licensed as dividing time but operating simultaneously during daylight hours should give careful study to the order and other stations not using all available broadcasting time may be compelled to fill up their schedules or face reduction of time. The Commission is mailing copies of the order to all stations. These should be studied very carefully. The order is simply an attempt to carry out the unwritten policy of the Commission with several innovations in the practice.

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February 14, 1931

SENATOR DILL DEFENDS BROADCASTERS

Senator C. C. Dill of Washington, has been the broadcasters' staunch friend during the copyright controversy. Backed by the support of the broadcasters through the NAB, Senator Dill demanded hearings on the Vestal Bill and hearings were held. He has declared that the rights of broadcasters must be adequately protected before he will support the measure. Defending your business on the floor of the Senate, he said:

"A large number of Senators have asked me about the bill (Vestal Bill) and have inquired why it cannot be speedily reported and acted upon by the Congress. The report in the newspapers to the effect that the bill is being delayed in committee because the broadcasters want a provision so that they may use copyrighted material without cost is simply ridiculous * * *

"We have built up an orderly system of copyrights. The bill now pending in the committee proposes to wipe out that entire system. The measure is so revolutionary in its nature that it simply cannot be acted upon hastily, and unless amendments can be provided that will safeguard and protect the public the bill should not be passed.

"I want to call the attention of Senators to the fact that the enjoyment of patent and copyright monopoly flows from the Constitution of the United States and the laws passed by Congress under the Constitutional provision. A grant of monopoly is against the public and the public has a right to know what is copyrighted, by whom it is copyrighted, and the definite period for which it is copyrighted.

"We want to revise the copyright statute, but we want to be sure when we shall have revised it that we will not be destroying a system that has served our people with reasonable satisfaction during our entire history."

Proponents of the measure have been extremely active and are holding meetings almost daily to discuss ways and means of having the bill acted upon before March 4. You should advise your Senators that the bill must not be permitted to pass unless broadcasters are given the protection our business requires. Support for the measure in the form in which it passed the House is strong in the Senate and broadcasters must act in unison if their rights are to be safeguarded.

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PUBLIC HEARS CELEBRITIES

A world-wide radio hook-up carried the voice of Pope Pius the Eleventh to every part of the globe on February 12. Both the NBC and CBS networks distributed the program from the Vatican in Rome to the American people. Incidentally, the greatest array of celebrities ever to broadcast in a single day were heard on Lincoln's Birthday. In addition to the Rome broadcast, President Hoover, Vice-President Curtis, Chief Justice Hughes, Attorney General Mitchell, Secretary of Interior Wilbur, Secretary of Labor Doak, Judge John Barton Payne, Brigadier-General Frank T. Hines, Governor Parnell of Arkansas and Governor Case of Rhode Island, were heard by the American people via radio on February 12.

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February 14, 1931

RADIO BILL REPORTED BY SENATE

The Senate Committee on Interstate Commerce has reported favorably to the Senate H. R. 11635 proposing amendments to the Radio Act of 1927. The bill as reported (S. Rept. 1578) includes a number of amendments to the measure as introduced by Senator-elect White which was passed by the House on April 30, 1930.

The bill excludes the Virgin Islands, Porto Rico, Alaska, Guam, eastern Samoa and the Hawaiian Islands from the first and fifth zones; provides for the appointment of a vice chairman of the Commission; and makes a hearing necessary for all changes in station assignments.

Certain minor changes are made in the law with respect to the holding of public hearings and the Commission would be required to prepare written memorandum opinions with each decision.

The term of broadcasting license is reduced from three years to one year.

Section 12 is amended to prohibit the transfer of any rights under a license without the specific finding by the Commission that such transfer would be in the public interest.

Authority to suspend licenses for 30 days is contained in an amendment proposed to Section 14 of the act but the Commission may not exercise this power without hearing. Immediate suspension is possible only by unanimous vote of the Commission.

The appeal section of the present law would be changed in several minor respects in order to bring it in consonance with appellate procedure proposed in S. 6, the Couzens Bill.

Provision is made for seizure of radio apparatus operated in violation of law.

Transfer of the Radio Division of the Department of Commerce to the Commission is provided.

The requirement of a construction permit is limited to original construction.

Stations would be required to illuminate towers under a new section proposed in the measure.

It is doubtful if the bill can become law during the present session of Congress.

COPYRIGHT PROPONENTS MEET

Authors, composers and publishers of New York and Washington met at the National Press Club on Friday night to discuss the Vestal copyright bill. The Authors League of America was represented by Louise Sillcox; book publishers, Cass Canfield and Fred Melcher; the American Library Association, Dr. George F. Bowerman and the motion picture interests by Louis Swarts. Mrs. William Atherton Du Puy of the American League of Pen Women, presided.

February 14, 1931

IT WOULD BE WORSE WITHOUT OARS

"When you are out in the mid-Atlantic in a bad storm, do you see anybody shoving off from the big liner in a row boat by himself to save passage-money?" asked Dr. Julius Klein, assistant secretary of Commerce. "Well, hardly," is his answer.

"I believe that the titanic developments of modern business have made sturdy commercial organizations practically indispensable," says Dr. Klein. "The requirements of commercial life are too stringent now - the problems are too far-reaching and too intricate - to be grappled with effectively by any single firm, however courageous or self-confident it may be. Mass action is imperative - and mass assaults can move mountains."

The NAB is in the midst of a drive to mobilize the entire broadcasting industry into a single business organization. Business collaboration is just applied common sense and all far-sighted business men know this.

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WARNS AGAINST EXCESSIVE ADVERTISING

Advertising must be rigidly confined within limits consistent with the public service expected from a station, Commissioner Harold A. Lafount declared in a statement this week, referring to the recent K F K B decision by the Court of Appeals.

"A recent opinion written by Justice Robb of the Court of Appeals of the District of Columbia, clearly indicates the necessity of broadcasting stations limiting the amount and kind of advertising," Commissioner Lafount declared.

"Section 29 of the Radio Act of 1927 expressly prohibits the Commission from exercising any power of censorship over radio broadcasting stations; consequently no restrictions have been made on radio broadcasting advertising by the Commission.

"Broadcasting stations are, however, licensed to serve the public and not for the furthering of private or selfish interest of individuals. The standard of "public interest, convenience, and necessity" prescribed by the Radio Act of 1927 means nothing if it does not mean this. Since advertising furnishes the economic support for the service a station renders and makes it possible, it must necessarily be an exception to the rule. However, the amount and character of advertising must be rigidly confined within limits consistent with the public service expected of the station."

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AIR CHANNEL FIGHT IN SCHOOLS

The fight of certain organized educational groups under the leadership of the National Committee on Education by Radio to have 15 per cent of the broadcast channel set aside for educational purposes, will be carried into the American schools throughout the nation. This is indicated in the official publication of one of the educational organizations. After explaining the Fess bill, the journal states: "Let teachers and the children write to their representatives in Congress urging this important legislation."

February 14, 1931

G. O. 97 EXPLAINED

Inquiries received by the National Association of Broadcasters indicate that many stations do not thoroly understand the application of General Order No. 97 which becomes effective on April 30. The following explanatory note has been prepared by Eugene V. Cogley, assistant to the Managing Director of the NAB and former broadcast engineer of the Federal Radio Commission, as an answer to the inquiries received:

The best engineering minds in the country are in complete accord as to the really beneficial results that come to a transmitter which is equipped to give 100% modulation. It not only means that equipment so constructed will be more efficient in operation, but it also means that the coverage of these stations is going to be materially increased, under favorable circumstances. The increase in signal strength and the resulting betterment of conditions to the listener will go far to increase the usefulness of the station to the public.

It should be pointed out that the communication sent out by the Commission last week was only intended to be effective as to the last renewal which was filed. Many stations to whom this letter was sent have filed applications for construction permits, or have already been granted permits, which when completed will allow them to be in complete accord with the terms of the order.

If there are stations which will not be able to comply with this regulation before April 30, the power of these stations will be reduced until the necessary 75% modulation can be secured. This does not mean that the service area of these stations will be reduced. They will have the same coverage, as they are getting with their present transmitters, since the modulation increase will compensate the loss of output power. This was pointed out in the letter from the Commission last week to those stations whose equipment at the time of the last renewal did not conform with the order. "The coverage factor in a station is a function of power and modulation, but the heterodyne interference depends on power alone and not changed by modulation."

There was one point that was not made in that letter which is important to every station. That is the question of quota. If the Commission by the enforcement of G. O. 97 reduces the power of a 1 KW station to 500 watts, the quota for that state and zone would also be reduced by the difference in quota values as set out in G. O. 92, or 0.4 unit. If the station now has a licensed power of 500 watts and is reduced to 250 watts then the quota would be decreased 0.2 unit. Under the existing provisions of General Order 102, this point would appear to be of vast importance to every stat~~e~~ and zone which is overquota.

In determining the operating power of a transmitter, the Commission uses the indirect method normally. This is arrived at by the measurement of the plate input power of the last radio stage. Then under the provisions of General Order 91 (for high level modulation, Section 111, and for low level Section IV) the antenna input power is computed from the plate input power by multiplying plate voltage by the plate current of the oscillator, or the last radio power amplifier, times the percentage specified.

There are two other methods which may be used to determine the operating

February 14, 1931

power of a transmitter. Either the indirect method or field intensity measurement may be used. There are special forms to be used in gaining Commission consent to use these methods. After these special forms have been submitted, the Commission must act upon this information and modify the applicant's license accordingly. The direct method is found by taking the square of the antenna current times the antenna resistance at some point where current is measured and at the same operating frequency.

The Commission has not adopted any set method of making antenna resistance measurements. Compilations by any standard method will be considered, if a full description of the procedure used is given when the data is submitted to the Commission. This includes a description of the instruments and method used and qualifications of the persons conducting the tests.

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MORE LOCALS PROPOSED

By reducing the present separation of 10 kc to 2 kc, Clarence R. Cummins, owner of station W R A K at Williamsport, would make available 125 frequencies which would be used by the smaller communities throughout the country. This plan was presented to the Commission at a hearing this week which involved a change in assignment of W E D H at Erie.

The plan, as outlined, would provide for 25 out of the existing 96 broadcast channels to be designated for this 2 kilocycle separation and allocated to one block in the spectrum. Mr. Cummins claims that a large number of low power stations are considerably more in the public interest than a few high power stations. Adequate service, Mr. Cummins says, could be given to every community in the country with a population of 100,000 or less. This service would be allotted at the rate of one watt for each thousand of population in a community, but the least power used would be 15 watts.

Engineers are doubtful as to the results of this plan, but Mr. Cummins believes that he can show satisfactory results to the Commission, if he will be given authority to conduct experiments with 10 stations in Pennsylvania, for which purpose papers are now being prepared for filing with the Commission. The sum of \$6,500,000 is said to be behind this plan.

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IS SYNCHRONIZATION A CURE-ALL?

Synchronization, heralded as the cure-all for all broadcasting evils, has arrived. Many stations now consider this new system as a giant that will rise up and crush them with competition. Synchronization is neither a cure-all nor a giant. The real story of synchronization and its practical application is related by Dr. C. W. Horn, general engineer of the NBC, and E. K. Cohan, technical director of CBS, in the Proceedings of the Eighth Annual Convention of the NAB, of which a limited supply of copies are still available. Read carefully what these and other engineers have to say about synchronization under questioning by engineers from all classes of stations. Proceedings are \$5.00 per copy until the supply is exhausted. Address NAB headquarters, National Press Building, Washington, D. C.

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February 14, 1931

PAGING MR. TOM NOEL

The NAB would appreciate receiving information as to the whereabouts of Tom Noel who was formerly connected with Station XED, Hidalgo, Mexico. Write NAB headquarters, National Press Building, Washington, D. C.

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EDUCATIONAL RADIO DEVELOPMENTS

High spots in the fight of educators for 15 per cent of the channels now used for broadcasting during the past week are as follows:

1. Armstrong Perry, National Committee on Education by Radio; Levering Tyson, National Advisory Council on Radio in Education; Harry Butcher, Columbia Broadcasting System; Louis G. Caldwell, former general counsel of the Federal Radio Commission; and Dr. C. M. Jansky, jr., radio engineer; engaged in a round-table discussion on education by radio at a meeting of the Association of University Women.

2. Armstrong Perry, National Committee on Education by Radio, with counsel for the Committee, appeared at the meeting of the Committee preparing for the Madrid international conference and demanded that certain international frequencies be set aside for educational purposes.

3. Chief Examiner Ellis A. Yost, who has had more opportunity than any one else to observe broadcasting stations as to what they are offering in the way of service to the public, took occasion this week during a hearing to state that "it has been the examiner's experience from hearings before him that the broadcasters seem to be most willing to extend their facilities to educational institutions in the promotion of education via the radio. They have offered more time, it occurs to me, than the educational institutions have been disposed to use."

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PRINTING CALL LETTER LISTS

The Federal Radio Commission will have ready for distribution shortly, printed call letter, frequency and state lists of broadcasting stations. The revised list is being printed by the Government Printing Office.

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WGBS ASKS FOR 930 KC

General Broadcasting System, Station W G B S, New York, has applied for permission to operate on 930 kc with 250 watts night and 500 watts day. This application precedes the mandate of the Court of Appeals of the District of Columbia which recently rendered a decision under which WGBS is required to relinquish its present frequency of 600 kc to Station WICC, Bridgeport, Conn., and return to its former limited time assignment. WGBS had previously applied for 1050 kc. limited time.

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DX-ERS WANT VERIFICATION CARDS

A postal card is all that is needed to verify a report of distance reception, according to a letter the NAB has received from C. M. Falconer of the Newark Evening News Radio Club. This card should show the date of program and the proper verification notice. Mr. Falconer, who is Chairman of the Program Committee of this Club, announces the following special programs which have been arranged for the coming week: Sunday, Feb. 15, CMX, Havana, Cuba, will broadcast a program from midnight to 4.00 a.m. using 1000 watts on 890 kc; RUS, San Salvador, 664 kc with 500 watts will have a special test on Monday, Feb. 16, from 2.00 to 3.30 a.m.; and on Wednesday, Feb. 18, 8WMC at St. Johns, N.F. will broadcast from 3.30 to 5.00 a.m. All the hours given are for Eastern Standard Time.

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NEW RADIO BILL INTRODUCED

Senator Shipstead, Minnesota, has introduced in the Senate a bill (S. 6149) proposing a new classification of broadcasting stations and providing for certain changes in the existing quota system and method of allocation. Three classes of stations are proposed: Zone, state and county stations.

The bill attempts to achieve substantially the same result as proposed in the plan submitted to the Commission by Commander T. A. M. Craven, former acting chief engineer of the Commission, and which is now being given study by the Engineering Committee of the NAB.

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EXAMINERS' REPORTS

In re application of Agricultural & Mechanical College Broadcasting Company, Jonesboro, Ark. for construction permit to erect new station 1120 kc, 500 watts and unlimited hours of operation, Docket 885, Report 64, by Examiner Pratt recommends denial of application.

In re application of Champlin Refining Company (K C R C), Enid, Okla. for modification of station license to change frequency from 1370 to 1480 kc, and increase power from 100 watts to 5 KW and operate unlimited hours, Docket 864, Report 65, by Examiner Yost recommends denial of application.

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W M B J STAY ORDER DENIED

The Court of Appeals of the District of Columbia on February 7 denied the petition of Rev. John W. Sproul, former licensee of Station W M B J, Pittsburgh, Pa. for a stay order pending his appeal from a decision of the Commission denying his application for renewal of license on 1500 kc with 100 watts.

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ANNOUNCER LOOKING FOR BERTH

A young radio announcer with plenty of degrees and a wealth of practical experience is looking for a new berth. Stations interested should write to NAB headquarters, National Press Building, Washington, D. C.

February 14, 1931

COMPLAINTS OF INTERFERENCE

Complaints have been reaching radio regulatory authorities that transmission of both government and commercial radio stations is suffering from interference caused by poorly operated stations. In many instances these complaints have been traced to careless amateur operators. The amateur organization undoubtedly will take steps to correct this condition.

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NO HEARINGS SCHEDULED

No hearings involving broadcast stations are to be held at the Commission during the coming week. Hearings will be held on Monday but will be confined to applications on commercial frequencies.

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LICENSE APPLICATIONS RECEIVED

During the current week, the Commission received the following applications for license to cover construction permits, which had been previously authorized by Commission action: KTAP, San Antonio, Texas; KONO, San Antonio, Texas; WTEL, Philadelphia, Pa.; KFKA, Greeley, Colo.; WRAX, Philadelphia, Pa.; WQDM, St. Albans, Vt.; WHOM, Jersey City, N.J.; WEAN, Providence, R. I.

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PERMIT APPLICATIONS RECEIVED

During the current week, the Commission received applications from the following stations, requesting authority to make changes in equipment; WEVD, New York, N. Y.; WICC, Bridgeport, Conn; WCOA, Pensacola, Fla.; KGFF, Alva, Okla.; WTBM, Indianapolis, Ind.; and WWAE, Hammond, Ind.

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AMERICAN SOCIETY FILES BRIEF

The American Society of Composers, Authors and Publishers during the past week filed in the Supreme Court of the United States its brief in the case of Gene Buck et al v. Jewell-LaSalle Realty Company, Nos. 138 and 140. The brief argues that where an unlicensed broadcast performance is reproduced in a business establishment, such as a hotel, by means of loud speaker it constitutes a public performance for profit within the meaning of the Copyright Act. The NAB recently filed a brief in the case as friend of the court setting forth the broadcasters views.

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HIGH POWER REPORT EXPECTED

Chief Examiner Yost will have his report on the high power hearings ready for the Commission early next week. The report was expected during the past week but pressure of duties was responsible for the delay.

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February 14, 1931

APPLICATIONS GRANTED

The following applications were granted by the Commission at its sessions during the current week:

CALL	NAME OF APPLICANT	NATURE OF ACTION
KFRU	STEPHENS COLLEGE James W. Wood, President Columbia, Missouri	Granted C.P. to make changes in eqpt. to conform to G.O.'s 91 and 97, increasing max. rated power to 1000 watts; this does not increase licensed operating power.
KGGF	HUGH J. POWELL & STANLEY PLATZ D/B as Powell and Platz Coffeyville, Kansas	Granted auth. to measure power of station in accordance with G.O. 91.
KSD	PULITZER PUBLISHING CO. St. Louis, Missouri	Granted auth. to test at 1000 watts between hours of 1 AM and 6 AM, for period of 10 days beginning Feb. 7th, provided no interference results
WOWO	MAIN AUTO SUPPLY CO. Ft. Wayne, Indiana	Granted auth. to change tube complement of last radio stage; change does not increase max. rated power of transmitter.
KGW	OREGONIAN PUB. CO. Portland, Ore.	Granted C.P. to move transmitter from Portland to Faloma, Ore.
WCLB	ARTHUR FASKE Brooklyn, N. Y.	Granted Mod. of C.P. to change transm. location locally in Brooklyn.
WSFA	MONTGOMERY BRDCSTG. CO. INC. Montgomery, Ala.	Granted auth. to make direct measurement of antenna power input.
WEAF	NATIONAL BRDCSTG. CO. INC. Bellmore, N. Y.	Granted License covering installation of new eqpt. 660 kc. 50 KW, LP, Unlt'd.
WCAZ	SUPERIOR BROADCASTING SERVICE INC. - Carthage, Ill.	Granted License covering installation of new eqpt. and re-location of main studio; 1070 kc, 50 W daytime
WDAG	NATIONAL RADIO & BRDCSTG. CORP. Amarillo, Texas	Granted License covering installation of new eqpt; location change of transm. and incr. power 1410 kc 1 KW, shares with KGRS

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FREQUENCY CONTROL INSTALLATIONS GRANTED

During the current week the Commission granted applications for installations of frequency control to the following stations: WSOC, Gastonia, N. C; and KFJM, Grand Forks, N. D.

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APPLICATIONS SET FOR HEARING

The following applications were ordered set for hearing by the Commission at its sessions during the current week:

NEW	PIONEER MERCANTILE CO. Bakersfield, Cal.	Requests C.P. 1490 kc, 5 KW unlt'd;
KSMR	SANTA MARIA RADIO Santa Maria, Cal.	Requests C.P. to move studio and transm. to Bakersfield, and to use portable to test for location.
WKBF	INDIANAPOLIS BRDCSTG. INC. Indianapolis, Indiana	Requests C.P. to change eqpt increasing max. rated power from 500w to 1 KW, and increase licensed power to 1 KW.
WSFA	MONTGOMERY BRDCSTG. CO. INC. Montgomery, Ala.	Requests Mod. of Lic. to increase daytime power to 1 KW; change freq. from 1410 to 780 kc, and to change from sharing with WODX to unlt'd. time.
WLEY	LEXINGTON AIR STATIONS Lexington, Mass.	Requests Mod. of Lic. to change location to Springfield Mass. and operate full time.
WCSH	CONGRESS SQUARE HOTEL CO. Portland, Me.	Requests Mod. of Lic. to increase power from 1 KW to 5 KW.
NEW	BRYAN T. COLE Norman, Okla.	Requests C.P. 1370 kc, 100 W divide with KGFG
NEW	G. B. CHICK & ELTON M. BAKER D/B as KRZ Brdcstg. Co. Alva, Okla.	Requests C.P. 1500 kc, 100 W. Unlt'd.

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CONSTRUCTION PERMITS GRANTED

During the current week the Commission granted applications for construction permits to the following stations authorizing the installation of new equipment and changes in present transmitters to conform to the terms of General Orders 91 and 97: KFJY, Fort Dodge, Ia; WDEL, Wilmington, Del; KFSG, Los Angeles, Calif; KGEK, Yuma, Colo; WLEY, Lexington, M ass.

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TWO NEW NAB ADDITIONS

Stations W C A E, Pittsburgh, Pa. and W A P I, Birmingham, Ala. filed membership applications with the NAB this week. Seventeen applications have been received since January 1. Requests for membership application blanks are coming in daily, indicating that broadcasters have decided to mobilize their forces under the NAB banner.

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February 14, 1931

APPLICATIONS RECEIVED

The following applications were received by the Commission during the current week:

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WLEX	BAY STATE BROADCASTING CORP. Lexington, Mass.	1410	-----	C.P. to move transmitter to Dorchester St., Quincy, Mass. and studio 21 Brookline Ave., Boston, and increase hours from sharing with WMAF and WSSH to sharing with WSSH.
KTSA	LONE STAR BROADCAST COMPANY San Antonio, Texas	1290	-----	Mod. of C.P. to move transmitter to Jefferson Heights near San Antonio & to extend completion date.
WSEF	MONTGOMERY BROADCASTING CO., INC. Montgomery, Alabama	1410	-----	Mod. of Lic. to increase hours of operation from sharing with WODX, to Unlimited day operation and sharing with WODX at night on 1410 kc.
NEW	D. H. CASTILLE, New Iberia, Louisiana	-----	1370	C.P. application resubmitted to erect station 1370kc 100 W., and Unlimited hour
WJBY	GADSDEN BROADCASTING CO., INC. GADSDEN, ALABAMA	1210	-----	C.P. new equipment and increase power to 100W. night and 250 W. day on 1210 kc.
WLS	AGRICULTURAL BROADCASTING CO. Chicago, Ill.	870	-----	Mod. of C.P. to extend completion date.
WLEX	BAY STATE BROADCASTING CORP. LEXINGTON, MASS.	1410	-----	Mod. of Lic. to move studio to 21 Brookline Ave., Boston
WPSC	THE PENNSYLVANIA STATE COLLEGE State College, Penn.	1230	-----	Mod. of Lic. to operate at night after stations WNAC, WFBM, and WSBT have signed off.
NEW	HOWARD B. HOEL & CHARLES M. DEAN Norwood, Ohio	-----	1420	C.P. to erect a new station at 1420 kc., 100 watt Unlimited hours
WNBW	HOME CUT GLASS & CHINA COMPANY 50-52 N. Main St., Carbondale, Pa.	1200	-----	C.P. - install new eqpt and reduce operating power to 7½ W.

February 14, 1931

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
KPJM	GEORGE R. KLAHN Hassayampa Hotel Prescott, Arizona	1500	-----	Applicant req. auth. to vol. assign his half-interest in the lic. of A.P. MILLER & GEO. R. KLAHN to A.P. MILLER
WHOM	NEW JERSEY BRDCSTG. CORP. Jersey City, N. J.	1450	-----	Mod. of lic. appl. for Unltd. Time. Shares with WNJ, WKBO and WBMS
WGBS	GENERAL BRDCSTG. SYSTEM, INC. New York, N. Y.	600	1050	MOD. of Lic. change to 1050 kc with 500 W and Limited Time
W CAJ	NEBR. WESLEYEAN UNIV. Lincoln, Nebr.	590	-----	Mod. of C.P. appl. to change eqpt.
NEW	FINTZEL ELECTRIC CO. Miller, S. D.	-----	1210	C.P. amend. req. 1210kc and unlimited time.
KGA	NORTHWEST BRDCSTG. SYSTEM, INC. Spokane, Wash.	1470	900	C.P. change freq. to 900 kc and reduce power to $2\frac{1}{2}$ KW day and 1 KW night.
NEW	INLAND EMPIRE BROADCASTING CORP. Moscow, Idaho	-----	1370	C.P. to erect station 1370 kc, 100 W. Unltd.

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AGRICULTURE EXPERIMENTS WITH PROGRAMS

Nine different methods of presenting programs to an agricultural audience will be used during February and March under the auspices of the Department of Agriculture over station W G Y, Schenectady, N. Y. The judgment of the listeners will be taken as a guide to the most effective method of presenting subjects during this series.

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JUSTICE GRONER CONFIRMED

The Senate on February 10 confirmed the nomination of D. Lawrence Groner to be associate justice of the Court of Appeals of the District of Columbia.

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February 14, 1931

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
NEW	WILLIAM O. ANSLEY, JR. Abilene, Texas	-----	1420	C.P. erect station to use KFYO's frequency of 1420 kc, and Unlimited hours.
WBEN	BUFFALO EVENING NEWS Buffalo, N. Y.	900	-----	Mod. of C.P. to change equipment.
NEW	WINTERS JONES & HUGH H. JONES, JR. BALTIMORE, Md.	-----	880	C.P. amended to request 880 kc. instead of 1320kc
WJBK	JAMES F. HOPKINS, INC. Highland Park, Mich.	1370	-----	C.P. amended to omit the request for Unlimited Tim (Now shares with WIBM)
KGKB	EAGLE PUBLISHING CO. Brownwood, Texas	1500	-----	Move transmitter and stud Tyler, Texas
NEW	W. H. ALLEN & CO. Alexandria, La.	-----	1220	C.P. to erect a new stati 1220 kc. 50 W Daytime.
KFDM	MAGNOLIA PETROLEUM CO. Beaumont, Texas	560	-----	App. for direct measure- ment of Antenna Input
WJZ	NATIONAL BROADCASTING COMPANY, INC. New York, N. Y.	760	-----	Mod. of Cons. Permit to extend completion date
NEW	DENISON RADIO LAB. Denison, Texas	-----	620	Cons. Permit erect statio 620 kc., 15 W Daytime hrs
KFOR	HOWARD A. SHUMAN Lincoln, Nebraska	1210	930	C.P. appl. amended to req an incr. in power to 500 and to share with KGBZ in stead of KMA. Orig. req. includes a change of freq from 1210kc to 930kc. Th amendment subject to app val of appl. from KMA to change freq. to 710kc.
WHBY	ST. NORBERT COLLEGE Green Bay, Wisconsin	1200	950	C.P. to change eqpt., cha freq. to 950 kc., and in- crease power to 1 KW day 500 W. night.
KPJM	GEORGE R. KLAHN Hassayampa Hotel, Prescott, Ariz.	1500	-----	Applicant req. authority voluntarily assign his ha interest in the cons. per of A.P. MILLER & GEO. R. KLAHN TO A.P. MILLER

BROADCASTERS' NEWS BULLETIN

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Stations in the Commercial, Regulatory, Legislative and Judicial Fields

Issued by

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EDWIN W. SPENCE, Atlantic City, N. J.
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O. D. FISHER, Seattle, Wash.
Vice President
PAUL W. MORENCY, Hartford, Conn.
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Managing Director
EUGENE V. COGLEY
Assistant to Managing Director
OLIVINE FORTIER
Secretary

"MASS ACTION IS IMPERATIVE"

Dr. Julius Klein, Assistant Secretary of Commerce, was speaking over a nation-wide network of radio stations, when he said:

"The old time crabbed, suspicious merchant or manufacturer who waged lone-handed guerilla warfare would, I think, be overcome with amazement if he could witness today the candid interchange of opinion, the manifest present willingness to submerge petty self-interest in the common welfare.

"I believe that the titanic developments of modern business have made sturdy commercial organizations practically indispensable. The requirements of commercial life are too stringent now - the problems are too far-reaching and too intricate - to be grappled with effectively by any single firm, however courageous or self-confident it may be. Mass action is imperative and mass assaults can move mountains."

Broadcasting is the most regulated business in the world. It has all of the complex problems which arise out of government regulation in addition to all of the problems common to other businesses.

But that is not all. Interests that have stood passively by and were unwilling to bear the trials of pioneering are now endeavoring to invade the broadcast band at the expense of existing stations. While broadcasters throughout the United States are busily engaged at home performing the exacting duty of developing programs for the public, those who are designedly seeking to enter the broadcasting field are effectively organized in Washington. They are conducting aggressive campaigns to achieve their ends by legislative action.

This is no time for quibbling. Regardless of prevailing dissatisfaction over individual assignments, American broadcasters must unite or they cannot withstand the impending onslaughts. Broadcasters must organize for self-preservation.

Organized, broadcasters are politically powerful. Unorganized, they are weak and vulnerable. United, broadcasters can withstand all onslaughts. Divided, they are the easy victims of small but efficiently organized groups.

Broadcasting must organize or it cannot take its proper place before the American public and the Congress.

OBJECT OF THE NAB

The National Association of Broadcasters was founded in 1923 and its present membership includes commercial, educational and agricultural broadcasting stations of all classes and located in every state of the United States.

The Constitution and By-Laws of the organization provide that it shall be the object of the Association "to foster and promote the development of the art of radio broadcasting to protect its members in every lawful and proper manner from injustices and unjust exactions; to foster, encourage and promote laws, rules, regulations, customs and practices which will be for the best interest of the public and the radio industry."

EXECUTIVE PERSONNEL

Headquarters of the Association were removed from New York to Washington by action of the Board of Directors following the Eighth Annual Convention at Cleveland, Ohio, last November. The office is in charge of Philip G. Loucks, a Washington attorney, who was recently appointed Managing Director. Eugene V. Cogley, for more than two years broadcast engineer for the Federal Radio Commission, has been named Assistant to the Managing Director and has been given charge of the Service Bureau. Miss Olivine Fortier, who is also an attorney, has been appointed Office Manager.

BROADCASTERS' NEWS BULLETIN

The official publication of the Association is the BROADCASTERS' NEWS BULLETIN which is issued weekly and covers all news of interest in the commercial, legislative, legal and regulatory fields. Every broadcasting station in the United States is familiar with this publication and no attempt will be made here to detail the wide range of topics carefully and accurately covered. Facts only are reported. No more comprehensive budget of broadcasting news and information is published anywhere in the United States.

THE SERVICE BUREAU

The Service Bureau was created on February 1, 1931. It is in charge of Mr. Cogley, whose training in the handling of all forms of broadcasting applications has eminently fitted him for this position. Each application received by the Commission is studied and reported briefly to every NAB member. Each application is then indexed and every subsequent action of the Commission is noted, each party in interest receiving prompt and accurate notice of such action. This Bureau follows carefully every change in application forms and in regulations and these are reported in the weekly bulletin.

The Service Bureau supplements the weekly bulletin with prompt, accurate and detailed information on all applications and actions of the Commission. It has become an extremely popular feature and the Bureau handles nearly 100 pieces of mail daily. A spot telegraphic service is maintained by the Bureau for members desiring telegraphic coverage on Commission action.

THE ASSOCIATION AND CONGRESS

The Association, through its headquarters, keeps a careful daily watch for bills introduced in the Congress and the State Legislatures affecting the operation of broadcasting stations. These bills are turned over to the Legislative Committee for study and report and all measures inimical to the best interests of broadcasting are opposed in the name of the Association. An example of the Association's activity in this connection is found in the controversy over the Vestal copyright revision bill. Nearly eight thousand pieces of mail and telegrams were sent out from the Association's headquarters in the effort to obtain hearings on the measure and correct portions of the bill which were dangerous to broadcasters.

TECHNICAL DEVELOPMENTS STUDIED

The engineering committee is continually studying technical developments as they relate to broadcasting. At the present time this committee has before it a comprehensive broadcasting plan submitted to the Commission by a well-known engineer and a report is expected within the next several weeks. This committee is composed of the most competent engineers in the country and includes engineers from stations of all classes.

GENERAL ORDERS AND REGULATIONS

The Association, through the medium of its regular weekly or special bulletin, reports the contents of all radio bills introduced and General Orders adopted. Engineering data relating to changes in quota figures are published from time to time. The Association is now preparing to make recommendations as to the form of studio and station logs to be used by members in carrying out the terms of General Order No. 106.

THE ADVERTISING AGENCIES

Through the medium of the commercial committee the Association keeps close touch of all developments in the commercial field. Frequent joint meetings are held with the Radio Committee of the A. A. of A. A. and reports are issued to the entire membership. Such subjects as standard contract forms, spot

broadcasting, commissions, talent, electrical transcriptions and rate maintenance are given constant study. The committee is now giving thought to the pooling of information on station coverage for use by the agencies in placing business. The publication of programs and newspaper advertising tie-ups also receive consideration in the committee reports.

THE COPYRIGHT PROBLEM

The work which the Association has been doing on the copyright problem is well-known to every station in the United States and it will not be discussed here. The Association expects to announce shortly that its efforts have been completely successful. The work performed in connection with the Vestal bill has won wide praise from stations throughout the country. If the Association performed no other task during the remainder of the year, it would still be worthy of support from every station in the United States.

The Association has filed a brief in the Supreme Court of the United States in an important copyright case brought by the American Society of Composers, Authors and Publishers which will be argued in the Spring term.

MEETINGS AND CONVENTIONS

While meetings of committees are held quite frequently, the Association holds a convention each year, usually in the Fall. Last year 250 stations were represented at the Cleveland, Ohio, meeting. Proceedings of that meeting have been published and constitute the most valuable compilation of broadcasting information yet assembled.

MISCELLANEOUS ACTIVITIES

No attempt will be made to list the miscellaneous services which the Association is prepared to give its members. Special Bulletins containing detailed information on some phase of broadcasting are frequently issued. More than three hundred broadcasters, for example, made special requests for the Special Bulletin dealing with the subject of Depreciation Rates on Broadcasting Station Equipment.

THE NAB IS YOUR ASSOCIATION

The National Association of Broadcasters is the only business association of broadcasting stations. It is organized for the benefit of broadcasting stations. It is not organized for profit. It is the only existing trade association of its kind. It stands guard constantly over your rights. It is the best form of business insurance you can obtain.

BROADCASTERS MUST ORGANIZE

The time has come when broadcasters cannot appear divided against themselves before the American people and the Congress. The time has come when broadcasters, large and small, chain and independent, must unite for their common welfare. The time has come when broadcasters must fortify themselves against enemies common to every class of stations. The time has come when efficient and effective organization is not only necessary but absolutely imperative.

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Secretary

February 21, 1931

YOST RECOMMENDS EIGHT FOR HIGH POWER

Adhering to the opinion that high power should be permitted on all clear channels, Chief Examiner Ellis A. Yost on February 19, proposed a supplemental report to the Commission in the high power cases in which he recommended that eight stations be granted authority to increase their power to 50 kw and that 25 kw be permitted on all other clear channels.

The report is termed a supplemental report "which is attached to and made a part of Report No. 40, dated December 15, 1930." In Report No. 40, Yost recommended 50 kw for all clear channels on the basis of testimony heard during hearings before him held from September 15, 1930 to October 16, 1930.

Pointing out that the Commission has already authorized high power for WAAF, New York; WTIC, Hartford, Conn.; and WABC, New York; in the first zone there remained but one assignment available under the terms of General Order No. 42 as amended. This was given to WJZ, New York, on the theory that it is now licensed for 30 kw which takes it out of the operation of Par. 1 of General Order No. 42 as amended. Stations WBZ, Boston, Mass.; WHAM, Rochester, N. Y.; and WOR, Newark, N. J.; were recommended for power increases to 25 kw each.

In the second zone KDKA, Pittsburgh, Pa.; WTAM, Cleveland, Ohio; and WLW, Cincinnati, Ohio; are now authorized to use 50 kw, leaving a single vacancy for which WCAU, Philadelphia, Pa. was recommended. WHAS, Louisville, Ky, the only other second zone applicant, was recommended for a power increase to 25 kw.

For the two vacancies in the third zone, Chief Examiner Yost recommended stations WSM, Nashville, Tenn. and WSB, Atlanta, Ga. WOAI, San Antonio, Texas and WFAA-WEAP, Dallas and Fort Worth, Texas previously were granted 50 kw. Applicants recommended for 25 kw in this zone are WBT, Charlotte, N. C.; WAPI, Birmingham, Ala; and KVOO, Tulsa, Okla.

February 21, 193

In the fourth zone, WGN, Chicago, and WCCO, Minneapolis, Minn. were recommended for the two vacancies remaining. Stations KMOX, St. Louis, Mo. and WENR and WLS, Chicago, already have been authorized for 50 kw. Applicants recommended for power increases to 25 kw are WMAQ, Chicago; WHO-WOC, Des Moines, Iowa; and WBBM, Chicago. The application of WBBM for unlimited time was recommended for denial.

Two vacancies in the fifth zone would be filled by granting 50 kw to KPO, San Francisco, Calif. and KOA, Denver, Colo. KFI, Los Angeles, and KNX, Hollywood, are now authorized for 50 kw. Applicants recommended for power increases to 25 kw are KGO, Oakland, Calif. and KSL, Salt Lake City, Utah.

The applications of WWJ, Detroit, Mich. WREC, Memphis, Tenn. WTMJ, Milwaukee, Wis. regional stations, and WCFL, Chicago, limited time station, for clear channel positions and 50 kw power, were not considered in the supplemental report. Denial of these applications was recommended in the earlier report.

"The principal factors in determining the Examiner's choice of clear channel applicants for recommendation to operate with power output of 50 kw," according to the report, "are as follows:

- "1. Geographic location of clear channel applicant stations.
- "2. Extent of population proposed to be served by clear channel station applicants.
- "3. The location of present clear channel stations heretofore authorized by the Commission to operate with a power output of 50 kw.
- "4. The need of the people within the proposed service area of applicant stations, for improved and additional radio broadcasting reception.
- "5. The public service record of clear channel station applicants.
- "6. The financial resources; the technical and engineering facilities; the staff of managers, directors, operators and artists of clear channel station applicants.
- "7. The present authorized power output of clear channel station applicants.
- "8. The proximity of educational institutions to applicant stations; the availability of talent from such educational institutions for broadcasts; the amount of time heretofore devoted to educational programs by applicant stations; the apparent willingness of applicant stations to cooperate with such educational institutions, and the extent of time proposed to be given for broadcasting educational programs.
- "9. The measure of power necessary to adequately serve the area and population of applicant stations.

February 21, 1931

"10. Section 5 of the Act of March 28, 1928 (Davis Amendment), amending the Radio Act of 1927, which reads in part as follows: It is hereby declared that the people of all the zones * * * * * are entitled to equality of radio broadcasting service, both of transmission and of reception * * * * *."

The chief examiner, apparently, has not changed his views on high power for clear channel stations and in one portion of the report he noted:

"The Examiner having heretofore made recommendations, based upon the record, that all clear channel station applicants herein considered, be granted authority to operate with a power output of 50 kw, now feels fully warranted upon said record, and in view of the Resolution of the Commission hereinabove quoted, in recommending that all such clear channel station applicants not hereinafter recommended for authority to use 50 kw and now licensed to use a maximum power output of less than 25 kw, be granted authority to use the maximum power output permitted by paragraph 1 of General Order No. 42, as amended."

The report, it must be pointed out, is not final but is subject to approval or disapproval by the Commission. When the first report was proposed, the Commission, two days afterward, adopted a resolution returning it to the chief examiner for report in accordance with General Order No. 42, as amended, indicating that there was no majority sentiment in favor of super power on all clear channels. The supplemental report is subject to exceptions by unsuccessful applicants and there is little hope that, regardless of what the Commission may decide, that lengthy litigation will be avoided.

The Radio Protective Association, through its secretary, Oswald F. Schuette, issued a statement criticising the report.

"Luckily for the public," says the statement, "the Yost report is so flagrantly in favor of the trust, that there is hope that some of the larger stations who have been turned down will make a fight, instead of leaving this battle - as it has left it in the past - to the smaller independent stations."

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RUSSIA PLANS 100 KW STATIONS

Russia will have in operation by the end of 1933 eleven 100 kw broadcasting stations and thirty-eight 10 kw stations, it was announced this week by the Central Radio Laboratory in Leningrad. The total construction cost will be \$45,000,000.

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WHAT DOES THE PUBLIC WANT?

R. W. Jackson, vice president of the Brunswick Radio Corporation, is preparing to prove to the world that commercial broadcasting is fulfilling its obligations. "I feel," he said, "that we ought to end once and for all the obvious publicity seeking of those radio personalities who are riding the critical wave by telling the world at large that advertising commercialism is despoiling science's greatest entertainment gift to mankind." Mr. Jackson is selecting a committee from 60 representative cities to find out just what the public wants.

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February 21, 1931

COPYRIGHT BILL REPORTED

The Vestal copyright bill (H R 12549), with numerous amendments, has been reported favorably to the Senate by the Senate Patents Committee. Prospects are that the Senate will act quickly on the measure.

While the measure is rather loosely written, if the bill, as reported to the Senate is finally enacted, broadcasters can have no objection to it. But it is vital to broadcasters that every amendment adopted by the Senate be kept. A sacrifice of any one of the major amendments would make the bill objectionable.

The bill, as reported, includes a provision for registration and notice of copyright before any damages for infringement can be obtained.

The indefinite term of copyright, provided in the bill as it passed the House, has been fixed at 70 years. Assignments of copyrights are required to be filed. The damage sections have been greatly improved.

The bill would give broadcasters far more equitable treatment than they receive under the present law.

Broadcasters owe a debt of gratitude to Senator Dill of Washington, who labored industriously throughout the entire controversy to obtain fair consideration for the rights of broadcasters. He has given much of his time and an enormous amount of study to the bill and fought valiantly for the rights of broadcasters.

Broadcasters must insist that every amendment adopted by the Senate committee be kept without change. The time remaining for consideration of the measure is short and consideration of the bill must be carefully watched. Undoubtedly, an effort will be made to have changed or to have eliminated completely some of the amendments inserted by the Senate committee at the behest of broadcasters. If the effort succeeds the bill will become objectionable.

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SOUTH CAROLINA TO REPEAL TAX LAW

A bill repealing the law imposing taxes on receiving sets has been introduced in the South Carolina legislature by Senator Hodges. The bill bears number S. 199. The South Carolina tax statute was declared unconstitutional by the Federal District Court in Columbia, S. C. several weeks ago.

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COMBAT HARMFUL PROPAGANDA

"Unless steps are taken by the radio industry and the individuals composing it to combat the impression being created that radio broadcasting is becoming naught but an advertising medium, radio will be harmed to a great extent," is the warning in an editorial published in the current issue of Radio Music Merchant. "It behooves each and everyone, therefore, to do his bit to correct erroneous conclusions and unjust accusations."

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February 21, 1931

LABOR BILL HEADED FOR CONFERENCE

The bill to amend the Radio Act of 1927 (H.R. 11635), which was amended in the Senate to provide one clear channel for labor organizations, will probably go to conference next week.

With the exception of the labor amendment, the bill was explained in last week's BROADCASTERS' NEWS BULLETIN. The labor amendment is as follows:

"That the Federal Radio Commission shall assign one cleared channel frequency within the broadcasting band, with unlimited time and with power equal to the maximum power assigned any broadcasting station in the United States to the owner or owners of the broadcasting station or stations approved by the recognized labor organizations which in the opinion of the Commission are most representative of the labor interests of the United States, and shall issue no license or licenses for the use of said frequency except with the written consent of such so recognized labor organizations to any other persons, association, corporation, organization, or copartnership."

The National Association of Broadcasters, without questioning the right of labor to additional facilities, requested the House Merchant Marine and Fisheries Committee to hold hearings on the labor amendment because of the important allocation principle involved. The same bill which would give labor a cleared channel, provides that no licensee shall be given additional facilities without a hearing before the Commission and is designed to protect broadcasters against arbitrary action.

It is unlikely, however, that hearings will be held. Chairman White of the House Merchant Marine and Fisheries Committee has said that only two alternatives are open to him. He may permit the bill to remain on the Speaker's table or ask that conferees be appointed. It is impossible to predict what would happen to the labor amendment if the bill went to Congress, but there is much sentiment in Congress in favor of labor receiving additional facilities.

The bill passed the House on April 30, 1930, and passed the Senate on February 17, 1931, in its amended form. The Senate has appointed Senators Couzens, Watson, Fess, Dill and Smith as conferees.

When the bill was under consideration in the Senate, Senator Fess, who has a bill to set aside 15 per cent of all broadcast channels for educational purposes, inquired if the Committee had given consideration to the request of educators for facilities. He was informed that that request was considered but no action was taken.

While the bill includes a number of amendments which are desirable to correct several sections of the present Radio Act, there has been objection voiced against the transfer of the Radio Division of the Department of Commerce and also against the labor amendment which might result in an upheaval in the allocations or in protracted litigation.

TEXAS RADIO LIBEL BILL

A bill to place radio stations on the same basis as newspapers with respect to dissemination of libelous matter is now receiving consideration of the Texas legislature.

RMA AGAINST WIDENING BAND

The Radio Manufacturers Association is opposed to any change in the broadcast band, according to a report by C. C. Colby, legislative chairman of the Association. The question of widening the broadcast band will be discussed at the Madrid Convention in 1932 when foreign countries will campaign for changes in the band. The proposals recently drafted by the American committee preparing for the Madrid conference will not contain any recommendation with reference to changing the band, although these proposals are not binding upon this government.

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NEWSPAPERS DROP PROGRAM LISTINGS

The Waterbury (Conn.) Republican and American, morning and evening, and the Waterbury Democrat, evening, have discontinued to publish program listings of broadcasting stations, according to Editor and Publisher. The publisher of the Republican and American papers stated:

"We feel that the newspaper has already done its share to popularize radio and procure for it public acceptance. Radio isn't an infant industry any longer and must stand on its own feet."

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RADIO VALUABLE IN EMERGENCY

The nation wide response for copies of speeches proves the value of radio in time of national emergency, according to a statement issued this week by Col. Arthur Woods, chairman of the President's Emergency Committee for Employment. More than 5,000 copies of speeches have been sent out in response to written requests, he declared. The cooperation of broadcasting companies is commended in the statement.

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CALIFORNIA RADIO BILL

A bill has been introduced in the California Senate for the purpose of creating a Department of Radio Supervision and to provide a tax for maintenance. The bill bears the number S. 821 and was introduced by Senator Wagy.

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STATIONS KEEP ON FREQUENCIES

That radio broadcasting stations in the United States and possessions are striving to keep within their assigned wave length bands in broadcasting their programs is indicated by the fact that out of the 339 stations measured by the Commerce Department's radio checking system in December, 238 deviated more than 200 cycles and 101 showed deviations under 200 cycles, according to Wm D. Terrell, chief of the Radio Division. Stations are allowed to deviate 500 cycles by law.

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NEWS BROADCASTS SUCCEED

Station WBZ, Boston, Mass. is experiencing success with a new type of news broadcasts. The station receives the service of the Consolidated Press Association by direct wire and arranges different news features in its daily programs. Several of these broadcasts are now sponsored.

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February 21, 1931

STATIONS MUST KEEP TWO LOGS

The Commission on February 16 adopted General Order No. 106 making it compulsory for all broadcasting stations to keep accurate program and station logs and to record announcements of phonograph record broadcasts. Copies of the order have been sent to all broadcasting stations. The order provides:

"That all broadcasting stations be and they hereby are required to maintain two logs, as follows:

1. Program Log

This log shall contain

- (a) An entry of all stations and call announcements and the time made.
- (b) An entry describing each program broadcast with the time beginning and ending. If phonograph records or electrical transcriptions are used that fact shall be noted, together with the announcement made thereof.

2. Operating Log

This log shall contain

- (a) An entry of the time the station's carrier wave goes on the air and the time the station's carrier wave is stopped.
- (b) An entry of the time the program begins and ends.
- (c) An entry of every interruption of the carrier wave, its cause and duration.
- (d) An entry of each of the following shall be made every thirty minutes.
 - (1) Operating constants on last radio stage (total plate current and plate voltage); antenna current.
 - (2) Frequency check.
 - (3) Temperature of crystal chamber (if used).

"These logs shall be kept by the person or persons competent to do so having actual knowledge or information of the facts herein required, who shall sign the log when coming on duty and again when going off duty. The logs herein required shall be open to inspection at all reasonable times by Government Radio Inspectors and other persons authorized to do so by the Federal Radio Commission.

"This Order shall be effective on the 1st day of March, 1931."

The National Association of Broadcasters is now considering the advisability of recommending to the industry a uniform log form.

SHOULD YOU JOIN THE N A B?

This is the third complimentary issue of the BROADCASTERS' NEWS BULLETIN you have received from the NAB. You have also received a Special Bulletin telling you about the work of the Association. May we ask that you read this Special Bulletin carefully? Is the Association worthy of your support?

February 21, 1931

ADVERTISING FUND ADVOCATED

Arthur P. Haugh, Chicago, general sales manager of the Zenith Radio Corporation, recommended the raising of a \$10,000,000 advertising fund to be spent in newspapers to acquaint readers of outstanding broadcasts, at a meeting of the National Federation of Radio Associations and the Radio Wholesalers' Association held in Indianapolis, Indiana, this week.

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HOOVER TALK OVER W J S V

The first independent station to broadcast the voice of President Hoover direct from the White House was Station W J S V, Alexandria, Va. Station W J S V broadcast the President's Lincoln Birthday address from its own microphone placed in the President's study. Incidentally, W J S V this week became a member of the National Association of Broadcasters.

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NO ACTION ON SHIPSTEAD BILL

With ten days remaining before adjournment of the present session of Congress, there is no hope for action on the bill S. 6149 introduced in the Senate last week by Senator Shipstead of Minnesota. The bill embodies the suggestions offered by Commander Craven in his plan for improving the broadcast structure which has already been submitted to the Commission. The Engineering Committee of the N A B is now giving study to Commander Craven's proposals with a view to preparing a report within the next few weeks.

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LINDEN HELD FOR EMBEZZLEMENT

According to the New York Times, Adolph F. Linden, who lost a million dollars in the failure of the American Broadcasting Company two years ago, was arrested in New York this week on a charge of embezzling funds amounting to \$246,000 from the Puget Sound Savings and Loan Company of which he was president.

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ALABAMA RADIO FIGURES READY

The Census Bureau on February 16 announced receiving set census figures for Alabama. The number of families in the State on April 1, 1930 was 592,530 and the number of persons per family was 4.5. The number of families reporting radio sets was 56,491, or 9.5 per cent of the total. This is the lowest figure yet reported. In Delaware, New Hampshire and Vermont, the only other states for which figures are available, the number of families owning receiving sets was in the neighborhood of 45 per cent of the totals.

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February 21, 1931

EXAMINERS' REPORTS

In re application of National Radio Manufacturing Company (KFJF) Oklahoma City, Oklahoma, for modification of construction permit to extend completion date sixty days, Docket 1031, Report 66, by Examiner Yost recommends granting of the application.

In re application of Milburne O. Sharpe and Robert T. Smith, d/b as Radio Station W M N T, Middlesboro, Kentucky, for construction permit to erect a new station 1420 kc, 100 watts and unlimited hours of operation, Docket 917, Report 67, by Examiner Pratt recommends denial of the application.

In re application of Harlan Radio Broadcasting Co., Inc., Harlan, Kentucky, for construction permit to erect a new station 1210 kc, 100 watts and unlimited time, by Examiner Pratt recommends denial of the application.

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PRAISES COMMERCIAL STATIONS

In a report entitled "Radio in Education" prepared by Armstrong Perry for the Payne Fund, the attitude of commercial stations toward educational programs is favorably set forth. On page 20 of the report, in discussing the point of view of the broadcasting companies, Mr. Perry states:

"When educators ask for the service of broadcasting stations, therefore, they ask for something that costs the owners of the stations large sums of money. Nevertheless, the broadcasting companies have responded generously to requests for free time for educational programs."

The report is a splendid collection of information on the subject of education and radio.

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R C A LOSES TUBE PATENT SUIT

The U. S. Circuit Court of Appeals at Philadelphia this week held that the Radio Corporation of America violated the anti-trust acts by attempting to monopolize the radio industry. The court affirmed the injunction decree entered by the court below against "Clause 9" the tube clause in the licensing contracts. The R C A has announced that it will apply to the Supreme Court of the United States for review of the case. In the meantime, the Radio Protective Association is asking the Commission to refuse to renew licenses to the R C A upon the theory that that course is mandatory under the terms of the Radio Act of 1927

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R ALPH ATLASS BUYING STATIONS

Ralph Atlass, with Station W B B M, Chicago, prior to its complete acquisition by Columbia Broadcasting System recently acquired control of Station W L A P, Louisville, Kentucky.

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February 21, 1931

NEW APPLICANT GRANTED KFKB ASSIGNMENT

The Farmers and Bankers Life Insurance Company was granted a license to operate on 1050 kc with power of 5 KW and limited time by the Commission on February 20. This was the assignment on which former station K F K B, Milford, Kansas, operated. The grant issued to the new licensee was not a transfer of the old K F K B permit but was considered as the issuance of a new license. Station K F K B ceased operation under the mandate of the District of Columbia Court of Appeals on Friday.

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WGBS CHANGED TO 1180 KC

Station W G B S, General Broadcasting System, New York, was ordered to return to its former frequency of 1180 kc on February 22, under a decision of the Commission, following out the mandate of the District of Columbia Court of Appeals. Station W I C C, Bridgeport, Conn. will begin operating on 600 kc on the same date

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CANADIAN RADIO OFFICIAL VISITS

Col. W. Arthur Steel, in charge of radio activities of the Canadian Department of National Defense, Royal Canadian Signals, Ottawa, Canada, visited friends at the State Department and Radio Commission this week.

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AMATEUR FACES HEARING

Elliott A. Ellis, 25, operator of amateur Station W I C S T, Roxbury, Mass. has been ordered to appear at a hearing before the Federal Radio Commission on March 10 to face a charge of using profane and obscene language over his station.

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February 21, 1931

HEARING CALENDAR

The following hearings are scheduled for the week commencing Tuesday, February 24. All hearings commence at 10 a. m.

TUESDAY, February 24, 1931

NEW	Marius Johnson, Prop. Johnson Music Store Ironwood, Mich.	C. P.	1420 kc Day until 7 p. m.	25 W
NEW	Martin C. Newman Sturgis, Mich.	C. P.	1310 kc Unlimited Time	100 W

Wednesday, February 25, 1931

NEW	The New Haven Brdcstg. Co. New Haven, Conn.	C. P.	1420 kc Daytime Hours	250 W
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Thursday, February 26, 1931

WCOD	Norman Hoffman Harrisburg, Pa.	C.P.	1200 kc Share with WKJC	100 W 250 W LS
WIBO	Nelson Bros. Bond & Mort. Co. Chicago, Ill.	Mod. Lic.	560 kc Unlimited Time Present Assign. 560 kc Shares with WPCC & WISJ	1½ KW Day 1 KW Night 1½ KW Day 1 KW Night
WCOA	City of Pensacola Pensacola, Florida	C. P.	1340 kc Unlimited Time Present Assign. 1340 kc Unlimited Time	1 KW 500 W
WSPD	The Toledo Broadcasting Co. Toledo, Ohio	Mod. Lic.	1340 kc Unlimited Time Present Assign. 1340 kc Unlimited Time	1 KW 1 KW D 500 W Night

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February 21, 1931

APPLICATIONS GRANTED

The following applications were granted by the Commission at its sessions during the current week:

CALL	NAME OF APPLICANT	NATURE OF ACTION
K D K A	WESTINGHOUSE ELEC. & MFG. CO. Pittsburgh, Pa.	Granted auth. synchronize old transmitter at Barclay Ave. with new transmitter near Saxonburg, until April 30/31.
K U J	PAUL R. HEITMEYER Walla Walla, Wash.	Granted Mod. of C.P. transmitter location, Marcus Whitman Hotel, Walla Walla. Also granted license to cover same.
W M M N	HOLT-ROWE NOVELTY CO. Fairmont, W. Va.	Granted consent to assign to Holt-Rowe Broadcasting Co.
W A B Z	COLISEUM PLACE BAPTIST CHURCH New Orleans, L a.	Granted consent to assign to Samuel D. Reeks.
W O D X	MOBILE BROADCASTING CORP. Mobile, Ala.	Granted authority to continue to operate at reduced power output at approximately 360 watts for add'l 10 days until repairs can be made to trans.
W S P D	TOLEDO BROADCASTING CO. Toledo, Ohio	Granted permission to operate Feb. 21, 22, 23 and 24 between 1 AM and 6 AM with power of 1 KW for purpose of making tests.
W G A R	W G A R BROADCASTING CO. Cleveland, Ohio	Granted extension of present temporary license to April 20, 1931
W I O D	ISLE OF DREAMS BRDCASTG. CORP. Miami, Fla.	Granted permission to broadcast test program on 940 kc for 1 day, for operation between 12 midnight and 5 PM.

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CONSTRUCTION PERMITS GRANTED

During the current week the Commission granted applications for construction permits to the following stations authorizing the installation of new equipment and changes in the present transmitters to conform to the terms of General Orders 91 & 97; W O M T, Manitowoc, Wis.; K F M X, Northfield, Minn.; W C A L Northfield, Minn.; K J B K, Highland Park, Mich.; W T O C, Savannah, Ga.; K R E, Berkeley, California; W C M A, Culver, Ind.; X I C K, Red Oak, Iowa.

Construction permit granted to K G K Y, Scottsbluff, Neb. to move studio and transmitter locally.

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February 21, 1931

APPLICATIONS SET FOR HEARING

The following applications were ordered set for hearing by the Commission at its sessions during the current week:

NEW	KIRK JOHNSON & CO. Lancaster, Pa.	Requests C.P. 1000kc, 1KW day
NEW	WINTERS JONES & HUGH H. JONES, JR Baltimore, Md.	Requests C.P. 880 kc, 250 W. Daytime
NEW	E. A. FITZGERALD Natchez, Miss.	Requests C.P. 1500 kc 100 W. Unltd. time.
NEW	WARREN C. DAVENPORT Augusta, Ga.	Requests C.P. 1200 kc, 100 W. 8 hrs. daily
NEW	HARRY BYRON LEE LAMAR, COLORADO	Requests C.P. 1310 kc, 50 W. Daytime
WUL	LOYOLA UNIVERSITY New Orleans, La.	Requests C.P. to move transmitter and increase power to 10 KW; change time to Unlt
WDAY	WDAY, INC. Fargo, North Dakota	Requests to incr. power to 5 KW.
WHOM	NEW JERSEY BRDCSTG. CORP. Jersey City, N. J.	Requests Mod. of lic. to change hours of operation, to unltd.
WOW	WOODMAN OF THE WORLD LIFE INS. ASSOCIATION Omaha, Neb.	Requests to increase power to 5 KW
WKBB	SANDERS BROTHERS RADIO STATION Joliet, Ill.	Requests Mod. of lic. to change hours of operation to unltd.
NEW	C. S. ANDREWS Charlotte, N. C.	Requests C.P. 920 ~ 1 KW unltd.
Formerly WMBJ	Rev. J. W. SPROUL Wilkinsburg, Pa.	Requests C.P. new trans. - automatic frequency control - 1500 kc - 100 W unltd.

STATION REPRESENTATION DISCUSSED

Station representation and the place of the time broker are two of the important issues discussed in open debate reported in the Proceedings of the Eighth Annual Convention of the National Association of Broadcasters. There still are available a small number of copies which may be purchased at \$5.00 per copy by sending an order to the Managing Director, National Association of Broadcasters, National Press Building, Washington, D. C. Orders will be filled in the order received until the supply is exhausted.

February 21, 1931

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
W K R C	W K R C, INCORPORATED Cincinnati, Ohio	550	-----	Mod. lic. change power assignment to 1 KW without experimental clause.
W S P A	THE VOICE OF SOUTH CAROLINA Spartansburg, S. C.	1420	-----	C.P. move transmitter studio locally.
K M E D	MRS. W. J. VIRGIN Medford, Oregon	1310	-----	C.P. install new eqpt. incr. power to 100 W.
NEW	AROOSTOOK BROADCASTING CORP. Mars Hill, Maine	-----	1420	C.P. resubmitted to erect station 1420 kc., 125 W. and unlt'd. hours.
W R A X	W R A X BROADCASTING CO. Phila., Pa.	1020	-----	C.P. to change eqpt. and incr. power to 1 KW.
NEW	THE OHIO RADIO BRDCTG. CORP. Canton, Ohio	-----	1200	C.P. ERECT NEW STATION WHBC's facilities, and unlt'd. hours except to share WNBO Sundays.
K G K Y	HILLIARD COMPANY, INC. Scottsbluff, Neb.	1500	1340	C.P. move transmitter and studio to 1517 Broadway, Scottsbluff, change eqpt., change frequency to 1340 kc., incr. power to 500 W. unlimited hours.
NEW	N. O. CLEMENSEN Payette, Idaho	-----	600	C.P. resubmitted to erect new station 600 kc. 100 W. Unlt'd. hours.
W G C M	GREAT SOUTHERN LAND CO. Gulfport, Mississippi	1210	1470	C.P. amended to request 1470 kc., 5 KW. to operate unlt'd. day hrs. and share with WLAC at night
NEW	POPULAR MUSIC SHOP Canton, N. C.	-----	1010	C.P. erect new station 1010 kc., 50 W. Unlt'd. hours.
NEW	RADIO DISTRIBUTING CO. Honolulu, T.H.	-----	1420	C.P. erect new station to use KFQW's facilities.

February 21, 1931

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
K F K B	THE FARMERS & BANKERS LIFE INSURANCE CO. Milford, Kansas	-----	1050	Lic. to operate station KFKB which was denied authority to operate in Court of Appeals Action.
W L E X	BAY STATE BRDCSTG. CORP. Lexington, Mass.	1410	-----	C.P. amend. to omit request for unlt'd. time.
W Q B C	Delta Brdcstg. Co. Inc. Vicksburg, Miss.	1360	-----	Mod. C.P. change trans. loc. locally and ext. comp. date.
NEW	DADSWELL, LORD & SIMINGTON Sulphur Springs, Ark.	-----	1340	C.P. erect new station 1340 kc., 1 KW and UNLTD. TIME.
W S B T	SOUTH BEND TRIBUNE, South Bend, Ind.	1230	-----	Mod. lic. incr. power to 1 KW on 1230 kc.
W A A W	OMAHA GRAIN EXCHANGE Omaha, Neb.	660	-----	C.P. move trans. to outskirts Omaha - install new trans.

LICENSE APPLICATIONS RECEIVED

DURING THE CURRENT WEEK, the Commission received applications for license following construction permits, which had been previously authorized by Commission action, from the following stations: KWKH, Shreveport, La; WSBT, South Bend, Ind.

PERMIT APPLICATIONS RECEIVED

DURING THE CURRENT WEEK, the Commission received applications from the following stations, requesting authority to make changes in equipment; KWG, Stockton, California; WKJC, Lancaster, Pa; WMBH, Joplin, Mo; WHBD, Mt. Orab, Ohio.

LICENSE APPLICATIONS GRANTED

DURING THE CURRENT WEEK, the Commission granted applications for license covering construction permits, which had previously been authorized by the Commission, to the following stations: WRAK, Williamsport, Pa.; WSMB, New Orleans, La.; WOI, Ames, Iowa; KJR, Seattle, Wash; WAAM, Newark, N. J.; KFVD, Culver City, California; WYBL, Syracuse, N. Y.; K M O, Tacoma, Wash.; K G B X, St. Joseph, Mo.; W R A W, Reading, Pa.; W D B J, Roanoke, Va.

February 28, 1931

GOOD ANNOUNCER WANTED

Progressive station in a northwest town wants a good announcer who is versatile enough to entertain a little. Will pay from \$75 to \$100 a month. Advertising salesman also wanted. Address: Broadcasters' News Bulletin, National Press Building, Washington, D. C.

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BELLOWS ANSWERS CRITICS

Critics of broadcasting in the United States were sharply answered by Henry A. Bellows, vice president of the Columbia Broadcasting System, in an address before the Chamber of Commerce of Kansas City on February 25. Mr. Bellows listed the arguments which critics of broadcasting have advanced and answered them categorically. Arguments of newspapers and magazines, educators, and of Dr. DeForest were answered effectively in the address.

"But when I hear people say that there is too much advertising over the air, my reply is that if that is true, there is too much advertising in our newspapers and our magazines, too much advertising thinly disguised, in our columns of reading matter, too much advertising on our billboards, too much advertising carried in the mail," he declared. "If it is claimed that you can escape all the other kinds of advertising, but cannot escape the advertising that goes into radio programs, then I say that that is the finest possible tribute to the effectiveness of radio advertising. Finally, if it is alleged that radio broadcasting ought to find some other basis than advertising for its financial operation, then I say that I have lived in Washington, have been a member of the Federal Radio Commission, have been in fairly close contact with both the administrative and the legislative branches of our government, and that I for one see no more reason why a government bureau should be permitted to run American broadcasting than why a government bureau should be permitted to run the American newspapers. When we are willing to follow Soviet Russia to the point of letting government functionaries tell us what we shall and shall not read, then and then only we can consider letting government functionaries tell us what we shall and shall not hear."

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STATION MANAGER AVAILABLE

One of the best known station managers in the country will shortly sever his connection with one of the country's leading broadcasting stations. His training has been wide and varied embracing agricultural pursuits, motion pictures, commercialized amusements, dramatic, community and recreational work. His radio experience has been broad and since 1926 he has been in charge of a 50 KW station. For further information write to NAB headquarters, National Press Building, Washington, D. C.

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G. O. NO. 105 CLARIFIED

The Commission on February 27 announced officially that the 12-hour minimum operating schedule referred to in General Order No. 105, Section 3, for unlimited time stations, applies to Sundays as well as week days.

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G. O. NO. 106 IS POSTPONED

The Commission on February 27 postponed from March 1 until April 30 the effective date of General Order No. 106 which would make it compulsory for all stations to keep program and station logs. The extension was requested by the National Association of Broadcasters upon complaint of a number of stations that extensive changes in personnel and routines would be necessary to comply with the order. The time originally permitted to make these changes was considered inadequate. The Commission undoubtedly will issue a statement explaining the nature of the records to be kept and a suggested form for keeping such records.

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HOW'S THIS FOR QUICK WORK?

On February 23, D. LeMasurier of KFJM, Grand Forks, N. D. advised the National Association of Broadcasters that a bill (No. 220) had been introduced in the North Dakota legislature which would make it compulsory for all stations in that state to give their facilities to public officers and candidates for public office at a statutory rate of \$10 per hour. Failure to comply with the act would have caused the station to escheat to the state. Henry A. Bellows, chairman of the Association's legislative committee, was advised of the bill and immediately got in touch with P. J. Myer of KFJR, Bismarck, and E. C. Reineke of WDAY, Fargo. Backed by the Association's objection, these members, within twenty-four hours, reported that they succeeded in having the bill killed in Committee.

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NEW ASSOCIATION IS FORMED

A group of broadcasters met at St. Louis, Mo. this week to form an organization to fight against high power and to demand a new reallocation of broadcasting facilities. The new organization is being sponsored by Thomas Stevenson, head of the Stevenson Radio Syndicate.

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EUROPE HAS ALLOCATION TROUBLES

In Europe, where government ownership of radio exists, allocation problems are increasing. Recently London exchanged a regional assignment with Graz, Austria, to avoid interference with Stuttgart, Germany. London likes the change but Austria refuses to make the switch permanent.

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SHORT WAVE HEARINGS SOUGHT

Senator Dill of Washington, and Representative Ewin L. Davis of Tennessee, introduced a joint resolution in Congress this week asking that public hearings be held prior to the reallocation of 40 high frequency channels made available by the bankruptcy of the Universal Wireless Communication Company. The joint resolution would change the Radio Act of 1927 with respect to appeals from decisions of the Commission.

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February 28, 1931

WHITE BILL STILL TABLED

The White Bill (H.R. 11635) to correct certain irregularities in the Radio Act of 1927, which passed the House on April 30, 1930, and which was passed by the Senate on February 17, 1931, with amendments designed to carry out the recommendations of the Federal Radio Commission and to grant to organized labor organizations one clear channel, still remains on the Speaker's table of the House. The Senate has already appointed conferees. It remains with Chairman White of the Merchant Marine and Fisheries Committee to ask for the appointment of conferees or permit it to die with this session of Congress. The request of the National Association of Broadcasters for a hearing on the labor amendment has not yet been acted upon.

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STATION W K B H HAS DX PROGRAMS

Station WKBH, LaCrosse, Wis. 1380 kc, 1 KW, began a series of DX programs on February 23, which will continue until the middle of April. The programs will begin at midnight and continue until 2:00 a.m. The program will be headlined by Stan Stanley and his orchestra. Other DX programs for next week are: WHBY, Green Bay, Wis. 1200 kc, 3:00 to 4:30 a.m. March 1; WILL, Urbana, Ill. 890 kc, 1:00 to 3:00 a.m. March 1; Station XEYF, Vera Cruz, Mexico, 680 kc, 500 watts will broadcast a concert from 1 a.m. EST, on March 2. Station WBAL, Baltimore, Md, is now testing after 1:00 a.m. on 760 kc in synchronization with WJZ, New York.

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REVIEW GRANTED IN LANGMUIR CASE

The long controversy between the DeForest Radio Company and the General Electric Company involving the validity of the Langmuir vacuum tube patent will be reviewed by the Supreme Court of the United States. Chief Justice Hughes on Wednesday announced that the court had granted a petition for a writ of certiorari directing the Circuit Court of Appeals of the Third Circuit to send up for review its decision upholding the contention of the General Electric Company.

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WHAT DOES THIS PORTEND?

According to VARIETY, Class A members of the American Society - Harms, Feist, Witmark, Berlin, Remick, Robbins and Shapiro-Bernstein - received \$40,000 each from the Society during 1930 although they claim radio has damaged their business to the extent of \$200,000 each during the year. In other words, to cover losses, the revenue from broadcasting licenses would have to be five times as great as at present.

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ANTENNA INPUT MEASUREMENT GRANTED

During the current week, the Commission granted authority to determine licensed power by the antenna input method to the following stations: WCAM, Camden, N. J. and KWK, St. Louis, Mo.

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February 28, 1931

EXAMINERS' REPORTS

In re application of Mobile Broadcasting Company (WODX) Mobile, Ala. for modification of license to change frequency to 590 kc, 500 watts, night, 1 KW, LS, unlimited time, Docket 873, Report 69, by Examiner Pratt recommends denial of application.

In re application of Woodmen of the World Life Insurance Association (WOW) Omaha, Neb. for modification of license to increase hours of operation to unlimited time, Docket 873, Report 69, by Examiner Pratt recommends granting of application.

In re application of F. Clement, Java, N. D. for construction permit to erect new station on 1310 kc with 100 watts and unlimited time, Docket 929, Report 70, by Examiner Pratt recommends denial of application.

In re application of G. C. Crawford, Haynesville, La. for construction permit to erect new station on 1120 kc with 10 watts and daylight hours, Docket 947, Report 71, by Examiner Pratt recommends denial of application.

In re application of John R. Sylvester, Derry, Pa. for construction permit to erect new station on 1500 kc with 100 watts and unlimited time, Docket 1013, Report 72, by Examiner Pratt recommends denial of application.

In re application of W. Beard, (KBTM) Paragould, Ark. for construction permit to install new equipment and change frequency to 990 kc with 500 watts and daylight operation, Docket 908, Report 73, by Examiner Pratt recommends denial of application.

In re application of The Hutchens Company, Huntsville, Ala. for construction permit to erect new station on 1200 kc with 100 watts and unlimited time, Docket 893, Report 74, by Examiner Pratt recommends granting of application to share time on requested frequency with WFBC, Knoxville, Tenn.

In re application of High Point Broadcasting Company, High Point, N.C. for construction permit to erect new station on 1500 kc with 100 watts and unlimited time, Docket 879, Report 75, by Examiner Pratt recommends denial of application.

In re application of Wayne M. Nelson, High Point, N.C. for construction permit to erect new station on 1200 kc with 100 watts and unlimited time, Docket 894, Report 75, by Examiner Pratt recommends denial of application.

In re application of Westinghouse Electric & Manufacturing Co. (W8XK) Pittsburgh, Pa. for modification of station license on 6140, 15210, 11880, 17780 and 21540 kc with 40 watts to authorize relay broadcasting of regular sustaining and commercial programs, Docket 961, Report 76, by Examiner Pratt recommends denial of application.

In re application of Donald Burton, Muncie, Ind. (WLBC) for construction permit to change frequency to 1420 kc with 100 watts night and 125 watts LS, and unlimited time, Docket 902, Report 77, by Examiner Pratt recommends denial of application.

February 28, 1931

EXAMINERS' REPORTS (Continued)

In re application of David Parmer, Columbus, Ga. (WRBL) for construction permit to change frequency to 1240 kc with 500 watts and unlimited time, Docket 979, Report 78, by Examiner Pratt recommends denial of application.

In re application of C. L. Carrell, Jackson, Mich. (WIBM) for modification of license to change frequency to 1200 kc with 100 watts and unlimited time, Docket 1016, Report 79, By Examiner Pratt recommends denial of application.

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SIMULTANEOUS DAY OPERATION GRANTED

Receding from the policy as declared in General Order 105, the Commission on Friday of this week granted authority for simultaneous day operation to the following stations on their present assignments: WOKO, Albany, N. Y. and WHEC, Rochester, N. Y.; WAPI, Birmingham, Ala. and KVOO, Tulsa, Okla.; KFAB, Lincoln, Neb. and WBBM, Chicago, Ill.; WJBK, Highland Park, Mich. and Jackson, Mich. All of these stations have been operating on these same schedules for some time.

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COMMISSION APPOINTS ATTORNEY

George B. Porter of Iowa was appointed an attorney by the Commission this week. Mr. Porter has been connected with the Interstate Commerce Commission since 1929, and before that time was engaged in the practice of law at Des Moines, Iowa.

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FAMED EXPLORER VISITS COMMISSION

Sir Hubert Wilkins, widely known arctic explorer, visited the Commission this week. Sir Hubert is the leader of a proposed expedition to attempt a two months trip by submarine early this Summer from Spitzenberg to Nome. The object of the Washington visit was to get the reaction of the Commission to the possibility of communicating with the United States by use of short waves, and then have these messages rebroadcast to listeners. It is understood that Sir Hubert will make the final arrangements and return to Washington within a few weeks, at which time formal request for facilities will be made.

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MORE RADIO CENSUS FIGURES

The Census Bureau this week issued radio receiving set census figures for the states of Arizona and Arkansas. In Arizona there were reported 106,630 families with 4.1 persons per family. There were 19,295 receiving sets in the state or 18.1 per cent of the total families owned sets. In Arkansas there were reported 439,408 families, 4.2 persons per family, a total of 40,248 receiving sets, or 9.2 per cent of the families owned sets.

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February 28, 1931

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, March 2, 1931. All hearings commence at 10 a.m.

MONDAY, March 2, 1931

KFQW	KFQW, INC. Seattle, Wash.		1420 kc Ren. L.	100 W. Unlimited Time
KMLB	J. C. LINER Monroe, La. (2 applications)	C.P.	1200 kc 8:00 to 10:30 a.m. 12:00 M. to 2:00 p.m. 5:30 p.m. to 7:00 p.m. Daily except Sunday. Sunday: 8:00 to 9:00 a.m. and 11:00 a.m. to 1:00 p.m.	100 W.
		Mod. Lic.	1200 kc Unlimited time	50 W.
			Present assignment: 1200 kc	50 W.D.

TUESDAY, March 3, 1931

WEVD	DEBS MEMORIAL RADIO FUND, INC. New York, N. Y.		Ren. L. 1300 kc Unlimited time	500 W.
			(Hearing on this application held October 14, 1930, and the Examiner made a report. On January 16, 1931, the report was remanded for further hearing).	

WEDNESDAY, March 4, 1931

NEW	INDEPENDENT PUBLISHING CO. INC. Anderson, S. C.	C.P.	1200 kc Unlimited time	100 W.
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THURSDAY, March 5, 1931

WDBO	ORLANDO BROADCASTING CO. INC. Orlando, Fla.	Mod. L.	1120 kc Unlimited time	500 W 1 KW LS
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February 28, 1931

APPLICATIONS SET FOR HEARING

The following applications were ordered set for hearing by the Commission at its sessions during the current week:

NEW	POWER OIL CO. Macon, Mo.	Requests C.P. 1210 kc, 100 W. unlimited.
NEW	CONARD STUDIO Garden City, Kan.	Requests C.P. 1370 kc, 100 W. unlimited.
NEW	WARREN & RETZLAFF Muskegon, Mich.	Requests C.P. 1500 kc, 15 W. unlimited.
NEW	THE SHARTENBERG RADIO SERVICE INC. New Haven, Conn.	Requests C.P. 930 kc, 250 W. unlimited.
WGCM	GREAT SOUTHERN LAND CO. Gulfport, Miss.	Requests C.P. to inst. new eqpt. and change freq. to 1470 kc with .5 KW and operate simultaneously with WLAC day-time and share time at night.
WIAS	POLING ELECTRIC CO. Ottumwa, Iowa	Requests C.P. to change eqpt and change location studio and transm. to Des Moines, Iowa.
KSO	Berry Seed Co. Clarinda, Iowa	Requests C.P. to inst. new eqpt and change location studio and transm. to Des Moines, Iowa.
KSO	BERRY SEED CO. Clarinda, Iowa	Requests consent to vol. assign. to J. Callaway and Harry Dahl.
WDAY	WDAY, INC. Fargo, N. D.	Requests C.P. to inst. new eqpt and incr. power to 5 KW.
KMA	MAY SEED & NURSERY CO. Shenandoah, Iowa	Requests Mod. Lic. to change freq. to 710 kc with .750 W. and daylight opera.
WSAI	CROSLY RADIO CORP. Cincinnati, Ohio	Requests Mod. Lic. to incr. power to 1 KW.

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APPLICATION DENIED

The following application heretofore designated for hearing was denied as applicant failed to enter appearance within time allowed under G. O. 93.

NEW	F. L. SMITH, D/B as Florence Broadcasting Co. Florence, S. C.	C.P. 1310 kc 100 W. Unlimited time
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February 28, 1931

APPLICATIONS DISMISSED

During the current week, the Commission dismissed the following applications at the request of the applicants:

CALL	NAME OF APPLICANT	NATURE OF APPLICATION
W I S J	THE WIS. STATE JOURNAL CO. Madison, Wis.	Mod. of Lic. 560 kc, 500 W.
W H B D	F. P. MOLER Mount Orab, Ohio	C.P. 1370 kc, 250 W. day, 100 W. night Unlimited time.
NEW	G. C. BLEE, D/B as Radio Service Labs. Negaunee, Mich.	C.P. 580 kc, 1 KW.
NEW	AMERICAN BROADCASTING CO. Florence Dooley, Vice-Pres. Chicago, Illinois	C.P. 1310 kc, 100 W. unlimited time.

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CONSTRUCTION PERMITS GRANTED

During the current week, the Commission granted applications for construction permits to the following stations authorizing the installation of new equipment or changes in present transmitters: WJBU, Lewiston, Pa.; KGFF, Alva, Okla.

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LICENSE APPLICATIONS RECEIVED

During the current week, the Commission received applications for license following construction permits, which had previously been authorized by Commission action: WBZ, Springfield, Mass.; KSD, St. Louis, Mo.; WFOX, Brooklyn, N. Y.; WRAF, LaPorte, Ind.

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ASSIGNMENTS GRANTED

During the current week the Commission granted consent to the following voluntary assignments:

WENR	GREAT LAKES BROADCASTING CO. Chicago, Illinois	Granted consent to vol. assgn. to National Broadcasting Company Inc.
WRBI	KENT'S FURNITURE & MUSIC STORE Tifton, Georgia	Granted consent to vol. assgn. to Oglethorpe University.

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February 28, 1931

APPLICATIONS RECEIVED

The following applications were received by the Commission during the current week:

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
NEW	KENNETH AUBREY TAYLOR Boston, Mass.	----	1500	C.P. erect new station 1500 kc, 250 w. LS; 100 w. night, share with WLOE
NEW	DETROIT BROADCASTING CO. Detroit, Michigan	----	590	C.P. request 590 kc. 500 w. unlimited.
K G H L	Northwestern Auto Supply Co. Billings, Montana	950	----	C.P. move studio, change eqpt, incr. power to 2 KW day and .1 KW night
W B B M - W J B T	ATLASS COMPANY, INC. Chicago, Illinois	770	----	Mod. Lic. cover hrs of operation to comply with G.O. 105.
W H E C - W A B O	HICKSON ELEC. & RADIO CORP. Rochester, N. Y.	1440	----	Mod. Lic. to operate simul- taneously with WOKO day- time.
W H A Z	RENSSELAER POLYTECHNIC INSTITUTE Troy, New York	1300	----	C.P. install eqpt incr. power to 1 KW
NEW	THEODORE FRANK ZEMLA Pontiac, Michigan	----	1210	C. P. erect new station 1210 kc, 100 W. Unlimited
W M C	PAUL DILLARD and E. BROWN, RECEIVERS Memphis, Tennessee	780	----	Req. for an involuntary assign. of lic. to MEMPHIS COMMERCIAL APPEAL, INC.
K R M D	ROBERT M. DEAN Shreveport, Louisiana	1310	----	Mod. of Lic. to move studio locally.
K T B I	BIBLE INSTITUTE OF LOS ANGELES Los Angeles, Calif.	1300	----	Req. to vol. assign lic. LOS ANGELES BRDCSTG. CO.
NEW	JOSEPH E. FINCH & CURTIS P. RITCHIE Trinidad, Colorado	----	1420	C. P. erect new station 1420 kc. 100 W. unlimited.
K I D	KID BROADCASTING COMPANY Idaho Falls, Idaho	1320	----	C.P. change eqpt, incr. power to 500 W. day and night.

February 28, 1931

APPLICATIONS RECEIVED (Continued)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
W O K O	WOKO, INCORPORATED Poughkeepsie, New York	1440	----	Mod. Lic. operate simult- aneously with WHEC-WABO during daytime. Station now shares with WHEC- WABO day and night.
NEW	WILLIAM J. HAYS Portsmouth, Ohio	----	1310	C.P. erect new station 1310 kc., 100 W, unlt'd
W L S	AGRICULTURAL BRDCG CO. Chicago, Illinois	870	----	Mod. Lic. incr. power to 50 KW to be used on WENR transmitter.
NEW	INDIANA'S COMMUNITY BROAD- CASTING CORPORATION Hartford City, Indiana	----	600	C.P. to req. 600 kc., 500 W. and unlimited or 1/2 of WMT's time.
W O W	WOODMEN OF THE WORLD LIFE INSURANCE ASSOCIATION Omaha, Nebraska	590	----	C.P. to req. change eqpt incr. power to 5 KW.
W O K O	HUDSON VALLEY BRDCG CO. Poughkeepsie, N. Y.	1440	----	Req. assign C.P. to WOKO, INC.
W D R C	THE DOOLITTLE RADIO CORP. Hartford, Conn.	1330	----	Vol. assgn. to WDRC, INC.
W B B C	BROOKLYN BROADCASTING CORP. Brooklyn, N. Y.	1400	----	C.P. change eqpt incr. power 1 KW.
W L B G	ROBERT ALLEN GAMBLE Petersburg, Virginia	1200	----	Request assign to WLBG, INC.
W O D X	MOBILE BROADCASTING CORP. Mobile, Alabama	1410	----	Mod. of Lic. change hours of operation to operate simultaneously with WSFA, daytime.
W E H C	EMORY & HENRY COLLEGE Emory, Virginia	1200	----	C.P. change to 1350 kc incr. power to 500 W. daytime and change eqpt.
W R B I	KENT'S FURNITURE & MUSIC CO. Tifton, Georgia	1310	----	Req. assign C.P. to OGLETHORPE UNIVERSITY.
W O A I	SOUTHERN EQUIPMENT COMPANY San Antonio, Texas	1190	----	C.P. use old eqpt at old location as an auxi- liary.

February 28, 1931

APPLICATIONS RECEIVED (Continued)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
K M A	MAY SEED & NURSERY COMPANY Shenandoah, Iowa	930	710	Mod. Lic. req. 750 W. and daytime hours on 710 kc.
K F A B	KFAB BROADCASTING COMPANY Lincoln, Nebraska	770	---	Modified lic. operate simultaneously daytime with WBBM-WJBT.
NEW	STEWART A. HEIGOLD Yuma, Arizona	----	1310	C.P. erect new station 1310 kc, 100 W. and un- limited.
W C A P	RADIO INDUSTRIES BRDCT CO Asbury Park, N. J.	1280	----	C.P. change eqpt incr. power 1 KW on 1280 kc and move studio.
W L B G	ROBERT ALLEN GAMBLE Petersburg, Virginia	1200	----	C.P. change eqpt.
W T F I	TOCCOA FALLS INSTITUTE Toccoa, Georgia	1450	----	Req. auth. assign lic. to Toccoa Falls Broad- casting Co.
W Q D X	STEVENS LUKE Thomasville, Georgia	1210	----	C.P. req. incr. power to 100 watts, change eqpt only.
NEW	A. E. HODGES & W. R. WINKLER Boone, N. C.	----	1200	C.P. erect new station 1200 kc, 100 W. unlted.
W H A D	MARQUETTE UNIVERSITY Milwaukee, Wisconsin	1120	----	Mod. C. P. extend com- pletion date on C.P. to March 20, 1931.
W H B F	BEARDSLEY SPECIALTY COMPANY Rock Island, Illinois	1210	----	Lic. to cover C.P. issued 12/5/30
W O S	MISSOURI STATE MARKETING BUR. Jefferson City, Missouri	630	----	C. P. req. auth. inst all new eqpt.

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PERMIT APPLICATIONS RECEIVED

During the current week, the Commission received applications from the following stations, requesting authority to make changes in equipment: WTAG, Worcester, Mass.; WNBO, Washington, Pa.; KMJ, Fresno, Calif.; WJBI, Red Bank, N.J.; WHFC, Cicero, Ill.; WKBB, Joliet, Ill.; KGDM, Stockton, Calif.

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BROADCASTERS' NEWS BULLETIN

Reporting accurately and promptly current happenings of special interest to Broadcasting
Stations in the Commercial, Regulatory, Legislative and Judicial Fields

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

Incorporated

NATIONAL PRESS BUILDING
WASHINGTON, D. C.

Telephone District 9497

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President
EDWIN W. SPENCE, Atlantic City, N. J.
Vice President
O. D. FISHER, Seattle, Wash.
Vice President
PAUL W. MORENCY, Hartford, Conn.
Treasurer

EXECUTIVE PERSONNEL

PHILIP G. LOUCKS
Managing Director
EUGENE V. COGLEY
Assistant to Managing Director
OLIVINE FORTIER
Secretary

March 1, 1931

ACTION ON VESTAL BILL DOUBTFUL

This issue of the BULLETIN comes to you late because it was hoped that Senate action on the Vestal Copyright bill could be reported. The bill was taken up in the Senate late Friday afternoon and made the unfinished business of that body. Consideration of the measure was continued on Saturday afternoon but at the time of adjournment only one section had been acted upon.

The bill as reported by the Senate Patents Committee is not objectionable to broadcasters, but every amendment must be kept. There will be attempts by those unfriendly to the broadcasters' amendments to have them changed on the floor of the Senate during consideration of the bill.

Only three and one-half days remain in this session which expires at noon on March 4. If lengthy debate results during its consideration on Monday, the bill will probably go by the boards.

Although several additional amendments which will be offered by Senator Dill are desirable, broadcasters are not opposed to the measure as it has been reported to the Senate. But attempts to radically change the committee amendments, added at the insistence of broadcasters, should be blocked.

If these amendments are materially changed or eliminated entirely, the bill will again become objectionable.

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March 7, 1931

CONGRESS ADJOURNS!

The Seventy-first Congress adjourned on March 4 without giving final approval to any of the bills affecting broadcasting stations.

The Vestal Bill, against which the National Association of Broadcasters, waged a determined fight after it passed the House, failed of action in the Senate although the Senate Committee on Patents had met the principal objections of broadcasters before reporting it favorably.

The White bill to amend the Radio Act of 1927, to which was added the Glenn amendment granting a clear channel to labor, died on the Speaker's table in the House after receiving approval of both bodies. This bill also provided for consolidation of the Radio Division and the Commission and included the recommendations of the Commission with respect to suspension of licensees for cause and the lighting of radio towers.

The Couzens Communications Commission bill died in the Senate Interstate Commerce Committee. The Fess bill to set aside 15 percent of all broadcasting frequencies for educational purposes did not even receive committee action. Other measures of lesser importance also died with the session.

All of these measures, and many more, will be reintroduced in the next Congress. The National Association of Broadcasters faces the busiest term of its entire existence next Winter and it must have the assistance of every station in the United States.

Executive Committee: William S. Hedges, Chicago, Ill., Chairman; Henry A. Bellows, Minneapolis, Minn., and Frank M. Russell, Washington, D. C. Directors: William S. Hedges, Chicago, Ill.; H. K. Carpenter, Raleigh, N. C.; George F. McClelland, New York, N. Y.; Dr. Frank W. Elliott, Davenport, Ia.; A. J. McCosker, Newark, N. J.; Edgar L. Bill, Chicago, Ill.; A. B. Church, Kansas City, Mo.; J. G. Cummings, San Antonio, Tex.; Don Lee, Los Angeles, Cal.; E. P. O'Fallon, Denver, Colo.; C. R. Clements, Nashville, Tenn.; Henry A. Bellows, Minneapolis, Minn.; John J. Storey, Worcester, Mass.; Morgan L. Eastman, Chicago, Ill.; and Leo Fitzpatrick, Detroit, Mich.

March 7, 1931

MUCH EXCITEMENT BUT NO ACTION

After keeping the broadcasting industry in a constant state of turmoil since last December, the Seventy-first Congress adjourned on March 4 without enacting any major pieces of radio legislation.

The most important measure that died with the Congress was the Couzens Communications bill which failed to receive committee approval after months of extensive hearings. The White bill, proposing amendments to the Radio Act, and to which was added in the Senate the amendment giving labor one clear channel, expired on the Speaker's table although both the House and Senate had acted upon the measure. The Senate amendments, however, drastically changed the nature of the bill which resulted in its death. The National Association of Broadcasters objected to the labor amendment on principle, and the Radio Division objected to the amendment which would have resulted in the Commission swallowing it up.

The Shipstead bill, embodying the fundamentals of the Craven plan, the McNary bill, prohibiting radio lotteries, and other bills of incidental importance failed to obtain action.

Money was appropriated for the construction of a radio research laboratory in Washington which will be under the supervision of the Bureau of Standards. The bill authorizing the acquisition of additional land at Grand Island, Neb. was not passed.

The Fess bill to grant 15 per cent of all broadcasting frequencies exclusively to the educators did not receive committee approval.

The Vestal copyright bill was lost because of the eleventh hour filibuster which marked the close of the Senate.

The Couzens Communications bill will be reintroduced in the new session and the educators expect to make a desperate drive for the Fess bill which will also be introduced. A sum of \$200,000 is available to secure passage of this measure.

The whole copyright controversy will be reopened simultaneously with the reconvening of the next Congress.

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UNIVERSAL WIRELESS READY

Universal Wireless Communication Company notified the Commission this week that it will appear at the short wave hearing on March 16 prepared to show that it is financially able to properly construct and operate 112 transmitters in as many cities scattered throughout the United States. The Universal Wireless will seek to have allocated to it forty high frequency channels which were involved in lengthy litigation.

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March 7, 1931

WTMJ WINS COURT FIGHT

Station W T M J, Milwaukee, Wis. owned and operated by the Journal Company, won its protracted court fight this week under a decision of the Court of Appeals of the District of Columbia. Four appeals, Nos. 5095, 5163, 5268 and 5269, were disposed of in a single opinion. The gist of the opinion is that W T M J be placed in the position it occupied, with respect to its service area, before WFLA-WSUN, Clearwater, Fla. was placed on its frequency of 620 kc and before WLBZ, Bangor, Maine, secured its power increase.

"The purpose of this regulation," the court said, referring to the Radio Act, "obviously is to prevent chaos and to insure satisfactory service. The installation and maintenance of broadcasting stations involve a very considerable expense. Where a broadcasting station has been constructed and maintained in good faith, it is in the interests of the public and common justice to the owner of the station that its status should not be injuriously affected except for compelling reasons. Unless such a policy is maintained, the public will not receive the character of service which we are convinced the Radio Act was intended to insure. No station that has been operated in good faith should be subjected to a change of frequency or power or to a reduction of its normal and established service area except for compelling reasons."

The opinion appears to sustain the right of a station to maintain its normal service area without curtailment caused by shifts of other stations unless compelling reasons are supported by evidence at a public hearing.

The opinion further questions the propriety of the shift of Florida stations, made in October, 1929, under which W D A E, Tampa, was removed from 620 kc to make way for W F L A - W S U N.

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"RADIO DIGEST" LOOKS US OVER

An editorial in the current issue of "Radio Digest" reads as follows:

"Your radio entertainment is in the hands of your broadcasters. What affects them affects you. Therefore both the broadcaster and the listener have common interests. In order to maintain a high order of service leading broadcasters have united into an organization called the National Association of Broadcasters. The activities of the association seem to be growing. The headquarters have been moved from New York to Washington where a watchful eye is kept on proposed legislation."

After reviewing briefly some of the activities of the association, the editorial concludes with the admonition:

"Every broadcaster should belong to the association for the good of all concerned."

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WLS TO USE WENR TRANSMITTER

Station W L S, Chicago, has been granted authority by the Commission to use the transmitter of W E N R, Chicago, recently acquired by the National Broadcasting Company. Station WLS had previously been granted a 50 KW construction permit by the Commission and will be permitted to use that amount of power when it uses WENR's transmitter.

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March 7, 1931

MORE REGULATION PROPOSED

During the past two weeks the attention of the National Association of Broadcasters has been directed to nine radio bills now pending in the legislatures of seven states. Each of these bills tends to further regulate your business and place added burdens upon your operation. In one instance the NAB succeeded in writing finis to a measure that would have fixed charges for time. The bills now pending, of which we have knowledge, are as follows:

NORTH DAKOTA S. 220 --- compelling stations to grant time to political candidates at \$10 per hour or face confiscation of their stations.

NEW YORK S. 822 --- providing penalties for equipping automobiles with short wave receiving sets.

CALIFORNIA S. 821 --- creating a Department of Radio Supervision and providing for a tax upon receiving sets.

CALIFORNIA S. 299 --- requiring broadcasting stations to keep a public record of all sums received as gifts.

TEXAS H.B. 326 --- defining and providing punishment for radio slander.

NEBRASKA S. 241 --- requiring broadcasting stations to report the consideration received for political broadcasts.

MASSACHUSETTS H. 774 --- regulating hours of labor of women and children employed in the manufacturing of radios.

MASSACHUSETTS H. 337 --- imposing a sales tax on radios, radio tubes and parts.

TEXAS H.382 --- providing penalties for use of radio to promote trading or speculating in futures of grain, cotton, etc.

MINNESOTA S. 588 --- providing punishment for libel by radio.

Members of the NAB are urged to notify the Managing Director of all radio bills introduced in their legislatures and city councils.

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CRAVEN PLAN CONSIDERED

The NAB engineering committee, composed of engineers from stations of all classes, under the chairmanship of John V. L. Hogan, has begun a study of the plan submitted by Commander T. A. M. Craven for general improvement of the broadcasting set up. Members of the committee have been supplied with copies of the draft of the plan and the chairman this week requested that each member of his committee submit his comments in writing. After this preliminary study there will be a meeting to further study the plan and draft a report. The same plan is also being given study by the Federal Radio Commission.

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March 7, 1931

RECOMMENDS AGAINST KTNT

Chief Examiner Yost, in a report proposed to the Commission, recommends that the license of Station K T N T, Muscatine, Iowa, owned and operated by Norman Baker, be not renewed. The chief examiner lists nine conclusions gleaned from the hearing in the case held last October, as follows:

1. A radio broadcasting license imposes an inescapable obligation on the licensee to serve public interest, and promote public welfare.
2. It is not in the public interest for a radio broadcasting station to provoke personal or community strife and turmoil, by means of radio communications.
3. A radio broadcasting station licensee should not unjustly attack legitimate organizations or individuals in order to further his own personal interests and business.
4. A station may have much in its public service record to commend it and at the same time there may be set over against this record sufficient objectionable matter to discredit such station.
5. It is not necessary that a licensee violate any of the penal provisions of the Radio Act in order to forfeit the right to a renewal of license; this may be done by simply failing to serve public interest, convenience or necessity.
6. A proper respect for the rights, privileges and opinions of all peoples should be observed and maintained by all licensees.
7. Since the home is the principal listening post in the broad field of radio reception, nothing which tends to vulgarity, immorality or indecency has any place in radio communications.
8. Anything that tends to unjustly destroy or injure the legitimate business of any person or group should not be broadcast by a licensee.
9. A licensee may be entirely mistaken as to what constitutes a genuine public service.

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EXCEPTIONS TO HIGH POWER REPORT

Attorneys for high power applicants, who were not favored in the supplemental report filed by Chief Examiner Yost, are preparing exceptions for filing with the Commission, presaging long legal controversy. Exceptions to the report as it relates to the first, second, third and fourth zones must be filed on or before March 9, and exceptions from the fifth zone must be filed on or before March 16.

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V. FORD GREAVES TO SPEAK

Broadcasting allocations will be the subject of an address to be delivered by V. Ford Greaves, broadcast engineer of the Commission at the monthly meeting of the Washington Section, Institute of Radio Engineers, on March 12, 1931.

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March 7, 1931

WRW LOSES COURT APPEAL

The Commission's unit system as set up in General Order No. 92 and the equalization system established in General Order No. 102 received a severe jolt under a decision of the Court of Appeals of the District of Columbia upholding the Commission's denial of an application filed by Station W R A W, Reading, Pa. for change in frequency from 1310 to 620 kc and to increase power from 100 to 500 watts.

After pointing out that the State of Pennsylvania is under quota and that the Second Zone is also underquota, the court stated that the interference which would be caused by permitting the Reading station to shift to 620 kc would be more detrimental to the State than to permit the existing lack of facilities.

"It would not be consistent with the legislative policy to equalize the comparative broadcasting facilities of the various states or zones by unnecessarily injuring stations already established which are rendering valuable service to their natural service areas," the court stated. "The paramount consideration, after all, is the public interest, convenience and necessity and we are convinced upon a review of the record that the board's conclusions are in line therewith."

None of the Commission's General Orders were mentioned specifically in the opinion.

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NAB MEMBERSHIP GROWS

Seven new membership applications were received by the NAB during the current week. They are K G D Y, Voice of South Dakota, Huron, S. D.; W S P A, The Voice of South Carolina, Spartanburg, S.C.; K W C R, H. F. Paar, Cedar Rapids Broadcasting Co. Cedar Rapids, Iowa; W J A C, Johnstown Automobile Company, Johnstown, Pa.; W N B H, Irving Vermilya, New Bedford, Mass.; W O R C, A. F. Kleindienst, Worcester, Mass.; and W K Z O, WKZO, Inc. Berrien Springs, Mich. With the exception of the last mentioned, the other new applicants are local stations.

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DIRECTORS MEET IN DETROIT

A meeting of the Board of Directors of the National Association of Broadcasters will be held at the Statler Hotel, Detroit, Mich. at 10 a.m. Monday, March 23, 1931. Every member of the Board is urged to be present because several of the matters to be discussed are of extreme importance to the Association and broadcasting generally.

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AVERAGE RADIO SET COST \$87

The average list price of a radio receiving set in 1930 was estimated at \$87, less tubes, as against \$133 in 1929, according to H. E. Way, assistant chief of the Electrical Equipment Division, Department of Commerce. The volume of business totaled \$332,198,000 in 1930 as compared with \$592,000,000 the preceding year.

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March 7, 1931

DIXIE NETWORK STARTS MARCH 23

Station WBT, Charlotte, N. C. will be the key station for the new Dixie network of the Columbia Broadcasting System which will begin operation on March 23. Stations included in the network are WWNC, Asheville, N. C.; WGST, Atlanta, Ga.; WBRC, Birmingham, Ala.; WDOD, Chattanooga, Tenn.; KLRA, Little Rock, Ark.; WNOK, Knoxville, Tenn.; WDSU, New Orleans, La.; WTOG, Savannah, Ga.; WREC, Memphis, Tenn.; and WLAC, Nashville, Tenn. Eight additional stations are to be added later, according to Sam Pickard, vice president of Columbia, who publicly announced the network.

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RUSSIA BELIEVES IN HIGH POWER

Well-founded reports have it that Soviet Russia will soon construct a 500 KW station at Noghinsk, near Moscow. In addition to this Russia plans to build 11 stations with 100 kw power each and 28 with 10 kw power. There are approximately one million receiving sets in use in Russia.

STILL BUILDING IN MEXICO

According to the recent list of stations compiled by the Department of Commerce, Mexico now has 40 broadcasting stations ranging in powers from 10 W. to 10 KW, with others under construction. There is no agreement between Mexico and the United States with respect to frequency allocation and a large number of Mexican stations are operating on frequencies in use by American stations.

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BRITISH AUDIENCE GROWS

According to the British Broadcasting System, there are 3,411,910 receiving sets in use in Great Britain at the present time, or 455,174 more than were in use a year ago.

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G. O. 105 IS POSTPONED

The Commission on March 3 postponed until April 30, 1931, the effective date of General Order No. 105 and at the same time reconsidered Section 3 of the order, declaring that the 12-hour minimum operating schedule referred to should apply only to week days and not Sundays. Previously the Commission had announced that the minimum 12-hour schedule applied to Sundays. More than 50 stations are affected by the order.

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EDUCATION DATA BEING COMPILED

The Commission is now compiling information from 526 questionnaires recently sent out to broadcasting stations to ascertain what percentage of the total time on the air is devoted to educational programs. Questionnaires were sent to all stations.

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March 7, 1931

NEW RADIO CABLE LAID

The American Telephone and Telegraph Company has just completed more than 2,000 miles of special cable for broadcasting purposes and has evolved plans to extend the new cable system to embrace all of the 35,000 miles of lines connecting broadcasting stations. The first link, extending from New York to Pittsburgh, is now in use. Present telephone lines used for linking broadcasting stations have a frequency range from 150 to 5,000 cycles while the new system will have a range of from 50 to 8,000 cycles. Radio networks spend nearly \$5,000,000 in tolls annually.

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COLUMBUS STATIONS COMBINE

A merger of Stations WAIU, and WCAH, Columbus, Ohio, was reported this week. The transmitter of Station WAIU will be moved to Rome, Ohio, where the WCAH transmitter is located. Station WAIU is owned by the American Insurance Union and Station WCAH was owned by the Commercial Radio Service Company. At some future date the WCAH call letters will be dropped.

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AMERICAN SECTION MEETS

The American Section, International Committee on Wireless Telegraphy, will hold its first 1931 meeting in Washington on March 9. Officers for the ensuing year will be elected. Senator Wallace H. White jr., of Maine, is unopposed for re-election to the presidency.

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COPYRIGHT CASE IS ARGUED

The case of Jewell-LaSalle Realty Co. v. American Society of Composers, Authors and Publishers was argued in the Supreme Court of the United States on March 3 and 4. The case involves the question of whether or not a hotel owner is liable for infringement of copyright when he receives on a radio set in the hotel lobby a performance by a broadcasting station of an unlicensed composition. The National Association of Broadcasters filed a brief as friend of the court in the case but did not take part in the argument.

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99 DAILIES HAVE RADIO HOOK-UPS

Ninety-nine daily newspapers have radio station hook-ups and nearly 50 per cent of this number own radio stations, according to a survey conducted by "Variety". The publication points out "that spotlight advertising in daily newspapers has increased over 200 per cent in the last year." Newspapers are also using short waves for news transmission and "Editor and Publisher", newspaper trade publication, is asking stations to advertise in its columns.

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March 7, 1931.

EXAMINERS' REPORTS

In re application of George B. Bairey, Valley City, N. D., for construction permit to erect a new station on 1310 kc with 50 watts and unlimited time, Docket 1021, Report 81, by Examiner Yost recommends denial of application.

In re application of Brumbaugh & Hauser, Irwin, Pa., for construction permit to erect new station on 850 kc with 100 watts and unlimited time, Docket 994, Report 82, by Examiner Yost recommends granting application, provided operation of proposed station be limited to daylight hours and until sunset at New Orleans, La.

In re application of Clarence M. Keen, Pastor, Braintrim Baptist Church, Lacyville, Pa., for construction permit to erect new station on 920 kc with power of 50 watts to operate on Sundays only from 10 a. m. to 12:30 p. m. Docket 975, Report 83, by Examiner Yost recommends granting application, provided equipment installed conforms to rules and regulations of the Commission.

In re application of John E. Cooley (KLPM), Minot, N. D., for construction permit to install new equipment and change frequency to 1240 kc with 500 watts and unlimited time, Docket 1018, Report 84, by Examiner Yost recommends denial of application.

In re application of Carl S. Wheeler (WLEX), Lexington, Mass., for modification of license to operating full time, with exception of 7 hours per week allotted to W S S H, Docket 992, Report 85, by Examiner Yost recommends granting of application to allow certain Sunday hours, one hour on Friday and 13½ additional hours to W S S H each week, and remainder of time assignment to W L E X.

In re application of Tremont Temple Baptist Church (W S S H), Boston, Mass., for modification of license to operating one-half time, sharing with W L E X, Docket 993, Report 85, by Examiner Yost recommends granting of application, under the same terms as set forth in W L E X Report immediately above.

In re application of C. L. Carroll, (WBBZ), Ponca City, Oklahoma, for construction permit to change location of transmitter to Willow Springs Ranch, approximately 8 miles north of Ponca City, Docket 1020, Report 86, by Examiner Pratt recommends denial of application.

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ACTION ON EXAMINERS' REPORTS

NEW Mayfield Music Company
Rep. #62 Hutchinson, Kansas

Request for C.P. 1170 kc, 200 watts, denied as in cases of default; Examiner Hyde sustained.

NEW Louis Falconi
Rep. #61 Roswell, New Mexico

Request for C.P. 1300 kc, 15 watts, denied as in cases of default; Examiner Hyde sustained.

NEW Bessemer Brdcstg. Assn.
Rep. #48 Bessemer, Alabama

C.P. for new station 1500 kc., 50 watts unlted. time, denied as in cases of default; Examiner Yost sustained.

March 7, 1931

APPLICATIONS SET FOR HEARING

The following applications were ordered set for hearing by the Commission at its sessions during the current week:

NEW	The Ohio Brdcstg. Corp. Cleveland, Ohio	Requests C.P. 1210 kc., 100 W. Unltd. Time, also to use portable to test for location.
WALR	Roy W. Waller Zanesville, Ohio	Requests Consent to Vol. Assign. of lic. to The Akron Broadcasting Co.
NEW	Lancaster Newspapers Inc. Lancaster, Pa.	Requests C.P. 1000 kc., $2\frac{1}{2}$ KW. ltd. time.
NEW	Detroit Broadcasting Co. Detroit, Michigan	Requests C.P. 590 kc, 500 watts, unltd.
KFOR	Howard A. Shuman Lincoln, Nebraska	Requests C.P. to install new eqpt. incr. maximum rated power of eqpt. to 1 KW; change freq. to 930 kc., increase power to 500 W. and change time to sharing equally with K G B Z.
KMA	May Seed and Nursery Co. Shenandoah, Iowa	Requests Mod. of lic. to change freq. from 930 to 710 kc.
KGIR	KGIR, Inc. Butte, Montana	Requests C.P. move trans. locally; incr. power 1 KW; change hours from $\frac{1}{2}$ time to Unlimited.
NEW	Paul F. Klingensmith & Joseph Takach Youngwood, Pa.	Requests C.P. 1340 kc - 15 W. Day
NEW	W. O. Ansley, jr., Abilene, Texas	Requests C.P. 1420 kc - 100 W. 250 LS to use KFYO facilities
NEW	Berks Broadcasting Co. Reading, Pennsylvania	Requests C.P. 830 kc - 1 KW Day
NEW	H. B. Hoel & C. M. Dean Norwood, Ohio	Requests C.P. 1420 kc - 100 W. Unltd.
WBY	St. Norbert College Green Bay, Wisconsin	Requests C.P. 950 kc - 500 W. - 1 KW LS

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COLORADO RECEIVER CENSUS

The Bureau of Census on March 4 released official receiving set census for the state of Colorado. The whole number of families in the state on April 1, 1930 was 268,531, as compared with 4.1 in 1920. The number of families reporting radio sets in 1930 was 101,376, or 37.8 per cent of the total. The average number of persons per family in 1930 was 3.9.

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March 7, 1931

APPLICATIONS GRANTED (CONTINUED)

CALL	NAME OF APPLICANT	NATURE OF ACTION
WLS	Agricultural Broadcasting Co. Chicago, Illinois	Granted auth. to use WENR trans. and operate with 50 KW.
KVOA	Robert M. Riculfi Tucson, Arizona	Commission granted req. to reopen appl. for full time for KVOA on 1260 kc with 500 W. L S and 250 W. night and amend same to read 500 W. $\frac{1}{2}$ Time.

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LICENSE APPLICATIONS GRANTED

During the current week, the Commission granted applications for license covering previously authorized construction permits, to the following stations: WRAX, Philadelphia, Pa.; WFBR, Baltimore, Md.; KONO, San Antonio, Texas. WJBW, New Orleans, La.

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CONSTRUCTION PERMITS GRANTED

During the current week, the Commission granted applications for construction permits to the following stations, authorizing the installation of new equipment or the changes in present transmitters: WBEN, Buffalo, N. Y.; W C O A, Pensacola, Fla.; WWAE, Hammond, Ind.; WFBM, Indianapolis, Ind.; WICC, Bridgeport, Conn.

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LICENSE APPLICATIONS RECEIVED

During the current week, the Commission received applications for license following construction permits, which had previously been authorized by Commission action: W TAX, Springfield, Ill.; WGH, Newport News, Va; KFIZ, Fond Du Lac, Wis.; WHA, Madison, Wis.; KFXE, Denver, Colo.; WIP, Philadelphia, Pa.; WTOG, Savannah, Ga.

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PERMIT APPLICATIONS RECEIVED

During the current week, the Commission received applications from the following stations, requesting authority to make changes in equipment: WLTH, Brooklyn, N.Y.; WSAR, Fall River, Mass.; WBRE, Wilkes-Barre, Pa.; KFPW, Fort Smith, Ark.; WMBQ, Brooklyn, N. Y.; KUJ, Walla Walla, Wash.; KIT, Yakima, Wash.; WEVD, New York, N.Y.; WKBS, Galesburg, Ill.; KMO, Tacoma, Wash.

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EXAMINER'S REPORT

In re application University of North Dakota (KFJM) Grand Forks, N. D. for construction permit to change frequency 1230 kc, 500 W. Unltd. Time, Docket 1014, Report 80 by Examiner Yost recommends denial of application.

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March 7, 1931

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, March 9, 1931. All hearings commence at 10 a. m.

WEDNESDAY, March 11, 1931

WHK	Radio Air Service Corp. Standard Bank Bldg. Cleveland, Ohio	Ren. Lic.	1390 kc Unlimited Time	1 KW
KFQU	W. E. Riker Holy City, California	Ren. Lic.	1420 kc Share with KGGC	100 W.
WLBX	John E. Brahy Long Island City, N. Y.	Ren. Lic.	1500 kc $\frac{1}{4}$ Time	100 W.

THURSDAY, March 12, 1931

KZM	Leon P. Tenney Hayward, California	Ren. Lic.	1370 kc Share with KRE	100 W.
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APPLICATIONS DENIED

The following applications heretofore designated for hearing were denied by the Commission as the applicants failed to enter an appearance within time allowed under G. O. 93:

CALL LETTERS	APPLICANT	NATURE OF APPLICATION
W G B S	General Broadcasting System, Inc. New York, N. Y.	Requested temp. auth. to operate on 1180 kc with 500 watts power until midnight, N.Y.C., such auth. to be granted until April 30th.
NEW	A. M. Quarterman Tallahassee, Florida	C.P. 1200 kc - 15 W.
W F D W	Raymond C. Hammett Tallahassee, Florida	C.P. 580 kc - 250 W.
NEW	Central Illinois Broadcasting Co. Browning, Illinois	C.P. 1370 kc - 15 W.
NEW	N. Dwight Craig Indianapolis, Indiana	C.P. 580 kc - 250 W.

March 7, 1931

APPLICATIONS DENIED (CONTINUED)

CALL LETTERS	APPLICANT	NATURE OF APPLICATION
W K B S	Permil N. Nelson Galesburg, Illinois	C.P. 1270 kc - 1 KW
NEW	Lawrence J. Dooley & Samuel Lewis Detroit, Michigan	C.P. 1500 kc - 100 W.
NEW	Jacob Conn Providence, R. I.	C.P. 1500 kc - 100 W.

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APPLICATIONS DISMISSED

During the current week, the Commission dismissed the following applications at the request of the applicants:

CALL LETTERS	APPLICANT	NATURE OF APPLICATION
K G C R	Cutler's Radio Brdcastg. Service Watertown, South Dakota	C.P. 1090 kc - 1 KW
K G N F	Herbert Logan Spencer North Platte, Nebraska	M.L. 710 kc - 500 W.
W L I T	Lit Bros. Philadelphia, Pennsylvania	C.P. 560 kc - 1 KW
W F I W	W F I W, Inc. Louisville, Kentucky	C.P. 940 kc - 1 KW
W N B O	John Brownlee Spriggs, Washington, Pennsylvania	C.P. 1200 kc - 100 W. 250 LS
W S B T	South Bend Tribune South Bend, Indiana	Mod. C.P. 1230 kc - 1 KW

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CALL LETTER LISTS AVAILABLE

The Commission this week received a supply of printed call letter, state and frequency lists which will be mailed to all broadcasting stations. Extra copies may be obtained by writing to the Government Printing Office, Washington, D. C. The cost is 15 cents per copy. This is the first time call letter lists have been printed for distribution.

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March 7, 1931

APPLICATIONS RECEIVED

The following applications were received by the Commission during the current week:

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
W E H C	EMORY AND HENRY COLLEGE Emory, Virginia	1200	1350	C.P. change frequency to 1350 kc., incr. power to 500 W. and change hours of operation to Daytime.
K R M D	ROBERT M. DEAN Shreveport, Louisiana	1310	-----	Appl. amended request 100 watts day and night.
W J K S	JOHNSON-KENNEDY RADIO CORP. Gary, Indiana	1360	560	Mod. of lic. amended request 560 kc.
K F G Q	BOONE BIBLICAL COLLEGE Boone, Iowa	1310	-----	Mod. of lic. requesting additional hours of 4 a.m. to 6 a.m. daily.
W L B C	DONALD A BURTON Muncie, Indiana	1310	-----	Mod. of C.P. move trans. locally.
W G L	F.C. ZIEG(ALLEN-WAYNE CO.) Ft. Wayne, Indiana	1370	-----	Mod. of lic. incr. power to 100 W. night, 250 W. LS
K L Z	THE REYNOLDS RADIO CO. INC., Denver, Colorado	560	-----	To determine license power of station by direct measurement of antenna input.
NEW	MERLE F. & MERINDA C. JEWELL Hood River, Oregon	-----	1310	C.P. request 1310 kc., and to share with K M E D.
K G E W	THE CITY OF FORT MORGAN Fort Morgan, Colorado	1200	-----	C.P. to request 500 watts night, 1 kilowatt day.
NEW	HAGERSTOWN BRDCSTG. CO. Hagerstown, Md.	-----	1210	C.P. amend req. 1210 kc.
NEW	RONALD E. DEVORE Columbus, Ohio	-----	640	C. P. erect station 640 kc. 250 W. Unltd. Time.
NEW	SHRODE & STEWART Rockport, Indiana	-----	1420	C.P. erect station 1420 kc. 100 watts, Unltd. Time.
W P C C	NORTH SHORE CHURCH Chicago, Illinois	560	-----	C.P. move trans. to Morton Grove, Ill., install new eqpt., incr. power to 1 kilowatt, also incr. hours of operation.

March 7, 1931

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WBEO	Charles C. McLeod Marquette, Michigan	1300	-----	Mod. C.P. showing site selected for trans.; also request change in eqpt. and ext. com. date.
KECA	Pacific Devel. Radio Co. Los Angeles, California	1430	-----	C.P. Amen. req., incr. power 1 KW night $2\frac{1}{2}$ KW LS and facilities in terms of units assign. to prop. stat. KPWF
KFUM	The Reynolds Radio Co. Colorado Springs, Colorado	1270	-----	Req. auth. inst. auto freq. control.
NEW	Champlain Vall. Comm. Assn. Plattsburgh, N. Y.	-----	1320	C.P. req. new sta. 1320 kc 30 W. - Day
WFAN	Keystone Brdcstg. Co. Philadelphia, Pa.	610	-----	Mod. Lic. use new tran. authorized for WIP.
WHK	Radio Air Service Corp. Cleveland, Ohio	1390	-----	Two app. determine lic. power by dir. measurement antenna input.
WLAP	American Brdcstg. Corp. of Kentucky, Louisville, Ky.	1200	1010	Req. spec. auth. Use 250 W. 1010 kc $\frac{2}{3}$ Time for 30 days.
NEW	Will Derbrandt Athens, Texas	-----	1420	C.P. req. new sta. use 1420 kc - 15 W. Unltd.
NEW	Hattie Mizelle Dothan, Ala.	-----	1370	C.P. req. new sta. use 1370 kc - 100 W. Unltd.
NEW	Dr. Robert R. (Bob) Jones Dothan, Ala.	-----	1340	C.P. req. new sta. use 1340 kc - 500 W - $\frac{1}{2}$ Time Share with WCOA
WODX	Mobile Brdcstg. Corp. Mobile, Ala.	1410	1340	Mod. Lic. chge. freq. to 1340 kc and hours of operation to Unltd.
KSCJ	The Sioux City Journal Sioux City, Iowa	1330	-----	Mod. Lic. and C.P. to incr. power to $2\frac{1}{2}$ KW day and night, and Unltd.

March 7, 1931

APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
K J R	NORTHWEST BRDCSTG. SYSTEM Seattle, Washington	970	-----	MOD. of C.P. issued 12-27-30, to extend commencement date from Jan. 22, 1931, to date of final decision of Ct. of Appeals, D.C., on appeal of Fisher's Blend Station, Inc., Docket 5335, and completion date 3 months thereafter.
NEW	BOY SCOUTS OF AMERICA TROOP #131 - New York, N. Y.	---	1250	C.P. erect station 1250 kc., 100 watts, Unltd.
W L B X	JOHN N. BRAHY Long Island City, N. Y.	1500	1300	C.P. change frequency to 1300 kc., incr. power to 500 W. and hours of operation to Unlimited.
W J Z	NATIONAL BROADCASTING CO. Inc. New York, N. Y.	760	-----	Mod. of lic. incr. power to 50 kilowatts.
W J B W	CHAS. C. CARLSON New Orleans, Louisiana	1200	-----	C.P. move transmitter and studio locally, also install new equipment.
NEW	JENNY WREN COMPANY Hutchinson, Kansas	-----	1220	C.P. to erect station 1220 kc., 1 KW, Synchronize with WREN, Unltd. Tim
K G E R	C. MERWIN DOBYNS Long Beach, California	1360	-----	Request vol. assign lic. CONSOLIDATED BRDG. CORP.
NEW	ALFRED L. SETARO Vicksburg, Mississippi	-----	1420	C.P. erect station 1420 kc., 100 W. Unltd.
W I S N	THE EVENING WISCONSIN CO. Milwaukee, Wisconsin	1120	1050	MOD. of lic. change to 1050 kc., incr. power to 1 KW, and hours of operation to Unltd.
W K B I	FRED L. SCHOENWOLF Chicago, Illinois	1420	-----	Request vol. assign. lic. W K B I, Incorporated
K G F W	CENTRAL NEBRASKA BRDCSTG. CORP. Ravenna, Nebraska	1310	-----	Move trans. and studio to Trans. and Studio to Kearney, Nebr., and change eqpt.
K L X	THE TRIBUNE PUBLISHING CO. Oakland, California	880	-----	C.P. change eqpt. incr. power to 1 KW.

BROADCASTERS' NEWS BULLETIN

Reporting accurately and promptly current happenings of special interest to Broadcasting
Stations in the Commercial, Regulatory, Legislative and Judicial Fields

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March 14, 1931

COPYRIGHT

Broadcasters will face the toughest copyright fight in the history of broadcasting in the next session of Congress. Sponsors of the Vestal Copyright Bill, which was filibustered to death in the closing hours of the last Congress, have served public notice that a new bill will be introduced just as soon as the new Congress convenes.

Gene Buck, president of the American Society of Composers, Authors and Publishers, in an interview published by ZIT'S THEATRICAL NEWSPAPER, indicated that a new bill will be introduced in the next session. He is quoted as stating:

"But they won't stop this bill. There will be no more jockeying by the radio people at the next session of Congress on December 1. We will smoke out the broadcasters at that time."

While Buck blames broadcasters for defeating the bill, VARIETY states:

"Failure of passage of the Vestal bill is blamed on the stand taken by music publishers who would have lost valuable rights through its enactment. This is the charge by authors and composers who would have derived personal benefit had the act achieved passage."

Broadcasters objected to the Vestal bill in the form in which it passed the House. They insisted upon hearings in the Senate, and, after a bitter fight, obtained hearings. The bill, as reported by the Senate Committee, while representing a compromise, was not considered as objectionable and the broadcasters withdrew their opposition. Now a new copyright fight appears. Will broadcasters be prepared?

Executive Committee: William S. Hedges, Chicago, Ill., Chairman; Henry A. Bellows, Minneapolis, Minn., and Frank M. Russell, Washington, D. C. Directors: William S. Hedges, Chicago, Ill.; H. K. Carpenter, Raleigh, N. C.; George F. McClelland, New York, N. Y.; Dr. Frank W. Elliott, Davenport, Ia.; A. J. McCosker, Newark, N. J.; Edgar L. Bill, Chicago, Ill.; A. B. Church, Kansas City, Mo.; J. G. Cummings, San Antonio, Tex.; Don Lee, Los Angeles, Cal.; E. P. O'Fallon, Denver, Colo.; C. R. Clements, Nashville, Tenn.; Henry A. Bellows, Minneapolis, Minn.; John J. Storey, Worcester, Mass.; Morgan L. Eastman, Chicago, Ill.; and Leo Fitzpatrick, Detroit, Mich.

March 14, 1931

CARELESS PROGRAM CHECKING

Attention of the NAB has been directed to a possible danger which grows out of program checking practices. Aside from the cost of such checks, which will be saddled upon the broadcaster, the danger is with the carelessness of checking, the competency of the checker and the apparatus used. In at least one instance payments by an agency to broadcasters have been held up because of adverse checking reports. Investigation revealed the correctness of the broadcaster and the error of the checker.

If an advertiser desires checkings, he should be compelled to pay the expense. Now that the Commission will soon require the maintenance of official station and studio logs, these should constitute adequate proof that the program was handled as contracted. If more complete proof is desired, the advertiser or agency, for whose benefit the checkings are made, should pay for the service.

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TELEVISION HELD UP

"While television has been demonstrated repeatedly on a laboratory basis, further research and development must precede the manufacture and sale to the public of television sets. Although progress made in 1930 has brought television definitely nearer to commercial application, RCA will not attempt to market such equipment this year." This statement was contained in the annual report to stockholders by General James G. Harbord, chairman of Board of Directors, and David Sarnoff, president of RCA, which was made public this week.

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URGE ALASKAN CABLE SALE

The Interdepartmental Committee which has been studying the Government communication services, recommended the sale of the Alaskan cable and radio system to a responsible private company in a report submitted to President Hoover this week.

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NAB BOARD MEETING CHANGED

The meeting of the Board of Directors of the NAB, by order of President Damm, has been changed from Monday, March 23 to Tuesday, March 24. The meeting will be held at the Hotel Statler, Detroit, Michigan. The date has been changed to accommodate several members of the board.

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NAB PREPARING BRIEF

Many inquiries have reached the NAB with respect to the preparation of a log form to be used when G. O. 106 becomes effective on April 30. The NAB is now preparing a brief suggesting changes in the form of the order with a view to having certain portions clarified and certain operations required under its terms simplified. The NAB will not suggest a log form until it is known whether or not changes will be made in the terms of the order.

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March 14, 1931

ENGINEERS HEAR GREAVES

An instructive paper entitled "Quo, Quota, Quantum," explaining in detail the application of the Commission's General Orders Nos. 40, 92 and 102, was given by V. Ford Greaves, assistant chief engineer of the Commission, at a meeting this week of the American Section, Institute of Radio Engineers. The session was attended by a number of leading radio engineers of the country. The paper deals largely with broadcast allocation problems. The NAB is prepared to publish the text of the paper if a sufficient number of NAB members desire copies. Address your requests to NAB Headquarters, National Press Building, Washington, D. C.

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EDUCATORS ISSUE STATEMENT

The National Committee on Education by Radio has just issued a press statement in which it is stated that educational broadcasting stations should be given first place when channels are assigned.

"Commercial stations contend," says the Committee's spokesman, "that they have developed an educational technique which educational stations have not. On the contrary, educators assert that they have the technique and that the commercial stations lack the educational point of view."

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MAKE A NOTE OF THIS

Police in several mid-western cities are looking for a man named Lyle Pettijohn, alias Richard Wolfe, who has been making the rounds of radio stations. He represents himself as an experienced advertising salesman specializing in radio advertising. He will get a job, sell a few accounts, then buy radios and other articles on credit, resell them for his own benefit, issue worthless checks then beat it.

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NEW PROGRAM IDEA CONSIDERED

Scott Howe Bowen on Thursday met with a group of Government department heads summoned by Secretary of Interior Wilbur and explained in detail his plan to secure broadcasts of governmental activities by means of electrical transcriptions.

It is understood that the plan was favorably received by those attending the conference.

Mr. Bowen offered to equip a studio in Washington where the transcriptions could be prepared. The Government would be required to pay the cost of preparation only and the transcriptions would be furnished to stations free of charge for use as non-commercial programs.

The Government now mails bales of mimeographed material to stations for broadcasting purposes. The transcriptions would replace this material, according to Mr. Bowen's idea.

The conference was arranged by Mark O. Prentiss, representative of Mr. Bowen.

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March 14, 1931

EDUCATIONAL PROGRAMS ANALYSED

The Commission has analysed the questionnaires received from 522 out of 605 broadcasting stations in the United States licensed on February 1, 1931. The questionnaire covered programs broadcast during the week of January 11 to 17. The analysis follows:

	<u>Educational Stations</u>	<u>Commercial Stations</u>
No. of hours used broadcasting programs from studios by Educators	128	1007
No. of hours used broadcasting programs originating in educational institutions	70	431
No. of hours used broadcasting other data considered educational but not necessarily by professional educators	89	2021
Total No. of hours used in broadcasting educational programs described above	286	3457
No. of hours used in broadcasting data provided by Federal Government	50	741
No. of hours used in broadcasting data provided by city, county and state	23	390
No. of hours used in broadcasting speeches of general character	46	792
No. of hours used in broadcasting for Red Cross and similar organizations	14	469
No. of hours used in broadcasting classical music . . .	200	5782
Total No. of hours on the air	1027	33,784
No. of stations reporting	42	522

From the above it will be noted that commercial stations (including religious stations) are devoting about 10 percent of their time to educational broadcasts while educational stations are devoting about 28 percent of their time to educational programs.

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PERRINE DISCUSSES TELEVISION

Dr. J. O. Perrine, associate editor of the BELL SYSTEM TECHNICAL JOURNAL, in an address this week before the Washington Section, American Institute of Electrical Engineers, stated that television may be just around the corner but there are still many difficulties to be conquered. These obstacles, he said, cannot obtain by the "waving of a magic wand."

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March 14, 1931

WBAL AND WTIC CONTINUE TESTS

WBAL, Baltimore, Md and WTIC, Hartford, Conn. now sharing time on 1060 kc, were granted authority to conduct regular program tests for a period of thirty days on Friday of this week, under the terms of construction permits issued to both stations in December. Under the permits, WTIC is to synchronize with WEAJ on 660 kc when WBAL is operating on 1060 kc. When WTIC is operating on its present assignment, WBAL is to synchronize with WJZ on 760 kc. This authority will permit regular programs to be broadcast and give engineers an opportunity to study the results of such operation in day hours, since the experimental operation of both stations in the early morning hours has been completed.

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WHITE IS RE-ELECTED

Senator Wallace H. White, jr. Maine, was reelected president of the American Section, International Committee on Wireless Telegraphy at an organization meeting this week. John W. Guider was named vice president and Paul M. Segal was elected secretary. A program of activities will be outlined at the next meeting which will be held in April.

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A FEW WANT ADS

New York station is looking for a commercial manager or someone familiar with radio selling. 31331A.

Young college graduate (female) experienced in continuity writing and general station office administration wants position. Available June 15. 31331B.

(Refer to key number in replying).

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JANUARY RADIO EXPORTS UP

Showing a strong upward tendency, exports of radio apparatus from the United States during January, 1931, surpassed the total for the corresponding month of last year, despite a decrease in the majority of other classes of electrical equipment, according to the Commerce Department's Electrical Division.

Foreign shipments of radio apparatus totaled \$1,672,904 during January, 1931, as compared with \$1,523,207 in the corresponding month of 1930. Radio receiving sets alone registered a gain of over half a million dollars, from \$562,444 in the 1930 month to \$1,075,814 in 1931.

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A FEW COPIES LEFT

The NAB office still has on hand a few copies of the printed Proceedings of the Eighth Annual Convention of the Association. Members desiring copies should order at once. Copies are \$5. each.

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March 14, 1931

APPLICATIONS GRANTED

The following applications were granted by the Commission at its sessions during the current week:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF ACTION</u>
K M E D	Mrs. W. J. Virgin Medford Oregon	Granted C.P. install new eqpt increasing power to 100 watts.
W T E L	Foulkrod Radio Engr. Co. Philadelphia, Pa.	Granted Lic. change eqpt and incr. power to 100 watts; 1310 kc, 100 w. shares with W H A T and W C A M.
W J Z	National Brdcg Co. Inc. New York, N. Y.	Granted mod. of C.P. to extend completion date to August 8, 1931.
W Q B C	Delta Brdcg Co. Inc. Vicksburg, Miss.	Granted mod. of C.P. move transmitter locally; extend commencement date to 3/5/31 and extend completion date to 6/5/31.
W H K	Radio Air Service Corp. Cleveland, Ohio	Granted renewal of license - hearing cancelled.
W M R J	Peter J. Prinz Jamaica, New York	Granted C.P. to move transmitter and studio locally
W B Z A	Westinghouse Elec. & Mfg. Co. Boston, Mass.	Granted mod. C.P. extend completion date to 5/20/31.
W B N K	Standard Cahil Company New York, N. Y.	Granted perm. cease operating due to illness of lic. operator, until another operator may be secured.
W A I U	American Insurance Union Columbus, Ohio	Granted auth. use WCAH aux. transm. to make tests for new location.
W O A I	Southern Equipment Company San Antonio, Texas	Granted auth. to use old transm. until station repairs can be completed.

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LICENCE APPLICATIONS GRANTED

During the current week the Commission granted applications for license, covering previously authorized construction permits, to the following: K W K H, Shreveport, La.; W J B W, New Orleans, La.; K S D, St. Louis, Mo.; W G C P, Newark, N. J.; W E A N, Providence, R. I.; W B Z, Springfield, Mass.

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CONSTRUCTION PERMITS GRANTED

During the current week, the Commission granted applications for construction permits to the following stations authorizing the installation of new equipment, or changes in the present transmitters: WHBD, Mt. Orab, Ohio; WMBH, Joplin, Mo.; WKJC, Lancaster, Pa.; KFJO, St. Louis, Mo.

March 14, 1931

EXAMINERS' REPORTS

In re application of Claude M. Gray, Anniston, Ala. for construction permit to erect new station on 1500 kc with 100 watts and unlimited time, Docket 938, Report 87, Examiner Pratt recommends denial of application.

In re application of Macon Junior Chamber of Commerce (WMAZ) Macon, Ga. for modification of license to change frequency to 1180 kc with 500 watts and Limited Time, Docket 1008, Report 88, Examiner Yost recommends granting of application, since it has been recommended that WGST be granted full time on 890 kc, now sharing with present applicant.

In re application Georgia School of Technology (WGST) Atlanta, Ga. for construction permit to increase night power to 500 watts and change hours of operation from sharing with WMAZ to unlimited time, Docket 874, Supplemental to Report 14, Examiner Yost recommends application, provided that WMAZ application to operate on 1180 kc with limited time is granted.

In re application of Will H. Ford (KFUL), Galveston, Texas, for renewal of license, Docket 933, Report 89, Examiner Pratt recommends granting of application.

In re application of Lone Star Broadcast Co. Inc. (KTSA), San Antonio, Texas, for modification of license to change hours of operation to unlimited time, Docket 923, Report 89, Examiner Pratt recommends denial of application.

In re application of Rines Hotel Co. Manchester, N. H. for construction permit to erect new station on 1430 kc with 1 KW and unlimited time, Docket 1000, Report 90, Examiner Yost recommends granting of application with 250 watts night and 500 watts daylight and unlimited time.

In re application of G. Colby Blackwell, Manchester, N. H. for construction permit to erect new station on 1430 kc with 500 watts and unlimited time, Docket 1005, Report 90, Examiner Yost recommends denial of application.

In re application of Pioneer Broadcasting Co. Adamsburg, Pa. for construction permit to erect new station on 620 kc with 100 watts and daylight hours of operation, Docket 959, Report 91, Examiner Yost recommends denial of application.

In re application of Alfred Frank Kleindienst (WORC), Worcester, Mass. for construction permit to change frequency to 1340 kc, increase power to 500 watts and operate unlimited time, Docket 924, Report 92, Examiner Pratt recommends denial of application.

In re application of Boston Broadcasting Co. (WBBS), Boston, Mass. for renewal of license and construction permit to change frequency to 1180 kc with 100 watts and limited time, Dockets 1002 and 997, Report 93, Examiner Yost recommends that the application for renewal and construction permit both be denied.

In re application of Boston Broadcasting Company (WLOE), Boston, Mass. for modification of license to change hours of operation to unlimited time, Docket 1003, Report 93, Examiner Yost recommends denial of application.

In re application of Martin C. Newman, Sturgis, Mich. for construction permit to erect new station on 1310 kc with 100 watts and unlimited time, Docket 1100 kc, Report 94, Examiner Yost recommends denial as in the cases of default.

March 14, 1931

EXAMINERS' REPORTS (Continued)

In re application of American Insurance Union (WAIU), Columbus, Ohio, for renewal of station license, Docket 1048, Report 96, Examiner Hyde recommends granting of application.

In re application of WHB Broadcasting Company (WHB), Kansas City, Mo. for modification of license to increase power to 1 KW, Docket 941, Report 97, Examiner Pratt recommends denial of application.

In re application of Gadsden Broadcasting Company (WJBY), Gadsden, Ala. for construction permit to change frequency to 950 kc and increase power to 250 watts, Docket 1033, Report 98, Examiner Yost recommends denial of application, and further recommends that the applicant be authorized to increase power to 100 watts on the present assignment of 1500 kc.

In re application of W. E. Brainard, Klamath Falls, Ore. for construction permit to erect new station on 1200 kc with 100 watts and unlimited time, Docket 987, Report 99, Examiner Yost recommends denial of application.

In re application of C. Merwin Dobyms (KGER), Long Beach, Calif. for modification of license to increase hours of operation to unlimited time, Docket 951, Report 102, Examiner Pratt recommends granting of application.

In re application of Educational Broadcasting Corporation (KROW), Oakland, Calif. for construction permit and modification of license to change frequency to 740 kc with 1 KW ~~day~~ and 2 KW night and limited time, Docket 954, Report 103, Examiner Yost recommends denial of application.

In re application of Lakeland Broadcasting Company, Lakeland, Fla. for construction permit to erect new station on 1310 kc with 100 watts and unlimited time, Docket 1030, Report 101, Examiner Yost recommends denial of application.

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ACTION ON EXAMINERS' REPORTS

The following action on Examiners' Reports was taken by the Commission during the current week:

WBER Rep.#60	Louis G. Baltimore Wilkes Barre, Pa.	Granted renewal of license, 1310 kc, 100 watts, unlt'd time, revers. Ex. Pratt.
WELL Rep.#58	Enquirer-News Company Battle Creek, Mich.	Granted ren. of lic. 1420 kc, 50 watts, unlt'd hrs of operation. Also granted mod. of C.P. to install present eqpt. at new location instead of new eqpt and reduce power authorized on C.P. from 100 to 50 watts; reversing Examiner Pratt.
WLTH Rep.#51	Voice of Brooklyn, Inc. Brooklyn, New York	Granted ren. of lic. 1400 kc, 500 w.; divide time with WCGU, WBBC and WSCH-WSDA; reversing Examiner Pratt.

March 14, 1931

ACTION ON EXAMINERS' REPORTS (Continued)

WWRL Rep.#53	Long Island Brdgc Corp. New York, N. Y.	Granted ren. of lic. 1500 kc, 100 w.; divides time with WMBQ, WLBX and WCLB; reversing Examiner Pratt.
WKBQ Rep.#56	Standard Cahill Co. Inc. New York, N. Y.	Granted ren. of lic. 1350 kc, 250 watts; shares time with WBNY, WMSC and WCDA; reversing Examiner Pratt.
WKBO Rep.#55	Camith Corporation Jersey City, New Jersey	Granted ren. of lic. 1450 kc, 250 watts; shares with WBMS, WNJ and WHOM; revers- ing Examiner Pratt.
NEW Rep. #57	Radio Operators, Inc. Ltd Glendale, California	Denied C.P. for new station to operate on 860 kc, 500 watts, limited time, sus- taining Examiner Pratt.
KFVD Rep.#57	Los Angeles Brdgc Co. Culver City, California	Denied C.P. to change freq. from 1000 kc to 860 kc; incr. power to 1 KW; sustain- ing Examiner Pratt.

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HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday,
March 16, 1931. All hearings commence at 10 a.m.

TUESDAY, MARCH 17, 1931

K F X M	J. C. & E. W. Lee San Bernardino, Calif.	C. P.	1300 kc	500 W.
			3/4 time	
			Present Assignment: 1210 kc 100 W.	
			Divides time with K PPC	
NEW	Gillette Stanford Chico, California	C. P.	1500 kc	100 W.
			Daily 7 a.m. to 5 p.m.	

THURSDAY, MARCH 19, 1931

NEW	Alfred J. Pote Chelsea, Mass.	C. P.	1320 kc	1 KW
			Unlimited time	

FRIDAY, MARCH 20, 1931

NEW	Kent's Inc. Petersburg, Virginia	C. P.	1310 kc	15 W.
			Unlimited time	

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March 14, 1931

APPLICATIONS SET FOR HEARING

The following applications were ordered set for hearing by the Commission at its sessions during the current week:

NEW	GILLETTE STANFORD Chico, California	Requests C.P. 1500 kc, 100 W. daytime hours.
K G E W	CITY OF FT. MORGAN Ft. Morgan, Colorado	Requests C.P. change eqpt; change freq. to 880 kc, and change power to 500 W. night, 1 KW, LS.
W J K S	JOHNSON-KENNEDY RADIO CO. Gary, Indiana	Request Mod. of Lic. to change freq. to 560 kc; incr. hours of operation to unlt'd.
K R E	FIRST CONG. CHURCH OF BERKELEY Berkeley, California	Requests consent to vol. assign. of lic. to Community Broadcasting Corp. Ltd.
NEW	HAGERSTOWN BROADCASTING CO. Hagerstown, Maryland	Requests C.P. erect new station 1210 kc, 100 watts - unlimited time.
NEW	OHIO BROADCASTING CORP. Canton, Ohio	Requests C.P. 1200 kc, 100 watts, unlimited time except Sundays share with WNBO.
W R A X	WRAX, INCORPORATED Philadelphia, Pa.	Requests C.P. increase power to 1 KW.
K N X	WESTERN BROADCAST CO. Los Angeles, Calif.	Requests mod. C.P. to extend completion date to 3/31/31.

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APPLICATIONS DENIED

The following applications were denied by the Commission at its sessions during the current week:

W J A K & W L B C	Marion Broadcast Co. Marion, Indiana and Donald A. Burton, Muncie, Indiana.	Denied permission to operate simultaneously the nights of March 6 and 7 in order to broadcast basketball games.
W C A Z & W D Z	Superior Broadcasting Service Inc. Carthage, Illinois, and James L. Bush, Tuscola, Illinois.	Denied permission to operate simultaneously pending action on application which is being filed.

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APPLICATION FORMS STUDIED

The Commission is giving study to a general revision of all application forms. Many of the existing forms will be simplified and several new ones will be added to the present list.

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March 14, 1931

APPLICATIONS RECEIVED

The following applications were received by the Commission during the current week:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>PRESENT FREQUENCY</u>	<u>FREQUENCY SOUGHT</u>	<u>NATURE OF APPLICATION</u>
NEW	ATKINSON and STORY Auburn, Alabama	---	1100	C.P. erect new station 1100 kc 15 watts, Day.
W T F I	TOCCOA FALLS INSTITUTE Toccoa, Georgia	1450	---	Move transmitter and studio to Athens, Ga. and incr. power to 500 w. night, 1 KW day.
NEW	MYRON E. KLUGE Cheyenne, Wyoming	---	1420	C.P. erect new station 1420 kc, 75 watts, unlimited time.
K I D O	BOISE BROADCAST STATION Boise, Idaho	1250	----	Move transm. and studio locally and change eqpt.
W H O M	NEW JERSEY BROADCASTING CORP. Jersey City, N. J.	1450	1050	C.P. move transm. loc. change freq. 1050 kc and hours of operation to unlimited.
NEW	VOICE OF THE BLUE GRASS Owensboro, Kentucky	----	680	C.P. erect new station 680 kc, 1 KW, unlt'd time.
W L V A	LYNCHBURG BRDCG CORP. Lynchburg, Virginia	1370	1210	C.P. to req. 1210 kc and unlimited hours.
W R A X	WRAX BROADCASTING CO. Philadelphia, Pa.	1020	----	Mod. of lic. incr. to unlimited time.
NEW	GEO. W. TRIPP and J. N. TUCKER Pontiac, Michigan	----	1500	C.P. erect new station 1500 kc, 250 watts, unlimited hours.
W T F I	TOCCOA FALLS INSTITUTE Toccoa, Georgia	1450	----	C.P. move transm. and studio locally.
W P C C	NORTH SHORE CHURCH Chicago, Illinois	560	----	Mod. of lic. amended to request 19 hours week.
W B C M	JAMES E. DAVIDSON Bay City, Michigan	1410	940	Mod. of lic. to request 940 kc and 500 watts.
W D A H	EAGLE BROADCASTING CO. El Paso, Texas	1310	----	Req. to vol. assign to W. S. Bledsoe & W. T. Blackwell.
K W W G	THE BROWNSVILLE HERALD PUBLISHING CO. Brownsville, Texas	1260	----	Mod. of C.P. to extend compl. to 3/31/31.

March 14, 1931

APPLICATIONS RECEIVED (Continued)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>PRESENT FREQUENCY</u>	<u>FREQUENCY SOUGHT</u>	<u>NATURE OF APPLICATION</u>
NEW	E. D. LUM & SONS Wahpeton, North Dakota	-----	550	C.P. erect new station 550 kc, 100 watts, un- limited time.
NEW	INLAND EMPIRE BROADCASTING CORP. Moscow, Idaho	-----	1310	C.P. resubmitted to re- quest 1310 kc
W L O E	WILLIAM S. POTE Boston, Mass.	1500	-----	Invol. assign. lic. from Boston Broadcasting Co. to William S. Pote.
W A L R	ROY W. WALLER Zanesville, Ohio	1210	-----	Req. emerg. auth. to move transm. locally.
W T F I	TOCCOA FALLS INSTITUTE Toccoa Falls, Georgia	1450	-----	C.P. amended to move trans. and studio to Athens, Ga. only.
W W A E	HAMMOND-CALUMET BRDCG CORP. Hammond, Indiana	1200	-----	Mod. lic. change hours to simultaneous day opera- tion with WRAF, share with WRAF at night.
K G G C	THE GOLDEN GATE BRDCG CO. San Francisco, Calif.	1420	-----	Mod. lic. incr. hours to unlimited.

LICENSE APPLICATIONS RECEIVED

During the current week, the Commission received applications for license following construction permits, which had previously been authorized by Commission action: W F I, Philadelphia, Pa.; W J B L, Decatur, Ill.; W D E L, Wilmington, Del.; K G A, Spokane, Wash.; W L E Y, Lexington, Mass.; W T I C, Hartford, Conn.

PERMIT APPLICATIONS RECEIVED

During the current week, the Commission received applications from the following stations, requesting authority to make changes in equipment: W F B E, Cincinnati, Ohio; W R B Q, Greenville, Miss.; K S M R, Santa Clara, Calif.; W I L, St. Louis, Mo.; K S L, Salt Lake City, Utah; W B T, Charlotte, N. C.

MADRID MEETING MARCH 18

A joint meeting of the Committees preparing for the Madrid Conference will be held at the Commission on Wednesday, March 18.

BROADCASTERS' NEWS BULLETIN

Reporting accurately and promptly current happenings of special interest to Broadcasting
Stations in the Commercial, Regulatory, Legislative and Judicial Fields

Issued by

OFFICERS

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Vice President
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THE NATIONAL ASSOCIATION OF BROADCASTERS

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WASHINGTON, D. C.
Telephone District 9497

EXECUTIVE PERSONNEL

PHILIP G. LOUCKS
Managing Director
EUGENE V. COGLEY
Assistant to Managing Director
OLIVINE FORTIER
Secretary

March 21, 1931

GROWING! GROWING! GROWING!

The Managing Director will report to the Board of Directors at the Detroit, Mich. meeting next Tuesday that membership in the National Association of Broadcasters has increased by forty per cent within the past four months.

An analysis of the membership reveals that 70 per cent of the stations affiliated with the Association occupy regional, local and daylight assignments and that 30 per cent occupy clear channel assignments.

But the Association must continue to grow. Upon the financial and numerical strength of the NAB depends the future security of broadcasting under the American plan.

Interests desirous to get into radio at the expense of those who have experienced the hardships of pioneering are pouring out column after column of propaganda deprecating commercialized broadcasting without extolling any of its virtues. They argue that the Government should take over your business; that your programs should be strictly censored; that 15 per cent of your facilities should be given to educational interests; that specific organizations should be given preferred assignments; that the band should be reallocated in order to permit these interests to creep into broadcasting.

You who are in broadcasting are scattered throughout the country doing the job. Those who are seeking to get into broadcasting are in Washington. It is the Association's duty to meet these assaults but it cannot do so effectively unless it is given the support of every broadcasting station.

Executive Committee: William S. Hedges, Chicago, Ill., Chairman; Henry A. Bellows, Minneapolis, Minn., and Frank M. Russell, Washington, D. C. Directors: William S. Hedges, Chicago, Ill.; H. K. Carpenter, Raleigh, N. C.; George F. McClelland, New York, N. Y.; Dr. Frank W. Elliott, Davenport, Ia.; A. J. McCosker, Newark, N. J.; Edgar L. Bill, Chicago, Ill.; A. B. Church, Kansas City, Mo.; J. G. Cummings, San Antonio, Tex.; Don Lee, Los Angeles, Cal.; E. P. O'Fallon, Denver, Colo.; C. R. Clements, Nashville, Tenn.; Henry A. Bellows, Minneapolis, Minn.; John J. Storey, Worcester, Mass.; Morgan L. Eastman, Chicago, Ill.; and Leo Fitzpatrick, Detroit, Mich.

March 21, 1931

WOULD REDUCE TOLERANCE

The National Association of Broadcasters has been invited by the Commission to participate in the discussion of the question as to whether or not the present permissible frequency deviation of 500 cycles should be reduced to 50 cycles one year hence. The Commission on March 16 decided to hold hearings on the question on April 20.

General Order No. 7 now in force permits a tolerance of 500 cycles. This order would be repealed by the recent proposal. The text of the proposed order follows:

"1. On and after one year from the date of this order all stations shall maintain the assigned frequency between the limits of 50 cycles per second above to 50 cycles per second below the assigned frequency.

"2. On and after the effective date of this order the Commission will not authorize the installation of any new transmitting equipment in broadcasting stations or changes in the frequency control of equipment at present licensed for operation in broadcasting stations unless such equipment is so designed that there is reasonable assurance that the frequency of the transmitter is capable of maintaining the assigned frequency of the station between the limits set forth in paragraph 1.

"3. Each radio broadcasting station is hereby ordered to announce twice each day, at the beginning and end of its program, that it is broadcasting on a frequency of _____ kilocycles by authority of the Federal Radio Commission.

"4. General Order No. 7 is hereby repealed."

The Commission's decision to hold hearings before promulgating orders of general application is highly commendable and it is hoped that this practice will be continued.

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OHIO LEGISLATURE ON THE AIR

The Ohio State Department of Education has arranged to broadcast sessions of the Ohio Senate and House on March 24 and 31 over W L W at Cincinnati. These broadcasts are intended primarily for the benefit of the Ohio School of the Air, and special plans are being made to bring a bill to each house at the time of the broadcast so that listeners will get a comprehensive idea of how the State legislature functions.

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NINE STATIONS GIVE DX PROGRAMS

During the coming week nine stations will broadcast special programs for long distance listeners, according to C. M. Falconer, vice president of the Newark News Radio Club. Schedules of hours are as follows: Sunday, March 22, KFOR, Lincoln, Neb.; WSYB, Rutland, Vt; KGAR, Tucson, Ariz.; CKX, Brandon, Man.; KFXJ, Edgewater, Colo. Tuesday, March 24, WSVS, Buffalo, N. Y. Thursday, March 26, 10AK, Stratford, Ontario. Saturday, March 28, 10BQ, Brantford, Ontario; CFLC, Prescott, Ontario.

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March 21, 1931

GOP LETTER EXPLAINED

Recently the Republican National Committee sent letters to broadcasting stations offering program material and requesting that stations co-operate in putting this material on the air. Many stations apparently have misconstrued this letter. The NAB has conferred with those responsible for the letter and an explanation has been made. The Committee, it is explained, is not seeking free time for political purposes. A vast amount of interesting program material about the government is available in the numerous departments and the Radio Division of the Committee is simply offering its aid in securing this material free for stations desiring it. The NAB has been assured that this material is non-political, pointing out that if stations receiving it should find political bias in it, they reserve the right to relegate it to the wastebasket.

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MADRID PROPOSALS DRAFTED

The committee preparing for the International Radiotelegraph Conference at Madrid in 1932 this week completed its draft of proposals of the United States which will shortly be sent to nations signatory to the existing convention. The question of widening the broadcast band was left open despite the fact that European nations plan to propose such widening. Canada has already indicated its intention to utilize the frequencies from 500 to 550 kc for broadcasting. It is understood that a number of European nations will ask the Madrid conference to provide for separate world broadcasting conferences.

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EDUCATORS GET MORE MONEY

While broadcasters continue to wrangle among themselves over station assignments, the National Committee on Radio in Education is carefully laying plans for a comprehensive legislative campaign to wrest 15 per cent of all broadcasting frequencies from commercial stations. Already \$200,000 has been made available to secure passage of the Fess bill which was introduced in the last session of Congress. Armstrong Perry, information director of the Committee, announced this week that additional funds for his Committee's work have been secured. A nationwide propaganda campaign has been started against commercial stations and much of this matter is finding its way into newspapers. The NAB has already taken a position in opposition to the Fess bill but this opposition cannot be effective unless every commercial station in the United States will back the Association.

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AGENCY RECOGNITION PROPOSED

Sub-committees of the NAB Commercial Committee will be appointed in the near future to deal with agency recognition and recordings. This is a step of vital importance both to broadcasting stations and to advertising agencies. The American Association of Advertising Agencies has agreed to co-operate with these subcommittees with a view to working out a sound basis for agency recognition and dealing with the problems growing out of the increasing use of recordings.

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March 21, 1931

COPYRIGHT BOBS UP AGAIN

Broadcasters will be called upon to meet the copyright question fairly and squarely next December. At least two bills will be introduced in the opening days of the Congress. These bills will follow the general style of the Vestal copyright bill. The NAB is now preparing to meet the issue but an enormous amount of work remains to be performed this Summer. The most important part of these plans calls for a 100 per cent organization of stations. Until all stations are organized into a single powerful group, the copyright problem can not be satisfactorily settled. A division of the broadcasters' strength is lending encouragement to sponsors of new copyright legislation.

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OPEN SEASON FOR RACKETS

New radio rackets are being born at the rate of one a day. Almost daily the NAB is called upon to investigate the ingenious schemes of promoters and irresponsible concerns preying upon broadcasting stations. In most of these instances the local and regional stations are singled out as victims. In every case the propositions appear attractive enough on the surface. The NAB intends to stop these evils. But the co-operation of every station is essential.

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D. C. RADIO CENSUS

Figures released this week by the Bureau of the Census show that 67,880 of the 126,014 families in the District of Columbia, or 53.9 per cent, own radio receiving sets.

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COMMISSION EXPLAINS G.O. 105

The terms of General Order No. 105 were explained by the Commission in the following official announcement:

"Due to the uncertainty which has arisen concerning the date for filing the time-sharing agreements required by the provisions of General Order No.105, and particularly paragraph C of Section 4 thereof, caused by the amendment of said order postponing the effective date thereof from March 1, 1931, to April 30, 1931, the Commission desires to make known its interpretation of said order as follows:

"(1) The provisions of said order requiring applicants to file such agreements with and as a part of applications for renewal of license are not effective except as to applications filed subsequent to May 1, 1931.

"(2) In all other respects said order shall be operative and effective as of 3 a.m. Eastern Standard Time, April 30, 1931."

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EXAMINERS' REPORTS

In re application of John R. Anderson, Cardwell, Mo. for construction permit to erect new station on 1420 kc with 25 watts and daytime operation. Docket 1076. Report 104. Examiner Yost recommends denial of application.

In re application of The Atlanta Broadcast Company, Atlanta, Ga. for construction permit to erect new station on 1310 kc with 100 watts and unlimited time. Docket 1004. Report 105. Examiner Pratt recommends denial of application.

In re application of Radio Investment Company, Inc. (Station WNJ) Newark, N. J. for renewal of license; for modification of license to increase power to 500 watts and increase operation to unlimited time, and for construction permit to make necessary changes in equipment. Dockets 1036 and 1037. Report 106. Examiner Yost recommends granting of application for renewal and denial of applications for modification of license and construction permit.

In re application Northeast Missouri State Teachers College, Kirksville, Mo. for construction permit to erect new station on 1200 kc with 100 watts and unlimited time. Docket 1082. Report 107. Examiner Yost recommends denial of application.

In re application of G. L. Carrell, Kenosha, Wisconsin, for construction permit to erect new station on 1200 kc with 100 watts and share time with WCLO, Janesville, Wisconsin. Docket 1017. Examiner Pratt recommends denial of application.

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ACTION ON EXAMINER'S REPORT

NEW Martin C. Newman
Rep.#94 Sturgis, Michigan

C. P. for new station - 1310 kc, 100 watts,
unlimited time, denied by default, sus-
taining Examiner Yost.

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WTMJ ASKS INTERPRETATION

The Journal Company, WTMJ, Milwaukee, Wis. this week asked the Court of Appeals of the District of Columbia to issue specific directions in the mandate to follow its decision of last week requiring the Commission to "measurably re-establish WTMJ to the position it occupied prior to October, 1929." The Commission is disposed to hold hearings before working out a solution to its problem and this, WTMJ contends, is unnecessary inasmuch as such hearings would develop nothing in addition to the testimony adduced at hearings upon which the Commission based its erroneous decision. The Commission on March 20 filed an answer to WTMJ's petition for instructions setting up its suggestions for carrying out the court's order which consists of several alternate proposals. The mandate will be issued probably March 21.

NAB BRIEF RECEIVES STUDY

The Commission on March 20 referred to the engineering and legal divisions for study the suggestions of the National Association of Broadcasters for clarification of General Order No. 106.

March 21, 1931

APPLICATIONS GRANTED

The following applications were granted by the Commission at its sessions during the current week:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF ACTION</u>
W F A N	KEYSTONE BRDCG CO. Philadelphia, Pa.	Granted mod. of lic. to use new transmitter of W I P.
W M B C	MICHIGAN BROADCASTING CO. Detroit, Michigan	Granted renewal of license for regular term - 1420 kc, 100 watts night, 250 watts day.
K T N T	NORMAN BAKER Muscatine, Iowa	Granted application for 5 additional days to file exceptions to Examiner's Report.
PORTABLE	UNIVERSAL BROADCASTING CO. Philadelphia, Pa.	Granted authority to use portable on 1170 kc with 500 watts from 12 a.m. to 6 a.m.

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CONSTRUCTION PERMITS GRANTED

During the current week, the Commission granted applications for construction permits to the following stations authorizing the installation of new equipment, or changes in the present transmitters: W T A G, Worcester, Mass.; W O S, Jefferson City, Missouri; K Z M, Hayward, Calif.

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LICENSE APPLICATIONS GRANTED

During the current week, the Commission granted applications for license covering previously authorized construction permits, to the following stations: K G V O, Missoula, Montana; W H O M, Jersey City, N. J.; W I P, Philadelphia, Pa.; K F K A, Greeley, Colorado.

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STATION PETITION DENIED

The Commission denied the petition of K F Q W, Seattle, Wash. asking leave to adduce further testimony in the station's hearing for renewal of license.

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SPROUL ANSWER FILED

The Commission this week filed in the Court of Appeals of the District of Columbia its answer to the petition of Rev. John W. Sproul for a stay order. After a hearing the Commission denied the application of Rev. Sproul for renewal of license of W M B J on 1500 kc with 100 watts. The applicant later appealed, asking for a stay order.

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March 21, 1931

APPLICATIONS SET FOR HEARING

The following applications were ordered set for hearing by the Commission at its sessions during the current week:

K O I N	KOIN, INC. Portland, Oregon	Requests C.P. to make changes in equipment and increase power from 1 KW to 5 KW.
W P C C	NORTH SHORE CHURCH Chicago, Illinois	Requests mod. of lic. to change time from sharing with W I S J and W I B O to 19 hrs. per week.
W G B S	GENERAL BRDCG SYSTEM INC. New York, N. Y.	Requests mod. of lic. to change frequency from 1180 to 930 kc, and change time from sharing with W C A C to unlimited.
W L O E	BOSTON BRDCG CO. Boston, Mass.	Application for renewal of license 1500 kc, 100 watts night, 250 watts day.
NEW	JOHN H. DOLAN Boston, Mass	Requests C.P. erect station 1370 kc, 100 watts, 250 watts LS, share with W L E X.
W B C M	JAMES E. DAVIDSON Bay City, Michigan	Requests mod. of lic. to change frequency to 940 kc.
W J B X	JAMES F. HOPKINS, INC. Highland Park, Michigan	Requests mod. of lic. to change operating hours from sharing with W I B M to unlt'd.
NEW	DADSWELL, LORD & SIMINGTON Sulphur Springs, Ark.	Requests C.P. erect new station 1340 kc, 1 KW and unlimited time.
W L V A	LYNCHBURG BRDCG CORP. Lynchburg, Virginia	Requests C.P. install new equipment; incr. day power; incr. hrs to unlimited; change to 1210 kc.
K G A	NORTEWEST BRDCG SYSTEM Spokane, Washington	Requests C.P. change antenna system; change frequency to 900 kc; reduce power to $2\frac{1}{2}$ KW day, and 1 KW night.

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HIGH POWER HEARINGS APRIL 14

Disregarding the opening of the baseball season in Washington, the Commission on March 16 fixed April 14 as the date for hearing oral argument in the high power cases. Arguments will commence at 10 a.m. and will be heard by the entire commission sitting en banc. Arguments will be heard by zones, beginning with the first zone.

Applicants whose requests are recommended for denial by the Chief Examiner will be first heard, followed by those applicants whose applications were recommended to be granted by the Examiner. Counsel for the Commission will close the argument. No allocation of time among the various applicants has been made but it is hoped by the Commission that all arguments will be disposed of in a single day.

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March 21, 1931

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, March 23, 1931. All hearings commence at 10 a.m.

MONDAY, MARCH 23, 1931

NEW	Appleton High School Assn. G. T. Rugland, Supt. Appleton, Minn.	C. P.	1310 kc	2 W. 5 daytime hours and 1 evening each week.
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TUESDAY, MARCH 24, 1931

W J W	John F. Weimer Mansfield Broadcasting Assn. Mansfield, Ohio	C. P.	930 kc	250 W. Unlimited time
			Present assignment:	1210 kc 100 W. Unlimited time

WEDNESDAY, MARCH 25, 1931

W C K Y	L. B. Wilson, Inc. Covington, Kentucky	Mod. L.	1490 kc	5 KW Unlimited time
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Present assignment: 1490 kc 5 KW
Shares time with WCHI, WJAZ.

NEW	Canton Broadcasting Co. John F. Gorsuch, Sec. Canton, Ohio	C. P.	1120 kc	500 W. Unlimited time
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W H B C	St. John's Catholic Church Canton, Ohio	C. P.	1200 kc	100 W. 1 hr. Sunday and 9 hrs. week days.
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Present assignment: 1200 kc 10 W.
Shares time on Sundays with W N B O.

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OHIO RADIO LIBEL BILL

A bill (S.B. No. 316) making it a punishable offense to utter, transmit or publish any false or malicious libel or slander of or concerning other living or deceased person or persons by means of radio transmission, has been introduced in the Ohio General Assembly. The bill was drafted by Col. Thad H. Brown, general counsel of the Federal Radio Commission. The measure would make the station equally guilty with the performer for the utterance of defamatory matter over the radio. It is understood that the bill has more than an even chance of passage during the present session.

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March 21, 1931

APPLICATIONS RECEIVED

The following applications were received by the Commission during the current week:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>PRESENT FREQUENCY</u>	<u>FREQUENCY SOUGHT</u>	<u>NATURE OF APPLICATION</u>
K F U L	WILL H. FORD Galveston, Texas	1290	----	Request assign to THE NEWS PUBLISHING CO.
K F U L	THE NEWS PUBLISHING CO. Galveston, Texas	1290	----	Request install auto- matic frequency control.
W M C A	KNICKERBOCKER BRDCG CO. INC. New York, N. Y.	570	----	Mod. of lic. increase to 1 KW.
NEW	JOHN MAGALDI, jr. Philadelphia, Pa.	----	1420	C.P. request 250 watts day, 100 watts night, and share with W I L M.
W S A Z	WSAZ, INCORPORATED Huntington, W. Va.	580	----	Mod. C.P. move transm. locally, extend com- mencement date 3/15/31.
NEW	G. L. JOHNSON Texarkana, Arkansas	----	1500	C.P. to request share time with K G K B.
K M A C	W. W. McALLISTER San Antonio, Texas	1370	----	Determine power by direct measurement of antenna.
W C A Z	SUPERIOR BRDCG SERVICE, INC. Carthage, Illinois	1070	----	Mod. lic. authorize simultaneous daytime operation with W D Z.
W D Z	JAMES L. BUSH Tuscola, Illinois	1070	----	Mod. lic. authorize simultaneous daytime operation with W C A Z.
K U J	PAUL R. HEITMEYER Walla Walla, Washington	1370	----	Vol. assign. to K U J, Incorporated.
K F X D	FRANK E. HURT, trading as SERVICE RADIO CO. Nampa, Idaho	1420	----	C.P. change equipment and incr. power 100 watts.
W A B C- W B O Q	ATLANTIC BROADCASTING CORPORATION New York, N. Y.	860	----	Mod. C.P. extend com- pletion date to 7/1/31.
NEW	AMERICUS BROADCAST CO. Americus, Georgia	----	1420	C.P. erect new station 50 watts, unlimited.
W L B X	JOHN N. BRAHY Long Island City, N. Y.	1500	1300	C.P. request time used by W E V D.

March 21, 1931

APPLICATIONS RECEIVED (Continued)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>PRESENT FREQUENCY</u>	<u>FREQUENCY SOUGHT</u>	<u>NATURE OF APPLICATION</u>
W C S H	CONGRESS SQUARE HOTEL CO. Portland, Maine	940	----	Mod. lic. incr. power to 2½ kilowatts day.
K F L V	ROCKFORD BROADCASTERS, INC. Rockford, Illinois	1410	----	Mod. lic. change hour of operation to simul- taneous daytime opera- tion with W H B L and share at night.
K F H	RADIO STATION KFH CO. Wichita, Kansas	1300	----	Mod. of lic. incr. hrs. of operation, unlimited.
K F W I	RADIO ENTERTAINMENTS, INC. San Francisco, Calif.	930	----	Mod. of lic. change name to RADIO ENTER- TAINMENTS INC. LTD.
NEW	COPPER CITIES BRDCG CO. Globe, Arizona	---	1210	C.P. erect new station, 100 watts, unlimited.
NEW	OLEAN TIMES PUBL. CO. Olean, N. Y.	---	810	C.P. erect new station, 50 watts, unlimited.
W O K O	WOKO, INCORPORATED Poughkeepsie, N. Y.	1440	----	Request install autom- atic freq. control for synchronization purposes.
NEW	RAMIRO RAMIREZ Laredo, Texas	----	620	C.P. erect new station, 100 watts, 6 hrs a day.
NEW	THE AMERICAN LEGION Albany, Missouri	----	1440	C.P. erect new station, 250 watts, unlimited.

LICENSE APPLICATIONS RECEIVED

During the current week, the Commission received applications for license following construction permits which had previously been authorized by Commission action: W H D L, Tupper Lake, N. Y.; K G J F, Little Rock, Ark.; W B A L, Baltimore, Md; W A W Z, Zarephath, N.J.

PERMIT APPLICATIONS RECEIVED

During the current week, the Commission received applications from the following stations requesting authority to make changes in equipment: W A A F, Chicago, Ill.; W D W F-W L S I, Providence, R. I.; K F G Q, Boone, Iowa; W G B S, New York, N. Y.

BROADCASTERS' NEWS BULLETIN

Reporting accurately and promptly current happenings of special interest to Broadcasting
Stations in the Commercial, Regulatory, Legislative and Judicial Fields

Issued by

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Vice President
O. D. FISHER, Seattle, Wash.
Vice President
PAUL W. MORENCY, Hartford, Conn.
Treasurer

THE NATIONAL ASSOCIATION OF BROADCASTERS

Incorporated
NATIONAL PRESS BUILDING
WASHINGTON, D. C.
Telephone District 9497

EXECUTIVE PERSONNEL

PHILIP G. LOUCKS
Managing Director
EUGENE V. COGLEY
Assistant to Managing Director
OLIVINE FORTIER
Secretary

March 28, 1931

REPORT OF BOARD OF DIRECTORS MEETING

The Spring meeting of the Board of Directors of the National Association of Broadcasters was held at Hotel Statler, Detroit, Michigan, on Tuesday, March 24, 1931.

President Walter J. Damm, WTMJ, Milwaukee, Wisconsin, presided. Other officers in attendance were: Edwin M. Spence, WPG, Atlantic City, N.J. vice-president; Paul W. Morency, WTIC, Hartford, Conn. treasurer; and Birt F. Fisher, who represented O. D. Fisher, KOMO, Seattle, Wash. vice president.

Members of the Executive Committee in attendance were: William S. Hedges, WMAQ, chairman; Henry A. Bellows, WCCO, Minneapolis, Minn.; and Frank M. Russell WRC, Washington, D. C.

Members of the Board present were: Eugene O'Fallon, KFEL, Denver, Colo.; Arthur B. Church, KMBC, Kansas City, Mo.; H. K. Carpenter, WPTF, Raleigh, N.C.; Henry A. Bellows, WCCO, Minneapolis, Minn.; William S. Hedges, WMAQ, Chicago, Ill.; Morgan L. Eastman, WENR, Chicago, Ill.; Leo Fitzpatrick, WJR, Detroit, Mich.; A. J. McCosker, WOR, Newark, N. J.; Edgar L. Bill, WLS, Chicago, Ill.; and J. G. Cummings, WOAI, San Antonio, Texas.

Others present were: A. A. Cormier, WOR, Newark, N. J.; Norman White, WJR, Detroit, Mich.; and John F. Patt, WGAR, Cleveland, Ohio; and the Managing Director.

Executive Committee: William S. Hedges, Chicago, Ill., Chairman, Henry A. Bellows, Minneapolis, Minn., and Frank M. Russell, Washington, D. C. Directors: William S. Hedges, Chicago, Ill.; H. K. Carpenter, Raleigh, N. C.; George F. McClelland, New York, N. Y.; Dr. Frank W. Elliott, Davenport, Ia.; A. J. McCosker, Newark, N. J.; Edgar L. Bill, Chicago, Ill.; A. B. Church, Kansas City, Mo.; J. G. Cummings, San Antonio, Tex.; Don Lee, Los Angeles, Cal.; E. P. O'Fallon, Denver, Colo.; C. R. Clements, Nashville, Tenn.; Henry A. Bellows, Minneapolis, Minn.; John J. Storey, Worcester, Mass.; Morgan L. Eastman, Chicago, Ill.; and Leo Fitzpatrick, Detroit, Mich.

Minutes of the last Board meeting held at Cleveland, Ohio, November 19, 1930, were read and approved.

The report of the Managing Director was read and approved. The report, with several unimportant omissions, begins on Page 7.

The action of the Executive Committee reducing dues of local stations to \$125. annually was approved subject to ratification by the membership.

Members of the Executive Committee were appointed as a committee to cooperate with the Internal Revenue Bureau in a study of depreciation rates for broadcasting stations with instructions to report the results of the study to the Board.

The membership applications of the following were approved:

W C A E	Pittsburgh, Pa.	Kaufman & Baer Company
W E B Q	Harrisburg, Ill.	First Trust & Savings Bank
W E L L	Battle Creek, Mich.	The Enquirer-News
W G A R	Cleveland, Ohio	WGAR Broadcasting Company
W H B C	Canton, Ohio	St. John's Catholic Church
W J A C	Johnstown, Pa.	Johnstown Automobile Company
W J B K	Detroit, Mich.	James F. Hopkins Inc.
W J R	Detroit, Mich.	WJR, The Goodwill Station Inc.
W J S V	Alexandria, Va.	Independent Publishing Company
W K B N	Youngstown, Ohio	W K B N Broadcasting Corporation
W K Z O	Berrien Springs, Mich.	WKZO, Incorporated
W N B H	New Bedford, Mass.	New Bedford Broadcasting Co
W O L	Washington, D. C.	American Broadcasting Company
WORC-WEPS	Worcester, Mass.	Alfred F. Kleindienst
W R C	Washington, D. C.	National Broadcasting Company Inc.
W S M B	New Orleans, La.	Saenger Theatres & Maison Blanche Co
W S P A	Spartanburg, S. C.	The Voice of South Carolina

W T A X	Springfield, Ill.	WTAX, Incorporated
W T O C	Savannah, Georgia	Savannah Broadcasting Company Inc.
K F J L	Astoria, Oregon	KFJI Broadcasters Inc.
K F V S	Cape Girardeau, Mo.	Oscar C. Hirsch
K G D Y	Huron, South Dakota	Voice of South Dakota
K Q V	Pittsburgh, Pa.	KQV Broadcasting Company
K G I W	Trinidad, Colorado	Leonard E. Wilson
K J R	Seattle, Washington	Northwest Broadcasting System
K W C R	Cedar Rapids, Iowa	Cedar Rapids Broadcasting Corp.
	New York, N. Y.	John V. L. Hogan
	New York, N. Y.	Neville O'Neill Inc.
	New York, N. Y.	Radio Broadcasters of America Inc.
	New York, N. Y.	Western Electric Company Inc.
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W A W Z	Zarephath, New Jersey	Pillar of Fire
W H A D	Milwaukee, Wisconsin	Marquette University
K P O F	Denver, Colorado	Pillar of Fire
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The Board approved a motion to hold the Ninth Annual Convention at Detroit, Michigan, on October 26, 27 and 28, 1931. Arrangements for the convention will be in charge of Edwin M. Spence, WPG, Atlantic City, N. J.

Two regional meetings will be held during the Summer months in the South and the West. These will be open meetings and all stations will be invited to attend. The Southern meeting will be in charge of a committee headed by J. G. Cummings, WOAI, San Antonio, Texas, and the Western meeting will be in charge of Birt F. Fisher, KOMO, Seattle, Washington. Board meetings will be held simultaneously with the regional meetings.

Morgan L. Eastman tendered his resignation as a Director due to the change in the status of WENR. His resignation was accepted with regrets. E. B. Craney, KGIR, Butte, Montana, was appointed to serve until the next annual convention.

The Board adopted the following resolution:

RESOLVED: That the Board of Directors of the National Association of Broadcasters heartily approves of any action by the Federal Radio Commission which, within the limits of mechanical practicability and without compelling the reconstruction of existing broadcast transmitters, will decrease the variation of carrier frequencies, and pledges its cooperation in making such action effective, Provided: that the determination of the minimum frequency deviation which may be permitted is obviously a matter to be determined solely by engineers on the basis of exact information as to the precision, availability and cost of the necessary apparatus both for maintaining frequency and for measuring it.

Radio and copyright legislation was discussed at length and the Copyright and Legislation Committees were given requested instructions with respect to the Association's legislative campaign in the next session of Congress.

The Executive Committee was designated as a committee to prepare a revision of the Constitution and By-Laws of the Association with a view to presenting such revision to the membership at the next annual meeting.

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REPORT OF THE MANAGING DIRECTOR

This report covers the activities of the National Association of Broadcasters during the four months period from November 19, 1930 to March 19, 1931. During this period headquarters of the Association were moved from New York to Washington; the office of the Managing Director was completely

reorganized; the general scope of activities was expanded; several new service features were instituted; and the number of active members increased by forty per cent.

At all times the Managing Director has worked in close harmony with other officers of the Association and members of the Executive Committee who willingly gave much of their time and energy to the work of the Association. To describe in detail the work that has been accomplished would require a report too lengthy for presentation here. This report, therefore, must necessarily deal with generalities, leaving detailed information to supplementary reports.

TRANSFER OF HEADQUARTERS

In conformity with action of the Board of Directors taken at the organization meeting held at Cleveland, Ohio, on November 19, 1930, headquarters of the Association were transferred from 11 West 42d Street, New York, N. Y. to the National Press Building, Washington, D. C. Although the transfer took place immediately, the New York office was not closed until December 15, 1930. The lease of the New York office, however, does not expire until March, 1932. Until January 1, 1931, headquarters were established in temporary rent-free offices in the National Press Building.

At a meeting of the Executive Committee held in Washington on December 3, 1930, the Managing Director was authorized to sign a lease with the National Press Building Corporation for quarters located in Suite 960-970 National Press Building. The term of the lease is for five years, cancellable at the expiration of each year upon 30 days notice in writing.

MEMBERSHIP

On November 19, 1930, there were 83 active members on the rolls of the Association, of which 52 were in good standing. Associate members numbered 35. On March 19, 1931, there were 118 active members on the rolls of the Association, of which 103 were in good standing. On the same date Associate members totaled 38. There was an increase therefore of 35 Active members and three Associate members during the period from November 19, 1930 to March 19, 1931. An analysis of the Active membership list as of March 19 shows that 31 members are assigned to clear channel positions; 49 to regional channel positions; 21 to local channel positions; 6 to limited time positions; and three to daylight positions. Eight are members not engaged in the business of broadcasting.

During the month of February every broadcasting station in the United States received the Association's weekly bulletins as a part of a drive for new members. In addition to this each local station received two letters, the first informing him of the reduction in dues and the second inviting affiliation with the Association. A list of 138 selected regional stations likewise received letters inviting their membership in the Association. Local stations and the list of selected regional stations received membership application blanks. During the month two special bulletins, one dealing with the Vestal bill and another outlining the activities of the Association, were mailed to all stations.

BROADCASTERS' NEWS BULLETIN

The general style of the BROADCASTERS' NEWS BULLETIN has been improved since last November. Since November 19, 1930, the Association has published 17 issues of the BULLETIN, representing 205 pages of news matter and containing approximately 87,125 words. Approximately 5,000 copies of the BULLETIN have been mailed from headquarters within the past four months. Five SPECIAL BULLETINS, representing 55 pages and containing a total of 22,000 words, were mailed in addition to the regular weekly publications. Four press releases were distributed during the four months period.

The preparation of these BULLETINS requires the attention of the entire staff at least one full day during each week. These publications serve a useful purpose and the Association has concrete evidence that they are greatly appreciated. There is much room for improvement, however, and several new departments will be added in the future.

SERVICE BUREAU

For the purpose of keeping members informed individually of all applications and decisions of the Federal Radio Commission affecting their assignments, a Service Bureau was organized on January 20th with Mr. Cogley in charge. Because of Mr. Cogley's experience with the Commission he is eminently qualified for this work. All applications are indexed according to a system similar to that followed by the Commission and each step in their progress through the Commission is carefully noted. Since its creation, this Bureau wrote 226 letters to members informing them of new applications involving their station assignments and 106 letters notifying them of Commission action on cases in which they were interested. Copies of Examiners' reports are promptly mailed to interested members. Since January 20th this Bureau, at the request of members, sent 75 telegrams carrying spot information. The Bureau contacts constantly the various sections and divisions of the Commission and has handled numerous routine matters for members, requiring much time and attention.

This Bureau also handles inquiries and investigations and since its creation has answered more than 200 queries and investigated six different commercial enterprises at the request of members.

REVISION OF CONSTITUTION

In accordance with the recommendation of the Board of Directors, the Constitution and By-Laws of the Association have been carefully studied and a draft of the revisions proposed should be considered during this meeting. Only one change is proposed in the present Constitution and this is of minor importance. The Constitution follows almost verbatim the wording of the Certificate of Incorporation of the Association. Several clarifying amendments are suggested for the By-Laws but the principal change proposed relates to a schedule of dues. This Board should give consideration to a revision of the existing schedule of dues. The Board should decide whether or not the Constitution and By-Laws in their revised form shall be submitted at the next annual meeting. The action of the Executive Committee reducing dues of local stations to \$125.00 per year should be approved by the Board subject to ratification by the membership.

LEGISLATION

Twenty-one bills and resolutions relating to the regulation of radio were introduced in the Seventy-first Congress which adjourned on March 4, 1931. Of this number only three became law. One related to our Government's participation in the meeting of the C. C. I. R. meeting at The Hague; another authorized the construction of a radio research laboratory in Washington; a third amended Section 16 of the Radio Act of 1927, relating to appeals from decisions of the Radio Commission.

The most important general legislation before the Congress was the Couzens Communications Commission bill which did not reach the stage of Committee approval in the Senate.

During the closing days of the Congress there was reported to the Senate a bill providing certain corrections in the Radio Act of 1927; transfer of the Radio Division of the Department of Commerce to the Radio Commission; suspension of licenses for cause; painting of all radio towers; and elimination of certain territories and possessions from the Zones created by the Davis Amendment. This bill was in reality a substitute for the White bill to make certain minor corrections in the existing radio act and which had passed the House on April 30, 1930. When the bill was considered by the Senate, Senator Glenn of Illinois, offered an amendment, with the sanction of the Senate Committee on Interstate Commerce, making a Congressional allocation of one clear channel to labor organizations. To the great surprise of the entire radio industry, the bill as amended passed the Senate at a night session without a single dissenting vote. It was returned to the House the following day and the Association realizing the dangers in the measure, petitioned the House Merchant Marine and Fisheries Committee for hearings. The petition was considered but no hearings were held. Instead the bill was permitted by Senator-elect White to die on the Speaker's table.

The most vicious piece of legislation before the Congress was the bill introduced by Senator Fess of Ohio, apparently at the behest of certain educational interests, which would set aside 15 per cent of all broadcasting frequencies in the United States for the exclusive use of education. The measure did not reach the stage of hearings. The bill, however, will be reintroduced in the next session of Congress and Mr. Armstrong Perry, director of the National Committee on Education by Radio, informed your Managing Director that within the past few days his Committee had been given funds in addition to the \$200,000 donated by the Payne Fund to secure passage of the measure. No more important issue confronts American broadcasters, and the Association must be prepared to meet it fairly and squarely.

The Association has been notified of fifteen radio bills which have been introduced in the various State Legislatures. With the coming of another national political campaign it is to be expected that attempts will be made to subject broadcasting to political domination. These bills generally are loosely drawn by legislators who have no conception of the technical and economic problems of broadcasting. Many more of these measures will bob up from time to time and the Association should be in a position to give each one careful study and actively oppose all measures which are inimical to the best interests of broadcasting and in conflict with existing Federal law.

THE COURTS

During the period from November 19, 1930 to March 19, 1931, the Court of Appeals of the District of Columbia handed down ten decisions involving broadcasting stations. The titles of these cases and the dates of decisions are as follows:

- W. O. Ansley, jr. v F. R. C. No. 5149. Decided 12/1/30.
- Havens and Martin v F. R. C. No. 5141. Decided 12/1/30.
- Louisville Courier Journal-Times v F. R. C. No. 5100. Dec. 1/6/31.
- Saltzman et al v Stromberg-Carlson Tele. Co. No. 5278. Decided 1/6/31.
- Westinghouse Elec. & Mfg Co. v F.R.C. Nos. 5104, 5105, 5192, 5150.
Decided 1/6/31.
- Marquette University v F.R.C. No. 5253. Decided 2/2/31.
- General Broadcasting System v F.R.C. No. 5196. Decided 2/2/31.
- KFKB Broadcasting Assn v F.R.C. No. 5240, Decided 2/2/31
- The Journal Company v F.R.C. Nos. 5095, 5163, 5268, 5269.
Decided 3/2/31
- Reading Broadcasting Co. v F.R.C. No. 5254. Decided 3/2/31.

Several important legal principles may be deduced from these decisions. The Commission may not, without hearing, change any of the material terms of

a broadcasting station license and if a hearing is held the issues must be clearly defined and the presentation of testimony must be in accordance with recognized legal practice. Stating it conversely, a station has a right to continue to operate in accordance with the terms of its license and to continue to have access to its normal service area, as long as it meets the administrative standard of public interest, convenience and necessity. In determining whether or not a station is adequately meeting the standard, the Commission may take into consideration its past record of service. Public service is the paramount consideration and the court has not based any of its recent decisions upon the several orders which the Commission has promulgated to equalize facilities.

At the present time two cases are pending in the Court of Appeals, namely: Fisher's Blend Station v F.R.C. and Rev. John W. Sproul v F.R.C.

Two cases are also pending in the Supreme Court of the District of Columbia, namely: Stromberg-Carlson v F.R.C. and Baltimore Radio Show v F.R.C.

During the period covered by this report two criminal prosecutions under the Radio Act took place in the Federal Courts. William R. Duncan was tried and convicted in the U. S. District Court of Oregon for using obscene language and George W. Fellowes was tried and convicted in the U. S. District Court for the Eastern District of Missouri for operating a station without a license. Three criminal cases are now pending in the Federal courts and several additional cases will be instituted shortly.

The Supreme Court of the United States heard argument in the American Bond and Mortgage Company and Clinton R. White cases which were certified to this tribunal by the Circuit Court of Appeals for the Seventh Circuit. The court remanded both cases to the lower court for further hearing on the record. The Supreme Court has not yet passed upon the constitutionality of the Radio Act of 1927.

Argument was heard on March 3 and 4 in the cases of Buck et al v Jewell-LaSalle Realty Co. by the Supreme Court. The Association filed a brief in these cases as friend of the court. The cases involve the question of whether or not a receiving set in a place of business is performing for a profit a copyright number when it receives such performance from a broadcasting station. To supply requests, the Association was compelled to have 250 copies of its brief printed. The case will probably be decided during the present term of court.

THE COMMISSION

The Federal Radio Commission adopted six general orders during the period covered by this report, four of which related to broadcasting. General Order No. 102, adopted January 8, is an attempt on the part of the Commission to equalize facilities among the zones and states. General Order No. 103, adopted on January 20, extended broadcasting licenses from January 31 to April 30, except with respect to certain stations. General Order No. 105, adopted February 12, is an attempt to define a broadcasting day, time sharing and set up rules governing daylight and limited time operation. The effective date of the order has been postponed until April 30. General Order No. 106, adopted on February 16, makes the keeping of studio and transmitter logs compulsory. The Association requested the Commission to postpone the effective date of this order from March 1 to April 30 and the request has been granted. The Association last week filed with the Commission a brief outlining suggestions for the clarification of the order.

The Commission now proposes to amend General Order No. 7 and require a frequency deviation tolerance of 50 cycles instead of 500 cycles. The proposed new order would not become effective for a year. It is gratifying to note that the Commission voted to hold public hearings before promulgating

this new order. Such hearings will be held at Washington on April 20. There is a difference of opinion among members of the Association as to the propriety of the order and considerable doubt prevails as to whether the Association should take any part in the hearing although the Commission has invited it to do so.

The Examiners Division, which now includes four examiners, handed down 80 reports from November 19 to March 19, and of this number less than half have been acted upon by the Commission. Up to the present time the Commission has refused to hear oral arguments on exceptions taken to reports. However, the Commission did decide last week to hear arguments of counsel in the 50 KW cases on April 14. These cases grew out of the Commission's amendment to General Order No. 42 limiting the number of 50 KW channels to 20, or four per zone.

One of the most constructive moves of the Commission in recent months was the decision to extend broadcasting licenses from three months to six months. The first six months period will commence on May 1. Although a much longer license term is desirable, it is believed that the six months term, in a small degree, will help stabilize industry.

The Commission is also endeavoring to simplify application forms and it is hoped that within the next few months there will be issued a compilation of all General Orders with suitable annotations. Official call letter, state and frequency lists are now available in printed form.

Permits to conduct synchronization tests have been granted and the Commission is now giving careful study to the experimentation now being carried on by four eastern stations.

After comprehensive hearings the Commission made several important revisions in the regulations governing experimental television.

Within the past two weeks the Commission announced the result of an educational survey. While the survey shows that commercial stations are de-

voting about 10 per cent of their entire time to educational broadcasting, no suitable definition of an educational program is given. The information, however, will prove valuable in meeting the criticism of certain educational groups directed against commercial stations.

COMMITTEES

The President announced the following appointments of Committee Chairman on December 3, 1931:

Convention - - - Edwin M. Spence, W P G, Atlantic City, N. J.
 Commercial - - - H. K. Carpenter, W P T F, Raleigh, N. C.
 Local - - - - Roy F. Thompson, W F B G, Altoona, Pa.
 Regional - - - - Harry Shaw, W M T, Waterloo, Iowa
 Ethics - - - - - Dr. Frank W. Elliott, WOC-WHO, Des Moines, Ia.
 Copyright - - - Morgan L. Eastman, W E N R, Chicago, Ill.
 Educational - - Miss Judith Waller, W M A Q, Chicago, Ill.
 Legislative - - Henry A. Bellows, W C C O, Minneapolis, Minn.
 Membership - - - Paul W. Morency, W T I C, Hartford, Conn.

The chairmen were officially notified of their appointments and each committee member was written a personal letter by the Managing Director informing him of his committee appointment and enclosing a complete list of committee members and their addresses.

The Commercial Committee held a joint meeting with the Radio Committee of the American Association of Advertising Agencies in New York last month. The Commercial Committee is now considering the appointment of a sub-committee on agency recognition and recordings.

The Engineering Committee will hold its first meeting next month to discuss the so-called Craven plan for improvement of broadcasting conditions.

A committee of the Association has been appointed to co-operate with the Department of Interior on the subject of educational broadcasting. This committee was appointed following a conference between Secretary of the Interior Wilbur and Henry A. Bellows in January of this year.

The Managing Director is informed that a meeting of the Regional Committee will be held within the next several weeks. The Legislative Committee already has before it a general program outlined by the chairman.

The Educational and Copyright Committees will be called upon for an enormous amount of work in advance of the next convention and undoubtedly will be called upon to hold frequent meetings.

COPYRIGHT

Principal interest in music copyright during the four months covered by this report centered around the Vestal Copyright Bill. When the short session of Congress convened last December the House had already considered the first eight sections of the measure although the broadcasting industry had not made known its opposition. The measure had been carefully studied during the summer months and it was decided that several important amendments to the Vestal bill were necessary to protect the interests of broadcasters. The Association prepared a pamphlet entitled "Discussion of the Vestal Copyright Bill from the Point of View of the Broadcaster" copies of which were sent to every broadcasting station in the United States.

Individually typed letters and copies of the pamphlet were mailed to each of the 435 members of the House. Notwithstanding these efforts, the House passed the bill with a vote of 184 to 35 and before the bill was officially reported to the Senate the Senate Committee on Patents voted to report it favorably.

Quick action on the part of the Association, and the splendid co-operation of Senator Clarence C. Dill of Washington, caused the Committee to reverse its position and grant hearings. Hearings accordingly were held on January 28 and 29 and the Association was represented by Chairman Hedges, H. A. Bellows, Paul W. Morency, Harry Butcher, and the Managing Director. Chairman Hedges made a preliminary statement which was followed by a scholarly presentation of the broadcasters' arguments by Louis G. Caldwell, special counsel to the Joint Copyright Committee. Mr. Caldwell presented a number of amendments drafted to meet objections of broadcasters. The bill, with the most important of the broadcasters' amendments included, was reported to the Senate on February 17. Although several additional amendments were desired, the Association withdrew its active opposition to the bill. The bill, however, got caught in the legislative jam near the end of the session and although it was discussed on a half dozen occasions, it failed to secure Senate approval.

(The cost of the copyright fight to the Association was in excess of \$8,000 when counsel fees, printing and mailing costs are considered.

The copyright issue will be before the next Congress and the Association must be prepared to meet it. The Association should have its own bill to put forward.

In the meantime there appears no hope of settling the copyright license fee problem. Owners of music copyright are roundly increasing license fees to broadcasting stations and there appears to be no inclination on the part of copyright owners to make their charges uniform. Only in one case brought to the attention of the Association was the principal license issued without substantial increase in the fee.

INTERNATIONAL SITUATION

The international situation as it affects broadcasting in the United States will be discussed at length at this meeting and will not be considered in this report.

The Managing Director last February was named on the allocations subcommittee of the committee preparing for the International Radiotelegraph Conference at Madrid, Spain, in 1932. The work of the main committee has virtually been completed and the proposals of the United States are now being transmitted. These proposals do not contain any recommendation with respect to widening of the broadcast band although European nations are understood to advocate such extension. It may become advisable when European proposals are received to ask the main Committee to amend its proposals to conform with the requests of foreign countries. This is a matter which will require extensive study. It may, however, have a very important bearing upon the general North American broadcasting situation.

The Executive Committee adopted a resolution designating President Damm as its official representative to the meeting of the C. C. I. R. at Copenhagen next May. The State Department has been advised of this action. While it is highly desirable that the Association should be represented at the Copenhagen meeting, no funds will be available to defray expenses of travel.

The Association has been invited to participate in the movement started in Europe last Summer for the formulation of an international broadcasting code. The Association also has been requested to exchange literature and information with Australian radio authorities. The Managing Director is a member of the American Section, International Committee on Wireless Telegraphy which is giving constant study to international broadcasting problems.

1930 CONVENTION

A final financial statement of the Eighth Annual Convention of the Association held at Cleveland, Ohio, November 17, 18 and 19, 1930; is herewith submitted. The statement follows:

CONVENTION

Final Accounting

<u>RECEIPTS</u>		<u>EXPENDITURES</u>	
Convention - Registration	\$1,390.00	Convention - General Expense	\$841.39
Convention - Proceedings	13.00	Convention- Traveling Expense	388.33
Convention - Proceedings	442.80	Proceedings:	
		Printing - - - - -	\$608.25
		Envelopes - - - - -	12.50
		Postage - - - - -	7.07
		Refund - - - - -	3.00
	<u> </u>		<u>630.82</u>
	\$1,845.80		\$1,860.54
Proceedings ordered - - -	<u>25.00</u>	Difference - - - - -	<u>10.26</u>
	\$1,870.80		\$1,870.80
	- - - - -		- - - - -

It is urged that the Board at this meeting name the date and place of this year's convention in order that plans may be developed during the Summer months. The advisability of again throwing open the convention to all broadcasting stations in the United States should also receive consideration.

The Convention Committee should be appointed just as soon as a date and place for the 1931 meeting are chosen and plans should go forward without delay. The general plan followed in organizing the 1930 meeting should be adopted for this year's convention.

CONCLUSION

The Managing Director desires to thank President Damm, Vice-President Spence, Treasurer Morency, Chairman Hedges, Messrs. Bellows, Russell and the members of this Board for the co-operation they have given his office during the four months of his incumbency. He desires also to thank Committee chairmen for the interest they are taking in the affairs of the Association.

The vast amount of work performed by the Managing Director's office could not have been accomplished without the fine loyalty and co-operation of Mr. Cogley and Miss Fortier. The work of Mr. Cogley has been referred to elsewhere in this report. Miss Fortier also has displayed unusual ability in the performance of her numerous and exacting duties.

This report covers an important period in the life of the Association. Many new policies have been instituted and the scope of activities has been expanded. The process of virtual reorganization was not accomplished without an enormous amount of work and it is gratifying to note that the efforts of the Managing Director's office have been appreciated by the membership.

PHILIP G. LOUCKS
Managing Director

THE NATIONAL ASSOCIATION OF BROADCASTERS

ACTIVE MEMBERS

AS OF MARCH 19, 1931

<u>STATION</u>	<u>POWER</u>	<u>NAME AND ADDRESS</u>
W A A W	500 W.	F. P. Manchester OMAHA GRAIN EXCHANGE Omaha, Nebraska
W A B C	5 KW	Paul Greene ATLANTIC BROADCASTING CORPORATION 485 Madison Avenue New York, N. Y.
W A D C	1 KW	Allen T. Simmons ALLEN THEATRE BROADCASTING COMPANY Tallmadge, Ohio
W A I U	500 W.	Miss Marie W. Vandegrift AMERICAN INSURANCE UNION Columbus, Ohio
W B A L	10 K W	H. A. Wagner CONSOLIDATED GAS & ELECTRIC COMPANY Baltimore, Maryland
W B B M	25 K W	H. Leslie Atlass ATLASS COMPANY INC. 410 No. Michigan Avenue Chicago, Illinois
W B E N *	1 K W	Marvin C. Morrison BUFFALO EVENING NEWS Buffalo, New York
W B T	5 K W	E. J. Gluck W B T INCORPORATED Charlotte, North Carolina
W C A E *	1 K W	J. L. Kaufman KAUFMAN & BAER Smithfield Street & Sixth Avenue Pittsburgh, Pennsylvania
W C A O	250 W.	R. V. O. Swartwout MONUMENTAL RADIO INCORPORATED Baltimore, Maryland
W C A U *	10 K W	Dr. Leon Levy UNIVERSAL BROADCASTING COMPANY Philadelphia, Pa.

<u>STATION</u>	<u>POWER</u>	<u>NAME AND ADDRESS</u>
W C C O	7½ K W	E. H. Gammons NORTHWESTERN BROADCASTING COMPANY Minneapolis, Minnesota
W O L Q *	100 W.	H. H. Bliss WCLO RADIO CORPORATION Janesville, Wisconsin
W C S H	1 K W	William L. Foss CONGRESS SQUARE HOTEL COMPANY Portland, Maine
W D A F	1 K W	H. Dean Fitzer KANSAS CITY STAR Kansas City, Missouri
W D E L	250 W. 350 W. LS	Willard Wilson WDEL INCORPORATED Wilmington, Delaware
W D R C	500 W.	F. M. Doolittle DOOLITTLE RADIO CORPORATION Hartford, Connecticut
W E A F	50 K W	George F. McClelland NATIONAL BROADCASTING COMPANY 711 Fifth Avenue New York, N. Y.
W E A N	250 W. 500 W. LS	Roy Harlow SHEPARD BROADCASTING SERVICE INC. Providence, Rhode Island
W E B C	1 K W 2½ K W LS	W. C. Bridges HEAD OF THE LAKES BROADCASTING CO. Superior, Wisconsin
W E B Q *	100 W.	George O. Davenport, Vice President FIRST TRUST & SAVINGS BANK of Harrisburg, Illinois
W E E I	1 K W	J. B. Force EDISON ELECTRIC ILLUMINATING CO. of Boston, Massachusetts
W E L L *	50 W.	A. L. Miller, President THE ENQUIRER-NEWS Battle Creek, Michigan
W E N R	50 K W	Niles Trammel, Vice President NATIONAL BROADCASTING COMPANY INC. Chicago, Illinois

<u>STATION</u>	<u>POWER</u>	<u>NAME AND ADDRESS</u>
W F B G	100 W.	Roy F. Thompson WM F. GABLE COMPANY Altoona, Pennsylvania
W F B M	1 K W	Blythe Q. Hendricks, Director INDIANAPOLIS LIGHT & POWER COMPANY 229 North Pennsylvania Street Indianapolis, Indiana
W F D F	100 W.	Frank D. Fallain FLINT BROADCASTING COMPANY Flint, Michigan
W F I	500 W.	STRAWBRIDGE & CLOTHIER Philadelphia, Pennsylvania
W G A R *	500 W.	John F. Patt, President WGAR BROADCASTING COMPANY Cleveland, Ohio
W G B S *	250 W. 500 W. LS	Dailey Pashman GENERAL BROADCASTING SYSTEM Hotel Lincoln New York, N. Y.
W G N	25 K W	Quinn A. Ryan CHICAGO TRIBUNE Chicago, Illinois
W E R	1 K W	I. R. Lounsberry, Vice President BUFFALO BROADCASTING CORPORATION Buffalo, New York
W H A S	10 K W	Credo Harris COURIER JOURNAL & LOUISVILLE TIMES Louisville, Kentucky
W H B C *	10 W.	L. J. Callinan ST. JOHN'S CATHOLIC CHURCH 319 Tuscarawas Street West Canton, Ohio
W H K	1 K W	E. S. Howlett RADIO AIR SERVICE CORPORATION Cleveland, Ohio
W I B O	1 K W $1\frac{1}{2}$ K W LS	Alvin E. Nelson NELSON BROS. BOND & MORTGAGE COMPANY Chicago, Illinois
W I B W	1 K W	Charles A. Sessions TOPEKA BROADCASTING ASSOCIATION Topeka, Kansas

<u>STATION</u>	<u>POWER</u>	<u>NAME AND ADDRESS</u>
W J A C *	100 W.	P. M. Price, President JOHNSTOWN AUTOMOBILE COMPANY 101 Main Street Johnstown, Pennsylvania
W J A R	250 W. 400 W. LS	Joseph S. Gettler THE OUTLET COMPANY Providence, Rhode Island
W J A S	1 K W 2½ K W LS	H. J. Brennan PITTSBURGH RADIO SUPPLY HOUSE Pittsburgh, Pennsylvania
W J B K *	50 W.	James F. Hopkins JAMES F. HOPKINS INCORPORATED Hotel Fort Shelby Detroit, Michigan
W J R *	5 KW	Leo Fitzpatrick WJR, THE GOODWILL STATION INCORPORATED Fisher Building Detroit, Michigan
W J S V *	10 K W	Col. Charles L. Stengle INDEPENDENT PUBLISHING COMPANY Alexandria, Virginia
W J Z	30 K W	A. L. Ashby, Vice President & General Atty NATIONAL BROADCASTING COMPANY INC. 711 Fifth Avenue New York, N. Y.
W K B N *	500 W.	Warren P. Williamson, jr. WKBN BROADCASTING COMPANY 17 No. Champion Street Youngstown, Ohio
W K Z O *	1 K W	J. E. Fetzner, President WKZO INCORPORATED Berrien Springs, Michigan
W L D W	500 W. 1 K W LS	Leigh E. Ore RADIO-WIRE PROGRAM CORPORATION OF AMERICA Oil City, Pennsylvania
W L S	5 K W	Edgar L. Bill, Director AGRICULTURAL BROADCASTING COMPANY Chicago, Illinois
W L W	50 K W	Powel Crosley, jr CROSLY RADIO CORPORATION Cincinnati, Ohio

<u>STATION</u>	<u>POWER</u>	<u>NAME AND ADDRESS</u>
W M A Q	5 K W	William S. Hedges, President W M A Q INCORPORATED Daily News Plaza Chicago, Illinois
W M T	500 W.	Harry Shaw WATERLOO BROADCASTING COMPANY Waterloo, Iowa
W N A C	1 K W	John Shepard III SHEPARD BROADCASTING SERVICE INC. Boston, Massachusetts
W N A X	1 K W	J. C. Gurney HOUSE OF GURNEY INCORPORATED Yankton, South Dakota
W N D H *	100 W.	Irving Vermilya NEW BEDFORD BROADCASTING COMPANY New Bedford, Massachusetts
W Q A I	50 K W	J. C. Cummings SOUTHERN EQUIPMENT COMPANY San Antonio, Texas
W O C - W H O	5 K W	Dr. Frank W. Elliott CENTRAL BROADCASTING COMPANY Davenport, Iowa
W O L *	100 W.	Leroy Mark, President AMERICAN BROADCASTING COMPANY Annapolis Hotel Washington, D. C.
W O R	5 K W	A. J. McCosker BAMBERGER BROADCASTING SERVICE INC. 1440 Broadway New York, N. Y.
W O R C - * W E P S	100 W.	Alfred F. Kleindienst 60 Franklin Street Worcester, Massachusetts
W O W	1 K W	Orson Stiles WOODMEN OF THE WORLD LIFE INSURANCE ASSN Omaha, Nebraska
W P Q	5 K W	Edwin M. Spence WPG BROADCASTING CORPORATION Atlantic City, New Jersey
W P T F	1 K W	H. K. Carpenter, General Manager DURHAM LIFE INSURANCE COMPANY Raleigh, North Carolina

<u>STATION</u>	<u>POWER</u>	<u>NAME AND ADDRESS</u>
W R A K *	50 W.	Clarence R. Cummins Williamsport, Pennsylvania
W R C *	500 W.	Frank M. Russell, Vice President NATIONAL BROADCASTING COMPANY INC. Washington, D. C.
W R E C *	500 W. 1 K W LS	H. B. Wooten WREC INCORPORATED. Hotel Peabody Memphis, Tennessee
W R H M	1 K W	Dr. T. S. Miller MINNESOTA BROADCASTING CORPORATION Minneapolis, Minnesota
W R V A	5 K W	C. T. Lucy LARUS & BROTHER COMPANY INC. Richmond, Virginia
W S B	5 K W	Lambdin Kay ATLANTA JOURNAL COMPANY Atlanta, Georgia
W S M	5 K W	C. R. Clements NATIONAL LIFE & ACCIDENT INSURANCE CO Nashville, Tennessee
W S M B *	500 W.	H. Wheelahan SAENGER THEATRE INC. & MAISON BLANCHE CO New Orleans, Louisiana
W S P A *	100 W. 250 W. LS	Virgil V. Evans VOICE OF SOUTH CAROLINA Spartanburg, South Carolina
W T A G	250 W.	J. J. Storey WORCESTER TELEGRAM PUBLISHING COMPANY Worcester, Massachusetts
W T A M	50 K W	W. W. Smith NATIONAL BROADCASTING COMPANY INC. Cleveland, Ohio
W T A X *	100 W.	Carlin Baker, Secretary WTAX INCORPORATED 416 East Capitol Avenue Springfield, Illinois
W T I C	50 K W	Paul W. Morency, General Manager TRAVELERS BROADCASTING SERVICE Hartford, Connecticut

<u>STATION</u>	<u>POWER</u>	<u>NAME AND ADDRESS</u>
W T M J	1 K W 2½ K W LS	Walter J. Damm, Promotion Manager MILWAUKEE JOURNAL Milwaukee, Wisconsin
W T O C *	500 W.	W. T. Knight, jr. SAVANNAH BROADCASTING COMPANY De Soto Hotel Savannah, Georgia
W W J	1 K W	J. B. Webb EVENING NEWS ASSOCIATION Detroit, Michigan
K D Y L	1 K W	Philip G. Lasky INTERMOUNTAIN BROADCASTING CORPORATION Salt Lake City, Utah
K E C A	1 K W	PACIFIC DEVELOPMENT RADIO COMPANY 1000 S. Hope Street Los Angeles, California
K F A B	5 K W	Charles Stuart KFAB BROADCASTING COMPANY Lincoln, Nebraska
Z F E L	500 W.	Eugene P. O'Fallon EUGENE P. O'FALLON INCORPORATED Denver, Colorado
K F I	5 K W	Earle C. Anthony EARLE C. ANTHONY INCORPORATED Los Angeles, California
K F J B	100 W. 250 W. LS	E. N. Peak MARSHALL ELECTRIC COMPANY Marshalltown, Iowa
K F J I *	100 W.	George Kincaid, Manager KFJI BROADCASTING INC. 176 Fourteenth Street Astoria, Oregon
K F N F	500 W. 1 K W LS	F. E. Tunnicliff HENRY FIELD SEED COMPANY Shenandoah, Iowa
K F S D	500 W. 1 K W LS	Leslie Adams AIRFAN RADIO CORPORATION San Diego, California

<u>STATION</u>	<u>POWER</u>	<u>NAME AND ADDRESS</u>
K F V D	250 W.	John W. Swallow LOS ANGELES BROADCASTING COMPANY Culver City, California
K F V S *	100 W.	Oscar C. Hirsch HIRSCH BATTERY & RADIO COMPANY Cape Girardeau, Missouri
K F Y R	1 K W 2½ K W LS	P. J. Meyer MEYER BROADCASTING COMPANY Bismarck, North Dakota
K G D Y *	100 W.	George W. Wright VOICE OF SOUTH DAKOTA Huron, South Dakota
K G I R	500 W.	E. D. Craney K G I R INCORPORATED Butte, Montana
K G W	1 K W	C. O. Chatterton THE OREGONIA PUBLISHING COMPANY Portland, Oregon
K H J	1 K W	Don Lee DON LEE INCORPORATED Los Angeles, California
K J D S	100 W.	Ralph R. Brunton, General Manager JULIUS BRUNTON & SONS COMPANY San Francisco, California
K J R *	5 K W	R. A. Provine, Treasurer NORTHWEST BROADCASTING COMPANY Seattle, Washington
K M D C	1 K W	Arthur D. Church MIDLAND BROADCASTING COMPANY Kansas City, Missouri
K M O X	50 K W	George Junkin VOICE OF ST. LOUIS St. Louis, Missouri
K N X	5 K W	Naylor Rogers WESTERN BROADCAST COMPANY Hollywood, California
K O I N	1 K W	C. R. Hunt KOIN INCORPORATED Portland, Oregon

<u>STATION</u>	<u>POWER</u>	<u>NAME AND ADDRESS</u>
K O M O	1 K W	O. D. Fisher FISHER'S BLEND STATION INCORPORATED Seattle, Washington
K P O	5 K W	J. W. Laughlin HALE BROTHERS STORES INC. & THE CHRONICLE PUBLISHING COMPANY San Francisco, California
K Q V *	500 W.	Dyron A. Stump K Q V BROADCASTING COMPANY Pittsburgh, Pennsylvania
K S T P	10 K W	Stanley E. Hubbard NATIONAL BATTERY BROADCASTING COMPANY St. Paul, Minnesota
K T S M	100 W.	W. S. Dledsoe and W. T. Blackwell El Paso, Texas
K V O O	5 K W	H. A. Hutchinson SOUTHWESTERN SALES CORPORATION Tulsa, Oklahoma
K W C R *	100 W.	Harry F. Paar CEDAR RAPIDS BROADCASTING COMPANY Cedar Rapids, Iowa
		ELECTRICAL RESEARCH PRODUCTS INC. 250 W. 57th Street New York, N. Y.
NEW		JOHN V. L. HOGAN 41 Park Row New York, N. Y.
NEW		NEVILLE O'NEILL INC. Chrysler Building New York, N. Y.
NEW		I. C. Stoll, President RADIO BROADCASTERS OF AMERICA 113 West 42d Street New York, N. Y.
NEW		Raymond Bill RADIO DIGEST 420 Lexington Avenue New York, N. Y.

<u>STATION</u>	<u>POWER</u>	<u>NAME AND ADDRESS</u>
		SCOTT HOWE BOWEN INC. Chrysler Building New York, N. Y.
NEW		P. L. Thomson, Director of Public Relations WESTERN ELECTRIC COMPANY 195 Broadway New York, N. Y.
		P. L. Deutsch WORLD BROADCASTING SYSTEM Fuller Building New York, N. Y.
- - -		
<u>Omitted through error</u>		
W O K O	500 W.	Harold E. Smith Station W O K O WOKO Incorporated Albany, New York
K G I W	100 W.	Leonard E. Wilson Trinidad, Colorado
K W K	1 K W	Thomas G. Convey GREATER ST. LOUIS BROADCASTING CO St. Louis, Missouri
- - -		

* New members since November 19, 1930
NEW - since November 19, 1930

THE NATIONAL ASSOCIATION OF BROADCASTERS

NON-COMMERCIAL MEMBERS

AS OF MARCH 19, 1931

- - -

<u>STATION</u>	<u>POWER</u>	<u>NAME AND ADDRESS</u>
W A W Z *	250 W.	Ray B. White PILLAR OF FIRE Zarephath, New Jersey
W C A J	500 W.	I. B. Schreckengast, President NEBRASKA WESLEYAN UNIVERSITY Lincoln, Nebraska
W C O, A	500 W.	John E. Frenkel, Manager CITY OF PENSACOLA Pensacola, Florida
W E A O	750 W.	R. C. Higgy, Director-Manager OHIO STATE UNIVERSITY Columbus, Ohio
W E W	1 K W	William V. Doyle, Director ST. LOUIS UNIVERSITY St. Louis, Missouri
W H A D *	250 W.	Rev. A. H. Poetker, Director MARQUETTE UNIVERSITY Milwaukee, Wisconsin
W I L L	250 W. 500 W. LS	Joseph F. Wright, Manager UNIVERSITY OF ILLINOIS Urbana, Illinois
W J B U	100 W.	George A. Irland, Manager BUCKNELL UNIVERSITY Lewisburg, Pennsylvania
W K A R	1 K W	R. J. Baldwin, Chairman MICHIGAN STATE COLLEGE Lansing, Michigan
W L B - W G M S	1 K W	UNIVERSITY OF MINNESOTA Minneapolis, Minnesota
W L C I	50 W.	William M. Horn, Pastor LUTHERAN ASSOCIATION OF ITHACA Ithaca, New York

<u>STATION</u>	<u>POWER</u>	<u>NAME AND ADDRESS</u>
W M B I	5 K W	H. C. Cromwell, Manager MOODY BIBLE INSTITUTE OF CHICAGO Chicago, Illinois
W O I	5 K W	W. I. Griffith, Manager IOWA STATE COLLEGE Ames, Iowa
W O S	500 W.	C. P. Anderson, Manager STATE OF MISSOURI MARKETING BUREAU Jefferson City, Missouri
W S S H	500 W.	Stanley M. Lane, Manager TREMONT TEMPLE BAPTIST CHURCH Boston, Massachusetts
W S U I	500 W.	UNIVERSITY OF IOWA Iowa City, Iowa
W T A W	500 W.	F. C. Bolton, Director AGRICULTURAL AND MECHANICAL COLLEGE College Station, Texas
C F R C		S. C. Morgan, Manager QUEENS UNIVERSITY Kingston, Ontario, Canada
C K U A		H. P. Brown, Studio Director UNIVERSITY OF ALBERTA Edmonton, Alberta, Canada
K F G Q	100 W.	J. C. Crawford BOONE BIBLICAL COLLEGE & ASSOCIATED INST. Boone, Iowa
K F K U	500 W.	Harold Tugham UNIVERSITY OF KANSAS Lawrence, Kansas
K F S G	500 W.	ECHO PARK EVANGELISTIC ASSOCIATION Los Angeles, California
K F U O	500 W. 1 K W LS	CONCORDIA THEOLOGICAL SEMINARY St. Louis, Missouri
K G E F	1 K W	TRINITY METHODIST CHURCH Los Angeles, California
K O A C	1 K W	W. L. Kadderly OREGON STATE AGRICULTURAL COLLEGE Corvallis, Oregon

<u>STATION</u>	<u>POWER</u>	<u>NAME AND ADDRESS</u>
K P O F *	500 W.	Ray B. White PILLAR OF FIRE Denver, Colorado
K T B I	1 K W	C. E. Fuller BIBLE INSTITUTE OF LOS ANGELES Los Angeles, California
K U S D	500 W. 750 W. LS	UNIVERSITY OF SOUTH DAKOTA ELECTRICAL ENGINEERING DEPARTMENT Vermillion, South Dakota
K W S C	1 K W 2 K W LS	F. F. Malder STATE COLLEGE OF WASHINGTON Pullman, Washington

* New members since November 19, 1930.

BROADCASTERS' NEWS BULLETIN

Reporting accurately and promptly current happenings of special interest to Broadcasting
Stations in the Commercial, Regulatory, Legislative and Judicial Fields

Issued by

OFFICERS

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President
EDWIN W. SPENCE, Atlantic City, N. J.
Vice President
O. D. FISHER, Seattle, Wash.
Vice President
PAUL W. MORENCY, Hartford, Conn.
Treasurer

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EXECUTIVE PERSONNEL

PHILIP G. LOUCKS
Managing Director
EUGENE V. COGLEY
Assistant to Managing Director
OLIVINE FORTIER
Secretary

NAB ASKS CHANGES IN G. O. NO. 106

The National Association of Broadcasters has filed the attached brief with the Federal Radio Commission embodying suggestions for certain changes in the terms of General Order No. 106 with a view to simplifying and clarifying the order.

The order makes compulsory the keeping of program and operating logs by each station. Originally it was to become effective on March 1, 1931, but at the request of the National Association of Broadcasters its effective date was postponed until April 30, 1931.

The National Association of Broadcasters is in sympathy with the requirement that stations shall keep logs, if for no other purpose than for their own protection, but believes, as is set forth in the attached brief, that the value of such logs depends almost entirely upon their being kept in a clear and uniform manner. Furthermore, the requirement should not involve material changes from the normal methods of station operation nor impose additional expense on broadcasting stations.

The suggestions contained in the brief will not change the object sought to be achieved by the Commission in promulgating the order and will aid materially in its enforcement.

BEFORE THE
FEDERAL RADIO COMMISSION

SUGGESTIONS
of the
NATIONAL ASSOCIATION OF BROADCASTERS
for
CLARIFICATION OF GENERAL ORDER NO. 106

The National Association of Broadcasters respectfully presents the following specific suggestions with a view to the clarification of General Order No. 106, and also with a view to making compliance with the terms of this order less onerous, particularly for small broadcasting stations with very limited personnel.

1. The National Association of Broadcasters is wholly in sympathy with the requirement that two logs shall be maintained by each broadcasting station, but it points out that the value of such logs depends almost entirely upon their being kept in a clear and uniform manner. The Association also points out that if the requirements for keeping such logs involve material changes from the normal methods of station operation, it would inevitably follow either that the logs would not be kept in accordance with the regulations of the Federal Radio Commission or else a real burden of additional expense will be imposed on many broadcasting stations.

2. The first requirement for the program log is as follows:

An entry of all stations and call announcements and the time made.

Presumably this contains a typographical error in respect to the word "stations."

It is suggested, however, that this clause should read as follows:

An entry of the exact time of making each announcement of the call letters of the station.

3. The second requirement for the program log is as follows:

An entry describing each program broadcast with the time beginning and ending. If phonograph records or electrical transcriptions are used that fact shall be noted, together with the announcement made thereof.

It is our belief that unless this requirement is clarified the entries in the various station logs will be widely different, and in many cases quite meaningless. This is largely because of the indefinite character of the word "describing." It is, therefore, suggested that this paragraph be revised to read as follows:

An entry indicating the general character of each program broadcast, with the time of beginning and ending. Each entry shall indicate whether the program is (a) commercial or non-commercial; (b) studio, chain or outside pick-up; (c) principally music or principally speech. For each program using phonograph records or electrical transcription the fact shall be noted, and a special entry shall be made giving the exact time at which the announcement specifying the use of phonograph records or electrical transcription was given.

4. Regarding the operating log, it appears that the requirements of Paragraphs "A", "B", and "C" are entirely reasonable and should be adhered to as a matter of course by every broadcasting station.

5. Section "D" requires certain entries to be made every thirty minutes. For the station operating on full time schedule this would require as many as 36 entries daily, each entry consisting of three items, or 108 items per day. As a matter of practical experience it does not appear that nearly so many entries are required in order to provide a thoroughly accurate check on what the station is doing. In view of the fact that material fluctuations every half-hour are most improbable there is real danger that if the entries are required too often, they will in many cases be made perfunctorily, and often without any real reading of the indicators. Accordingly, it is suggested

that these entries should be required every two hours before local sunset, and every hour after local sunset, as it is only during the period of darkness that interference develops to a serious extent.

6. The order as issued states that:

These logs shall be kept by the person or persons competent to do so having actual knowledge or information of the facts herein required, who shall sign the log when coming on duty and again when going off duty.

This is entirely feasible for the operating log, but may involve serious difficulties for the program log. In many stations the announcer on duty is the person immediately and directly responsible, and frequently he may be absent from the principal studio handling a remote control broadcast. For example, many broadcasting stations are broadcasting reports of baseball games for two hours every afternoon six months of the year. The person in charge of these broadcasts is probably at the ball park, and in no position to carry around the station log and sign it when coming on duty and again when going off duty. Taking into consideration the practical requirements of a broadcasting schedule, it seems desirable that this section should be revised to read as follows:

The program log shall be kept under the direct supervision of the program manager of the station, who shall be held personally responsible for the accuracy of all entries therein, and such entries shall, whenever practicable, be initialed by the individuals actually in personal charge of the program. The operating log shall be kept under the direct supervision of the chief operating engineer of the station, who shall be held personally responsible for the correctness of all entries contained therein, and such entries shall, in every case, be initialed by the person actually in charge of the operation of the transmitter at the time each entry is made.

7. It is believed that with these changes the order will be far clearer than it is at present, and also that compliance with it shall impose less of a burden on the individual broadcasting stations.

Respectfully submitted,

NATIONAL ASSOCIATION OF BROADCASTERS

Philip G. Loucks, Managing Director

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Assistant to Managing Director
OLIVINE FORTIER
Secretary

March 27, 1931

DETROIT IN OCTOBER

The Ninth Annual Convention of the National Association of Broadcasters will be held at Detroit, Michigan, October 26, 27 and 28, 1931. This was decided at a meeting of the Board of Directors held in Detroit on Tuesday, March 24.

Arrangements for the convention will be in charge of the Convention Committee of which Edwin M. Spence, WPG, Atlantic City, N. J. is chairman.

The Board also decided that the Association shall hold two regional conventions during the summer months. One of these will be held in the South and another in the West. The Southern convention will be in charge of a committee headed by J. G. Cummings, WOAI, San Antonio, Texas, and the Western convention will be in charge of a committee headed by Birt F. Fisher, KOMO, Seattle, Wash. These committees will select the places and dates for the conventions. Meetings of the Board of Directors will be held at the same time and place of these regional conventions.

The Detroit Board meeting was attended by: President Damm, WTMJ; Vice-President Spence, WPG; Treasurer Morency, WTIC; Directors Bellows, WCCO; Hedges, WMAQ; Bill, WLS; Eastman, WENR; Carpenter, WPTF; O'Fallon, KFEL; Fitzpatrick, WJR; Church, KMBC; McCosker, WOR; Cummings, WOAI; and Russell, WRC, member of the Executive Committee; Birt Fisher, KOMO, representing O. D. Fisher, vice president, and Philip G. Loucks, Managing Director.

Executive Committee: William S. Hedges, Chicago, Ill., Chairman; Henry A. Bellows, Minneapolis, Minn., and Frank M. Russell, Washington, D. C. Directors: William S. Hedges, Chicago, Ill.; H. K. Carpenter, Raleigh, N. C.; George F. McClelland, New York, N. Y.; Dr. Frank W. Elliott, Davenport, Ia.; A. J. McCosker, Newark, N. J.; Edgar L. Bill, Chicago, Ill.; A. B. Church, Kansas City, Mo.; J. G. Cummings, San Antonio, Tex.; Don Lee, Los Angeles, Cal.; E. P. O'Fallon, Denver, Colo.; C. R. Clements, Nashville, Tenn.; Henry A. Bellows, Minneapolis, Minn.; John J. Storey, Worcester, Mass.; Morgan L. Eastman, Chicago, Ill.; and Leo Fitzpatrick, Detroit, Mich.

March 28, 1931

STATIONS ON 620 GET HEARING

Stations operating on the frequencies of 620 and 1220 kc will be given a hearing before the Commission on May 11, for the purpose of determining which of several alternative proposals will best comply with the mandate of the Court of Appeals of the District of Columbia in the cases of the Journal Company v F R C (Nos. 5095, 5163, 5268 and 5269) received on March 11. The order of the Commission is as follows:

"1. That the current renewal applications of the following stations now operating on the frequency 620 kilocycles, namely: Station WLBZ of Bangor, Maine; Station WFLA-WSUN of Clearwater, Florida; and Station WTMJ of Milwaukee, Wisconsin, be and the same are designated for hearing;

"2. That the current renewal application of Station WDAE of Tampa, Florida, now operating on the frequency 1220 kilocycles, be and the same is hereby designated for hearing;

"3. That a hearing be held on said renewal applications of said stations on the 11th of May, 1931, with a view to determining;

(a) The maximum power within the limitations imposed by General Order 40 and other pertinent regulations of the Commission at which each of said above-named stations now operating on the frequency 620 kilocycles can continue to operate without undue interference with each other;

(b) Whether or not an exchange of frequency assignments can be affected between Stations WFLA-WSUN at Clearwater, and WDAE at Tampa, which would 'measureably reestablish' Station WTMJ in the position occupied by it prior to October, 1929;

(c) Whether or not some reduction in the power of the Florida station now operating on or subsequently to be assigned to the frequency 620 kilocycles will be necessary to 'measureably reestablish' Station WTMJ in the position occupied by it prior to October, 1929;

(d) If as a result of the evidence adduced at the hearing it is found necessary to reduce the power of the Florida station to be assigned to the frequency 620 kilocycles, which of said stations, WFLA-WSUN or WDAE, should be given such assignment and which should be assigned to the frequency 1220 kilocycles and authorized to use the power now being used by Station WDAE;

"4. That the Secretary be and he is hereby directed to notify all stations now operating on the frequencies 620 and 1220 kilocycles of this action and the date of said hearing pursuant to the provisions of Section 7 of subtitle B of General Order No. 93."

- - -

DIRECTORS MEETING REPORT

A detailed report covering the Board of Directors meeting at Detroit, including an up-to-date membership roster will be mailed to all Active Members within the next few days.

- - -

March 28, 1931

STATION DEVIATION REPORTED

Interest in the second deviation report issued by W. D. Terrell, director, Radio Division, Department of Commerce, is stimulated by reason of the Commission's proposal to require all stations to adhere 50 cycles within their assigned frequency in the next year. The Radio Division's report, predicated upon measurements made by supervisors during the month of January, show that only 54 out of 365 stations checked were able to keep within 100 cycles of their assigned wave lengths. One hundred and four maintained their frequencies within 200 cycles.

Stations able to keep within 100 cycles of assigned frequencies are as follows: KBPS, Portland, Oregon; KELW, Burbank, Calif.; KFDM, Beaumont, Texas; KFEQ, St. Joseph, Missouri; KFKA, Greeley, Colorado; KOMO, Seattle, Wash.; WAIU, Columbus, Ohio; WBCM, Bay City, Michigan; WBSO, Needham, Mass.; WCAO, Baltimore, Maryland; WDAF, Kansas City, Missouri; WDAG, Amarillo, Texas; WDBJ, Roanoke, Virginia; WDAF, New York, N. Y.; WEAN, Providence, R. I.; WENR, Chicago, Illinois; WEXL, Royal Oak, Michigan; WFBM, Indianapolis, Indiana; WGBS, New York, N. Y.; WGBB, Freeport, N. Y.; WGN, Chicago, Illinois; WGR, Buffalo, New York; WGY, Schenectady, N. Y.; WHAD, Milwaukee, Wisconsin; WIBW, Topeka, Kansas; WIBX, Utica, New York; WICC, Bridgeport, Conn.; WJBK, Highland Park, Michigan; WKAR, East Lansing, Michigan; WJR, Detroit, Michigan; WKBI, Chicago, Illinois; WKBN, Youngstown, Ohio; WKJC, Lancaster, Pa.; WLEY, Lexington, Mass.; WMAQ, Chicago, Illinois; WMC, Memphis, Tennessee; WMAN, Fairmont, West Virginia; WMT, Waterloo, Iowa; WOIO, Ames, Iowa; WOKO, Poughkeepsie, N.Y.; WOL, Washington, D. C.; WOR, Newark, N. J.; WRC, Washington, D. C.; WRDW, Augusta, Georgia; WREC, Memphis, Tennessee; WRUF, Gainesville, Florida; WSAZ, Huntington, West Virginia; WSB, Atlanta, Georgia; WSBC, Chicago, Illinois; WSM, Nashville, Tennessee; WSSH, Boston, Mass.; WSUI, Iowa City, Iowa; WTAG, Worcester, Mass.; WTAR, Norfolk, Virginia.

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SIMULTANEOUS OPERATION APPROVED

Approval by the Federal Radio Commission of four stations affiliated with the Columbia Broadcasting System to conduct an experiment of so precisely controlling their frequencies without the aid of connecting land lines as to give the effect of synchronization within their service areas offers the possibility of increased service to the public through more hours of operation per station and the reduction or elimination of interference.

Each of the four stations which have requested permission to make this experiment -- WHP, Harrisburg, Pa.; WCAH, Columbus, Ohio; WHEC, Rochester, N.Y. and WOKO, Albany -- carry Columbia programs. Special equipment costing \$1800 per station will be installed.

At present WHP and WCAH are operating simultaneously in the daytime on 1430 kilocycles, but are dividing time at night. WHP also divides time with WBAK, Harrisburg, owned by the Pennsylvania State Police, which have courteously agreed to place their evening programs on WHP during the period of the experiment. WHEC and WOKO operate simultaneously in the daytime on 1440 kilocycles, but divide time at night. During this experiment all four stations will operate on 1430 kilocycles simultaneously during day and evening hours.

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March 28, 1931

GENERAL ORDER 87 REPEALED

The Commission on March 24 repealed General Order No. 87 providing for the shifting of certain stations on cleared channels. The order was the subject of extensive litigation in the District of Columbia courts and the repeal by the Commission followed decisions which held that the regulatory body was without authority to make changes in frequencies of stations without first holding hearings. The order was promulgated nearly a year ago.

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AMATEUR LICENSE SUSPENDED

W. West Moe, Boulder, Colo. an amateur operator, will have his amateur station license suspended for six months as a result of a broadcast on January 12. Moe operated his station on 1200 kc on one occasion using phonograph records and announcing his station by the unauthorized call of "KIOU".

- - -

ANNOUNCER WANTS POSITION

Announcer with New York station, three years experience, looking for position with chance for advancement. Knowledge of fundamentals of sound, recording, continuity and production. Salary \$65 per week. Address NAB 32731B.

- - -

BUTMAN PLANS EXHIBIT

Carl H. Butman, former secretary of the Commission, announced this week the opening of a permanent exhibit of radio equipment in the National Press Building. The exhibit will show radio transmitters, tubes, power supplies, speech input, and amplification equipment, calibration instruments, apparatus required in recording and reproducing electrical transcriptions and also public address equipment. The exhibit will be maintained primarily for the benefit of broadcasters and other users of radio, it is announced.

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NAB WOULD AMEND BILL

The National Association of Broadcasters will ask the Ohio General Assembly to amend the bill (S. B. 216) recently reported favorably to the Ohio Senate which would make broadcasting stations criminally responsible for libelous matter broadcast. The amendment as suggested by the Association would make the person uttering the libelous remarks criminally responsible but the station owner would not be guilty unless he had prior knowledge that the remarks broadcast were libelous. Col. Thad H. Brown, general counsel of the Federal Radio Commission, who has been called to Columbus to testify in connection with the bill, will urge the adoption of the amendment suggested by the Association.

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March 28, 1931

LAFOUNT SEES LISTENER REVOLT

Listeners will revolt against offensive advertising announcements and demand that the government take over radio unless the form of announcements undergoes change, Commissioner LaFount is quoted as saying in a dispatch by Martin Codel, radio editor, McClure Newspaper Syndicate.

"Just as surely as fate," the Commissioner is quoted as saying, "the continuance of broadcasting announcements that so obviously offend our ordinary sensibilities is going to lead to a revolt on the part of the listening public. Listeners can, of course, censor their own programs by turning the dial. But I'm afraid many of them will demand that the government take over radio and operate it, as England does, as a government monopoly. I prefer the present system of private competition, but the broadcasters themselves, by permitting this sort of thing, are adding fuel to the fire of discontent that is already evident in many quarters against the outrageous practices of some advertisers." . . .

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STATION PROMOTERS SQUELCHED

Promoters who go around the country looking for places to build new radio stations received sharp criticism from Chief Examiner Yost this week during the hearing on an application for erection of a 1 KW station at Springfield, Mass. G. Colby Blackwell, former clerk of the Commission, appeared for Alfred J. Pote of Chelsea, Mass. who is seeking to erect a station to operate on 1320 kc. Pote himself did not appear and counsel for the Commission asked dismissal of the case. The Chief Examiner refused to dismiss the case but stated that he was opposed in principle to applications from non-residents of a community seeking to establish radio stations purely as a business venture and without having the community interest at heart. Counsel for WDRC, Hartford, Conn. appeared in opposition to the application.

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WOMEN OPERATORS INCREASE

A growing interest among women in amateur radio activities is shown in the recent report made public by W. D. Terrell, director, Radio Division, Department of Commerce, which shows that 86 of the 18,000 amateur operators in the United States belong to the feminine sex.

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PROGRAM DIRECTOR AVAILABLE

Director of program department of one of the country's best-known clear channel broadcasting stations is seeking a change in position. Will accept announcing, commercial, continuity, or managerial position with reliable station. Salary secondary consideration. Address NAB 32731A.

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March 28, 1931

EXAMINERS' REPORTS

In re application of Earl J. Smith, Watertown, N. Y. for construction permit to erect new station on 1240 kc with 50 watts and daylight operation. Docket 1006. Report 109. Examiner Pratt recommends denial of application.

In re application of J. E. Richards, Greenville, S. C. for construction permit to erect new station on 1200 kc with 100 watts and unlimited time. Docket 1089. Report 110. Examiner Yost recommends denial of application.

In re application of W. T. Hamilton, Greenville, S. C. for construction permit to erect new station on 1240 kc with 500 watts and unlimited time. Docket 1092. Report 110. Examiner Yost recommends denial of application.

In re application of The Greenville News-Piedmont Co. Greenville, S. C. for construction permit to erect new station on 1180 kc with 1 KW and limited time. Docket 1093. Report 110. Examiner Yost recommends granting of application, if Commission considers it advisable to waive application of General Order 102, and provided a desirable frequency is available, with the hours of operation to be fixed by the Commission.

In re application of Isle of Dreams Broadcasting Company, Miami Beach, Fla. (WIOD) for modification of license to change frequency to 940 kc with 1 KW and $2\frac{1}{2}$ KW, LS and unlimited time. Docket 980. Report 111. Examiner Pratt recommends denial of application.

In re application of Mount Pleasant Broadcasting Company, Mount Pleasant, Pennsylvania, for construction permit to erect new station on 1420 kc with 20 watts and share time with WIBR. Docket 1009. Report 112. Examiner Pratt recommends denial of application.

In re application of Wilmington Radio Association, Wilmington, N. C. (WRBT) for construction permit to change frequency to 1320 kc with 1 KW and unlimited time. Docket 1091. Report 113. Examiner Yost recommends denial of application.

In re application W D A Y, Inc. Fargo, N. D. (WDAY) for construction permit to increase day power from 1 KW to $2\frac{1}{2}$ KW. Docket 978. Report 114. Examiner Pratt recommends denial of application.

In re application of Durham Life Insurance Company, Raleigh, N. C. (WPTF) for construction permit to change transmitter location and increase power to 5 KW. Docket 1090. Report 115. Examiner Yost recommends granting of application, if the Commission decides that General Order 102 does not apply in this case, and provided further that the Commission is of the opinion that the over-quota status resulting to North Carolina from the granting of this application would not violate the letter or the spirit of the Radio Act.

In re application of Marius Johnson, Ironwood, Michigan, for construction permit to erect new station on 1420 kc with 100 watts and daytime operation to 7 p.m. Docket 1103. Report 116. Examiner Yost recommends granting of application with operation limited to daylight hours.

In re application of Radio Station KGBZ, York, Nebraska, for renewal of license. Docket 934. Report 117. Examiner Pratt recommends denial of application

March 28, 1931

ACTION ON EXAMINERS' REPORTS

KCRC Champlin Refining Company
Ex.Rep. Enid, Oklahoma
#65

C. P. to change present assignment of 1370 kc, 100 w. night, 250 w. to local sunset - to 1480 kc, 5 KW, unlimited time denied; Examiner Yost sustained.

KFJF National Radio Mfg. Co.
Ex.Rep. Oklahoma City, Oklahoma
#66

Granted mod. of C. P. to extend date of completion 60 days from this date; (1480 kc, 5 KW unlimited). Examiner Yost sustained.

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COMMUNITY RADIO SEEKS 25 CHANNELS

Listing 267 cities and towns in which he wishes to erect new stations, Clarence R. Cummins, Williamsport, Penn. as trustee for Community Radio, has filed formal application with the Commission requesting that a reallocation be made in order that 25 of the present 96 broadcast channels be set aside for the exclusive use of local stations in communities of not more than 100,000, and that no station proposed in his application will have a power greater than 100 watts. The application states that all the necessary equipment will be manufactured within four months after the application is granted, and that the entire construction will be completed within seven months time, if the Commission grants the necessary authority.

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PORTO RICO DX PROGRAM SUNDAY

The fourth and last DX broadcast from San Juan, Porto Rico, station WKAQ, is scheduled for Sunday, March 29, from 3 to 5 a.m. according to C. M. Falconer, vice president, Newark Evening News Radio Club. The following additional special schedules have been arranged: Sunday, March 29: WALR, Zanesville, Ohio, 1210 kc, Saturday night until sunrise Sunday; CMCB, Havana, Cuba, 1070 kc, 12.00 to 2.00 a.m.; CMGF, Matanzas, Cuba, 977 kc, 3.00 to 5.00 a.m.; WRBL, Columbus, Ga, 1200 kc, 4.00 to 6.00 a.m.; WHBY, Mt. Orab, Ohio, Saturday night until midnight Sunday. Monday, March 30: WHBC, Canton, Ohio, 1200 kc, 10 watts, 4.00 to 6.00 a.m. Wednesday, April 1: CHGS, Summerside, Prince Edward Island, 1120 kc, 1.00 to 2.00 a.m.; WOPI, Bristol, Tenn. 1500 kc, 3.00 to 5.00 a.m.

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CHARGES LICENSE VIOLATION

A charge that Station WJAZ, Zenith Radio Corporation, Chicago, goes on and off the air as it pleases without regard to the terms of its license was made at the hearing before the Commission on the application of Station WCKY, Covington, Kentucky, for full time on 1490 kc, by counsel for the Kentucky station. WJAZ was not represented at the hearing. The third station assigned to 1490 kc, WCHI, Chicago, which operates one-seventh time, opposed the granting of the application.

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March 28, 1931

APPLICATIONS DENIED

The following applications were heretofore designated for hearing but applicants failed to enter appearances within time allowed under G. O. 93:

NEW	LESTER C. LILLYMAN Pasadena, California	C. P. 1300 kc, 1 KW
W M B R	P. J. Reynolds Tampa, Florida	C. P. 1460 kc, 5 KW
NEW	TAFT RADIO & BRDCG CO. Los Angeles, California	C.P. 860 kc, 100 watts
NEW	ALBANY POST 30, AMERICAN LEGION Albany, Georgia	C. P. 1420 kc, 100 watts
NEW	SALEM BRDCG ASSOCIATION Salem, Oregon	C. P. 1200 kc, 100 watts
NEW	T. B. CHAMBERLIN & A. C. OWEN d/b as A. C. OWEN RADIO CO. Tulsa, Oklahoma	C. P. 560 kc, 10 watts
NEW	SOUTHERN BRDCG CO. INC. Atlanta, Georgia	C. P. 890 kc, 500 watts
NEW	THOMAS J. REESE Parkersburg, West Virginia	C. P. 1500 kc, 50 watts
NEW	C. G. ELBE Tulsa, Oklahoma	C. P. 880 kc, 50 watts
NEW	H. WIMPY Thomasville, Georgia	C. P. 1350 kc, 15 watts
NEW	DR. JAS. H. ATHERTON Guthrie, Oklahoma	C. P. 600 kc, 75 watts
NEW	J. E. BENNETT d/b as J. E. BENNETT MUSIC CO. Cordell, Oklahoma	C. P. 1500 kc, 100 watts
W K B N	WARREN P. WILLIAMSON, jr. Youngstown, Ohio	Mod. of lic. 590 kc, 500 watts
W M A N	COLUMBUS BROADCASTING CORP. Columbus, Ohio	Mod. of lic. 1310 kc, 50 watts
W T E L	FOULKROD RADIO ENG. CO. Philadelphia, Pennsylvania	Req. mod. lic. to 1200 kc
K X L	K X L BROADCASTERS INC. Portland, Oregon	Req. mod. of lic. change freq. to 1410 kc, increase power 1 KW.

March 28, 1931

APPLICATIONS GRANTED

The following applications were granted by the Commission at its sessions during the current week:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF ACTION</u>
W I S J	WISCONSIN STATE JOURNAL BROADCASTING COMPANY Madison, Wisconsin	Granted temporary authority to continue operation on 780 kc, 500 watts, day and 250 watts night, unlimited time on experimental basis. The Commission extended said authority on a temp. exp. basis only until a decision is reached by the Commission upon the hearing held on the application for license, this auth. not to exceed 3 a.m. EST, April 30, 1931. Nothing herein contained shall be construed as a finding or any evidence whatever as a result of hearing on the application for lic. that the operation of this station is or will be in the public interest beyond the date of expiration of this temporary authority. Such finding is hereby expressly reserved by the Commission until the decision upon the application for license.
W J B U	BUCKNELL UNIVERSITY Lewisburg, Pennsylvania	Granted authority to discontinue operation during summer months.
W R B I	CHAS. A. & MILTON U. KENT d/b as KENT'S FURNITURE & MUSIC CO. Tifton, Georgia	Granted consent to vol. assign. of C. P. to Oglethorpe University.
W D R C	THE DOOLITTLE CORPORATION Hartford, Connecticut	Granted consent to vol. assign. of lic. to WDRC, Inc.
W O O D	WALTER B. STILES, INC. Grand Rapids, Michigan	Granted consent to vol. assign. of lic. to Kunsky-Trendle Brdcg Corp.
W H P	WHP, INC. Harrisburg, Pennsylvania	Granted mod. of lic. to change hrs of operation and auth. to synchronize. Also granted auth. to install automatic freq. control.
W C A H	THE COMMERCIAL RADIO SERV.CO. Columbus, Ohio	Granted mod. of lic. to change hrs of operation to full time; change freq. to 1430 kc, and install new direct crystal control eqpt.
W O K O	WOKO INC. Poughkeepsie, N. Y.	Granted mod. of license as above.

March 28, 1931

APPLICATIONS GRANTED (Continued)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF ACTION</u>
WHEC-WABO	HICKSON ELEC & RADIO CORP. Rochester, New York	Granted mod. of license as above (WCAH)
WBAK	PENNSYLVANIA STATE POLICE Harrisburg, Pennsylvania	Granted mod. of lic. to change hrs of operation from sharing with WHP and WCAH, to sharing only with WHP on equal basis; also granted auth. to install new direct crystal control eqpt and change freq. to 1430 kc.
KVL	KVL, INC. Seattle, Washington	Granted mod. of C. P. to move transm. and studio locally in Seattle, and extend completion date from 3/20/31 to 20 days from date of approval.
K M J	JAMES McCLATCHY COMPANY Fresno, California	Granted C. P. to make changes in eqpt to conform to General Orders 91 and 97.

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PERMIT APPLICATIONS RECEIVED

During the current week, the Commission received applications from the following stations requesting authority to install new equipment, or make changes in present equipment: W I B X, Utica, N. Y.; K G H I, Little Rock, Ark.; K G D A, Mitchell, S. D.; K V O S, Bellingham, Wash.; K G M B, Honolulu, T. H.; K C R J, Jerome, Ariz.

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LICENSE APPLICATIONS GRANTED

During the current week, the Commission granted applications for license covering previously authorized construction permits, to the following stations: W E L L, Battle Creek, Mich.; K F X F, Denver, Colo.; W S B T, South Bend, Ind.

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FLORIDA AND UTAH CENSUS

Reports issued this week by the Bureau of Census show that 41.1 per cent of all families in Utah own receiving sets while only 15.5 per cent of Florida families are so equipped. Out of 377,823 Florida families only 58,446 families were reported to have receiving sets. Out of 116,254 families in Utah, 47,729 families were equipped with receiving apparatus. The State of Florida is 104 per cent over-quota according to the Commission's figures. Utah is also 102 per cent over-quota.

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March 28, 1931

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, are dismissed at the request of the applicants:

WOBV	WOBV, Inc. Charleston, West Virginia	Mod. lic. 1410 kc, 250 watts
NEW	MAYS-WILLIAMS CO. INC. Charleston, West Virginia	C. P. 880 kc, 1000 watts
WSBT	THE SOUTH BEND TRIBUNE South Bend, Indiana	Mod. lic. 1230 kc, 500 watts
KGIR	KGIR, INC. Butte, Montana	C. P. 1360 kc, 1 KW
NEW	RADIO ADVERTISING CO. of PITTSBURGH Pittsburgh, Pennsylvania	C. P. 1360 kc, 500 watts
WJAC	JOHNSTOWN AUTOMOBILE CO. Johnstown, Pennsylvania	C. P. 1430 kc, 500 watts
WFAN	KEYSTONE BRDGTG COMPANY Philadelphia, Pennsylvania	C. P. 1170 kc, 5 KW
WLAP	AMERICAN BRDGG CORP. OF KENTUCKY Louisville, Kentucky	Mod. of lic. 1120 kc, 250 watts.

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GENERAL ORDER 102 CITED

Chief Examiner Yost leaves for the Commission to determine the application of General Order No. 102 in the case heard by him in which the Durham Life Insurance Company, WPTF, Raleigh, N. C. sought to increase its power from 1 to 5 KW and change its hours of operation from limited time until sunset on the Pacific Coast. Granting of the application would change the North Carolina quota from 1.01 units under-quota to 0.47 units over quota.

"Should the Commission be of the opinion that General Order No. 102 does not apply in this case, it is recommended that the application of the Durham Life Insurance Company to operate until local sunset at San Francisco on its present assigned clear channel frequency of 680 kc with an increase of power from 1 KW to 5 KW, be GRANTED; provided, the Commission is of the opinion that the over-quota status resulting from the State of North Carolina from the granting of this application would not violate the letter or spirit of the Radio Act.

"Should the Commission hold, however, that the provisions of General Order No. 102 apply in this case, it is recommended that this application be DENIED."

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March 28, 1931

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, March 30, 1931. All hearings commence at 10 a.m.

MONDAY, MARCH 30, 1931

NEW David R. Gray C. P. 1270 kc 1 KW
Duncan, Oklahoma Unlimited Time

NEW W. G. Hughes, E. L. Walden C. P. 1500 kc 100 W.
A. F. Burch & Frank Dewolfe, Unlimited Time
Oklahoma Panhandle Brdcg Co.
Guymon, Oklahoma

TUESDAY, MARCH 31, 1931

WTFI Toccoa Falls Institute C. P. 1450 kc 1 KW
Toccoa, Georgia Unlimited Time

Present Assignment: 1450 kc 500 W.
Unlimited Time

WEDNESDAY, APRIL 1, 1931

WFI Strawbridge & Clothier 2 Applications
Philadelphia, Pennsylvania Mod. L. 560 kc 1 KW
To share time with WLIT

C. P. 560 kc 1 KW
To share time with WLIT

Present Assignment: 560 kc 500 W.
Shares time with WLIT

WHAT Independence Broadcasting Co. C. P. 930 kc 500 W.
Philadelphia, Pennsylvania To share time with WIBG

Present Assignment: 1310 kc 100 W.
Shares time with WFKD

NEW Kirk Johnson C. P. 1000 kc 1 KW
Lancaster, Pennsylvania Daytime until sunset at
Des Moines, Iowa

March 28, 1931

HEARING CALENDAR (Continued)

NEW John Magaldi, jr. C. P. 1420 kc 100 W.
Philadelphia, Pennsylvania To divide time with WILM 250 W. LS

FRIDAY, APRIL 3, 1931

NEW Thomas F. Harbins C. P. 900 kc 250 W.
Broadcasting Service Co. Daytime hours
Upper Darby, Pennsylvania

WSAN Allentown Cal Pub. Co. Inc. Mod. L. 1440 500 W.
Allentown, Pennsylvania To share time with WCBA
Present Assignment: 1440 kc 250 W.
Shares time with WCBA

WCBA B. Bryan Musselman Mod. L. 1440 kc 500 W.
Allentown, Pennsylvania Shares with WSAN
Present Assignment: 1440 kc 250 W.
Shares with WSAN

NEW J. Milton Tuyton C. P. 620 kc 250 W.
Uniontown, Pennsylvania Daytime and 3 evening hours per week

NEW P. F. Klingensmith and C. P. 1340 kc 15 W.
Joseph Takoch Daytime
Youngwood, Pennsylvania

SATURDAY, APRIL 4, 1931

NEW John L. Baer C. P. 850 kc 1 KW
Westmoreland Co. Adv. Serv. Daytime
Greensburg, Pennsylvania

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March 28, 1931

APPLICATION SET FOR HEARING

The following applications were ordered set for hearing by the Commission at its sessions during the current week:

NEW	John Magaldi, jr. Philadelphia, Pennsylvania	Requests C. P. for new station 1420 kc, 250 W. day 100 W. night, share with WILM.
NEW	G. L. Johnson Texarkana, Arkansas	Requests C. P. for new station 1500 kc, 100 W. shares with KGGK.
WALR	The Akron Broadcasting Co. Zanesville, Ohio	Requests C. P. to move studio and trans- mitter from Zanesville to Akron, Ohio.
WHOM	New Jersey Brdcg Corp. Jersey City, N. J.	Requests mod. of lic. to change frequency from 1450 to 1050 kc, and hours from shar- ing with WNJ, WKDO and WBMS to daytime until sunset on Pacific Coast.

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GENERAL ORDER 103 AMENDED

The Commission on March 26 further amended General Order 103, extending the licenses of the following stations until April 30, 1931, the expiration of the current license period. These stations, for various reasons, previously had been cited in the order and given temporary licenses: KGB, WJAY, WRUF, WMRJ, WJW, WALR, WHBC, WRBL, WCOM, KRLD, KONO, KFYO, KLRA, WMBC, WBRE, WCLS, WELL, WKDO, WISQ, WLTH, WMBJ, WWRL, KOPS, KGAR.

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March 28, 1931

APPLICATIONS RECEIVED

The following applications were received by the Commission during the current week:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>PRESENT FREQUENCY</u>	<u>FREQUENCY SOUGHT</u>	<u>NATURE OF APPLICATION</u>
NEW	PLATTSBURGH BRDCG CO. Plattsburgh, New York	----	1310	C. P. amended.
W M A L	M. A. LEESE Washington, D. C.	630	----	Vol. assign. lic. to M. A. Leese Radio Corp.
NEW	W. E. ALLEN & CO. Alexandria, Louisiana	----	1210	C. P. amended.
W R O L	STUART BROADCASTING CORP. Knoxville, Tennessee	1310	920	C. P. change eqpt, change freq. incr. power to 250 watts, change hrs of operation FROM unlimited to sharing with W F B C.
W F B C	FIRST BAPTIST CHURCH (St. John Reynolds, Mgr) Knoxville, Tennessee	1200	920	Mod. lic. change freq. increase power to 250 watts, and change hours of operation to Sundays only, sharing with WROL, also use transmitter pro- posed for WROL at WROL's present transm. location, 1832 W. Cumberland Ave. Knoxville, Tennessee.
NEW	CLARENCE M. DOYLE Philadelphia, Pennsylvania	----	930	C. P. share with W I B G
W J A Y	CLEVELAND RADIO BRDCG CORP. Cleveland, Ohio	610	590	Mod. lic. change freq. to 590 kc, unlimited.
NEW	W N A T BROADCASTING CO. Natchez, Mississippi	----	1310	C. P. erect new station 100 watts, unlimited hrs.
W H F C	TRIANGLE BROADCASTERS Cicero, Illinois	1420	----	Mod. lic. change name to W H F C, Incorporated.
NEW	EDWARD FLUTOT 5 miles S. E. of Whittier, California	----	1320	C. P. erect new station 7½ watts, unlimited.
W K B N	WARREN P. WILLIAMSON, jr. Youngstown, Ohio	570	----	Req. vol. assign. to W K B N BROADCASTING CORP.
W H B	W H B BROADCASTING CO. Kansas City, Missouri	860	1120	Mod. lic. change freq. and hours of operation to unlimited.

March 28, 1931

APPLICATIONS RECEIVED (Continued)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>PRESENT FREQUENCY</u>	<u>FREQUENCY SOUGHT</u>	<u>NATURE OF APPLICATION</u>
K F K U	UNIVERSITY OF KANSAS Lawrence, Kansas	1220	----	Mod. lic. to use WREN's transm. and incr. power to 1 kilowatt.
K I D O	BOISE BROADCAST STATION Boise, Idaho	1250	1240	Mod. lic. to change frequency
W T B O	ASSOCIATED BROADCASTING CORP. Cumberland, Maryland	1420	1010	Mod. lic. to change freq. and power to 250 watts day and night.
NEW	YORK BROADCASTING COMPANY York, Pennsylvania	----	800	C. P. amended to request 800 kc.
NEW	THE OWOSSO BRDCG CO. INC. Owosso, Michigan	----	950	C. P. erect new station unlimited hours, 1 KW.
W R B J	WOODRUFF FURNITURE CO. INC. Hattiesburg, Mississippi	1370	----	Req. vol. assign lic. to Hattiesburg Brdcg Co.
W O B T	TITTSWORTH RADIO & MUSIC CO. Union City, Tennessee	1310	----	C. P. move transm. and studio to Jackson, Tenn.
K E X	WESTERN BROADCASTING CO. Portland, Oregon	1180	----	Mod. lic. change hrs of operation to simultan- eous day operation, share at night KEX 2/3 nighttime, KOB 1/3 time night.
W N Y C	CITY OF NEW YORK, DEPARTMENT OF PLANT & STRUCTURES New York, N. Y.	570	----	Mod. of lic. to increase power to 1 kilowatt.
W S F A	MONTGOMERY BROADCASTING CO. Montgomery, Alabama	1410	----	Amendment to request 780 kc, instead of 1410 kc. withdrawn.
W G B S	GENERAL BROADCASTING SYSTEM New York, N. Y.	1180	930	Mod. of lic. amended to request 250W. and hrs. not used by WAAT on 940 kc
NEW	JOHN WILBUR JONES Newburgh, New York	----	1390	C. P. erect new station 100 watts, unlimited time.
K T S L	G. A. HOUSEMAN Shreveport, Louisiana	1310	----	C. P. to move transmitter and studio to Laurel, Miss

March 28, 1931

APPLICATIONS RECEIVED (Continued)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>PRESENT FREQUENCY</u>	<u>FREQUENCY SOUGHT</u>	<u>NATURE OF APPLICATION</u>
W R B I	OGLETHORPE UNIVERSITY Tifton, Georgia	1310	----	Mod. C. P. move transm. and studio to Oglethorpe University, Ga. make changes in eqpt and extend completion date.
W H B L	PRESS PUBLISHING CO. Sheboygan, Wisconsin	1410	----	Mod. lic. change hrs of operation to simultaneous daytime operation with KFLV, share with KFLV night.
W D G Y	DR. GEO. W. YOUNG Minneapolis, Minnesota	1180	----	Mod. lic. change hrs of operation from sharing with WHDI, limited time, to limited time.
NEW	D. M. SAYLES Gillette, Wyoming	----	1310	C. P. erect new station 100 watts, unlimited hrs.

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LICENSE APPLICATIONS RECEIVED

During the current week, the Commission received applications for license following construction permits which had previously been authorized by Commission action: K F J R, Portland, Oregon; W C F L, Chicago, Illinois; W M R J, Jamaica, New York; K T S L, Shreveport, Louisiana.

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QUOTA INCREASES IN MANY STATES

A new tabulation of the distribution of broadcast facilities was released at the Commission this week. This set of figures shows conditions in all the states as they stood on March 3, 1931. A comparison of this information with the tabulation issued August 19, 1930, shows increases in quota units for the following states: FIRST ZONE - New York, 0.55; New Jersey, 0.32; Maryland, 0.30; Vermont, 0.20. SECOND ZONE - Pennsylvania, 0.57; Michigan, 0.40; West Virginia, 1.25. THIRD ZONE - Alabama, 1.55; Oklahoma, 1.25; Mississippi, 0.30. FOURTH ZONE - Illinois, 0.85; Missouri, 0.15; Indiana, 1.51; Wisconsin, 0.92; Iowa, 0.38; Kansas, 0.10; Nebraska, 1.40; North Dakota, 0.12. FIFTH ZONE - Montana, 0.10; Idaho, 0.35. Reductions were shown for the following four states: Connecticut, 0.12; Ohio, 0.10; California, 1.0; Colorado, 0.10. The complete tabulation, as issued by the Commission, is made a part of this BULLETIN.

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FEDERAL RADIO COMMISSION
Washington, D. C.

4249

March 26, 1931

TABULATION OF QUOTA FIGURES AS OF MARCH 3, 1931

ZONE 1	Total		Net amount over or under Quota	
	State	Due Assign.	± Units	± %
N.Y.	35.10	39.20	+ 4.10	+ 12
Mass.	11.85	10.08	- 1.77	- 15
N.J.	11.21	11.53	+ 0.32	+ 2
Md.	4.56	4.10	- 0.46	- 10
Conn.	4.46	3.50	- 0.96	- 21
P.R.	4.32	0.60	- 3.72	- 86
Maine	2.22	2.00	- 0.22	- 10
R.I.	1.91	1.40	- 0.51	- 27
D.C.	1.33	1.30	- 0.03	- 2
N.H.	1.31	0.20	- 1.11	- 85
Vt.	1.00	0.50	- 0.50	- 50
Del.	0.67	0.70	+ 0.03	+ 5
V.I.	0.06	0.00	- 0.06	-100
Total	80.00	75.11	- 4.89	- 6

ZONE 2	Total		Net amount over or under Quota	
	State	Due Assign.	± Units	± %
Pa.	27.64	19.74	- 7.90	- 29
Ohio	19.05	18.45	- 0.60	- 3
Mich.	13.88	11.30	- 2.58	- 18
Ky.	7.54	7.62	+ 0.08	+ 1
Va.	6.94	9.50	+ 2.56	+ 37
W.Va.	4.95	4.85	- 0.10	- 2
Total	80.00	71.46	- 8.54	- 11

ZONE 3	Total		Net amount over or under Quota	
	State	Due Assign.	± Units	± %
Texas	16.22	22.77	+ 6.55	+ 40
N.Car.	8.83	7.82	- 1.01	- 11
Ga.	8.09	7.60	- 0.49	- 6
Ala.	7.39	6.05	- 1.34	- 18
Tenn.	7.29	13.00	+ 5.71	+ 78
Okla.	6.67	9.00	+ 2.33	+ 35
La.	5.83	8.50	+ 2.67	+ 46
Miss.	5.60	2.90	- 2.70	- 48
Ark.	5.17	4.40	- 0.77	- 15
S.Car.	4.82	1.70	- 3.12	- 65
Fla.	4.09	8.35	+ 4.26	+104
Total	80.00	92.09	+12.09	+ 15

ZONE 4	Total		Net amount over or under Quota	
	State	Due Assign.	± Units	± %
Ill.	22.50	33.65	+ 11.15	+ 49
Mo.	10.72	12.15	+ 1.43	+ 13
Ind.	9.53	7.58	- 1.95	- 20
Wisc.	8.66	8.25	- 0.41	- 5
Minn.	7.59	9.01	+ 1.42	+ 19
Iowa	7.30	13.00	+ 5.70	+ 78
Kans.	5.56	4.91	- 0.65	- 12
Nebr.	4.08	7.23	+ 3.15	+ 77
S.Dak.	2.04	3.41	+ 1.37	+ 67
N.Dak.	2.02	2.42	+ 0.40	+ 19
Total	80.00	101.61	+ 21.61	+ 27

ZONE 5	Total		Net amount over or under Quota	
	State	Due Assign.	± Units	± %
Calif.	36.85	38.53	+ 1.68	+ 4
Wash.	10.16	15.92	+ 5.76	+ 57
Colo.	6.74	9.42	+ 2.68	+ 40
Ore.	6.19	8.41	+ 2.22	+ 36
Mont.	3.48	3.00	- 0.48	- 14
Utah	3.27	6.60	+ 3.33	+102
Idaho	2.89	2.60	- 0.29	- 10
Ariz.	2.83	2.60	- 0.23	- 8
N.Mex.	2.77	2.37	- 0.40	- 14
Hawaii	2.39	1.60	- 0.79	- 33
Wyo.	1.46	0.20	- 1.26	- 86
Nev.	0.59	0.80	+ 0.21	+ 35
Alaska	0.38	1.00	+ 0.62	+163
Total	80.00	93.05	+13.05	+ 16