

## NEW WARTIME GUIDE

As a wartime service to the government, to the industry and to the public, the NAB will soon issue a new and enlarged guide to good broadcasting practice during the war.

Official sources will be consulted and utilized to the fullest extent in preparing this guide.

However, the experience and advice of practical broadcasters will be of equally great help.

Please re-read the six War Service Bulletins and the "Blue Bulletin" issued December 18.

Have we covered all the important points and have we covered them thoroughly enough? Are there additional important points which, from your practical experience, you think should be covered?

As the NAB sizes it up, the most important questions involve news, quiz programs, ad lib programs, man-in-the-street programs, request programs, talks or speeches, official announcements, foreign language programs and weather reports.

We shall appreciate a letter expressing your views.

### NETWORKS SUED

The Justice Department filed an anti-trust suit against RCA, NBC and CBS in Chicago on Wednesday, apparently covering approximately the same ground as the FCC network rules. Details were lacking at press time.

### BOARD AND CODE COMMITTEE TO MEET

The Board of Directors of NAB has been called to meet at the Willard Hotel, Washington, D. C., January 8 and 9.

The Code Committee has been scheduled for a meeting on Wednesday, January 7, also at the Willard Hotel.

Preliminary to the Board meeting the NAB Executive as well as the Finance Committee will hold sessions on Wednesday evening.

### DAYLIGHT SAVING

On Tuesday Senator Wheeler introduced the following bill (S. 2160), which was referred to the Committee on Interstate Commerce, providing for nationwide daylight saving time during war. It is understood that this measure will be taken up shortly after Congress reconvenes on January 5 and that the House Committee on Interstate and Foreign Commerce will shortly report on the daylight saving bills before it. NAB appeared before the House Committee and urged adoption of nationwide daylight saving time (see NAB REPORTS, September 5, 1941, page 723). We print the bill in full:

#### A BILL

To amend section 3 of the Act of March 19, 1918, entitled "An Act to save daylight and to provide standard time for the United States" (40 Stat. 450).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of March 19, 1918, entitled "An Act to save daylight and to provide standard time for the United States" (40 Stat. 450), be, and the same is hereby, amended and reenacted as follows:*

"SEC. 3. That during the continuance of the present war and for a period not to exceed six months thereafter the President is authorized from time to time by proclamation to advance or to retard the standard time of each zone, or any part thereof: *Provided*, That during no period shall the time of any zone, or any part thereof, be advanced more than two hours."

### ALIEN SHORT WAVE RECEIVERS

Attorney General Francis Biddle today extended regulations affecting the conduct of German, Italian and Japanese nationals in the Ninth Corps Area to include those in the State of Arizona.

Under the regulations, which were issued by authority of Presidential proclamations relating to enemy aliens, all German, Italian and Japanese nationals resident in the State of Arizona are ordered to surrender to the local police authorities before 11 p. m., Tuesday, December 30, 1941, any and all of the following equipment in their possession:

- (a) Radio transmitters;
- (b) Short wave radio receiving sets;
- (c) Hand cameras and, with certain specified exceptions, other cameras.

By terms of the regulations, the penalty for wilful failure to surrender prohibited articles is forfeiture of the articles and appre-

*(Continued on page 2)*

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

## ALIEN SHORT WAVE RECEIVERS

(Continued from page 1)

hension of the alien enemy, with possible internment for the duration of the war.

In announcing the extension of regulations which already cover enemy aliens in California, Oregon, Washington, Montana, Idaho, Utah and Nevada, the Attorney General explained that although Arizona is not in the Ninth Corps Area it is included in the Western Defense Command. Military authorities have requested. Mr. Biddle said, that the restriction on conduct of enemy aliens be extended throughout the Command area.

Similar regulations affecting enemy aliens throughout the rest of the United States, Puerto Rico and the Virgin Islands may be expected shortly, the Attorney General said.

## Sales

### Case Histories Needed

Success stories for the NAB files are especially needed, to fill requests received last week, on gas companies, department stores and grocery stores.

Any other case histories you have on other products will be welcomed, to make our files a truly representative clearing house for radio success stories of all kinds. These stories are available, free of charge, to all member stations, but your cooperation is needed to make the service effective.

### Standard Schedule Forms Coming

Standard radio schedule forms, as recommended by the Radio Executives Club of New York, will be printed and ready for resale at cost to NAB members shortly after January 1. A sample form will be sent to each station.

### On the Per-Inquiry Front

**Major Advertising Agency.** St. Louis, is seeking per-inquiry deals on behalf of Thompson's Nek-Eez, a patented pillow. The client has been invited to use radio on the basis of established rates.

Others reported by member stations during the week were listed in previous REPORTS. It is encouraging to note that more stations, in turning down these attempts, are expressing to the clients the radio industry's attitude on this subject, and are inviting them to use radio properly.

## KHQ-KGA GIVES BONUS IN DEFENSE BONDS

Resounding cheers went up Wednesday night, December 17, at the annual Christmas party of the KHQ-KGA (Spokane) staffs,

when Louis Wasmer, owner, announced to his employees, that their bonuses would be in Defense Savings Bonds this year, instead of the usual cheques.

The presentation of bonuses to employees of KHQ-KGA is not new. Mr. Wasmer inaugurated the percentage of profit system some twenty years ago, when he started KHQ, in Seattle. As North East Area Director of the Treasury's Defense Savings Bond and Stamp program, Mr. Wasmer said:

"This year has been our best since we started. Both KHQ and KGA, from a money-making standpoint, have far exceeded my expectations. However, despite our good fortune, I wish to impress on you that, though we gather here this evening to celebrate, this may be the last time we may do so, if we do not do our share in the crisis confronting us. We can render a great service to our country on the morale front. This we are doing; cooperating with all branches of the government. But we must do more. We must help finance the war that was forced upon us. Thousands, hundreds of thousands or millions will not suffice. Billions are needed! To help achieve this end—a victorious end—I am giving each of you your annual bonus in Defense Savings Bonds, instead of cheques.

"Now, I know many of you have incurred debts and have been looking forward to your bonus to eradicate them. Tighten your belts; get used to going without the things you don't need. We have a war to win, and it will be won by one hundred and thirty million Americans like you with their dollars in Defense Savings Bonds and Stamps. With God's help we'll win!"

At the conclusion of Mr. Wasmer's talk, Mr. Harvey Wixson, station manager, distributed the Defense Savings Bonds, amounting to over \$22,000.

Harold Zent, Public Relations Director for the two Spokane stations, explained the purchase of Defense Savings Bonds through the Voluntary Pay Roll Deduction Plan. This met with immediate approval. Zent believes that by the first of the year the majority of the employees will have subscribed to this method of purchasing Defense Savings Bonds.

The NAB would like to publish any other Defense Bond plans institution by member stations.

## STANDARD FREQUENCY BROADCASTS

"The standard frequency service of the National Bureau of Standards station WWV has been extended to include another carrier frequency (15 megacycles). Temporary equipment is still in use while a new transmitting station is being built. The broadcast is continuous at all times day and night from 1-kilowatt transmitters, and carries the standard musical pitch and other features."

Full details about the transmissions may be obtained by writing to the National Bureau of Standards, Washington, D. C., requesting the December 29 release entitled "Standard Frequency Broadcast of National Bureau of Standards."

## PUBLISHER JOINS SESAC

SESAC announces that "The C. L. Barnhouse Company of Oskaloosa, Iowa, one of the largest band and orchestra music publishers in the United States, has become affiliated with SESAC."

The Barnhouse catalog contains over 3,000 publications composed of approximately 1,500 band compositions, 750 orchestra publications, 500 instrumental numbers, and numerous ensemble chamber music compositions.

## FEDERAL LEGISLATION

### SENATE

S. 2160 (WHEELER, D-Mont.) DAYLIGHT SAVING TIME—To amend section 3 of the Act of March 19, 1918, entitled "An Act to save daylight and to provide standard time for the United States" (40 Stat. 450). Referred to the Committee on Interstate Commerce.

## FEDERAL COMMUNICATIONS COMMISSION

### FLY PRESS CONFERENCE

At a press conference early this week FCC Chairman. James Lawrence Fly, was asked about the story which has been going around to the effect that there would be a meeting on the war situation between the broadcast industry, himself and John H. Ryan, the new broadcast aid to censor Byron Price.

Mr. Fly said that he had no knowledge of any such conference but said "I assume there will be continuing conferences. I have had some talks with different individuals and leaders of the industry and trade association people from time to time," he said, and "generally on more or less specific angles of the matter and I know there will be continuing contact. However, the question which you are asking, I think, is whether or not there is a formal conference arranged in round-table fashion, and as far as I am concerned the answer is no."

Mr. Fly announced that the next newspaper-radio hearing is scheduled for January 8. "I was under the impression," he said, "that the newspaper committee wanted additional time but I don't think I have had any formal request from them."

### MIDDLETOWN, N. Y., STATION

The FCC has adopted and made final its Proposed Findings of Fact and Conclusions (B-139) granting a construction permit to the Community Broadcasting Corporation for a new broadcast station at Middletown, N. Y., to operate on the frequency 1340 kilocycles with power of 250 watts, unlimited time. Such action necessitates denial of application by Herbert L. Wilson for like facilities there.

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 5. They are subject to change.

#### Monday, January 5 Consolidated Hearing

- NEW—R. O. Hardin, tr/as Nashville Broadcasting Company, Nashville, Tenn.—C. P., 1240 kc., 250 watts, unlimited facilities of WSIX.
- NEW—John R. Crowder, tr/as Dimple Broadcasting Company, Columbia, Tenn.—C. P., 1240 kc., 250 watts, unlimited.
- NEW—Tennessee Radio Corporation, Nashville, Tenn.—C. P., 1240 kc., 250 watts, unlimited facilities of WSIX.

#### Wednesday, January 7 Further Hearing

- WGST—Georgia School of Technology, Atlanta, Ga.—Renewal of license (main and auxiliary), 920 kc., 1 KW night, 5 KW day, unlimited.

#### Thursday, January 8 Further Hearing

To Be Held in Room 6121—New Post Office Building, 12th Street and Pennsylvania Avenue, N. W.

Investigation to determine what policy or rules, if any, should be promulgated in connection with operation of new high fre-

quency (FM) broadcast stations and for future acquisition of standard broadcast stations by newspapers, Pursuant to Order No. 79.

Thursday, January 8

W8XO—The Crosley Corporation, Cincinnati, Ohio.—C. P., 700 kc., emission A-3, 100 to 750 KW, 12 midnight to 6 a. m., EST and Sec. 4.4(a).

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

- Susquehanna Broadcasting Co., York, Pa.—Granted construction permit (B2-P-3314) for new station to operate on 900 kc., 1 KW, daytime only, exact site to be determined subject to Commission approval.
- Jacksonville Broadcasting Corp., Jacksonville, Fla.—Granted construction permit (B3-P-3385), conditional to engineering approval of directional antenna pattern, for new station to operate on 1270 kc., 5 KW night and day, using directional antenna at night, unlimited time.
- KTRB—KTRB Broadcasting Co., Inc., Modesto, Calif.—Granted modification (B5-MP-1385) of construction permit (B5-P-2631) to operate with 1 KW night and day; installation of new transmitter and directional antenna for night use and change proposed transmitter site to 1¼ miles N. of NE. corner of Modesto, south side of Norwegian Ave., west of Coffe Road, Calif., unlimited time. Now has 250 watts day on 860 kc.
- WABI—Community Broadcasting Service, Inc., Bangor, Maine.—Granted modification (B1-MP-1311) of construction permit (B1-P-2349) for approval of transmitter site at 1.7 miles SE of Bangor business district (present site) and directional antenna for night use.
- KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—Granted construction permit (B4-P-3269) to make changes in directional antenna for night use, install new transmitter and increase power from 1 to 5 KW, 1300 kc., unlimited time.
- W9XG—Purdue University, West Lafayette, Ind.—Granted modification (B4-MPVB-64) of construction permit (B4-PVB-52) to make change in aural transmitter, change aural emission to Special for FM, completion date to remain September 24, 1942.

### DESIGNATED FOR HEARING

- WJMS—WJMS, Inc., Ironwood, Mich.—Designated for hearing application (B2-R-800) for renewal of license for WJMS.
- WATW—WJMS, Inc., Ashland, Wisc.—Designated for hearing application (B2-R-1058) for renewal of license for WATW: to be heard jointly with WJMS application listed above.

### MISCELLANEOUS

- WNYC—City of New York, Municipal Broadcasting System, New York, N. Y.—Denied request for special temporary authority to operate additional time January 4, 11, 18 and 25, 1942, and January 7, 14, 21 and 23, 1942.
- KSUB—Southern Utah Broadcasting Co., Cedar City, Utah.—Granted special temporary authority to remain silent after 8 p. m., MST, for a period not to exceed 30 days.

The Commission (by Wakefield, Commissioner) on December 22 took the following action:

- WHLD—The Niagara Falls Gazette Publishing Co., Niagara Falls, N. Y.—Denied request for special temporary authority to operate additional time December 26, 1941.
- WHIP—Hammond-Calumet Broadcasting Co., Hammond, Ind.—Denied request for special temporary authority to operate additional time December 24 and 25, 1941.
- KWAT—Midland National Life Insurance Co., Watertown, S. D.—Granted special temporary authority to remain silent after 6 p. m., CST, on December 25, 1941, and January 1, 1942, only, in order to observe Christmas and New Year's Day.

- WSAR—Radio Station WSAR, Fall River, Mass.—Granted petition for leave to intervene in the hearing on application of Mid-state Radio Corp. for a new station in Utica, N. Y.
- Woddam Corporation, New York City.—Granted petition for withdrawal without prejudice of application for new FM station.
- WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—Granted petition to continue hearing now scheduled for January 9 to March 19 on application for construction permit (B2-P-2574).
- New Mexico Broadcasting Co., Santa Fe, New Mexico.—Passed for one week motion to accept amendment to KGGM application Docket 6142, and remove applications in Dockets 6082, 6142 and 6143 from hearing docket.
- WDNC—Durham Radio Corp., Durham, N. C.—Granted petition for order to take depositions in re applications of WDNC and WRAL for construction permits to operate on **620 kc.**, 1 KW night, 5 KW day; directional antenna day and night; unlimited time.
- R. O. Hardin, tr as Nashville Broadcasting Co., Nashville, Tenn.—Granted petition to amend application for construction permit for new station to change name of applicant to a partnership consisting of R. O. Hardin and John Buchanan, and retain January 5 as hearing date.
- WDWS—The Champaign News Gazette, Inc., Champaign, Ill.—Granted license to cover construction permit for changes in equipment (B4-L-1576).
- WTAM—National Broadcasting Co., Inc., Cleveland, Ohio.—Granted license to cover construction permit for changes in equipment (B2-L-1572).
- WMAZ—Southwestern Broadcasting Co., Inc., Macon, Ga.—Granted modification of construction permit which authorized change in frequency, increase in power, move of transmitter and install directional antenna for day and night use, for extension of completion date from January 6, 1942, to April 6, 1942 (B3-MP-1461).
- WHN—Marcus Loew Booking Agency, New York, N. Y.—Granted license to cover construction permit for changes in auxiliary transmitter and move to site of main transmitter (B1-L-1567). Granted authority to determine operating power by direct measurement of antenna input (B1-Z-1305).
- KWRC—Western Radio Corp., Pendleton, Ore.—Granted license to cover construction permit for new station (B5-L-1573). Granted authority to determine power by direct measurement of antenna input (B5-Z-1312).
- KVOE—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Calif.—Granted authority to determine operating power by direct measurement of antenna input (B5-Z-1314).
- W3XPR—Philco Radio & Television Corp., Portable Mobile Area of Philadelphia, Pa.—Granted license to cover construction permit for new television relay broadcast station (B2-LVB-29).
- WEQG—Evansville On The Air, Inc., Portable Mobile Area of Evansville, Ind.—Granted license to cover construction permit for new relay broadcast station (B4-LRE-367).
- WAXJ—Lamar Life Insurance Co., Portable Mobile Area of Jackson, Miss.—Granted license to cover construction permit for new relay broadcast station (B3-LRY-246).
- W2XYO—Columbia Broadcasting System, Inc., New York, N. Y.—Granted modification of construction permit for new ST broadcast station, for extension of completion date only, from December 22, 1941 to June 22, 1942 (B1-MPST-3).
- KEGA—Earle C. Anthony, Inc., Portable Mobile Area of Los Angeles, Calif.—Granted construction permit to make changes in equipment and increase operating power from 2 watts to 4 watts, for relay broadcast station (B5-PRE-415).
- W3XO—Jansky and Bailey, Washington, D. C.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **43200 kc.**, 1000 watts, special emission located at 1219 Wisconsin Avenue, at Georgetown, D. C., for the period December 28, 1941, and ending not later than February 25, 1942.
- KONB—MSB Broadcast Co., Omaha, Neb.—Granted modification (B4-MP-1460) of construction permit (B4-P-2697), for authority to install new type transmitter, make changes in antenna system, and extend commencement and completion dates to 30 and 120 days after grant respectively.
- WELL—Federated Publications, Inc., Battle Creek, Mich.—Granted petition for continuance of hearing now set for January 6 to March 4, 1942, in re application of WELL for renewal of license.
- WHN—Marcus Loew Booking Agency, New York, N. Y.—Granted license to cover construction permit which authorized new transmitter, installation of directional antenna for day and night use, increase in power, change in frequency, and move (B1-L-1566); granted authority to determine operating power by direct measurement of antenna input (B1-Z-1304).
- WGTM—WGTM, Inc., Wilson, N. C.—Granted extension of special temporary authority to operate with studio at 115 West Nash St., Wilson, N. C., in lieu of site specified in construction permit, for a period beginning December 23, 1941 and ending not later than January 21, 1942.
- WELW—WBNS, Inc., Columbus, Ohio.—Granted special temporary authority to operate relay broadcast station WELE in exact accordance with license which expired December 1, 1941, on temporary basis only for period not to exceed 30 days, pending action on application for reinstatement of license.
- KUOA—KUOA, Inc., Siloam Springs, Ark.—Granted special temporary authority to operate additional time from 7 to 9 p. m., CST, January 3, 1942, using power of 1 KW only, in order to broadcast program in connection with a banquet at John Brown University.
- KVAN—Vancouver Radio Corp., Vancouver, Wash.—Denied request for special temporary authority to operate additional time on January 8, 9, 10, 12, 13, 16, 17, 19, 20, 24, 30 and 31, 1942.
- Radio Corporation of Orlando, Orlando, Fla.—Placed in pending files pursuant to Order No. 79, application (B3-P-2806) for construction permit for new station.
- The Gazette Company, Cedar Rapids, Iowa.—Denied petition to reconsider and grant application for a construction permit for a new broadcast station to operate on **1600 kc.**, with 5 KW power, unlimited time; removed application from hearing docket and placed in pending files pursuant to Order 79.
- WINS—Hearst Radio, Inc., New York, N. Y.—Denied Special Service Authorization (B1-SSA-12) to increase power to 5 KW night and day, using WHN's transmitter at WHN's old site. Extended present temporary authorization to operate WINS by indirect method, with power of 1 KW, using old WHN transmitter and antenna system at site formerly occupied by WHN.
- W8XO—Crosley Corporation, Cincinnati, Ohio.—Denied petition to reconsider and grant without hearing application for a construction permit to make changes in transmitter and increase maximum operating power to 700 KW. Now licensed on **700 kc.**, with power from 100 to 500 KW.
- W9XYH—Head of the Lakes Broadcasting Co., Superior, Wisc.—Denied request for special temporary authority to operate experimental high frequency station W9XYH commercially.

## APPLICATIONS FILED AT FCC

### 630 Kilocycles

- WPRO—Cherry and Webb Broadcasting Co., Providence, R. I.—Authority to determine operating power by direct measurement.

### 680 Kilocycles

- KFEQ—KFEQ, Inc., St. Joseph, Mo.—Acquisition of control of corporation from News Broadcasting Company to Barton Pitts, 5 shares common stock.

### 770 Kilocycles

- KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Modification of special service authorization to change power from 25 KW night, 50 KW day to 50 KW and extend expiration date from 1-9-42 to 2-1-42.

### 790 Kilocycles

- KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Transfer of control of corporation from R. E. McDonald and Barbara McDonald to Wm. J. Wagner, 332 share common stock.

### 860 Kilocycles

- WSO—Paducah Broadcasting Co., Inc., Henderson, Ky.—License to cover construction permit (B2-P-3149) as modified, for a new broadcast station.
- WSO—Paducah Broadcasting Co., Inc., Henderson, Ky.—Authority to determine operating power by direct method.

### 930 Kilocycles

- WSAZ—WSAZ, Inc., Huntington, W. Va.—License to cover construction permit (B2-P-2856) as modified, for new transmitter, directional antenna for night use, change frequency, hours and move transmitter.
- WSAZ—WSAZ, Inc., Huntington, W. Va.—Authority to determine operating power by direct method.
- WRRF—Tar Heel Broadcasting System, Inc., Washington, N. C.—Modification of construction permit (B3-P-3316) for a new station, requesting approval of antenna and transmitter site and studio location and change type of proposed transmitter.

### 1050 Kilocycles

- KINY—Edwin A. Kraft, Juneau, Alaska.—Modification of construction permit (B-P-3089) for increase in power, equipment changes and antenna, requesting change in frequency from 1460 to 1050 kc., changes in equipment and extension of commencement and completion dates from 9-9-41 and 3-9-42 to 20 days after grant and 30 days thereafter, respectively.

### 1110 Kilocycles

- WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.—Construction permit to install a directional antenna for night use. Amended: to install new transmitter and move transmitter.

### 1250 Kilocycles

- WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—Modification of construction permit (B3-P-2985) as modified, for installation of new transmitter, directional antenna for night use, change in frequency, increase in power and move of transmitter, requesting extension of completion date from 1-21-42 to 4-21-42.

### 1330 Kilocycles

- WFIN—Findlay Radio Co., Findlay, Ohio.—License to cover construction permit (B2-P-2846) as modified for a new station.
- WFIN—Findlay Radio Co., Findlay, Ohio.—Authority to determine operating power by direct method.

### 1350 Kilocycles

- KRNT—Iowa Broadcasting Co., Des Moines, Iowa.—License to cover construction permit (B4-P-2726) as modified, to move transmitter, new directional antenna for night and increase in power.
- KRNT—Iowa Broadcasting Co., Des Moines, Iowa.—Authority to determine operating power by direct method.

### 1360 Kilocycles

- WSAI—The Crosley Corp., Cincinnati, Ohio.—Modification of construction permit (B2-P-2221) as modified, for increase in power, installation of directional antenna for night and day use and move, requesting changes in directional antenna, 1360 kc. under NARBA and extension of completion date from 7-15-41 to 180 days after grant and 250 watt booster station. Amended: re booster station to change power to 100 watts and hours from unlimited to daytime.

### 1370 Kilocycles

- WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Modification of license to use old transmitter as auxiliary with power of 1 KW.

### 1390 Kilocycles

- WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Modification of construction permit (B4-P-3063) as modified for increase in power, change in hours, move transmitter, new directional antenna for day and night use, requesting extension of completion date from 1-20-42 to 3-20-42.

### 1400 Kilocycles

- WJLD—J. Leslie Doss, Bessemer, Ala.—Modification of construction permit (B3-P-2642) for a new station, requesting

change in type of transmitter, approval of antenna and transmitter site and change studio location.

### 1440 Kilocycles

- KPRO—Broadcasting Corporation of America, Riverside, Calif.—Authority to determine operating power by direct method.

### 1460 Kilocycles

- KSO—Broadcasting Corporation of America, Riverside, Calif.—License to cover construction permit (B4-P-2727) as modified, for move of transmitter, new directional antenna for night use and increase in power.
- KSO—Broadcasting Corporation of America, Riverside, Calif.—Authority to determine operating power by direct method.

### 1490 Kilocycles

- NEW—Green Mountain Broadcasting Corp., Inc., Brattleboro, Vt.—Construction permit for a new broadcast station to be operated on 1490 kc., 250 watts, unlimited hours.
- KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—License to cover construction permit (B3-P-3369) for a new transmitter.

### 1520 Kilocycles

- WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Special service authorization to operate from 12 midnight to 4:00 a. m. Amended: to request time from sunset at Buffalo, N. Y., to local sunrise using 1 KW.

### 1560 Kilocycles

- WQXR—Interstate Broadcasting Co., Inc., New York, N. Y.—Extension of special service authorization to operate on 1560 kc., 10 KW, unlimited time, non-directional antenna from 2-1-42 to 4-1-44.

## FM APPLICATIONS

- K59L—Columbia Broadcasting System, Inc., St. Louis, Mo.—Modification of construction permit (B4-PH-102) for a new high frequency broadcast station, requesting change in transmitter site and make changes in antenna system.
- NEW—Eugene P. O'Fallon, Inc., Denver, Colo.—Construction permit for a new high frequency broadcast station to be operated on 46500 kc.; population, 45,797; coverage, 1,403 square miles.
- NEW—New Jersey Broadcasting Corp., Newark, N. J.—Construction permit for a new high frequency broadcast station to be operated on 49100 kc.; population, 11,194,000; coverage, 5,580 square miles. Amended: to change coverage to 6,350 square miles; population to 10,044,000.

## TELEVISION APPLICATIONS

- NEW—Balaban and Katz Corp., Chicago, Ill.—Construction permit for a new commercial television broadcast station (formerly W9XBK) to be operated on Channel No. 2, 60000-66000 kc., ESR: 25.2, Aural: Max. 2 KW; Visual Max. 4 KW.
- NEW—WCAU Broadcasting Co., Philadelphia, Pa.—Construction permit for a new commercial television broadcast station (formerly W3XAU) to be operated on Channel No. 5, 84000-90000 kc., ESR: 1128, Aural Max. 2 KW, Visual Max. 4 KW.
- WPTZ—Philco Radio and Television Corp., Philadelphia, Pa.—Modification of construction permit (B2-PCT-4) for a new television broadcast station, requesting extension of completion date from 1-1-42 to 4-1-42.

## MISCELLANEOUS APPLICATIONS

- WHHC—Hampden-Hampshire Corp., Portable-Mobile.—License to cover construction permit (B1-PRE-409) for a new relay broadcast station.
- NEW—Board of Education, City of Buffalo, Buffalo, N. Y.—Construction permit for a new noncommercial educational broadcast station to be operated on 42900 kc., 1 KW, special emission for frequency modulation.

## FEDERAL TRADE COMMISSION ACTION

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

### COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

**Samuel Martin, Ltd.**, 600 Textile Tower, Seattle, Wash., engaged in the sale and distribution of men's clothing and blankets, is charged in a complaint with misrepresentation. (4660)

### CEASE AND DESIST ORDERS

The Commission last week made public the following cease and desist orders:

**Beho Rubber Co., Inc.**, and Bernard Holtzman, Mae Murray and Milton M. Holtzman, individually and as officers of Beho Rubber Co., Inc., also trading as The Best Tire House, The Modern Improved Retread Outlet, and The Assured Remolded Tire Distributors, 2427 South Michigan Ave., Chicago, engaged in selling and distributing used tires that have been retreaded or recapped, have been ordered to cease and desist from misrepresentations concerning their products. (3973)

**Champion Battery Co.** and The Ball Co., Morgan Building, Detroit, engaged in the sale and distribution to retail dealers of so-called sales promotional plans, have been ordered to cease and desist from misrepresentation. (4134)

**Kas-Mo Remedy Co.**, 949 Seventh St., Port Arthur, Tex., has been ordered to cease and desist from certain false and misleading representations concerning the therapeutic value of the medicinal preparation designated "Kas-Mo Salve." (3536)

**Magnetic Ray Company** and Magnetic Ray Clinic, Dallas, Tex., engaged in the sale and distribution of an electrical device designated "Magnetic Ray," for use in the treatment of various disorders and diseases of the human body, has been ordered to cease and desist from misrepresentations concerning his product. (4163)

**Woodfinishing Products Company**—An order to cease and desist from practicing commercial bribery in connection with the sale of paints, varnishes, lacquers and other woodfinishing products has been issued against James Ledwith and Morton E. Rosenthal, trading as Woodfinishing Products Co., 34 Industrial St., New York, and their sales manager and representative, J. M. Thomas. The respondents Ledwith and Rosenthal maintain a branch office and manufacturing plant at 572 Waughton St., Winston-Salem, N. C. (4579)

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**L. B. Allen Co., Inc.**, 6719 Bryn Mawr Ave., Chicago, engaged in the manufacture and sale, among other products, of solder for cast-iron aluminum and stainless steel, has stipulated to cease and desist from stamping, embossing or otherwise marking or identifying its solder product with the term "Pat. No. 401482," and from use of the term in any way so as to convey the belief to purchasers that the product is or ever was the subject matter of a patent properly identified by such number or that the corporation is the present owner of a subsisting patent entitling it to the exclusive right or privilege of making, using or selling the product. (3310)

**Ashley Automatic Wood Stove Co.**, Columbia, S. C. engaged in selling a wood burning stove designated "Ashley Automatic Wood Burning Stove," has stipulated to cease and desist from representing that users of his stove will effect an economy in heating costs or will effect an economy in heating costs of any definitely stated amount; that the stove will not cause any smoke or soot; that it is 100 percent automatic or that it burns ashes and when the stove is used there will be no ashes to remove. The respondent also agreed to discontinue representing that the stove will prevent or help rid one of winter colds and kindred ailments; that any equipment furnished with the stove is free when, in fact, the cost thereof is included or reflected in the purchase price of the stove; that the stove has been tested or approved by any qualified and impartial experts when such is not the fact; that the stove will provide the correct temperature at all times or in all parts of the house; or that the stove will adequately heat any definite number of rooms irrespective of conditions as to their size, construction, arrangement and geographical location. (02927)

**Ballard & Ballard Co.**, 912 East Broadway, Louisville, Ky., engaged in the manufacture and sale of food stuffs, including a so-called "Obelisk Self-Rising Flour" for human consumption and a product called "Nutro-Tone" to be used as a supplement to poultry feeds, has stipulated to discontinue representing, in connection with the sale or distribution of "Nutro-Tone"; that it is a food conditioner or regulator; that its use will improve a bird's health any more than any well-balanced food, or that it is a preventive of or cure for the poultry disease known as coccidiosis, or will do more in this respect than to increase resistance of birds to such disease. The corporation also agrees to cease representing that use of "Obelisk Self-Rising Flour" will produce a greater volume or yield of baked products or give more baked products per pound than any other comparable flours used in the same manner. (3308)

**Beauty Products**, 1625 Court Place, Denver, Colo., engaged in selling a coal tar hair dye product designated "Noreen Super Color Rinse," has stipulated to cease and desist from representing that the product gives life to the hair, eliminates mixing, does not stain the scalp or fingers, contains more or truer color, or is not a hair dye. (02926)

**Blair Elevator Corporation**, Atchison, Kans., engaged in selling a commercial poultry feed designated "Blair's Round Worm Control Measure," has stipulated to cease representing that the preparation is an effective treatment or control measure for black-head; that it possesses any value in the treatment, prevention or control of poultry infestations by tapeworms, cecal worms or other parasites, with the exception of large round worms; or that it will be of any value in the prevention or control of diseases that may be caused by tapeworms or other parasites, with the exception of such diseases as may be caused by or attributable to the presence of large round worms. (02925)

**Borden Novelty Co.**, 128 East 28th St., New York, engaged in the manufacture and sale of watch straps and attachments, has stipulated to cease and desist from the use, either with or without contradictory explanation, of the word "glass" or other glass connoting term, either alone or in connection with the words "Velvet Glass" or any other word or words; or in any way as a trade name or designation or as descriptive of Vinylite or similar products so as to convey the belief that such products are glass or contain glass or are fabricated from fibers of glass, that is to say, inorganic silica glass, as the term "glass" is commonly known and accepted by the trade and public. (3319)

**Lawrence Richard Bruce, Inc.,** and **Amirol, Inc.,** both of 375 Fairfield Ave., Stamford, Conn., stipulated that, in connection with the sale of a coal tar hair dye designated "Amirol Color and Oil Shampoo Treatment," they will cease and desist from disseminating any advertisements which fail conspicuously to reveal the following:

"CAUTION: This product contains ingredients which may cause skin irritation on certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows; to do so may cause blindness." (3323)

**Casco Products Corporation,** also trading as **Perfection Products Co.,** and as **Neaco Products Co.,** Bridgeport, Conn., engaged in the sale and distribution of electrical heating pads, has stipulated to cease and desist from use of the words "Three Heats," "Low . . . Medium . . . High" or "Three Heat Switch" as descriptive of electrical heating pads, or the switches used therewith, not equipped or provided with adequate thermostatic or other heat controls calibrated for three different, distinct temperatures or degrees of heat; and from use of the words, phrases or initials "Three Heats," "Low . . . Medium . . . High," "Three Heat Switch" or "L," "M" and "H," or other words, phrases, initials or symbols of similar implication so as to convey the belief that the heating pads are capable of maintaining. (3318)

**Dakota Sash & Door Co.,** Aberdeen, S. Dak., engaged in the distribution and sale of barn doors, the sash of which is equipped with panes of glass, have stipulated to discontinue use of the word "plate," either alone or in connection with other words, on the labels affixed to the panes of glass forming part of the doors, and from use of the word "plate" in any way which may tend to convey the belief to purchasers that the glass used in the construction of such doors is that known as "plate glass," when in fact it is not of that type; and from use of the words "Manufactured by" or of other words of similar meaning, so as to imply that the glass with which the sash of the doors is equipped is made by the copartners, or that they actually own, operate or control the plant or factory in which such glass is manufactured. (3314)

**Duo-Tint Bulb and Battery Co.,** 4431 North Racine Ave., Chicago, engaged in the sale and distribution of light bulbs called "Duo-Tint" for use in flashlights, radio panels and for similar purposes, has stipulated to cease and desist from use on the containers of its products or in any way of the words "Made in U. S. A." or other words of similar implication tending to confuse or mislead purchasers with respect to the identity of the country of origin of its products. The corporation further agreed to cease and desist from use of the word "Manufacturers" as descriptive of the business in which it is engaged, and from use of the word in any way so as to convey the belief that it makes or manufactures the products which it sells or that it actually owns or operates or controls a plant or factory in which the products are made or manufactured. (3322)

**M. L. Fernandex & Bro.,** Tampa, Fla., engaged in the manufacture and sale of cigars, have stipulated to cease and desist from use on labels affixed to cigar containers or otherwise of the term "Exposicion de Paris," either alone or in connection with the numerals "1870," or the pictorial or other representation of medals or other insignia so as to convey the belief that the products sold by them have received an award from any Paris Exposition or other comparable institution, or that the medals were awarded in connection with the exhibition of their products at an Exposition or on any other occasion where such awards are customarily made, when such are not the facts. (3311)

**M. Fidler & Son,** 20 West 30th St., New York, engaged in the sale and distribution of upholstery fabrics, have stipulated to cease and desist from use of the word "manufacture" or any word or words of similar implication so as to convey the belief that they make or manufacture the products sold by them or that

they actually own and operate or control a plant or factory in which such products are made or manufactured. (3313)

**Wm. Freihofer Baking Company,** and **Freihofer Baking Company,** Philadelphia, manufacturers and distributors of bread designated "Freihofer's Hollywood Health Bread," have stipulated to cease and desist from certain representations concerning their product. The respondents agree, in connection with the sale and distribution of "Hollywood Bread" or any bread of substantially similar composition, to discontinue representing that the bread contains neither fats of any character nor any variety of sugar as an ingredient; that the bread product, due to its vegetable oils content and alleged lack of sugar, is not fattening or that its use as a food will cause the user to stay slim or slender or to keep well; that the product is substantially, if any, less fattening than any other bread products because it does not contain fats or sugar of the kinds allegedly used in other bread products; that the caloric food values of the bread are substantially, if any, less than those of any other bread products which contain sugar and animal fats; or that the bread has been endorsed or sponsored by leading physicians or dietitians for reducing diets. (3320)

**H. V. Laboratories, Inc.,** 208 North 22nd St., St. Louis, Mo., engaged in selling a medicinal preparation designated "H. V. 222," has stipulated to cease representing that it is a remedy or cure for skin eruptions or skin irritations, skin rash or eczema, or has any value in the treatment of such conditions beyond the relief of the itching associated with them; that it is a cure for or will prevent athlete's foot, will penetrate or kill such of the fungi of athlete's foot as may develop beneath the corneous layer of the unbroken skin, or that in the treatment of athlete's foot it has any beneficial effect upon the tissues deeper than those supplied by the peripheral vascular system beneath an unbroken skin; that it will remove the blisters manifesting the condition known as athlete's foot; that, diluted or undiluted, it kills the germ infection or fungi of athlete's foot in 30 seconds, or in any other definitely stated period of time. The respondent also agrees to cease representing that "H. V. 222" is a panacea, or that its use prevents or stops bleeding or causes coagulation. (02924)

**Hollywood Services, Inc.,** Chicago, now trading as **National Bakers Service, Inc.,** engaged in selling a product called "Hollywood Mix" to **Wm. Freihofer Baking Company** and **Freihofer Baking Company** and to bakers licensed by the corporation to use the product as an ingredient in the making of so-called "Hollywood Health Bread" or "Hollywood Bread," has stipulated to discontinue representing, through newspaper advertisements, radio announcements, and other advertising literature, that the bread product contains neither fats of any character nor any variety of sugar as an ingredient; that the bread product, due to its vegetable oils content and alleged lack of sugar, is not fattening or that the use of the product as a food will cause the consumer to stay slim or slender or to keep well; that the product is substantially, if any, less fattening than any other bread products because it does not contain fats or sugar of the kinds allegedly used in such other bread products; that the caloric food values of the bread are substantially, if any, less than those of other bread products which contain sugar and animal fats; that the product has been endorsed or sponsored by leading physicians and dietitians for reducing diets; and that the corporation has a place of business at Hollywood, Calif., or that the bread product is sold at such place, or that it is used as a diet by Hollywood actresses generally. (3321)

**"Keneco Health Products,"** Elmira, N. Y., engaged in the sale and distribution of a preparation in tablet form called "Slendotabs," have stipulated to cease representing that use of the tablets is an easy or dependable or sensible, correctively balanced weight-reducing method, or that it is one that will attractively or otherwise effectively slenderize the user's figure or that doctors would approve as a competent and safe means of producing permanent weight reduction. (3309)

**Knipe Brothers, Inc.,** shoe manufacturer of Ward Hill, Mass., has stipulated to cease and desist from use of the word "Doctor"

or the abbreviation "Dr.," or any simulation thereof either alone or in connection with a name or with other words, as a trade name for the shoes it sells, so as to imply, or the effect of which may lead purchasers to believe, that the shoes so designated are made in accordance with the design or under the supervision of a physician and contain special scientific or orthopedic features which are the result of medical determination or services. (3315)

**Mills Dress & Work Clothes Co.**, 500 Ninth St., N. W., Washington, D. C., engaged in the sale of clothing and other merchandise, has stipulated that she will cease and desist from representing, directly or inferentially, that she manufactures uniforms or other commodities or that the business conducted by her is "A Division of MILLS UNIFORMS" or a division or branch of any firm or business. (3317)

**Northrup, King & Co.**, 1500 Jackson St., N. E., Minneapolis, stipulated to cease and desist from certain representations in connection with the sale of poultry feeds designated "Sterling Growing Ration" and "Sterling Chick Ration." (3324)

**Dr. David Roberts Veterinary Co., Inc.**, and David Roberts, a practicing veterinarian, its president, Waukesha, Wis., engaged in the compounding and sale of numerous medicinal preparations for treatments of diseases in domestic animals, have entered into a stipulation in which they agree to cease and desist from representing that their product "Herd-Tonik" is a competent treatment to build up breeding vitality, prevent loss of calves, or remedy failure to breed, or that it is efficacious in preventing or overcoming herd infection in cattle; that "Absorbent" is a competent treatment or remedy for goiters, enlarged glands or growths, deep seated wounds, fistula or lump jaw; that "Badger

Balm" is an effective remedy for cow pox; that "Cow Tonic" is an effective remedy for shortage of milk and all kinds of udder trouble; that "Freshening Prescription" is a tonic for afterbirth ailments; that "Calf Medicine" is of benefit in the treatment of looseness of the bowels other than that due to irregular feeding; that by use of any designation such as "Laxo-tonic," the medicine so referred to is both laxative and tonic in action or is an effective remedy for constipation or paralysis of the bowels generally; that "Uterine Capsules" is an effective treatment for slow breeding cows; that "Udderine" is an effective remedy in cases of garget or swollen udders; or that "Udder Balm" is an effective remedy for inflamed udder, garget or mammitis. (3312)

**Sertner's Thrift Fur Shop**, Joseph Sertner, 28 West 46th St., New York, entered into a stipulation to cease and desist from any representations which imply or convey the belief to the purchasing public that any of the second-hand fur garments he sells, or any appreciable percentage of them, were obtained or purchased from estate sales or society women, or otherwise misrepresenting the true source of such garments. (3325)

**Westernman Manufacturing Co.**, 136 West 21st St., New York, engaged in the manufacture of watch straps, has entered into a stipulation to cease and desist from using in advertising matter or invoices or otherwise, either with or without contradictory explanation, the word "glass" or the syllable "glas," or any other glass connoting term, to designate or describe a watch strap which is not composed of glass; and to discontinue use of such term or syllable or any other word or syllable of similar import, as part of a trade name or designation such as "Expando-Glass" for, or as descriptive of, Vinylite or similar products, so as to imply that the products so designated are glass or contain glass or are fabricated from fibers of glass. (3316)



## CODE COMMITTEE

The Code Compliance Committee met yesterday in an all day session in Washington. Principal topic on the agenda was news commentators which was discussed at length with particular reference to suggestions from the National Council on Freedom from Censorship for relaxing code provisions now governing them. It was the sense of the committee that these provisions should stand. The committee recommended that stations continue to give time to labor whenever the public interest warrants, and pointed out that time can be sold to labor unions so long as controversial issues are not discussed on paid time. Broadcasting "race-by-race" horse race results by radio was considered; it was the sense of the committee that it was bad radio. A communication from the Radio Council on Children's Programs, signed by Dorothy Lewis, was discussed at length, and the letter referred to the Board of Directors.

Present were: Earl J. Glade, KSL, Chairman; Edgar L. Bill, WMBD; Gilson Gray, CBS; Hugh A. L. Half, WOAI; Henry P. Johnston, WSGN; Janet Mac Rorie, NBC; Edney Ridge, WBIG; Calvin J. Smith, KFAC, and Russell Place, NAB, Secretary. Also in attendance were Neville Miller, Ed Kirby, Joe Miller and Frank Pellegrin from NAB.

## DAYLIGHT-SAVING TIME

On Wednesday the House Committee on Interstate and Foreign Commerce reported out a bill (H. R. 6314) providing for one hour of nationwide daylight-saving time. This is one of two bills introduced by Chairman Lea (D.-Calif.) on Tuesday afternoon; the other, similar to the Wheeler Bill introduced in the Senate on December 30 (S. 2160, see NAB REPORTS, p. 2), would give the President power from time to time to advance or retard the standard time of each zone, or any part thereof, up to two hours. Under both bills DST would go out six months after the war is over.

On Tuesday, the Senate Committee on Interstate Commerce, without hearing, reported out the Wheeler Bill. Senator Taft blocked consideration on the floor of the Senate Wednesday. It was reported that Chairman Lea would seek consideration of H. R. 6314 by the House this week.

The Lea Bill (H. R. 6314), providing as it does for uniform, nationwide DST, is the kind of a bill NAB argued for at the hearings because it would insure certainty in scheduling programs; it has the support of the Association of American Railroads for the same reason.

### H. R. 6314

The Lea Bill: A Bill to promote the national security and defense by establishing daylight-saving time.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That beginning at 2 o'clock antemeridian of the twentieth day after the date of enactment of this Act, the standard time of each zone established pursuant to the Act entitled "An Act to save daylight and to provide standard time for the United States," approved March 19, 1918, as amended, shall be advanced one hour.*

SEC. 2. This Act shall cease to be in effect six months after the

termination of the present war or at such earlier date as the Congress shall by concurrent resolution designate, and at 2 o'clock antemeridian of the last Sunday in the calendar month following the calendar month during which this Act ceases to be in effect the standard time of each zone shall be returned to the mean astronomical time of the degree of longitude governing the standard time for such zone as provided in such Act of March 19, 1918, as amended.

## TRANSCRIPTION CLEARANCE

Stations which are offered a commercially transcribed program which contains music which they are not licensed to play, should bear in mind the provisions of the Consent Decree, signed by ASCAP and BMI, requiring the clearance of all commercial transcriptions at the source, if the station or transcription company so elect. This means that you can accept all of such transcription programs containing ASCAP music, for instance, at a cost no greater to you than if you had an ASCAP "per program" license. Stations that have any difficulty in obtaining the benefits of the Consent Decree in this respect should communicate with the NAB.

## SUBCOMMITTEE DISSOLVED

Chairman Clark (D.-Idaho) of the Senate subcommittee which began a preliminary investigation of charges of motion picture and radio propaganda, announced dissolution of the subcommittee.

He said that in the interest of war-time unity, a detailed report on controversial matters covered by the inquiry was not desirable.

## NATIONAL ANTHEM ETIQUETTE

A station asks what is the proper etiquette for radio listeners when The Star-Spangled Banner is played.

Captain D'Arcy of the Army Band says any public assemblage of listeners should rise, but in the privacy of the home rising is not obligatory.

Even in the home, all conversation, by custom, ceases during the playing.

## Sales

### Sales Managers Executive Committee Meets

The NAB Sales Managers Executive Committee will meet at the Roosevelt Hotel, New York, January 13 and 14, and will also participate in a meeting of the Radio Executives Club of New York and the NRDGA annual convention that week.

A committee of agency time buyers and national sales representatives will be invited to participate in the committee meetings. On the committee are Chairman Eugene Carr, WGAR, Cleveland; John Outler, WSB, Atlanta, representing large stations; E. Y. Flanigan, WSPD, Toledo, medium stations; Dietrich Dirks, KTRE, Sioux City, Ia., small stations; George Frey, Red network sales,

(Continued on page 10)



1626 K St., N. W.

WASHINGTON

Phone NAational 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

## SALES

(Continued from page 9)

New York, representing NBC; Arthur Hull Hayes, WABC, New York, representing CBS, and Linus Travers, WAAB, Boston, representing Mutual-affiliated stations. From the NAB staff will be C. E. Arney, Jr., assistant to the president, and Frank E. Pellegrin, director of the department of broadcast advertising.

### Deitrich Dirks Appointed to Committee

Dietrich "Dee" Dirks, a radio veteran and general manager of KRTI, independent outlet at Sioux City, Ia., has been appointed by Neville Miller to the Sales Managers Executive Committee as the local-station representative, succeeding Bob MacKenzie, formerly of WCMI, Ashland, Ky., who resigned his post with that station.

### Dept. Store Execs to Hear About Radio

A full half-day session before the Sales Promotion section of the National Retail Dry Goods Association at its huge annual convention in New York has been awarded the NAB and its Sales Managers Division.

The radio presentation will be made Wednesday morning, January 14.

Every station is urged immediately to contact the executives and advertising managers of all its local department stores, and ask them particularly to attend this session. If your local executives have already left for New York, it is suggested that you get their hotel address from their secretaries, and send them a reminder by telegram or special delivery letter. A full attendance at that session by these executives should do much to make your local sales efforts more successful.

Because the NRDGA convention theme is based on wartime merchandising problems now faced by department stores, the radio session is billed as "Wartime Merchandising by Radio." The program will open with a general discussion on that subject, illustrated by charts, displays and case histories, by Frank E. Pellegrin. Following will be a presentation on "Filene's Discovers the Power of Radio," featuring Brooks Shumaker, general manager of Wm. Filene's Sons Co., Worcester, Mass., aided by E. E. Hill, general manager of WTAG, and George Jaspert, commercial manager.

An open question-and-answer session will follow, with the radio panel consisting of the members of the NAB Sales Managers Executive Committee.

### Mile O'Dimes Campaign

Cooperation of member stations is requested for the Mile O'Dimes Campaign in conjunction with the Infantile Paralysis drive.

Leaders in radio and in advertising agencies are all unselfishly giving their services in directing the campaign, and all proceeds will be turned over to the National Committee for the Celebration of the President's Birthday.

## FTC Report on Advertising

A continued warning to radio stations to maintain close watch over the content of commercials was implied in the 164-page annual report of the Federal Trade Commission to Congress, released January 9, covering the fiscal year ended June 30, 1941. Activities of the Radio and Periodical Division, governing false and misleading advertising, are summarized from the report:

The Commission maintains its Radio and Periodical Division to provide a direct and expeditious handling of certain cases involving false and misleading advertising, violative of the provisions of the Federal Trade Commission Act.

In this phase of the Commission activity, its only objective is to prevent false and misleading advertisements. It does not undertake to dictate what an advertiser shall say, but merely indicates what he may not say under the law.

The Commission believes that its work in this field contributes substantially to the improvement that has been evident in recent years in the character of all advertising.

**Newspaper and magazine advertising.** It has been found advisable to call for some newspapers and magazines on a continuous basis, due to the persistently questionable character of the advertisements published . . . 377,764 advertisements were examined of which 25,022 were noted as containing representations that appeared to be false or misleading. (6.6%)

**Almanac advertising.** The Commission examines almanacs of wide distribution which are used as advertising media for distributors of drugs, devices, and other commodities sold for the treatment of various ailments. This survey covered the examination of 1,414 advertisements, resulting in 289 being set aside as warranting further investigation. (20.4%)

**Mail-order advertising.** Catalogs and circulars containing an aggregate of 20,238 pages, distributed periodically and seasonably by mail-order companies . . . 467 advertisements were marked as containing possibly false and misleading representations. A wide variety of commodities (including food, drugs, devices, and cosmetics) is included in this questioned advertising. (2.3%)

**Radio advertising.** The Commission, in its systematic review of radio advertising, issues calls to individual radio stations, generally at the rate of 4 times yearly for each station. However, the frequency of calls to such individual broadcasters is varied from time to time, dependent principally upon transmittal power, the service radius or area of specific stations, and the advertising record of certain types of stations, as disclosed in analyses of previous advertising reviews.

National and regional networks respond on a continuous weekly basis, submitting copies of commercial continuities for all programs wherein linked hook-ups are used involving two or more stations.

Producers of electrical transcription recordings submit monthly typed copies of the commercial portions of all recordings produced by them for radio broadcast. This material is supplemented by periodic reports from individual stations listing the programs of recorded commercial transcriptions and other data.

During the fiscal year ended June 30, 1941, the Commission received 857,890 copies of commercial radio broadcasting continuities, amounting to 1,737,181 pages of typewritten script. These comprised 1,197,199 pages of individual station script, 529,820 pages of network script, and 10,162 pages of commercial recorded script.

The staff examined 871,909 commercial radio broadcast continuities, amounting to 1,749,557 pages of typewritten script. These comprised 519,640 pages of network script, 1,219,950 pages of individual station script, and 9,967 pages of script representing the built-in commercial portions of transcription recording productions destined for radio broadcast, through distribution of multiple pressings of such recordings to individual stations. An average of 5,755 pages of radio script were read each working day. From this material 24,535 commercial broadcasts were marked for further study as containing representations that might be false or misleading. (2.8%)

**Cooperation of radio and publishing industries.** In general, the Commission has received the helpful cooperation of the 3 nationwide network chains, 13 active regional networks, and transcription producers engaged in preparing commercial radio recordings, in addition to that of some 781 active commercial radio stations, 491 newspaper publishers, and 533 publishers of magazines, farm journals, and trade publications, and has observed an interested desire on the part of such broadcasters and publishers to aid in the elimination of false and misleading advertising.

**Analysis of questioned advertising.** An analysis of the questioned advertisements which were assembled by cases and given legal review, discloses that they pertained to 2,839 commodities in the proportions indicated below:

#### Classification of Products

Food, drugs, devices, and cosmetics:		
Food (human) . . . . .	12.7	
Food (animal) . . . . .	3.6	
Drugs . . . . .	33.0	
Cosmetics . . . . .	13.5	
Devices . . . . .	2.5	
		65.3
Other products:		
Specialty and novelty goods . . . . .	10.2	
Automobile, radio, refrigerator, and other equipment . . . . .	3.7	
Home study courses . . . . .	1.9	
Tobacco products . . . . .	1.2	
Gasoline and lubricants . . . . .	.9	
Poultry and livestock supplies and equipment, including hatchery products, etc. . . . .	1.1	
Miscellaneous, including apparel, coal and oil fuels, house furnishings and kitchen supplies, specialty building materials, etc. . . . .	15.7	
		34.7
Total . . . . .		100.0

In the item of drug preparations listed above, a substantial proportion of the related advertising contained possible misrepresentations or representations which encompassed possibly injurious results to the public and for that reason were given preferred attention.

## Per-Inquiry and Free Time

**H. W. Nichols Salesbook Co.**, Cincinnati, is seeking per-inquiry deals on behalf of its booklet "Income Tax Made EZ."  
**Gardner-Shea Publishing Co.**, Oklahoma City, is doing likewise for another income tax booklet.

**Henry Flarsheim and Staff**, Boston, an advertising agency, stating it has some direct selling and mail order clients, is asking for per-inquiry deals or "any other similar proposition."

The **Cooperative League of the U. S. A.** is seeking free time for a transcription of a "Rochdale Day" broadcast, originated in England, in the interests of cooperatives.

**Who Magazine**, New York, is offering free scripts, containing credits, of course.

It becomes increasingly apparent that many free-time requests are being sent to the conductors of home economics programs, and it is suggested that you confer with those responsible for these programs at your station and have all such matter cleared through the sales department, which can quickly detect material that should be paid for. Among such attempts recently reported are:

**W. E. Featherstone Advertising Agency**, Salt Lake City, for J'edwins Color Code; **Pan American Trust Co.**, New York, for Rio No. 7 Coffee; **Lauders, Frary & Clark** agency of New Britain, Conn.; **Cranberry Cannery, Inc.**, South Hanson, Mass., for The Cranberry Kitchen; **National Biscuit Co.**, New York, for Nabisco products; **Nestle's Chocolate Test Kitchen**, New York, for Nestle's chocolate.

## NEW STUDY COURSE

Clubs or schools wishing to study radio from the listeners viewpoint might well be referred to "A Course of Study in Radio Appreciation" by Alice P. Sterner (Educational and Recreational Guides, Inc., 1501 Broadway, N. Y. C., \$1).

## FTC LAW AND PRACTICE

Stations and agencies may be interested in "Federal Trade Commission Law and Practice" by Henry Ward Beer (Callaghan and Co., 401 E. Ohio St., Chicago, \$12). There is an especially interesting section on false, fraudulent and misleading advertising.

## FTC REPORT

The Federal Trade Commission in its systematic review of radio advertising, issues calls to individual radio stations, generally at the rate of four times yearly for each station, the Commission explains in its annual report just made public.

The Commission, in its report, explains its radio advertising by stating that the frequency of calls to such individual broadcasters is varied from time to time, dependent principally upon transmittal power, the service radius or area of specific stations, and the advertising record of certain types of stations, as disclosed in analyses of previous advertising reviews.

National and regional networks respond on a continuous weekly basis, submitting copies of commercial continuities for all programs wherein linked hook-ups are used involving two or more stations.

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*Cooperation of radio and publishing industries.*—In general, the Commission has received the helpful cooperation of the 3 Nationwide network chains, 13 active regional networks, and transcription producers engaged in preparing commercial radio recordings, in addition to that of some 781 active commercial radio stations, 491 newspaper publishers, and 533 publishers of magazines, farm journals, and trade publications, and has observed an interested desire on the part of such broadcasters and publishers to aid in the elimination of false and misleading advertising.

*Source of radio and periodical cases.*—Examination of current newspaper, magazine, radio, and direct mail-order house advertising, in the manner described, has provided the basis for 75.4 percent of the cases arising from radio broadcasts and published advertisements, initiated through the Radio and Periodical Division during the fiscal year ended June 30, 1941. Information received from other sources, including information from other divisions of the Commission, and from other Government agencies, formed the basis of the remainder of the division's work.

In directing its attention to the principal sources and areas of questionable advertising campaigns, the Commission has been guided by special analyses made from time to time, which disclose the origin of questioned newspaper and radio advertising proportionately as to population centers.

*Analysis of questioned advertising.*—An analysis of the questioned advertisements which were assembled by cases and given legal review, discloses that they pertained to 2,839 commodities in the proportions indicated below:

### CLASSIFICATION OF PRODUCTS

Commodity	Percent
Food, drugs, devices, and cosmetics:	
Food (human) .....	12.7
Food (animal) .....	3.6
Drugs .....	33.0
Cosmetics .....	13.5
Devices .....	2.5
	65.3
Other products:	
Specialty and novelty goods .....	10.2
Automobile, radio, refrigerator, and other equipment .....	3.7
Home study courses .....	1.9
Tobacco products .....	1.2
Gasoline and lubricants .....	.9
Poultry and livestock supplies and equipment, including hatchery products, etc. ....	1.1
Miscellaneous, including apparel, coal and oil fuels, house furnishings and kitchen supplies, specialty building materials, etc. ....	15.7
	34.7
Total .....	100.0

In the item of drug preparations listed above, a substantial proportion of the related advertising contained possible misrepresentations or representations which encompassed possibly injurious results to the public and for that reason were given preferred attention.

*Number of cases handled.*—During the fiscal year the Commission sent questionnaires to advertisers in 374 cases and to advertising agencies in 19 cases, and accepted 234 stipulations pertaining to radio and periodical advertising. Of these, 19 stipulations (8 relating to drugs and 11 to hair dyes) contained agreements to publish appropriate warnings in advertisements as to the potential

harm that might result from the use of the products in question.

A total of 605 cases were disposed of by the various methods of procedure. Of this number 222 cases were considered settled upon receipt of reports showing compliance with previously negotiated stipulations. The remaining 383 were closed without prejudice to the right of the Commission to reopen if warranted by the facts: 221 of them for lack of jurisdiction or lack of evidence sufficient to establish a violation of law, 143 because of discontinued business and practices, or insufficient public interest, 12 because of fraud orders issued by the Post Office Department against the advertisers, and 7 because the Post Office Department had accepted from the parties concerned affidavits of discontinuance of business.

In addition, the Commission in 23 cases ordered issuance of complaint: in 11 instances where advertisers failed to stipulate; in 5 cases in which the advertiser was not given the opportunity to stipulate because of gross deception, and in 7 involving violation of the terms of existing stipulations previously accepted and approved. In 27 cases field investigations were ordered, including 5 wherein it appeared that application for injunction or criminal proceedings might be warranted. Also, 3 cases were referred to other governmental agencies as concerning matters more appropriately coming within their jurisdiction.

Nine hundred seventy-nine radio and periodical cases were pending on July 1, 1940, and 779 were pending on June 30, 1941.

*Commission has access to scientific services.*—In addition to receiving scientific advice from its Medical Advisory Division the Commission receives effective cooperation from other agencies of the Government. It has access to the laboratories, libraries, and other facilities of Federal Government agencies, including the National Bureau of Standards, United States Public Health Service, the Food and Drug Administration, and the Bureau of Home Economics and Bureau of Animal Industry of the Department of Agriculture, to any of which it may refer a matter for scientific opinion.

When necessary, the Commission obtains medical and other scientific information and opinions from nongovernmental hospitals, clinics, and laboratories. Such material and cooperation are often particularly helpful in enabling the Commission to reach sound and fair conclusions with respect to scientific and technical questions which come before it.

*Procedure in advertising cases.*—If it appears that a published or broadcast advertisement coming to the Commission's attention may be misleading, a questionnaire is sent to the advertiser, and request is made for a sample of the product advertised, if this is practicable, and the quantitative formula, if the product is a compound. Copies of all advertisements published or commercial continuities broadcast during a specific period are also requested, together with copies of all booklets, folders, circulars, form letters, and other advertising literature used.

Upon receipt of these data, the sample and formula are referred to the Commission's Medical Advisory Division or to an appropriate technical agency of the Government for a scientific opinion. Upon receipt of the opinion, a list of such claims as then appear to be false or misleading is sent to the advertiser, along with pertinent portions of the opinion. The advertiser is extended the privilege of submitting evidence in support of his claims; he may answer by letter or, upon his request, may confer with the Commission's Radio and Periodical Division in person or through counsel.

If, after a consideration of all available evidence at hand including that furnished by the advertiser, the questioned claims appear to be true, the division reports the matter to the Commission with the recommendation that the case be closed.

If it appears from the weight of the evidence before it that the advertising is false or misleading, the division refers the matter to the Commission with recommendation either that complaint issue or the case be returned to the division for negotiation of a stipulation, provided it is one appropriate for stipulation procedure and the advertiser desires to dispose of it by such voluntary agreement to cease and desist from the use of the acts and practices involved.

If the Commission so authorizes, the division prepares a stipu-

lation and forwards it to the advertiser for execution. Should he object to any of its provisions, he may discuss them by mail or in person. If and when he agrees upon the terms of the stipulation and signs and returns it, the matter is again reported to the Commission with recommendation that the stipulation be accepted and the case closed without prejudice to the right of the Commission to reopen the matter at any time the facts so warrant. If the Commission accepts and approves the stipulation, the advertiser is required to submit within 60 days from the date of acceptance a report in writing showing the manner and form in which he has complied and is complying with the provisions of his agreement.

## FEDERAL LEGISLATION

### HOUSE

H. R. 6314 (Lea, D-Calif.) DAYLIGHT SAVING TIME—To promote the national security and defense by establishing daylight-saving time. Referred to Committee on Interstate and Foreign Commerce.

## FEDERAL COMMUNICATIONS COMMISSION

In answer to a direct question at his press conference on Monday, FCC Chairman, James Lawrence Fly, said that he does not see any chance of the FCC being moved out of Washington at this time.

"No substantial attention has been given to the possibility (of moving out of Washington)," Mr. Fly said, "because our defense work is becoming more extensive and intensive and we have moment to moment close liaison with the other war and defense agencies. While I am not forming judgment I would be very much surprised if serious question was given and I have heard none raised."

The Chairman said at the conference that conferences are being held every day with OPM on priorities matters. He said that these conferences deal mostly at this time with communications equipment.

Mr. Fly said that "the FCC monitoring work, to say the least, is becoming more and more important, more burdensome in terms of operation and more important in terms of the significance of the work than ever before."

## PRESS-RADIO HEARING POSTPONED TO JANUARY 21

At the request of the Newspaper-Radio Committee, the FCC has announced postponement from January 8 to January 21 of further hearing in its investigation, pursuant to Order No. 79, to determine what policy or rules, if any, should be promulgated in connection with operation of new FM broadcast stations and future acquisition of standard broadcast stations by newspapers.

In doing so, however, the Commission reiterated its determination to expedite completion of this hearing and will, accordingly, devote three days a week to it instead of the two days a week as heretofore.

## LICENSE GRANTED STATION WARM, SCRANTON, PA.

The FCC has granted a license to the Union Broadcasting Co. for Station WARM at Scranton, Pa., now operating on 1400 kilocycles with 250 watts power, unlimited time, under a construction permit. The Commission also granted motion by the Anthracite Broadcasting Co., also of Scranton, for dismissal of the latter's application for like facilities, but did so "with prejudice." At the beginning of the consolidated hearing (B-142), a similar application by George Grant Brooks, Jr., of Scranton was withdrawn.

An Oklahoma radio listener complains of guest movie stars who are "supposed to entertain their air audiences but merely advertise their own pictures." A Mississippi fan suggests that broadcasting "soap" dramas be discontinued "in an effort to uplift the public morale."

While the FCC acknowledges expression of these views, it suggests that such comments be directed to the station or network over whose facilities the particular programs are transmitted. It reminds the writers that the broadcasters themselves have the initial responsibility for the selection of program material.

Licensees of standard broadcast stations are not required to file information regarding accidents to employees, an Ohio inquirer is informed. An Illinois individual is reminded that all transfers of broadcast station stock must be reported to the Commission within 30 days, even if no actual transfer of control is involved.

A North Carolina radio station is told that the Commission has no say in deferment from military service of licensed radio engineers. It explains that the Selective Service Act prohibits group deferments as such, and that the granting of occupational deferments in individual cases is at the discretion of local draft boards.

A Minneapolis resident who asks about relation of municipal ordinances to antenna installation is informed:

"There is no provision in the Communications Act of 1934 expressly providing that the licensing provisions of the Act render invalid or ineffective municipal zoning regulations, but consideration might be given the question of whether by virtue of the Act, the Federal Communications Commission has occupied the field of regulation of radio, rendering ineffective municipal ordinances which are in conflict with its regulation. In considering this question, your attention is directed to Title III of the Act, containing provisions relating to radio, and specifically to Section 319 thereof, which requires that a permit be obtained from the Commission for the construction of radio stations. . . . Attention is also directed to Section 303 which vests general regulatory powers over radio communication in the Commission and which empowers the Commission to regulate radio apparatus 'with respect to its external effects and the purity and sharpness of emissions from each station and from the apparatus therein.'

"Section 2.81 of the Commission's Rules and Regulations provides as follows: 'The licensee of a radio station, the transmitter of which is authorized at a fixed location, shall not make any changes, without the express authority of the Commission, either in the height or the location of the antenna or its supporting structures, except, in case of other than broadcast station when the existing or proposed antenna or structure has a maximum height not in excess of 100 feet above the ground, changes in height or local changes in location may be made without specific authorization. In no case shall any change in the height or the location of the antenna or its supporting structures be made without authority when located or proposed to be located within five miles of an airport recognized by the Civil Aeronautics Authority or within five miles of the center line of an established federal airway'."

Having received a number of complaints of interference to radio reception in south Texas by the operation of certain electric signs, the Commission has requested the cooperation of the manufacturer of these signs to remedy the situation. It points out that radiation effects are experienced not only in the broadcast bands but also in the frequency bands used by aviation and police services.

**FEDERAL COMMUNICATIONS  
COMMISSION DOCKET**

**FUTURE HEARINGS**

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 12. They are subject to change.

Further Consolidated Hearing

- NEW—Utica Observer-Dispatch, Inc., Utica, New York.—C. P., 1450 kc., 250 watt, unlimited time.
- NEW—Utica Broadcasting Co., Inc., Utica, New York.—C. P., 1450 kc., 250 watt, unlimited time.
- NEW—Midstate Radio Corporation, Utica, New York.—C. P., 1470 kc., 1 KW, unlimited time. DA-day & night.

Wednesday, January 14

- KALB—Alexandria Broadcasting Co., Inc., Alexandria, Louisiana.—C. P., 580 kc., 1 KW DA-night, unlimited.

Friday, January 16

- WAAF—Drovers Journal Publishing Co., Chicago, Ill.—C. P., 950 kc., 1 KW, DA-night, unlimited.

**FEDERAL COMMUNICATIONS  
COMMISSION ACTION**

**APPLICATIONS GRANTED**

- WROL—Stuart Broadcasting Corp. (Assignor), S. E. Adcock, d/b as Stuart Broadcasting Co. (Assignee), Knoxville, Tenn.—Granted consent to voluntary assignment of license (B3-AL-323) of station WROL from Stuart Broadcasting Corp. to S. E. Adcock, d/b as Stuart Broadcasting Company.
- WFTL—Ralph A. Horton, Fort Lauderdale, Fla.—Granted construction permit (B3-P-3355) to install a new transmitter and directional antenna for night use, increase power from 250 watts unlimited time to 10 KW, change frequency from 1400 to 710 kc. and move transmitter locally; antenna site and design and proof of performance subject to approval by Chief Engineer.
- KIRO—Queen City Broadcasting Co., Seattle, Wash.—Granted modification (B5-ML-1091) of license to make changes in antenna system for non-directional operation daytime on frequency 710 kc.
- WINN—Kentucky Broadcasting Corp., Inc., Louisville, Ky.—Granted modification of license (B2-ML-1090) to increase night power from 100 to 250 watts; now has 250 watts day, unlimited time on 1240 kc.
- WHKY—Catawba Valley Broadcasting Co., Inc., Hickory, N. C.—Granted construction permit (B3-P-3259) to install a new transmitter, directional antenna for night use, increase power from 250 watts to 1 KW night, 5 KW-LS, DA-N, change frequency from 1400 to 1290 kc., and move transmitter locally, conditional to installing and maintaining adequate field intensity monitoring facilities.
- WSYB—Philip Weiss, tr. as Philip Weiss Music Co., Rutland, Vt.—Granted modification (B1-MP-1438) of construction permit (B1-P-3090) to make changes in directional antenna system, subject to proof of performance measurements.
- WKWK—Community Broadcasting, Inc., Wheeling, W. Va.—Granted modification of license (B2-ML-1095) to increase power from 100 to 250 watts day and night.
- Gordon Gray, Winston-Salem, N. C.—Granted construction permit (B3-PST-6) for a new ST (studio-transmitter link) broadcast station to be used in connection with high frequency (FM) broadcast station W41MM, Clingman's Peak, N. C., to operate on 337000 kc., 25 watts, special emission for frequency modulation. Granted on experimental basis only.
- WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—Granted construction permit (B3-P-3264) to increase power from 500 watts night, 1 KW-LS to 5 KW, install a new transmitter and directional antenna for night use, and move transmitter locally, subject to installing permanent monitoring facilities.
- WMBD—Peoria Broadcasting Co., Peoria, Ill.—Granted construction permit (B4-P-2717) to install a directional antenna for night use, increase night power from 1 to 5 KW, and make change in vertical antenna for day use, subject to proof of performance. Now operates on 1470 kc., 5 KW-LS.

KYOS—Merced Broadcasting Co., Merced, Cal.—Granted construction permit (B5-P-2545) to change frequency from **1080 to 1490 kc.**, increase hours of operation from day-time to unlimited, and make changes in transmitting equipment.

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Granted extension of special service authorization (B2-SSA-19) to operate on frequency **1170 kc.**, using 5 KW, unlimited time, for a period not to exceed 1 year pending completion of construction.

WOWO—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Granted extension of special service authorization to operate on **1190 kc.**, using 10 KW unlimited time, for a period not to exceed 1 year.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted extension of special service authorization (B3-SSA-21) to operate on **1170 kc.**, using 25 KW night, 50 KW-LS, DA-N, unlimited time, for the period ending April 5, 1942 (Expiration date of construction permit).

Gordon Gray, Winston-Salem, N. C.—Granted construction permit (B3-PRE-411) for new station to operate on **156750, 158500, 159300 and 161100 kc.**, special emission for frequency modulation, 50 watts, using directional antenna to transmit programs from studio to transmitter of FM Broadcast Station W41MM in event of failure or unsatisfactory operation of applicant's ST station.

Allen B. DuMont Laboratories, Inc., New York, N. Y.—Granted construction permit (B1-PCT-6) for new station to operate on **78000-84000 kc.** (Channel No. 4) with an ESR of 950, A5 emission and special emission for frequency modulation, unlimited time, completion date 90 days.

#### DESIGNATED FOR HEARING

Mosby's Incorporated, Anaconda, Mont.—Designed for hearing application for construction permit for new station (B5-P-2694) amended so as to request operation on **1230 kc.**, 250 watts, unlimited time.

Donald Flamm, New York, N. Y.—Designated for hearing application for construction permit (B1-P-3400) for new station to operate on **620 kc.**, 5 KW, unlimited, directional antenna day and night.

#### MISCELLANEOUS

W47A—The Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted extension of special temporary authority to operate high frequency broadcast station W47A on a commercial basis, using temporary antenna system and temporary main studio at the transmitter of the subject station, pending completion of construction and submission of additional data with license application, from December 24, 1941 to not later than January 26, 1942.

WCBX—Columbia Broadcasting System, Inc., New York, N. Y.—Granted extension of special temporary authority to operate International Broadcast station WCBX with 10 KW transmitter, using one or more antennas, located at Brentwood, Long Island, from December 28, 1941 to not later than January 26, 1942.

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Granted extension of special temporary authority to operate television broadcast station WCBW in accordance with construction permit B1-PCT-2 as modified (B1-MPCT-3) except with four KW aural and visual power for the period December 28, 1941 to not later than January 26, 1942.

W67C—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted extension of special temporary authority to operate frequency modulation station W67C commercially on **46700 kc.**, 1 KW power, special emission for frequency modulation, using temporary antenna, with transmitter located at 1 North LaSalle St., Chicago, from January 7, 1942 to not later than February 5, 1942 pending completion of construction in accordance with construction permit as modified.

WPTZ—Philco Radio & Television Corp., Philadelphia, Pa.—Granted extension of special temporary authority to operate station W3XE pursuant to Commission's Rules and Regulations Governing Commercial Television Broadcast Stations, from December 30, 1941 to not later than February 27, 1942; operation to be on Channel No. 3.

WINS—Hearst Radio, Inc., New York, N. Y.—Granted extension of special temporary authority to operate by the indirect

method with power of 1 KW, using Western Electric Type 355-B-1 transmitter (formerly licensed to WHN) located at 20th Avenue and 31st Street, Astoria, Long Island, N. Y. (site formerly occupied by WHN) from December 28, 1941 to not later than January 26, 1942, provided frequency check shows that it is within 5 cycles of assigned frequency.

WISN—Hearst Radio, Inc., Milwaukee, Wisc.—Granted special temporary authority for a period not to exceed ten days, to operate 1 KW auxiliary RCA 1-DA transmitter, pending action on formal application for license.

WAAF—Drivers Journal Publishing Co., Chicago, Ill.—Denied petition of WAAF for a rule to be directed to the Evening News Association (WWJ), Detroit, to show cause why the operation of WWJ should not be modified so as to afford greater interference protection to the nighttime service of WAAF as proposed by its pending application for construction permit (B4-P-3077); and the Commission, on its own motion, amended the issues to be determined in the hearing on the WAAF application for construction permit so as to include an additional issue as to whether, if the Commission should conclude that public interest, convenience and necessity would be served by a grant of the WAAF application, it should also require the Evening News Association (WWJ) to modify its manner of nighttime operation so as to reduce the interference limitation that would result to WAAF operating as proposed, and if so, to what extent, and ordered that the Evening News Association (WWJ) be made a party respondent in the hearing on the WAAF application.

WMRO—Martin R. O'Brien, Aurora, Ill.—Granted special temporary authority to operate additional time from 7 to 10:30 p. m., CST, December 31, 1941, in order to broadcast New Year's Eve church services and special music, only.

WJR—WJR, The Good Will Station, Detroit, Mich.—Granted special temporary authority to transmit to station CKLW for rebroadcast by that station special religious program between 7:15 and 7:30 a. m., January 1, 1942, only.

KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Denied request for special temporary authority to operate additional time for a period not to exceed 30 days.

KYOS—Merced Broadcasting Co., Merced, Calif.—Granted special temporary authority to operate from sign-off time (4:45 p. m., PST, December) on December 31, 1941 to 1 a. m., PST, January 1, 1942, only, in order to broadcast New Year's Eve celebration, provided power is reduced to 100 watts.

W9XYH—Head of the Lakes Broadcasting Co., Superior, Wisc.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **43000 kc.**, 1000 watts power, special emission for frequency modulation, with transmitter located at 39th Street and Tower Avenue, Superior, Wisc., from December 28, 1941 to not later than February 26, 1942.

W3XTF—Philco Radio & Television Corp., Philadelphia, Pa.—Granted extension of special temporary authority to operate special experimental television relay transmitter at Wyndmoor, Pa., on **230000-242000 kc.**, with power output of 15 watts (peak) in order to conduct experiments relative to reception and retransmission of television programs to Television station WPTZ for a period beginning January 1, 1942 and ending in no event later than January 30, 1942.

WOSH—Howard H. Wilson, Oshkosh, Wis.—Granted special temporary authority to operate with main studio at 151½ Main Street, Oshkosh, Wis., in lieu of site specified in construction permit (File No. B4-P-3110) for a period not to exceed 30 days, pending action on formal application for change of studio site.

WIND—Johnson Kennedy Radio Corp., Gary, Ind.—Granted license to use old modified Western Electric 5 KW transmitter as an auxiliary transmitter, with power of 5 KW, employing present directional antenna system, for emergency use only (B4-L-1581).

KADB—Nichols & Warinner, Inc., Area of Long Beach, Calif.—Granted renewal of relay broadcast station license for period ending October 1, 1942.

KAAD—Tarrant Broadcasting Co., Area of Fort Worth, Tex.—Granted further extension upon a temporary basis only, pending determination upon application for renewal of license, of relay broadcast station license, to not later than February 1, 1942.

WENK—WLEU Broadcasting Corp., Area of Erie, Pa.—Granted further extension upon a temporary basis only, pending

determination upon application for renewal of license, of relay broadcast station license, to not later than February 1, 1942.

Granted renewal of relay broadcast station licenses for the period ending December 1, 1943, as follows: (areas shown)

WEGV, Champaign, Ill.; WAUY, Evansville, Ind.; WJRL, Jamestown, N. Y.; KEGZ, Spokane, Wash.; WRPM, Cleveland, Ohio.

W2XMN—Edwin H. Armstrong, Alpine, N. J.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **117430 kc.**, power 40 KW, using special emission for frequency modulation with a maximum band width not to exceed **200 kc.**, subject to the condition that no interference is caused to other stations on same or adjacent channels, for the period January 7, 1942 to not later than March 7, 1942, in order to conduct tests pending completion of new FM station W31NY.

W49D—John Lord Booth, Detroit, Mich.—Granted extension of special temporary authority to operate an RCA 1 KW transmitter on **44900 kc.**, using a temporary antenna, from January 4, 1942 to not later than March 4, 1942, pending completion of construction in accordance with permit (File No. B2-PH-20).

WRUS—World Wide Broadcasting Corp., Scituate (Boston), Mass.—Granted extension of special temporary authority to operate exciter unit of transmitter specified in construction permit (File No. B1-PIB-33) with power of 5000 watts, sharing time with Station WRUL on **6040 kc.**, with Station KWID on **15350 kc.** and with Stations WRUL and WRUW on **11730, 11790, 15130, 15350 and 17750 kc.**, for the period January 9, 1942 to not later than May 8, 1942.

W39B—The Yankee Network, Boston, Mass.—Granted extension of special temporary authority to operate frequency modulation station commercially on **43900 kc.**, 1000 watts power, special emission for frequency modulation, using the transmitter of High Frequency Experimental Station W1XER at summit of Mount Washington, Sargents Purchase, N. H., for period January 13, 1942 to not later than March 13, 1942, pending completion of construction under construction permit (File No. B1-PH-13).

W53PH—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate frequency modulation station W53PH commercially on **45300 kc.**, 1 KW power, without frequency modulation monitor, using temporary transmitter R.E.L. Type 518, maximum rated carrier power 1 KW, located atop the Widener Building, Philadelphia, Pa., for the period January 4, 1942 to not later than February 2, 1942, pending completion of construction in accordance with construction permit as modified (File No. B2-PH-73; B2-MPH-19).

KTNM—Krasin & Krutzner Broadcasting Co., Tucumcari, N. M.—Granted special temporary authority to operate from 7 a. m. to 7 p. m., MST, instead of unlimited time as specified in existing license, for period January 1, 1942 to not later than January 30, 1942, only, pending action on application to reduce hours of operation.

New Mexico Broadcasting Co.—Granted motion to accept amendment to New Mexico Broadcasting Co. (KGGM), Albuquerque, N. M., application with respect to directional antenna proposed (Docket No. 6142); denied as to request for removal of applications of Arizona Broadcasting Co., Inc. (KVOA), Tucson, Ariz., New Mexico Broadcasting Co. (KGGM), Albuquerque, N. M., and New Mexico Broadcasting Co. (KVSF), Santa Fe, N. M., from hearing docket (Dockets 6082, 6142, 6143); on Commission's own motion continued hearing now set for February 9, 1942 to March 18, 1942.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Granted motion to accept amendment to application for construction permit, to reduce night power to 25 KW. (Application now requests **680 kc.**, 50 KW day, 25 KW night, unlimited time, directional antenna day and night.)

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 8:30 a. m. to 10 a. m., EST, Monday through Friday, for the period beginning January 2, 1942, and ending in no event later than January 31, 1942, provided WSVS remains silent.

WSVS—Board of Education, City of Buffalo, N. Y.—Granted special temporary authority to remain silent for the period

beginning January 2, 1942, and ending in no event later than January 31, 1942.

KFQD—Anchorage Radio Club, Anchorage, Alaska.—Granted special temporary authority to operate unlimited time instead of S. H.—6 p. m. to Midnight, LST, for a period not to exceed 30 days.

WICA—WICA, Inc., Ashtabula, Ohio.—Denied special temporary authority to operate from sign-off time (5:15 p. m., EST, January) to 6 p. m., EST, on January 4, 11, 18 and 25, 1942.

WILL—University of Illinois, Urbana, Ill.—Granted special temporary authority to operate additional time using power of 250 watts, as follows: from 7:55 to 9:55 p. m., CST, Jan. 3, 1942; from 6:25 to 8:25 p. m., CST, Jan. 10; from 6:55 to 8:55 p. m., CST, Jan. 12; from 7:25 to 9:25 p. m. CST, Jan. 17, 1942; from 7:25 to 9:25 p. m., CST, Jan. 24, in order to broadcast basketball games played by Univ. of Ill., on sustaining basis.

WEOF—The National Life and Accident Insurance Co., Inc., Nashville, Tenn.—Granted special temporary authority to operate FM relay test transmitter on Group I frequencies, with power of 40 watts using call letters WEOF, for a period not to exceed 30 days.

Newark Broadcasting Corp., Newark, N. J.; Frequency Broadcasting Corp., Brooklyn, N. Y.; Yankee Broadcasting Corp., New York City.—The Commission, on its own motion, advanced the date of the consolidated hearing on these three applications from February 4, as scheduled, to January 19, 1942. These mutually exclusive applications propose new stations to operate on **620 kc.**

WJZ—National Broadcasting Co., Inc., New York, N. Y.—Denied petition for rehearing directed against Commission action of November 25, 1941, granting in part application of Albuquerque Broadcasting Co. (KOB), Albuquerque, New Mexico, for modification of special temporary authorization to operate on **770 kc.**, with power of 50 KW day, 25 KW night, unlimited time.

WELL—Federated Publications, Inc., Battle Creek, Mich.—Denied petition to reconsider and grant without hearing application for renewal of license which, on September 30, 1941, was designated for hearing.

KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Renewed regular license (**1030 kc.**, 10 KW, unlimited time) for the period ending April 1, 1944, and extended special service authorization on **770 kc.** with power of 50 KW day and 25 KW night, to March 10, 1942.

## APPLICATIONS FILED AT FCC

### 570 Kilocycles

KGKO—KGKO Broadcasting Co., Fort Worth, Texas.—Modification of construction permit (B3-P-2571) as modified, for changes in directional antenna and increase in power, requesting changes in directional antenna for night use and extension of commencement and completion dates from 3-14-41 and 3-14-42 to 30 days after grant and 60 days thereafter, respectively.

### 620 Kilocycles

KGW—Oregonian Publishing Co., Portland, Ore.—License to cover construction permit (B5-P-2954) as modified, for installation of directional antenna and increase in power, and authority to determine operating power by direct measurement.

### 790 Kilocycles

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Modification of license to increase hours of operation from specified hours to unlimited time.

### 1090 Kilocycles

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Extension of Special Service Authorization to operate simultaneously with WBAL using 1 KW night, 10 KW day, unlimited time for period ending 2-1-43.

### 1150 Kilocycles

WDEL—WDEL, Inc., Wilmington, Del.—Modification of construction permit (B1-P-2758) as modified, for increase in

power and installation of new transmitter and directional antenna for day and night use, requesting extension of completion date from 1-20-42 to 7-20-42.

#### 1270 Kilocycles

NEW—L. J. Duncan, Leila A. Duncan, Josephine A. Keith & Effie H. Allen, d/b as Valley Broadcasting Company, Columbus, Ga.—Construction permit for a new station to be operated on **1270 kc.**, 50 watts night, 1 KW day, unlimited time, employing directional antenna day and night,

#### 1340 Kilocycles

WLAK—Lake Region Broadcasting Co., Lakeland, Fla.—Transfer of control through sale of 100 shares common stock (100%) by Bradley R. Eidmann to S. O. Ward.

#### 1350 Kilocycles

KGHF—Curtis P. Ritchie, Pueblo, Colo.—Construction permit to increase power from 500 watts day and night to 500 watts night, 1 KW day, and make changes in transmitter.

#### 1450 Kilocycles

KCMC—KCMC, Incorporated, Texarkana, Tex.—Construction permit to change frequency from **1450 kc.** to **1230 kc.** and make changes in transmitting equipment.

WGPC—The Albany Broadcasting Co., Inc., Albany, Ga.—Voluntary assignment of license to J. W. Woodruff and J. W. Woodruff, Jr., d/b as Albany Broadcasting Company.

#### 1490 Kilocycles

WKRO—Oscar C. Hirsch, Cairo, Ill.—License to cover construction permit (B4-P-3022) as modified for a new station, and authority to determine operating power by direct measurement.

#### 1560 Kilocycles

WQXR—Interstate Broadcasting Co., Inc., New York, N. Y.—Extension of Special Service Authorization to operate on **1560 kc.**, 10 KW, unlimited time, non-directional antenna, from 2-1-42 to 4-1-44.

NEW—Edward E. Reeder, Seattle, Washington.—Construction permit for a new station to be operated on **1560 kc.**, 250 watts, unlimited time. Amended: to change requested frequency from **1560 kc.** to **1600 kc.**, facilities of KPMC, contingent on KPMC's change to **1560 kc.**

### FM APPLICATIONS

NEW—Bremer Broadcasting Corp., Jersey City, N. J.—Construction permit for a new high frequency broadcast station to be operated on **47100 kc.**, 8,500 square miles coverage, population 11,325,000. Amended: to change transmitter site from 26 Journal Square, Jersey City, N. J., to Montclair, N. J., and studio from 1819 Broadway, New York, N. Y., to 50 Journal Square, Jersey City, N. J., change frequency from **47100 kc.**, to **49500 kc.**, coverage from 8,500 to 6,135 square miles, population from 11,325,000 to 10,906,200, make changes in antenna system and change type of transmitter.

### TELEVISION APPLICATIONS

W9XCB—Columbia Broadcasting System, Inc., Chicago, Ill.—Modification of construction permit (B4-PVB-74) as modified, for a new television station, requesting extension of completion date from 1-15-42 to 7-15-42.

W2XCB—Columbia Broadcasting System, Inc., Portable-Mobile.—Modification of construction permit (B1-PVB-46) as modified, for a new television relay station, requesting extension of completion date from 1-7-42 to 7-7-42.

### MISCELLANEOUS APPLICATIONS

NEW—Columbia Broadcasting System, Inc., Brentwood, L. I., N. Y.—License for new international broadcast station using equipment formerly licensed to station WCBX and for authority to use the station as auxiliary under call letters WCBX or WCRC in event of failure or breakdown of main transmitters of international stations WCBX or

WCRC. Frequencies: 6060, 6120, 6170, 9650, 11830, 15270, 17830, 21520, and 21570 kc., 10 KW, A-3 emission.

## FEDERAL TRADE COMMISSION ACTION

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Heatless Permanent Wave Company**—A complaint has been issued charging Irvin A. and Arnold F. Willat, trading respectively as Heatless Permanent Wave Co. and as Willat Production Co., 1122 Folsom St., San Francisco, with the dissemination of false and deceptive advertisements in connection with the sale and distribution of their Willat Method of Heatless Permanent Waving. (4663)

**Nestle's Milk Products, Inc.**—A complaint has been issued charging Nestle's Milk Products, Inc., 155 East 44th St., New York, with false and misleading advertising in connection with the sale of a food product designated "Nescafé." (4661)

**N-A Company**, Laurel, Miss., is charged in a complaint with misrepresenting the therapeutic properties of a medicinal preparation known variously as "N-A No. 7," "Vicine," "Nature's Aid," and "N-A." (4662)

### CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders during the past week:

**Life Savers Corporation**, Port Chester, N. Y., engaged in the manufacture and sale of a candy confection known as "Life Savers" has been ordered to cease and desist from violation of the Robinson-Patman Act. (4571)

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Arsenic Spring Water Company**—Robert Enrico, trading as Arsenic Spring Water Co., Hot Springs, Ark., has entered into a stipulation to cease representing that his preparation "Arsenic Spring Water" constitutes a remedy or cure, or is indicated as a treatment, for diabetes, high blood pressure, constipation, rheumatism, malaria, or liver, stomach, bladder or kidney ailments, or is a tonic or an alterative, or has no equal as a diuretic. The respondent also agrees to cease representing that his product, taken internally, will cleanse the skin, is of therapeutic value for cutaneous diseases, or has a significant laxative effect. (02928)

**David P. Barry Corporation**, 353 Fifth Ave., New York, distributor of men's dress and novelty jewelry, have entered into a



stipulation to cease representing or placing in the hands of others the means to represent that a die-cut or machine-punched design or pattern has been traced and cut by manual operation and that an item electroplated with a thin coat or flashing of gold is in fact heavily plated with gold or has the quality and value of an article so processed. According to the stipulation, the respondent represented its novelty item, "Name Key Chains," which were machine-punched and thinly electroplated, as being "Hand-Pierced" and "Heavy Gold Plated." (3335)

**A. & J. Engel, Inc.**—Two New York City firms engaged in the sale of fur products, A. & J. Engel, Inc., 18 East 50th St., and Max Schreiber Fur Company, Inc., 214 West 29th St., have stipulated to cease and desist from designating or referring to fur coats or other articles manufactured from the peltries of Metis lambs or other lambs not full breed Persians as "Persian Lamb." The companies also agree to discontinue advertising, selling, branding or otherwise representing fur or furs as the product of a true species or breed of animals, unless such fur has been obtained from a true species or breed of animals. (3331-3332)

**Filtrator Coffee Apparatus Company**—Under a stipulation entered into Filtrator Coffee Apparatus Company, Inc., 135 West 25th St., New York, engaged in the sale of coffee apparatus and restaurant supplies, has agreed to cease and desist from passing off coffee filter papers or other merchandise manufactured in Japan or other foreign country as and for such articles which are of domestic origin. (3333)

**Filshie Lead Head Nail Co., Inc.**, 5801-07 South State St., Chicago, engaged in the sale of nails designed for securing sheet metal roofing to wooden roofs, has stipulated that it will cease representing, by diagram or in any other manner, that its ring shanked nails have a designated holding power in excess of that possessed by other roofing nails, when in fact they do not actually have the holding power indicated, and will discontinue representing, pictorially or otherwise, that the lead with which its nails are equipped penetrates through the hole formed by the nail shank in a sheet of metal in either an indicated manner or in a represented amount, when in fact neither the manner nor amount of lead penetration customarily occurs. (3328)

**Fox Manufacturing Company, Inc.**, 1214 Broadway, New York, engaged in selling underwear and sportswear, has stipulated that it will cease and desist from certain misrepresentations in connection with the sale of its products. According to the stipulation, the company marketed certain undergarments under the trade name "Dr. Hopkins Health Underwear," when, in fact, there is no such person as "Dr. Hopkins" connected with the business, nor have the garments any significant features entitling them to be called "Health" underwear. (3330)

**M. Goodman & Son**, Jacob Goodman, 294 Fifth Ave., New York, wholesale jobber of women's hosiery, entered into a stipulation to cease employing the designation "Crepe Finish" or the word "Crepe," with or without qualifications, as descriptive of hosiery or other merchandise which does not in its fibers, strands, and weave meet the recognized standards of a crepe fabric. The respondent also agrees to cease using the word "finish" or similar term in any manner implying that the surfacing of an article has been completed with any other substance than that actually used. (3337)

**Hearn Department Stores, Inc.**, 14th St. at 5th Ave., New York, stipulated that in the sale of flatware it will cease representing as "heavy silver-plated" an article merely flashed with a thin coating of silver, or which does not meet all the recognized standards for heavy silver plate. The respondent also agrees to desist from use of the words "guarantee," "guaranteed," "guaranty" or other similar words in connection with the sale of its products unless clear disclosure is made of exactly what is offered by way

of security, such as replacement or refund of purchase price. The respondent further agrees to cease representing that certain flatware has a price greater than that for which it is ordinarily retailed and to discontinue using fictitious prices in any manner having a tendency to mislead prospective purchasers. (3336)

**Julian & Kokenge Co.**, manufacturer of women's shoes, 280 South Front St., Columbus, Ohio, has stipulated to cease and desist from use of the word "Alligator," either alone or in connection with the word "Calf" or with any other words as descriptive of shoes which are not made from the hide of an alligator; and from use of the word "Alligator" or any simulation thereof in advertising matter so as to imply that the shoes to which such word or words refer are made from the hide of an alligator. The stipulation provides, however, that the word "Alligator" may be used to designate the finish of shoes which are made from other materials and which are finished or embossed to resemble alligator leather, when such word is immediately accompanied by other words clearly indicating that such designating word refers only to the pattern embossed on the materials. (3327)

**Kemp & Lane, Incorporated**, Le Roy, N. Y., agreed in a stipulation that in the sale of its medicinal preparation "Orangeine," it will cease disseminating advertisements which fail to reveal that the preparation should not be used in excess of the dosage recommended; that its frequent or continued use may be dangerous, causing collapse or a dependence on a drug; and that it should neither be taken by nor administered to children; provided, however, that such advertisements need only contain the statement: "Caution, Use Only as Directed," if and when the directions for use, wherever they appear on the label, in the labeling or in both label and labeling, contain a caution or warning to the same effect. The product is advertised for use in relieving headache, neuralgia and the discomforts arising from head colds. The respondent's preparation, according to the stipulation, contains the drug acetanilid. (02929)

**Potts-Turnbull Company**, an advertising agency located at 912 Baltimore Ave., Kansas City, Mo., has stipulated that it will cease and desist from disseminating certain advertisements concerning poultry products designated "Staley Four Bells Growing Mash," "Staley Four Bells Grower Pellets," "Master Growing Pellets," "Master Growing Mash," "Master Chick All Mash" and "Master Chick All Mash Pellets." (02930)

**B. G. Pratt Company**, 50 Church Street, New York, engaged in the manufacture and sale of insecticides, including a preparation designated "D-X," has entered into a stipulation to cease and desist from representing that the United States Department of Agriculture has in two consecutive seasons or years found that a spray consisting of or containing "D-X" and arsenate of lead was first in Japanese beetle protection or the most effective spray for Japanese beetles. (3329)

**Washington Press-Photo Bureau**, 1526 Connecticut Ave., N. W., Washington, D. C., has entered into a stipulation to discontinue certain representations in connection with the sale of portraits. (3326)

**Windsor Luggage Company**—Judah L. Angard and Meyer S. Friedlander, trading as Windsor Luggage Company, 236 Broadway, New York, engaged in the sale of luggage and other merchandise, have entered into a stipulation to cease and desist from designating or representing their business as "wholesale" in their advertising folders or catalogs or in any other manner, and from using the term "discount" or representing that the prices at which they sell their merchandise constitute a discount to purchasers or are wholesale prices, when, in fact, they are the usual and customary prices at which they sell such merchandise in the normal course of business. (3334)



## NAB Board Meets

The Board of Directors held a two-day session in Washington on Thursday and Friday, January 8 and 9. A thorough discussion of industry problems was had, the principal topic being the relation of the industry and NAB to the war effort.

At the luncheon on Thursday noon, Byron Price, Director of Censorship spoke informally and off the record to the Board. J. Harold Ryan, the Assistant Director of Censorship, whose immediate task it will be guard against possible use of radio in a manner that will not contribute to the successful prosecution of the war, was present. Mr. Ryan is a member of the Board from the Seventh NAB District (Kentucky and Ohio). He was presented by the Board with a complete outline of the statements which they felt should be incorporated in a guide for broadcasters in the handling of war news and other types of programs.

Ellsworth Alvord, NAB tax consultant gave an interesting outline of the possible trend of the laws relating to taxation as they affect radio. Mr. Alvord has been retained to represent NAB in tax matters.

The Board elected a committee consisting of John Fetzer (District 8), O. L. Taylor (District 13), and Howard Lane (District 15) to confer with Chairman Fly of the FCC with regard to his expressed wishes that some agency be created to act as liaison between the government departments having to do with the war and the broadcasting industry. This committee conferred with Mr. Fly and reported back on Saturday.

Mr. A. J. Fletcher, WRAL, Raleigh, North Carolina, a member of the NAB National Defense Committee in charge of the drive to train technicians as replacements for present personnel subject to draft and in the reserve, reported on that activity. He stated that they had been successful in securing cooperation from a large number of colleges and schools in the matter of giving short term course for the training of technicians.

The matter of a war labor policy was discussed and a strikeless plan, submitted by the Labor Committee, was discussed. It was the sense of the Board that those who desire to make use of such a plan should be at liberty to do so.

There was general discussion regarding amendment of the By-Laws to qualify national networks for active membership in NAB. The Board approved the submission to the membership at the next annual convention the amendment to the By-Laws providing for network membership, and postponed for consideration at the next Board meeting the matter of network representation on the Executive Committee. These By-Law proposals will be published in a subsequent issue of the NAB REPORTS.

Other items discussed were the music situation, the 1942 convention program, NAB Code, daylight saving bills and other legislative matters, the NAB 1942 budget, public relations plans, and past and future District meeting.

Two vacancies upon the Board were filled. To replace William H. West, formerly of WTMV, East St. Louis, Illinois, who was Ninth District Director, but whose position was vacated by reason of his disposing of his interest in the station, the Board elected Edgar L. Bill, WMBD, Peoria, Illinois. To replace C. W. Myers,

KALE, Portland, Oregon, a Director-at-Large for medium stations, who resigned due to pressure of other matters, the Board elected George W. Norton, Jr., of WAVE, Louisville, Kentucky.

The Board elected to membership the following stations:

WAIR, Winston-Salem, North Carolina; WBBB, Burlington, North Carolina; WBEZ, Chicago, Illinois; WBRK, Pittsfield, Massachusetts; WCOV, Montgomery, Alabama; WEIM, Fitchburg, Massachusetts; WFIG, Sumter, South Carolina; WFOR, Hattiesburg, Mississippi; WGAA, Cedartown, Georgia; WGGA, Gainesville, Georgia; WHEB, Portsmouth, New Hampshire; WHMA, Anniston, Alabama; WIAC, San Juan, Puerto Rico; WOCB, West Yarmouth, Cape Cod, Massachusetts; WSRR, Stamford, Connecticut; KEVE, Everett, Washington; KEVR, Seattle, Washington; KFRE, Fresno, California; KLO, Ogden, Utah; KPRO, Riverside, California; KRKO, Everett, Washington; KROS, Clinton, Iowa; and KTEM, Temple, Texas.

## DAYLIGHT SAVING

The NAB's long fight for universal daylight saving (or none) came nearly to successful conclusion Thursday when Congress approved and sent to the President a bill to provide universal daylight saving of one hour for the war period. The bill would become effective 20 days after the President signs it.

## OFFICE OF FACTS AND FIGURES

Designation of the Radio Division of the Office of Facts and Figures, under William B. Lewis as coordinator, as the central clearing agency for governmental broadcasting, was announced today by Archibald MacLeish, director of the Office of Facts and Figures.

The action was taken by direction of President Roosevelt in a letter from Stephen Early, Secretary to the President, to Mr. MacLeish, under whose supervision the letter directed that the work be done.

According to the White House letter, Mr. MacLeish, through Coordinator Lewis, was instructed "to give guidance to Government departments and agencies and to the radio industry as a whole concerning inquiries originating within the Government and received by the Government from the broadcasting companies and stations and to handle certain Government programs on the networks within the United States."

The White House letter continued: "It is requested that you advise all departments, and agencies of the Government, especially those in the offices of the Director of Censorship, the Federal Communications Commission and the Coordinator of Information, as well as the national networks and the National Defense Committee of the National Association of Broadcasters, that this assignment has been given to the Radio Division, OFF.

"It is not intended that the functions of the Radio Division, OFF, shall in any way conflict with the short wave or foreign broadcasting work now being carried on by the Office of the Coordinator of Information or by the Office of Mr. Nelson Rockefeller. It is recognized, however, that certain programs arranged by the Radio Division, OFF, may, from time to time, be broadcast to the world at large and it is suggested that the Radio Division, OFF, on all such occasions, consult with and arrange

(Continued on page 20)



THE NATIONAL ASSOCIATION OF BROADCASTERS

1626 K St., N. W.

WASHINGTON

Phone NAational 2080

Neville Miller, *President*

C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

## OFFICE OF FACTS AND FIGURES

(Continued from page 19)

broadcasts of this nature in cooperation with the officials of Mr. Rockefeller's office and those in Colonel Donovan's office in order to avoid conflict and possible overlapping of radio programs."

Mr. Lewis, recently resigned his position as Vice-President of the Columbia Broadcasting System, in charge of Programs, to become Assistant Director of the Office of Facts and Figures, in charge of its Bureau of Operations, which includes the Radio Division. Assisting him in the Radio Division is Douglas Meservey, formerly Assistant to the Vice-President in charge of programs of the National Broadcasting Company.

The Bureau of Operations is one of the several Bureaus into which the Office of Facts and Figures is divided. The Bureau of Intelligence is headed by R. Keith Kane, formerly of the Department of Justice; the Bureau of Production is headed by Martin Sommers, formerly an Associate Editor of the *Saturday Evening Post*; and the Bureau of Media Liaison is directed by Ulric Bell, formerly a Washington representative of the *Louisville Courier Journal*, and, more recently, the Executive Chairman of the Fight for Freedom.

The staff of the Office of Facts and Figures, includes a number of distinguished writers, journalists, and professional men who have accepted calls to the government service in the emergency period.

The Associate Director is Allen Grover, formerly Vice President of Time, Inc. The Deputy Directors whose work brings them into direct contact with the various departments and agencies of the government, include among others Morris Hadley, a well-known New York lawyer, formerly a law partner of Under Secretary Patterson of the War Department and a member of the Corporation of Yale University; Christian Herter, Speaker of the House of Representatives of Massachusetts and overseer of Harvard University; Professor Abraham Feller of the Yale University Law School; and Captain Robert E. Kintner, former Washington columnist.

Among the writers now serving on the staff of the Office of Facts and Figures are Henry Pringle, Pulitzer Prize biographer of William Howard Taft; Malcolm Cowley, liberal journalist and author and for many years an editor of the *New Republic*; Milton MacKaye, frequent contributor to the leading magazines; and Charles Poore, for many years a literary editor of the *New York Times*.

## ASCAP CONTRACTS

The following correspondence between NAB and ASCAP as to the ASCAP contracts is self-explanatory.

On December 18, 1941, Neville Miller wrote the following letter to John G. Paine, General Manager of ASCAP:

On my recent swing around the country attending District Meetings I found that many stations desire additional information concerning the ASCAP contract. I assured them that I would try to give them as definite information as possible and therefore have prepared a memorandum covering the points discussed which I wish to send out as a special bulletin as soon as possible. I shall appreciate it if you will read it and write me your comments so I

may receive them by Wednesday morning, December 24, which is the deadline for our next NAB REPORTS.

You will notice that there is one point on which I could not settle the broadcasters' problem, that is, on the question of a clearance at the source license for electrical transcriptions. Is such an agreement now available?

Neville Miller received the following letter, which was dated December 23, 1941, from John G. Paine, General Manager of ASCAP:

"I have your letter of December 18, 1941 and the memorandum which you have prepared.

"Undoubtedly what you are seeking to say is the same as what we have in mind but you haven't said it our way, and as long as we are to be bound by it, and I rather think that we should be, we would like to rewrite the memorandum and express it in our own words, and then send it on to you for such use as you may desire to make of it.

"We think this is going to be very helpful, and we thank you for your willingness to cooperate."

Since NAB's receipt of Mr. Paine's letter, several requests have been made of ASCAP for the memorandum, but NAB has been unable to secure it. Therefore, rather than delay longer, we are publishing the original memorandum as sent to ASCAP. We shall publish in a future issue of the REPORTS any comments on this memorandum received from ASCAP.

Meanwhile, stations will doubtless want to cover expressly the points raised in any agreements they negotiate with ASCAP.

The memorandum follows:

For the benefit of broadcasters who have signed or who intend to sign ASCAP contracts, we give herewith a resume of those items of the contract which may need specific attention and also certain matters not in the contracts submitted to broadcasters by ASCAP which should be taken up and settled with ASCAP before any contract is signed:

1. Broadcasters signing an ASCAP blanket license, either sustaining or commercial, will have tendered to them simultaneously letters which are designated "Local Blanket Commercial Letter" and "Local Blanket Sustaining Letter." These letters appear on page 25 and page 33 respectively of the NAB Special Bulletin dated September 30, 1941. Paragraph IV of the Local Blanket Commercial Letter and Paragraph III of the Local Blanket Sustaining Letter should be stricken out before signature of the applicable blanket contract. Those paragraphs were intended to be included only in contracts signed by network owned and operated stations, and their inclusion in the letters which were transmitted to other stations was erroneous.

2. Both blanket and sustaining license agreements contain provisions which amount to covenants not to sue as a result of claims prior to a date which is left blank. This provision is Paragraph 14 of the Local Station Program Commercial License, Document 4 in NAB Special Bulletin of September 30, 1941; Paragraph 15 of the Local Station Blanket Commercial License, Document 5; Paragraph 14 of the Local Station Program Sustaining License, Document 6; and, Paragraph 15 of the Local Station Blanket Sustaining License, Document 7. Unless the station is willing to allow unresolved claims to remain open against it, the same date should be filled out in the appropriate release clause of any contract it signs as is filled in at the end of the contract as the effective date of the contract. If there is any valid claim against your station, you should consider whether you do not want to adjust this claim and dispose of it finally and get the release before you sign your new contract.

Authorized representatives of ASCAP have informed us that they will not permit the releases to run up to the date of the signing of the agreement by the station unless the station signs within a reasonable time. (See NAB REPORTS of December 5, p. 882,—“Effective Date of ASCAP Release”) The reason for this is clear. A station, for example, which played ASCAP music during 1942 without a license and then signed a contract would not be entitled to get a release which would give the station, in effect, a free license for the year 1942. Stations which contemplate delaying the signature of ASCAP contracts for a substantial period but which nevertheless intend ultimately to sign an ASCAP contract will, of course, be just as careful as stations which do not intend to sign an ASCAP contract at all, to avoid any infringements whatsoever.

Equally important is that every station should obtain the covenant not to sue set forth as Document 11C of the NAB Special

Bulletin of September 30, 1941, at page 35. This is the document which releases the stations from claims under former contracts. If the station does not get this agreement executed by the Society simultaneously with the execution of the contract the Society will be able, if it desires, to bring claims based on accounting practices, free hours, etc., under expired agreements between the station and the Society. For your convenience this document, reworded to apply to stations instead of networks, should read as follows:

In consideration of the execution and delivery simultaneously herewith of certain agreements between (insert name of station) (herein called Station) and American Society of Composers, Authors and Publishers (herein called Society) and in consideration of the mutual covenants not to sue hereby executed by each of the parties hereto in favor of the other, Society hereby covenants that it will not sue, arrest or attach Station, its successors or assigns, for or on account of any claim, demand or cause of action arising prior to the date of these presents out of any "performing rights license" agreements heretofore in effect between Station and Society (except paragraph . . . of such of the prior license agreements covering Station as expired December 31, 1941). (The paragraph number to be filled out here should be the number of the paragraph of your last contract with ASCAP under which ASCAP agrees to indemnify you with respect to claims.) Nothing herein contained shall release, discharge, prejudice or otherwise affect any other claim, demand or cause of action which either of the parties hereto may have against the other or their respective members, stockholders, directors or officers, particularly but not limited to any claims, demands, causes of action, rights or remedies for the violation of any Federal or State anti-trust laws. This covenant not to sue shall not affect the obligations, rights and remedies of the respective parties hereto under said agreements executed simultaneously herewith.

IN WITNESS WHEREOF, the undersigned have caused their respective seals to be hereunto affixed and these presents to be signed by their duly authorized officers on the . . . . . day of . . . . ., 1941.

(Station)

By . . . . .  
AMERICAN SOCIETY OF COMPOSERS, AUTHORS  
AND PUBLISHERS.

By . . . . .

Document 11A and Document 11B appearing on pages 34 and 35 respectively of the NAB Special Bulletin dated September 30, 1941, constitute an exchange of covenants not to sue on anti-trust claims. If you are willing to release ASCAP from past anti-trust claims against you and want ASCAP to release you with respect to any anti-trust claims which they may have or think they may have against your station, Documents 11A and 11B should be executed and exchanged. In the case of Document 11A, the signatures should be not only those of the Society but of its officers, directors and the publisher members on its Board. The publisher members are as follows:

SHAPIRO, BERNSTEIN & CO., INC., SKIDMORE MUSIC CO., INC., IRVING BERLIN, INC., ABC MUSIC CORPORATION, BREGMAN, VOCCO & CONN, INC., CHAPPELL & CO., INC., CRAWFORD MUSIC CORPORATION, T. B. HARMS COMPANY, MARLO MUSIC CORP., GERSHWIN MUSIC CORP., CARL FISCHER, INC., GALAXY MUSIC CORP., MILLS MUSIC, INC., AMERICAN ACADEMY OF MUSIC, INC., FAMOUS MUSIC CORPORATION, PARAMOUNT MUSIC CORP., WORDS & MUSIC, INC., ROBBINS MUSIC CORPORATION, LEO FEIST, INC., MILLER MUSIC, INC., G. SCHIRMER, INC., BOSTON MUSIC COMPANY, WILLIS MUSIC COMPANY, M. WITMARK & SONS, REMICK MUSIC CORP., HARMS, INC., VICTORIA PUBLISHING CO., NEW WORLD MUSIC CORP., AND SHUBERT MUSIC PUB. CORP.

Document 11B, of course, will be signed merely by the station. BMI and NAB have already executed Document 11B, and have received in exchange Document 11A from ASCAP.

When you send in a contract to ASCAP for execution you should include these documents with your signed contract and should write a covering letter stating that the delivery by you to ASCAP of the enclosed contract or contracts is conditional upon the prompt return to you of all documents transmitted

(identifying them in the letter) executed properly on behalf of ASCAP and in the case of Document 11A by its officers, directors and the publishers represented on its Board.

3. In considering whether it is to your economical benefit to take out the per program commercial contract or the blanket commercial contract there are a number of points which you should consider:

A. Under the blanket contract the reasonable value of any consideration which you receive for time or announcements on the air other than cash is included in the income upon which you have to base your payments to ASCAP. This includes, for instance, studio space in hotels given in exchange for announcements. If you decide to take the blanket deal it might be wise for you to have an understanding in advance as to the amount which will be deemed the reasonable value of the consideration you receive under trade deals.

B. Authorized representatives of ASCAP have stated at District meetings that if an ASCAP jingle is used on a transcription and this jingle is the only music that is used, the program is compensable at the 2% incidental rate rather than at the 8% major use of music rate under the per program commercial contract.

C. If you have a musical clock or other participating program which broadcasts some music, some news, etc., and the program is listed, announced and billed as one program, the station is obligated to pay ASCAP on the entire program. If, however, this program is broken down into a number of separate programs, for instance, with the news period segregated from the portion of the program which uses ASCAP music and the portion of the program which uses BMI, PD and other music, so that there will be a number of separate programs instead of one program, a substantial saving may result to the station and this should be considered by all stations. We understand from the statement of authorized ASCAP representatives at District meetings that even if the newspaper lists the musical clock or other participating program under one name, if it is in fact segregated and station break announcements made between the segments of the program that this will be an adequate division by ASCAP into separate programs.

D. With respect to "package deals" the following statement has been made by authorized representatives of ASCAP at District meetings. The station need pay only on that portion of the charge made to the sponsor which constitutes the legitimate charge for time on the air. In order to take advantage of this, however, the billing to the sponsor must clearly indicate what portion of the charge is for time on the air and what portion of the charge is for lines, special talent, and charges paid for permission to broadcast sports events, etc., and the items must be separately listed in the books of the Company earmarked as revenue from sale of time on the one hand and revenue from talent, etc., on the other. It is understood that arbitrary charges not incurred by the station cannot be set up for the mere purpose of reducing card rate. In other words, if the station normally furnishes studios and announcers, an arbitrary division of the card rate,  $\frac{1}{3}$  for time on the air,  $\frac{1}{3}$  for announcers and  $\frac{1}{3}$  for studio rental, would not be recognized. On the other hand, if the charges are legitimate, payment to ASCAP need not be made on them even though this reduces the amount on which payment to ASCAP is based. If below the regular card rate, the station will not be required to pay on the charges so separately paid and billed. It would appear, however, that the amount paid for the entire program could not be less, despite this, than the amount which would have been paid had the program been sustaining. In other words if a station broadcasts a football game at a loss in order to bring a special type of entertainment to its listeners, it would still have to pay the same charge as it would for the use of ASCAP music on a sustaining basis.

4. No contract for regional networks has as yet been made available to the NAB although such contracts are in process of negotiation. Stations should, therefore, consider whether a regional network contract is of such importance to their operations that they are unwilling to sign local contracts before the final form of the regional network contract is available to them.

5. In a letter from William J. Scripps to all broadcasting stations dated October 17, 1941, Mr. Scripps said with respect to musical logs under per program licenses:

"(a) The FCC log will not be required.

"(b) A station with a per program commercial license and without a sustaining license or with a blanket sustaining license will furnish ASCAP only with musical program logs for its commercial programs. Likewise, if a station with a

per program sustaining license and without a commercial license or with a blanket commercial license will furnish ASCAP only with musical program logs for its sustaining programs. If a station took a per program commercial contract and no sustaining contract the playing of an ASCAP number on a sustaining program may be considered an infringement.

"As to the reporting of library transcriptions, manufacturers thereof or broadcasters are to furnish ASCAP a complete detailed list of numbers thereon recorded, showing the serial number of the transcription, and a complete list of numbers recorded including the title, composer, author, and copyright owner of each number, and as to such transcriptions so listed by the manufacturer or broadcaster to ASCAP the stations may report simply the serial number of the record, name of the manufacturer and number of the cut which was played. As to any transcriptions not so listed by the manufacturer or the broadcaster to ASCAP, the station is obligated to furnish full details of titles, names of composers, authors, etc.

"As to ordinary commercial phonograph records, if ASCAP lists them to stations on their customary service reports, it will be in such case sufficient for the station to report only manufacturer's name or brand, serial number and side of record played. If, however, ASCAP has not listed the record on its usual service reports, the station is required to list the full details shown on the label."

Mr. Paine in a letter to all broadcasting stations dated October 31, 1941, said:

"You have undoubtedly received a communication from the Independent Broadcasters, Inc., amending paragraph 5 of the per program commercial contract. This contract is being offered to you with such amendment, and upon execution of such agreement an amending communication in accordance with our letter to Mr. William Scripps of Independent Broadcasters, Inc., dated October 17th, 1941, will be furnished you."

You should, therefore, ask for and receive an amended communication which incorporates the provisions of Mr. Scripps' letter and attach the same to your contract before you execute it, or in the alternative state in your covering letter to ASCAP that the contract is being transmitted upon the understanding that you will have the benefit of the quoted portion of Mr. Scripps' letter. Stations which take out a per program license may well desire to receive from ASCAP in advance the forms which they will be expected to fill out, in order that any questions which they may have as to their practicability may be resolved before the final execution of contracts. In this connection it may be pointed out that stations are entitled to receive Document 10 on page 34 of the NAB Special Bulletin of September 30, 1941, on signing their agreements in those cases where they desire to keep their records on a cash basis.

6. Document 9 in the NAB Special Bulletin of September 30, 1941, is an agreement between ASCAP and the NAB with respect to clearance at the source of commercial electrical transcriptions running to the benefit of broadcasting stations. Authorized representatives of ASCAP have confirmed that this letter means that a station with blanket or per program license has its choice of whether the program is to be included in the station's accounting to ASCAP under the license between the station and ASCAP or whether the transcription is cleared at the source and, therefore, excluded from the station's own agreement. Such authorized representatives of ASCAP have confirmed that, of course, stations which have no contract with ASCAP are entitled to have electrical transcriptions cleared at the source on the outlined basis if they so desire. However, no contract for the clearance of electrical transcriptions at the source has ever been put into final form and made available to the NAB. Stations which deem a contract for the clearance of electrical transcriptions so essential to them that they desire to have the contract submitted to them in final form before they sign agreements with ASCAP should bear this point in mind. This would be a contract between the transcription company and ASCAP and would not be subject to execution by the station, but would merely be submitted to the station for its scrutiny in order that the station could determine if its operation under the contract was in all respects practicable.

7. Any station which signed a contract with ASCAP previous to the time the new contracts were offered stations and which wants the benefits of the new contracts, is entitled to a new contract on demand. Such stations should, therefore, obtain new contracts and forward them to ASCAP with the request that the

new contracts be substituted for the old contracts and that the old contracts be cancelled as of the date of substitution.

## FOOTBALL MUSIC

A number of broadcasters have told us that the Thornton W. Allen Company has returned to them the license payment which they made for football music under the Consent Decree, requesting that the money be forwarded directly to ASCAP. The Thornton W. Allen Company very properly and honestly point out that they disagree with the Society's interpretation of the point. We are of their opinion. The Consent Decree does not countenance payment directly to ASCAP but requires merely that the members of ASCAP should make payment of the sums they receive to the organization of which they are members. Under these circumstances, it is felt that a preservation of the exact terms of the Decree will be best served if stations return the checks to Thornton W. Allen Company stating that they are willing to make payment in accordance with the Decree but not contrary to its terms.

## Network Rules Argued

### MONDAY

Major radio networks will be gravely injured unless recent regulations of the FCC, seeking to limit contractual relations between the chains and their affiliated stations, are voided, attorneys for NBC and CBS told a Statutory Federal Court consisting of Judges Learned Hand, John Bright and Henry W. Goddard on Monday.

The two networks are asking for a temporary injunction restraining the enforcement of the regulations until their suits to void the new rules are adjudicated finally. The regulations were promulgated last May 2 and amended Nov. 12. By stipulation between the commission and the two chains they have been suspended pending a judicial decision on the application for a temporary injunction.

Opposing the temporary injunction, Telford Taylor, general counsel for the FCC, argued yesterday that the regulations were necessary to preserve and promote competition between stations and to insure the fullest use of radio facilities for the service of the public.

Although a number of regulations are involved, the controversy before the court centers on four dealing with affiliation contracts between stations and networks, and with time options given to networks by stations. At present affiliation contracts generally provide that a station shall not carry any program offered by a competing network and that the network shall not offer any program to a competing station. The prevalent option practice gives the network first call on the station's broadcast time and requires the station, upon twenty-eight days notice, to shift or cancel a non-network program to carry a network program.

The regulations under attack ban these practices by providing that no license shall be granted a station having an exclusive affiliation contract or to a station having option arrangements with a broadcaster that prevent or hinder the station from scheduling programs or requires it to shift or cancel any program on less than fifty-six days' notice to make room for a network broadcast.

Arguing for NBC, John T. Cahill charged that the commission was usurping functions of the Department of Justice and the courts in attempting to decide what is a monopoly. The commission, he said, regards itself as "an efficiency expert" in business and is trying to dictate the business policies of broadcasting executives. It is without power to make the regulations in question, he added, citing Congressional debates that preceded adoption of the law giving the commission its authority.

Charles Evans Hughes, Jr., representing CBS, argued that the regulations instead of promoting competition would lessen it. They also would make it difficult, if not impossible, for networks to obtain advertising contracts by creating new and unnecessary

uncertainties about the number and location of outlets involved, he contended.

"The whole business of a national radio network depends on its ability to sell the time of its stations to a national advertiser," he explained. "To negotiate successfully the network must be able to state concretely what it has to offer. It sometimes requires months of market study and research, program planning and negotiations before an advertiser can decide whether or not to use network broadcasting and if so what stations and program to utilize. Under the regulations the network would be in no position to make a firm offer of any definite program coverage during this period of negotiations."

Both Mr. Cahill and Mr. Hughes argued that if the commission has the power to make regulations covering affiliation contracts and options it can, in similar fashion, exercise a censorship over the programs presented by the stations. Both also cited the fact that the Federal Government has brought suit against them in Chicago for alleged violation of the anti-trust laws based on substantially the same grounds as those advanced in support of the regulations.

Because of the limited number of outlets available in many cities the present "exclusive" affiliation contracts prevent broadcasters in those locations from making the fullest use of their facilities, Mr. Taylor argued. If but three outlets are available and all three have exclusive affiliation contracts then a fourth chain, such as MBS (which is supporting the commission's stand in this litigation) cannot obtain an outlet there, he said. The option practices, he continued, make it difficult for a local station to enter into attractive contracts with local advertisers or into contracts with national advertisers for "spot" announcements or programs.

The hearing adjourned for the day before Mr. Taylor finished his argument.

## TUESDAY

Charges that existing radio networks would be wrecked by enforcement of recent Federal Communications Commission regulations were assailed yesterday by representatives of the Commission and MBS at a hearing before a Federal Statutory Court consisting of Judges Learned Hand, John Bright and Henry W. Goddard. The jurisdiction of the court to try suits by NBC and CBS to void the regulations was also attacked.

After the hearing the court reserved decision on motions by National and Columbia for temporary injunctions restraining the Commission from putting the regulations into effect. By agreement between the two companies and the Commission the new rules are being held in suspension pending the outcome of the injunction application. If it is granted the court may then take testimony on which it will base its decision as to the validity of the regulations.

An affidavit by Fred Weber, general manager of Mutual, submitted to the court yesterday, argued that the new regulations governing affiliation contracts between networks and stations and options given networks by stations would not impair the ability of networks to obtain advertising accounts, as charged by the older networks. What they will do, he said, is enable Mutual to compete with the other chains on an equal footing.

By barring "exclusive" clauses in affiliation contracts, he explained, Mutual will be able to obtain time not being used by other networks on local stations for sponsored programs and by limiting the option arrangements between networks and stations Mutual will be assured that local stations cannot drop its programs to take a rival network program, he explained. Mutual has lost several lucrative contracts, he added, because of its inability to get outlets in certain large cities and because some stations were forced to drop its programs to broadcast programs of other networks with which the station had an option arrangement.

As specific examples he cited the shift of the Ballantine beer and ale program from Mutual to the NBC Blue network, a March of Time program that was negotiating with Mutual, but signed with NBC Blue, the transfer of a Lucky Strike program from Mutual to National and several others.

The new regulations, he continued, will not prevent or interfere with the carrying out by any network of broadcast contracts now

in effect nor will they, in practice, make any change in the existing situation in cities having four or more full-time outlets.

Option contracts permissible under the regulations, he said, will enable a network to clear local stations of local and national "spot" broadcasts as heretofore but will not enable one network to force a cancellation or change in programs being carried for another network. The latter restraint, in practice, he said, will apply only to cities having three or fewer outlets. Where four outlets are available, he predicted, each of the four networks, NBC red, NBC blue, Columbia and Mutual, will have a single outlet.

Since there are only about 300 advertisers using national hook-ups and since most of them have established programs that continue from year to year over the same stations, he predicted that the confusion and chaos depicted by rival networks would never materialize.

The court took a keen interest in questions relating to the ability of networks to make commitments on coverage to advertisers during negotiations and in questions raised by the government as to the jurisdiction of the court.

Thomas E. Harris, assistant general counsel of the commission, argued that the orders were not reviewable by the court at this time because they did not compel any one to do anything. In effect, he said, they are mere statements of commission policy to be applied as stations make applications for renewal of their licenses. The fact that about one-third of the NBC affiliates have signified a desire to modify their existing contracts with the network is merely incidental, he argued. He said the case should have no standing in court until the commission has denied a license to some station.

## Labor

### STRIKE SETTLEMENT

What should the employer do when threatened by a strike?

The answer came this week in an executive order by President Roosevelt, in setting up the new War Labor Board. It said, in part:

"3. The procedures for adjusting and settling labor disputes which might interrupt work which contributes to the effective prosecution of the war shall be as follows:

"(a) The parties shall first resort to direct negotiations or to the procedures provided in a collective bargaining agreement.

"(b) If not settled in this manner the commissioners of conciliation of the Department of Labor shall be notified if they have not already intervened in the dispute.

"(c) If not promptly settled by conciliation, the Secretary of Labor shall certify the dispute to the board, provided, however, that the board in its discretion after consultation with the Secretary may take jurisdiction of the dispute on its own motion. After it takes jurisdiction, the board shall finally determine the dispute and for this purpose may use mediation, voluntary arbitration or arbitration under rules established by the board."

This machinery may prove costly and slow moving, however, when only a small number of men are involved. The NAB Labor Relations Director is attempting to work out a simplified procedure for those stations which care to make use of it. Any station threatened with a strike should communicate with the NAB.

### COURT UPHOLDS OVERTIME RULES

The United States Circuit Court of Appeals for the Fourth Circuit has upheld the Wage and Hour Division, U. S. Department of Labor, in its interpretation of the overtime provisions of the Act.

The opinion was the second Circuit Court opinion upholding the Division in its interpretation that overtime pay must be at the rate of time and one-half the employee's regular hourly rate—not merely time and one-half the minimum rate under the Act.

## LABOR GIVEN PLACE ON DCB COMMITTEES

Reversing the decision of Judge William C. Coleman, in U. S. District Court at Baltimore, Maryland, the Fourth Circuit Court opinion directs the lower court to enter judgment for William H. Missel against the Overnight Motor Transportation Company, Inc., of Baltimore, which employed him as a dispatcher. Judge Coleman held that Missel was entitled to only time and one-half 30 cents per hour, the minimum rate of pay under the Act, despite the fact that his weekly wage was on a basis higher than that figure.

The Circuit Court opinion, in disallowing the lower court's interpretation of the overtime provisions (Section 7(a)) of the Act, said:

"... the court below adopted a 'minimum wage' theory of Section 7(a) and consequently concluded that the overtime provisions of the Act are satisfied by the payment of one and one-half times the statutory minimum rate for each overtime hour—'regular rate' and 'minimum rate' becoming synonymous.

"This interpretation makes the overtime provisions of the Act effective only as to employees in the lowest wage brackets. Since we have adopted a 'maximum hour' interpretation of Section 7(a), it follows as the night the day that we must reach a different conclusion.

"We think it is clear that 'regular rate' of pay means the actual rate of pay which the employee is receiving, no matter how high, and not the minimum rate set forth in the statute.

"We are unable to agree with the lower court that the primary purposes of the Fair Labor Standards Act are satisfied by the payment of time and one-half, the statutory minimum wage for overtime. Furthermore, we do not believe that Section 7(a) is merely part of a broad scheme of minimum wage regulation."

Referring to Congress' aim in adopting the Act, the Circuit Court opinion states:

"It seems plain from the legislative history of the Act that, in addition to attempting to establish a decent national level of working conditions, one of the fundamental purposes of the Act was to induce worksharing and relieve unemployment by reducing hours of work. . . . One of the impelling forces behind the Act is the effort to promote economic stability through increased purchasing power.

"These purposes of the Act are accomplished because the overtime provisions of the Act, requiring employers to pay an extra bonus or penalty for such work, distinctly tend to discourage overtime. This is on the theory that the overtime rate established by the Act will be sufficiently expensive to compel employment of new men, and that employers rather than pay overtime will spread employment."

With reference to the Wage-Hour Division's interpretations, the Circuit Court pointed out that "both interpretative bulletins issued by the Wage and Hour Division and regulations have interpreted 'regular rate at which he is employed' to mean the actual rate the employee is receiving and not the statutory minimum. Although such interpretations are by no means binding on the courts, we consider them highly significant."

While in accord with the opinion of the Circuit Court for the Sixth Circuit, which declared the Division's interpretation of the time and one-half provisions of the Act to be the "unmistakable meaning" of the Act, the opinion announced today takes decided issue with parts of the opinion of the Fifth Circuit Court, in *Fleming v. H. Belo Corp.*, publishers of The Dallas Morning News.

In its reference to this opinion, the Fourth Circuit Court states:

"We are unable to agree with the Circuit Court of Appeals for the Fifth Circuit that the overtime provisions of the Act are merely part of a scheme to raise substandard wages. Rather we conclude that the purpose of Section 7(a) is to eliminate long hours of labor by requiring employers to pay extra compensation for overtime work. Otherwise the guarantees of the Act become 'only a promise to the ear to be broken to the hope, a teasing illusion like a munificent bequest in a pauper's will.'" (The quotation is from an opinion by Mr. Justice Jackson of the U. S. Supreme Court in *Edwards v. California*.)

The *Fleming v. A. H. Belo Corp.* case now is before the U. S. Supreme Court and, as the Fourth Circuit Court opinion points out, "It is estimated that the eventual outcome of this case will have a powerful impact and profound effect on many million 'white-collar' workers getting more than the statutory minimum wage."

James Lawrence Fly, DCB Chairman of the Defense Communications Board, today announced that, as a result of a meeting between the Labor Advisory Committee and the Board, a decision has been reached clarifying the contribution which labor would be expected to make in the future work of the Board. The plan would substantially enhance the position of labor as well as industry in the functioning of the Board and would assure its due participation in the over-all task of planning for the nation's communications systems under war conditions.

As a result of the new undertaking, the DCB will invite representatives from labor to participate in the work of the expert communications committees. Labor thus will be in a position to aid more effectively in the formulation of basic plans affecting communications systems in the emergency. Furthermore, future joint meetings between the Industry and Labor Advisory Committees will be held as needed in order to assure complete industry solidarity in the tasks ahead. The extent of labor's participation and the recognized limitations on the Board's functions were set forth in the attached letter from Chairman Fly to the Labor Advisory Committee which was concurred in by the latter.

In making the announcement, Chairman Fly praised the cooperation of all parties concerned, and said:

"There has been full recognition on all sides both of the vital role which communications must play in our total war effort and of the necessity that this must be our sole concern at the moment. We are fully resolved to see that this nation's communications facilities are as adequate and secure as they can be made under the circumstances. In formulating plans to that end, the Board wants all the qualified help it can get, whether from management or labor. We do not recognize any special group interest in developing plans in the communications field for our total war effort."

Chairman Fly also praised the decision to hold future joint meetings between the Industry and Labor Advisory Committees, pointing out that such meetings hold great promise in assuring cooperation among management, labor, and government in communications.

At the same time the following statement was issued by the Labor Advisory Committee:

"The members of the Labor Advisory Committee welcome the action of the Defense Communications Board in convening a joint conference of the Industry and Labor Advisory Committees at our request to consider communications problems affecting the war effort. We believe the conference was a step in the direction of the full utilization of the resources, facilities, manpower, intelligence, and initiative of each component part of the communications industry in the total war effort. Both industry and labor recognize that all matters which are properly the subject of collective bargaining will not come within the purview of these discussions but will continue to be referred to the established appropriate government agencies.

"We hope in successive joint meetings to be able to evolve effective methods of working out jointly the many problems which affect our industry in this crisis.

"The action taken by the Defense Communications Board today in appointing labor representatives along with industry and government on the various special planning committees of the Board will, we feel, facilitate the work of these committees. The constructive and sympathetic approach to labor's proposals expressed by Chairman Fly for the Defense Communications Board will be a source of gratification to the workers in the communications industry."

## COST OF LIVING

Below is the Labor Department's latest comparative cost of living index, which should prove helpful in collective bargaining. It is dated September 15, 1941.

This index shows how much it costs a four-person family to maintain a decent standard of living in each of 33 cities, in comparison with each other. For instance, it shows that, for every \$100 a family in Washington, D. C., has to spend for the



bare necessities of decent living, a family in Atlanta, Ga., has to spend \$89.90.

To obtain a comparison, say, between Atlanta and Birmingham, divide 88.2 by 89.9. You will find that the cost of living in Birmingham is 98.1 per cent of the cost in Atlanta.

The index:

Atlanta .....	89.9	Milwaukee .....	94.3
Baltimore .....	90.9	Minneapolis .....	95.3
Birmingham .....	88.2	Mobile .....	82.2
Boston .....	96.3	New Orleans .....	87.9
Buffalo .....	90.1	New York .....	100.5
Chicago .....	99.7	Norfolk .....	92.8
Cincinnati .....	91.1	Philadelphia .....	90.4
Cleveland .....	95.5	Pittsburgh .....	93.7
Denver .....	86.9	Portland, Maine .....	90.9
Detroit .....	98.2	Portland, Oregon .....	90.9
Houston .....	87.4	Richmond .....	90.4
Indianapolis .....	88.6	St. Louis .....	94.5
Jacksonville .....	89.9	San Francisco .....	97.5
Kansas City .....	84.8	Scranton .....	92.6
Los Angeles .....	89.2	Seattle .....	94.3
Manchester .....	91.4	Washington, D. C. ....	100.0
Memphis .....	89.6		

## ORGANIZED LABOR LEADERS MAKE 74 NETWORK TALKS IN 1941

Leaders of the American Federation of Labor and the Congress of Industrial Organizations made a total of 74 appearances on national network radio programs in 1941.

In announcing this figure, Joseph L. Miller, director of labor relations for the National Association of Broadcasters, pointed out that it did not include the many local labor programs aired by individual stations. Nor does it include the appearances made by national labor leaders on individual stations. The total includes only those appearances on the networks of the Columbia Broadcasting System, the Mutual Broadcasting System and the National Broadcasting Company.

Talks by labor leaders are carried without charge, as a public service by the networks and stations. In the event any speaker takes one side of a controversial public issue, a representative of the other side is offered an equal amount of free time for rebuttal.

## Technician Training

A folio containing complete information on radio technician training courses was mailed to all stations last Saturday, January 10, by A. J. Fletcher, NAB National Defense Committee Member-in-Charge, Training Courses. The vastness of the nation's needs for men possessing fundamental knowledge in radio surprised many station managers; but in all probability a new goal will be set before the present one is achieved. This has been the history of the recruiting jobs which the broadcast industry has been called upon to perform for Army, Navy, Marines, Coast Guard and Civil Service.

The subject of training technicians was one of the chief topics of conversation among the thousand engineers who attended the IRE meeting in New York, Monday, Tuesday and Wednesday of this week, according to Lynne C. Smeby, NAB director of engineering. All in all the engineers seemed well satisfied with the suggested course.

### NEW YORK

Educators from upper New York met in Syracuse on January 3 in response to the call of Colonel Harry C. Wilder, WSYR. On Sunday, January 4, educators of the metropolitan New York district and of northern New Jersey gathered in New York City. Those attending the New York City meeting were:

Robert Widdop, Associate Director ESMDT, Newark College of Engineering

M. A. Chaffee, Associate Director ESMDT, Rutgers University  
P. H. Daggett, Dean of Engineering, Director ESMDT, Rutgers University

Lynne C. Smeby, Director of Engineering, NAB  
Brother A. Leo, Dean of Engineering, Manhattan College  
Eleanor H. Grady, Academic Dean, Hunter College, New York City

M. L. Weinrich, Chairman, Department of Physics, Brooklyn College

B. Kurrelmeyer, Professor of Physics, Brooklyn College  
Paul A. Northrop, Professor of Physics, Vassar College  
Clifford C. Carr, Head, Chemical Engineering Department, Pratt Institute

A. L. Cook, Director of Engineering School, Pratt Institute  
Robin Beach, Professor of Electrical Engineering, Brooklyn Polytechnic

George A. Yanosik, ESMDT Institutional Representative, New York University

H. N. Walker, Professor of Electrical Engineering, New York University

Jessee B. Sherman, Instructor in Electrical Engineering, The Cooper Union

Frank E. Canavaci, Associate Professor of Electrical Communication, Brooklyn Polytechnic

A. Dexter Hinckley, Institutional Representative, ESMDT, Columbia University

John B. Russell, Assistant Professor of Electrical Engineering, Columbia University

Arthur Stringer, NAB, Washington

Harry Baum, Professor of Electrical Engineering, College of the City of New York

William Allan, Institutional Representative, ESMDT, College of the City of New York

C. J. Velz, Director ESMDT, Manhattan College

Lewis Lee, Lieut. Comdr. U. S. N., Bureau of Navigation, Washington.

Dean Albert B. Newman, College of the City of New York, metropolitan New York Coordinator, for the training courses, was represented by William Allan. The Dean was attending a conference in Baltimore.

State Coordinator of radio training in New York State outside of the metropolitan area is Dean S. C. Hollister, College of Engineering, Cornell University, Ithaca. In this district the qualified ESMDT institutions will give courses in their own behalf and will "sponsor" courses in other schools. The setup according to groups is as follows:

#### Syracuse Area

Syracuse University  
Hamilton College  
Colgate University  
Oswego  
Hobart College  
Hartwick College

#### Cornell University

Cornell University  
Alfred University  
Canisius College  
Niagara University  
University of Buffalo  
Buffalo State Teachers  
Houghton College

#### Rensselaer Polytechnic Institute

Rensselaer Polytechnic Institute  
Albany State Teachers  
Siena  
Union College

#### Clarkson College of Technology

Clarkson  
St. Lawrence University

### OHIO

Six northern Ohio colleges have elected to clear their courses through Case School of Applied Science, which school will also give training. These schools are:

Hiram College; College of Wooster; Oberlin College; Baldwin Wallace College; Youngstown College; John Carroll University.

Dean C. E. MacQuigg, of Ohio State, Columbus, Northern Ohio Coordinator, indicated over the telephone that five or six schools have already indicated that they would clear through his institution. One of them is Kent State College.

Fenn College, with the help of all Cleveland radio stations, is quickly enrolling its initial quota.

George Young, WSPD, Toledo, reports that the University of Toledo has gone all-out to establish these courses. Ten days ago they had enrolled 190 for the first course. The University of Akron is busy recruiting students. In the Cincinnati area, C. H. Topmiller, chief engineer WCKY, wrote Mr. Patt, Ohio Industry Representative, that the Cincinnati radio stations and colleges had had their meeting to inaugurate the training program.

### CONNECTICUT

Franklin M. Doolittle, WDRC, Hartford, Industry Representative for Connecticut, reports that Dean Lampe of the University of Connecticut, Professor Turner of Yale, and chief engineers of Hartford stations, have met to complete plans. Mr. Doolittle has prepared announcements for use of all Connecticut stations with attendant publicity for the press.

### MASSACHUSETTS

E. E. Hill, WTAG, Massachusetts Industry Representative, reports a letter from Roy Harlow, Yankee Network Vice President, Boston, that Harvard University had agreed to give radio technician training courses.

During the week, course outlines have been dispatched to Dean M. D. Smith, Dakota Wesleyan University, Mitchell, S. D.; Dean J. Stanley Morehouse, Villanova College, Villanova, Pa.; and C. A. Anderson, Local Director, Defense Training Program, University of Pittsburgh, Johnstown, Pa., and the University of Missouri.

### IOWA

Dr. O. J. H. Preus, president, Luther College, Decorah, Iowa, visited NAB headquarters last week, to discuss giving radio technician training courses. Upon his return he planned to institute courses over a wide area.

Another Ohio visitor was J. C. Rapp, general manager, KMA, Shenandoah. He is about ready to open a section or two in his city.

### PENNSYLVANIA

Eastern Pennsylvania educators and broadcasters met at the Lido Restaurant, Philadelphia, January 15, to plan radio technician training courses. Meeting was called by W. T. Spivey, Drexel Institute, Philadelphia, Coordinator of the program in Eastern Pennsylvania.

### NEW JERSEY

Word has been received from M. A. Chaffee, associate director, ESMDT program, at Rutgers University, that a minimum of 100 courses will be established by his institution.

### NAVY ESTABLISHES SCHOOL

The U. S. Navy is developing high frequency radio as a new weapon for the nation's armed forces. This was revealed today when the Navy Department announced it opened a Navy primary school for training in high frequency radio in Chicago yesterday.

The school, only one of its kind in existence, is located on the top floor of the State-Lake building, 190 North State street. The course will require approximately two months, and the Navy expects each class to number about 100 men.

Balaban and Katz corporation, owner and operator of television station W9X BK, fostered the new project. It has given the Navy floor space, equipment and an instructional staff at its own expense for the duration of the emergency.

Lieutenant William C. Eddy, USN, Retired, will direct the activity of the high frequency classes, which will be known as the Naval Training School (Radio Materiel).

## SALES MANAGERS EXECUTIVE COMMITTEE MEETS

On Tuesday and Wednesday, January 13 and 14, the NAB Sales Managers Executive Committee met in New York City. Frank Pellegrin, Director of the Department of Broadcast Advertising, for which the Sales Managers Committee serves as an executive body, reported upon the result of the sales managers sessions held in connection with the recent series of District meetings.

Items discussed were standardization of rate card schedules, coverage maps, surveys, questions of per inquiry and free time, and NAB sales helps. Dealer cooperative advertising and the broadcast advertising record were discussed. The committee also devoted considerable time to a preliminary discussion of the sales managers participation in the program of the 1942 Cleveland convention to be held in May.

On the second day of the meeting, the entire Executive Committee and Mr. Pellegrin joined with other broadcasters in conducting a radio panel at the NRDGA convention. A full report of this activity will be forthcoming in an early issue of NAB REPORTS. The Executive Committeemen were guests of the Radio Executives Club of New York at a luncheon which was devoted entirely to NAB. Speakers were Frank Pellegrin, Eugene Carr, WGAR, chairman of the Committee, and C. E. Arney, Jr., assistant to the president. A large representation of agency and radio people were in attendance.

Following is a list of the committeemen, all of whom were in attendance: Eugene Carr, WGAR; Dietrich Dirks, KTRI, E. Y. Flanigan, WSPD; John M. Outler, Jr., WSB; Arthur Hull Hayes, CBS; Linus Travers, WAAB; and George H. Frey, NBC.

## Press Censorship Code

The text of the code of wartime practices for newspapers, magazines and other periodicals, was issued Wednesday by Byron Price, Director of Censorship.

At the same time, Price announced that J. H. Sorrells, Assistant Director of Censorship who is on leave as executive editor of the Scripps-Howard newspapers, would be in direct charge of administering the code. He will be assisted by a small board of editors and an advisory council of the publishing industry, which will be appointed soon.

The censorship code follows:

This statement responds to the many inquiries received by the Office of Censorship, asking for an outline of newspaper and magazine practices which the Government feels are desirable for the effective prosecution of the war.

It is essential that certain basic facts be understood from the beginning.

The first of these facts is that the outcome of the war is a matter of vital personal concern to the future of every American citizen. The second is that the security of our armed forces and even of our homes and our liberties will be weakened in greater or less degree by every disclosure of information which will help the enemy.

### VALUE TO ENEMY TEST

If every member of every news staff and contributing writer will keep these two facts constantly in mind, and then will follow the dictates of common sense, he will be able to answer for himself many of the questions which might otherwise trouble him. In other words, a maximum of accomplishment will be attained if editors will ask themselves with respect to any given detail, "Is this information I would like to have if I were the enemy?" and then act accordingly.

The result of such a process will hardly represent "business as usual" on the news desks of the country. On the contrary, it will mean some sacrifice of the journalistic enterprise of ordinary times. But it will not mean a news or editorial blackout. It is the hope and expectation of the Office of Censorship that the

columns of American publications will remain the freest in the world, and will tell the story of our national successes and shortcomings accurately and in much detail.

The highly gratifying response of the press so far proves that it understands the need for temporary sacrifice, and is prepared to make that sacrifice in the spirit of the President's recent assurance that such curtailment as may be necessary will be administered "in harmony with the best interests of our free institutions."

## SUMMARY OF PROBLEMS

Below is a summary covering specific problems. This summary repeats, with some modifications, requests previously made by various agencies of the Federal Government, and it may be regarded as superseding and consolidating all of those requests.

Special attention is directed to the fact that all of the requests in the summary are modified by a proviso that the information listed may properly be published when authorized by appropriate authority. News on all of these subjects will become available from Government sources; but in war, timeliness is an important factor, and the Government unquestionably is in the best position to decide when disclosure is timely.

The specific information which newspapers and magazines are asked not to publish except when such information is made available officially by appropriate authority falls into the following classes:

### TROOPS

The general character and movement of United States Army units, within or without the continental limits of the United States—their location; identity or exact composition; equipment or strength; their destination, routes and schedules; their assembly for embarkation, prospective embarkation or actual embarkation. Any such information regarding the troops of friendly nations on American soil.

[Note: The request as regards location and general character does not apply to troops in training camps in continental United States, nor to units assigned to domestic police duty.]

### SHIPS

The location, movements and identity of naval and merchant vessels of the United States in any waters, and of other nations opposing the Axis powers, in American waters; the port and time of arrival or prospective arrival of any such vessels, or the port from which they leave; the nature of cargoes of such vessels; the location of enemy naval or merchant vessels in or near American waters; the assembly, departure or arrival of transports or convoys; the existence of mine fields or other harbor defense; secret orders or other secret instructions regarding lights, buoys and other guides to navigators; the number, size, character and location of ships in construction, or advance information as to the date of launchings or commissionings; the physical setup or technical details of shipyards.

### PLANES

The disposition, movements and strength of army or navy air units.

### FORTIFICATIONS

The location of forts and other fortifications; the location of coast defense emplacements, or anti-aircraft guns; their nature and number; location of bomb shelters; location of camouflaged objects.

### PRODUCTION

Specific information about war contracts, such as the exact type of production, production schedules, dates of delivery, or progress of production; estimated supplies of strategic and critical materials available; or nation-wide "round-ups" of locally published procurement data except when such composite information is officially approved for publication.

### FACTORY SITES

Specific information about the location of, or other information about, sites and factories already in existence, which would aid saboteurs in gaining access to them; information other than that readily gained through observation by the general public, disclosing the location of sites and factories yet to be established, or the nature of their production.

Any information about new or secret military designs, or new factory designs for war production.

## WEATHER

Weather forecasts, other than officially used by the Weather Bureau; the routine forecasts printed by any single newspaper to cover only the State in which it is published and not more than four adjoining States; portions of which lie within a radius of 150 miles from the point of publication.

Consolidated temperature tables covering more than twenty stations, in any one newspaper.

Note: Special forecasts issued by the Weather Bureau warning of unusual conditions, or special reports issued by the Weather Bureau concerning temperature tables, or news stories warning the public of dangerous roads or streets, within 150 miles of the point of publication, are all acceptable for publication.

Weather "round-up" stories covering actual conditions throughout more than one State, except when given out by the Weather Bureau.

## PHOTOGRAPHS AND MAPS

Photographs conveying the information specified in this summary, unless officially approved for publication.

Detailed maps or photographs disclosing location of munition dumps, or other restricted army or naval areas.

Note: This has no reference to maps showing the general theater of war, or large scale zones of action, movements of contending forces on a large scale, or maps showing the general ebb and flow of battle lines.

Note: Special care should be exercised in the publication of aerial photos presumably of non-military significance, which might reveal military or other information helpful to the enemy; also care should be exercised in publishing casualty photos so as not to reveal unit identifications through collar ornaments, etc. Special attention is directed to the section of this summary covering information about damage to military objectives.

## GENERAL

Casualty lists.

Note: There is no objection to publication of information about casualties from a newspaper's local field, obtained from nearest of kin, but it is requested that in such cases, specific military and naval units, and exact locations be not mentioned.

Information disclosing the new location of national archives, art treasures, and so on, which have been moved for safekeeping.

Information about damage to military and naval objectives, including docks, railroads or commercial airports, resulting from enemy action.

Note: The spread of rumors in such a way that they will be accepted as facts will render aid and comfort to the enemy. It is suggested that enemy claims of ship sinkings, or of other damage to our forces, be weighed carefully and the source clearly identified if published.

Information about the transportation of munitions or other war materials, including oil tank cars and trains.

Information about the movements of the President of the United States, or of official military or diplomatic missions of the United States or of any other nation opposing the Axis powers—routes, schedules, or destination, within or without the continental limits of the United States; movements of ranking army or naval officers and staffs on official business; movements of other individuals or units under special orders of the army, navy or State Department.

Note—Advertising matter, letters to the editor, interviews with men on leave, columns and so on are included in the above requests, both as to text and illustration.

If information should be made available anywhere which seems to come from doubted authority, or to be in conflict with the general aims of these requests; or if special restrictions requested locally or otherwise by various authorities seem unreasonable or out of harmony with this summary, it is recommended that the question be submitted at once to the Office of Censorship.

The Office of Censorship,

BYRON PRICE, *Director*.

# THE WAR AND THE WEATHER

(Amarillo (Tex.) Daily News)

Not the least of the inconveniences of modern war is suspension of broadcast weather forecasts and the skeletonizing of printed reports. Many a Plainsman can't understand how a weather forecast for the Panhandle might be of aid to the enemy.

Of course the chances that a particular weather forecast would be used against us are remote. But we can't afford to take even a remote chance. A radio signal even from a comparatively small station has a disconcerting habit of bouncing about the globe and coming down to earth in the most outlandish places. For example, the "sky wave" of KGNC makes the station audible in small areas of California, Mexico, Nebraska, Florida and, under certain conditions, even on the other side of the world. In the station's files are many cards and letters from such far-away spots as New Zealand, where KGNC broadcasts have been heard. One of the most recent is a letter received from a New Zealand town on Nov. 17, in which the listener detailed 10 minutes of the station's schedule and asked for a confirmation. The listener even mentioned the weather at the time the program was received.

Now suppose that a receiving station at a Japanese submarine base could pick up KGNC's signal some clear, frosty morning, and check the weather forecast. Then suppose it could pick up a dozen other stations in other parts of the United States, all of which gave weather reports. From this data a good weather man could compile a map showing with fair accuracy the movement of pressure areas, and thus determine probable conditions in any part of the United States.

If the Japanese were planning a submarine or air attack on some section of the United States, they would make every effort to obtain weather data in advance. If commercial stations were unrestricted in broadcasting forecasts, it would be a simple matter.

Printed forecasts, of course, could not be gathered and compiled for a large area in time to be of any value; hence skeletonized predictions are still permitted in the newspapers.

It's inconvenient, yes; especially during a cold spell such as we have just gone through. But, as the French say—c'est la guerre.

## SET MAKING CONTINUES

Reports that OPM would shut down radio production in two or three months were declared by the Radio Manufacturers Association to be inaccurate and misleading.

"The Office of Production Management has as yet made no announcement or order regarding curtailed civilian production of radio," said Bond Geddes, Executive Vice President of the Radio Manufacturers Association. "The radio industry is already widely engaged on the very large program of vital radio and other military equipment and is going rapidly into increased military expansion. Reduced manufacture of civilian radio obviously is involved and an OPM order is expected shortly curtailing civilian radio by about 30 per cent during the first three months of this year, but not a complete shut down. Further reduction in civilian radio later in 1942 is expected as the industry becomes more extensively engaged on the military program. Also it is understood the official policy contemplates supplies of tubes and other replacement and repair parts for radio sets now in the hands of the public, and we are not advised of any official plans for 'rationing' of radio."

## 56 MILLION RADIO SETS IN 1942

The official NAB estimate places the number of radio sets in use as of January 1, 1942 at 56 million. These sets are distributed as follows:

Homes with radios.....	30,600,000
Sets in institutions, places of business, and additional sets in homes.....	16,400,000
Automobile sets .....	9,000,000
<b>Total .....</b>	<b>56,000,000</b>

From a year ago the increase in the number of homes with radios is 1,300,000. The increase in automobile sets amounts to a million. The remainder of 3,600,000 sets is allocated to sets located in places of business, institutions, etc., and additional home sets.

## TAFT AMENDMENT

Senator Taft (R-Ohio) intends to propose the following amendment to the bill to permit the President to take over Wire Communications Industries during the war:

### AMENDMENT

(H. R. 6263) to amend section 606 of the Communications Act of 1934 for the purpose of granting to the President, in time of war or threatened war, certain powers with respect to communications by wire, viz:

On page 2, line 14, insert the following: "Provided, however, That except in case of invasion or in connection with the movement of military or naval forces no such authorization shall be given for the use and control of property costing more than \$10,000,000 without prior appropriation by the Congress."

## STATE LEGISLATION

### NEW YORK:

S. 10 (WILLIAMSON) INDUSTRIAL BANK ADVERTISING—Provides that no industrial bank shall advertise, print or broadcast any statement with regard to rates, terms or conditions for loans unless interest rate or charge is stated as rate per cent per annum or per month on unpaid principal balance. Referred to Committee on Banks.

S. 11 (WILLIAMSON) PERSONAL LOAN—ADVERTISING—Prohibits advertising by printing, broadcasting, publishing or otherwise by bank or trust company in connection with personal loan dept. of statements relative to rates, terms or conditions for loaning money unless stated in terms of rate per annum or per month on unpaid principal balance. Referred to Committee on Banks.



## ALL AMATEURS ORDERED OFF THE AIR

At the request of the DCB, the FCC January 9 ordered all amateur radio operation to cease immediately. It was explained that national defense considerations require such complete cessation.

A Commission order of December 8 suspended amateur activities save for those authorized by the Defense Communications Board upon recommendation of federal, state, or local officials in connection with defense. Many such requests had been approved by the Commission at the instance of the Defense Communications Board.

However, in the light of subsequent events and military requirements, the Board and the Commission both have decided that all amateur radio operation shall be suspended. In consequence, all special authorizations granted since December 8 are now cancelled.

## 923 STATIONS

The Federal Communications Commission issued operating licenses to seven stations and granted six permits for the construction of new stations during the month of December, 1941. Two operating stations were deleted. A comparative table by months follows:

	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1
Operating .....	831	835	836	837	836	849	854	859	859	869	877	882	887
Construction .....	51	46	54	54	55	48	43	44	53	44	38	37	36
	882	881	890	891	891	897	897	903	912	913	915	919	923

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 19. They are subject to change.

### Thursday, January 22

The Following are Consolidated

- NEW—Cuyahoga Valley Broadcasting Company, Cleveland, Ohio.—C. P., 1300 kc., 1 KW, daytime only.  
NEW—Lake Shore Broadcasting Corporation, Cleveland, Ohio.—C. P., 1300 kc., 5 KW, unlimited; DA-night & day.

### Monday, January 19

- NEW—Charles P. Blackley, Staunton, Virginia.—C. P., 1240 kc., 250 watt, unlimited time.

The Following to Be Consolidated

- NEW—Frequency Broadcasting Corporation, Borough of Brooklyn, New York, N. Y.—C. P., 620 kc., 500 watt, daytime.  
NEW—Yankee Broadcasting Company, Inc., New York, New York.—C. P., 620 kc., 1 KW, unlimited time; DA-night & day.  
NEW—Newark Broadcasting Corporation, Newark, New Jersey.—C. P., 620 kc., 5 KW, unlimited time; DA-day & night.

### Wednesday, January 21

Further Hearing

To Be Held in Room 6121—New Post Office Building, 12th Street and Pennsylvania Avenue, N. W.

Investigation to determine what policy or rules, if any, should be promulgated in connection with operation of new high frequency (FM) broadcast stations and for future acquisition of standard broadcast stations by newspapers, Pursuant to Order No. 79.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

- KDAL—Red River Broadcasting Co., Inc., Duluth, Minn.—Granted modification (B4-MP-1439) of construction permit (B4-P-3139) to make changes in directional antenna system, and extend commencement and completion dates.  
KTAR—KTAR Broadcasting Co., Phoenix, Ariz.—Granted modification of license (B5-ML-1099) to make changes in directional antenna system, and change from day and night use to nighttime only. (Daytime non-directional).  
KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted modification (B3-MP-1417) of construction permit (B3-P-3049) to make local change in transmitter site proposed, increase power to 10 KW day, change type of transmitter and directional antenna. (Now licensed on 1420 kc., 5 KW; unlimited, DA-N; under construction permit 1010 kc., 5 KW, DA-N unlimited).  
WOLS—O. Lee Stone (Assignor), The Florence Broadcasting Co., Inc. (Assignee), Florence, S. C.—Granted consent to voluntary assignment of license (B3-AL-322) of station WOLS, from O. Lee Stone to The Florence Broadcasting Company, Inc., with stipulation that same is not to be construed as an approval with respect to any future transfer of control over the assignee by reason of any transfer of stock or otherwise.  
WILM—Delaware Broadcasting Co., Inc., Wilmington, Del.—Granted application for waiver of Sec. 3.45(e) of the rules so as to permit station to use the south tower of WDEL in same city.

- W9XC—Central Broadcasting Co., Davenport, Iowa.—Granted application for modification of construction permit (B4-MPEX-7) to extend completion date for this developmental broadcast station for a period of 2 weeks from January 19.  
William Penn Broadcasting Co., Philadelphia, Pa.—Granted construction permit (B2-PH-118) for new FM station to operate on 47300 kc., 9,300 square miles service area.

### LICENSE RENEWALS

- KID—KID Broadcasting Co., Idaho Falls, Idaho.—Granted renewal of license for the period ending not later than August 1, 1942.

Granted renewal of following station licenses for the period ending not later than August 1, 1943:

KOBH, Rapid City, S. D.; WGRC, New Albany, Ind.; WHBQ, Memphis, Tenn.; KWYO, Sheridan, Wyo.

Granted renewal of following station licenses for the period ending not later than October 1, 1942:

KOME, Tulsa, Okla.; KVSQ, Ardmore, Okla.; KWFC, Hot Springs, Ark.; KWOS, Jefferson City, Mo.; KWLM, Willmar, Minn.; WBBL, Richmond, Va.; WHBY, Appleton, Wisc.; WLNH, Laconia, N. H.; WSNJ, near Bridgeton, N. J.

Granted renewal of following station licenses for the period ending not later than October 1, 1943:

KFIZ, Fond du Lac, Wisc.; KLBM, La Grande, Ore.; KNET, Palestine, Tex.; WAGM, Presque Isle, Maine; WEED, near Rocky Mount, N. C.; WHFC, Cicero, Ill.; WHLS, Port Huron, Mich.; WLPN, Suffolk, Va.; WMVA, Martinsville, Va.; WNOE, New Orleans, La.

Granted renewal of following station licenses for the period ending December 1, 1943:

KPAB, Laredo, Tex.; KRNR, Roseburg, Ore.

Granted renewal of following station licenses for the period February 1, 1942 to not later than February 1, 1944:

KOAM, Pittsburg, Kans.; WBAP, Fort Worth, Tex.; WCCO, Minneapolis, Minn.; WEW, St. Louis, Mo.; WGN, Chicago, Ill.; WHAS, Louisville, Ky.; WHDH, Boston, Mass., and auxiliary; WHEB, Portsmouth, N. H.; WJR and auxiliary, Detroit, Mich.; WLS, Chicago, Ill.; WNAD, Norman, Okla.; WOSU, Columbus, Ohio; WWL, New Orleans, La.; KFI and auxiliary, Los Angeles, Calif.; WAIT, Chicago, Ill.

Granted renewal of following station licenses for the period February 1, 1942 to not later than April 1, 1944:

KJBS, San Francisco, Calif.; KNX, Los Angeles, Calif.; KRLD, Dallas, Tex.; KVOO, Tulsa, Okla.; KYOS, near Merced, Calif.; WBT, Charlotte, N. C.; WHAM, Rochester, N. Y. and auxiliary; WIBC, Indianapolis, Ind.; WNOX, Knoxville, Tenn.; WWVA and auxiliary, Wheeling, W. Va.; KSTP and auxiliary, St. Paul, Minn.; KMOX, St. Louis, Mo.; KJR and auxiliary, Seattle, Wash.

Granted extension upon a temporary basis only, pending determination upon application for renewal of license, in no event longer than March 1, 1942, of following station licenses:

KFVD, Los Angeles, Calif.; KGA, Spokane, Wash.; KIEV, Glendale, Calif.; KMPC and auxiliary, Beverly Hills, Calif.; KOMA, Oklahoma City, Okla.; WBAL, Baltimore, Md.; WCAL, Northfield, Minn.; WHCU, Ithaca, N. Y.; WINS, New York, N. Y.; WKAR, East Lansing, Mich.; WOAI and auxiliary, San Antonio, Tex.

KGDM—E. F. Pepper, Stockton, Calif.—Granted extension upon a temporary basis only, pending determination upon application for renewal of license, in no event longer than April 1, 1942.

### MISCELLANEOUS

- K45LA—Don Lee Broadcasting System, Los Angeles, Calif.—Granted modification of construction permit for new high frequency broadcast station, for extension of commencement and completion dates only, from August 18, 1941 and February 14, 1942, to February 14, 1942 and August 13, 1942, respectively (B5-MPH-60).  
W49PH—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Granted modification of construction permit for new high frequency broadcast station, for extension of completion date only, from January 22 to July 22, 1942 (B2-MPH-62).

- W77XL—WJIM, Inc., Lansing, Mich.—Granted modification of construction permit which authorized a new high frequency broadcast station, for approval of antenna system (B2-MPH-50).
- WAPO—W. A. Patterson, Chattanooga, Tenn.—Granted construction permit to move old Collins transmitter to site of new main transmitter, Pinesville, Tenn., for use as an auxiliary transmitter, with present antenna system, power of 250 watts for emergency use only (B3-P-3412).
- KFEQ—KFEQ, Inc., St. Joseph, Mo.—Granted modification of construction permit for change in type of transmitter and changes in directional antenna system (B4-MP-1474).
- WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Granted modification of construction permit which authorized increase in power, change in hours of operation, move transmitter, install new transmitter and directional antenna for day and night use, for extension of completion date from January 20 to March 20, 1942 (B4-MP-1482).
- KSEE—Earle C. Anthony, Inc., Los Angeles, Calif.—Granted modification of construction permit for new television broadcast station, to specify commencement date of January 15, 1942 and for extension of completion date from January 15 to July 15, 1942 (B5-MPCT-5).
- W2XGE—General Electric Co., Schenectady, N. Y.—Granted license to cover construction permit for new television relay broadcast station, on experimental basis only, conditionally.
- WTBO—Associated Broadcasting Corp., Cumberland, Md.—Granted extension of special temporary authority to operate unlimited time, instead of limited time as specified in existing license, for a period beginning January 7, 1942 and ending in no event later than February 5, 1942, provided power is reduced to 100 watts, conditionally.
- WHDH—Matheson Radio Co., Inc., Boston, Mass.—Granted modification of construction permit for new equipment, directional antenna, increase in power and change in hours of operation, for extension of completion date from January 20, 1942 to July 20, 1942 (B1-MP-1472).
- WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted modification of construction permit for move of transmitter, increase in power, install directional antenna for night use, for extension of completion date from January 23, 1942 to March 23, 1942 (B3-MP-1477).
- WWPG—Lake Worth Broadcasting Corp., Lake Worth, Fla.—Granted license to cover construction permit as modified for new station (B3-L-1569); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1308).
- WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Granted modification of license to use old W.E. D-96021 transmitter as an auxiliary transmitter, with power of 1 KW, for emergency use only (B1-ML-1107).
- WHIEB, Inc., Portable-Mobile, area of Portsmouth, N. H.—Granted construction permit for new relay broadcast station; 30820, 33740, 35820, 37980 ke., 25 watts (B1-PRE-416).
- Worcester Telegram Publishing Co., Inc., Portable-Mobile, area of Worcester, Mass.—Granted construction permit for new relay broadcast station; 1622, 2058, 2150, 2790 ke., 50 watts (B1-PRY-266).
- KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif.—Granted modification of construction permit for new transmitter and extension of commencement date from January 12, 1942, to 30 days after grant (B5-MP-2471).
- WIIIIC—Hampden-Hampshire Corp., Portable-Mobile, area of Holyoke, Mass.—Granted license to cover construction permit which authorized a new relay broadcast station (B1-LRE-371).
- WEMS—Westinghouse Radio Stations, Inc., Portable-Mobile, area of Pittsburgh, Pa.—Granted license to cover construction permit which authorized installation of new transmitter and increase in operating power from 15 to 25 watts (B2-LRE-369).
- W45V—Evansville On The Air, Inc., Evansville, Ind.—Granted license to cover construction permit, as modified, which authorized a new high frequency broadcast station (B4-LH-4).
- WHKC—United Broadcasting Co., Columbus, Ohio.—Granted special temporary authority to operate additional time from 10 p. m., EST, to the conclusion of the Louis-Baer heavy-weight championship boxing bout on January 9, 1942, in order to broadcast said bout, only.
- WHCU—Cornell University, Ithaca, N. Y.—Denied request for special temporary authority to operate additional time daily from January 7 to February 5, 1942.
- W75NY—Metropolitan Television, Inc., New York, N. Y.—Granted modification of construction permit for new high frequency broadcast station, for extension of commencement and completion dates from May 6, 1941 and November 6, 1941 to January 1, 1942 and June 30, 1942, respectively (B1-MPH-49).
- WMFJ—W. Wright Esch, Daytona Beach, Fla.—Granted authority to determine operating power by direct measurement of antenna input (B3-Z-1311).
- WMT—Iowa Broadcasting Co., Cedar Rapids, Iowa.—Granted authority to determine operating power by direct measurement of antenna input (B4-Z-1316).
- WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Granted authority to determine operating power by direct measurement of antenna input (B1-Z-1324).
- KOD—Albuquerque Broadcasting Co., Albuquerque, New Mexico.—Granted authority to determine operating power by direct measurement of antenna input (B5-Z-1286).
- WINS—Hearst Radio, Inc., New York, N. Y.—Granted authority to determine operating power by direct measurement of antenna input, for special temporary authorization (B1-Z-1289).
- WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—Granted construction permit to make changes in auxiliary transmitting equipment (B2-P-2410).
- WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Granted license to cover construction permit for changes in transmitting equipment (B4-L-1580).
- KFI—Earle C. Anthony, Inc., Los Angeles, Calif.—Granted special temporary authority to operate the 5-KW auxiliary transmitter between the hours of 12 midnight and 6 a. m., PST, daily, for a period not to exceed 30 days, in order to permit necessary servicing of the 50-KW main transmitter.
- WOI—Iowa State College of Agriculture & Mechanic Arts, Ames, Iowa.—Denied request for special temporary authority to operate additional time on January 7, 10, 19, and 31, 1942.
- WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Granted petition for leave to amend application to request operation on 850 ke., 1 KW night, 5 KW day, unlimited time, on condition that the amendment is filed within 14 days; application removed from Docket.
- KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Granted motion for continuance of hearing now set for January 14, 1942, to February 27, 1942, in re application for construction permit to change operation from 1240 ke., 250 watts, unlimited, to 580 ke., 1 KW, unlimited, directional antenna night.
- WMBD—Peoria Broadcasting Co., Peoria, Ill.—Granted petition for leave to intervene in hearing on application of Midstate Radio Corp., Utica, N. Y., for construction permit for new station to operate on 1470 ke., 1 KW, unlimited, using directional antenna day and night.
- WAGE—Sentinel Broadcasting Corp., Syracuse, N. Y.—At request of petitioner, passed petition for leave to intervene in re-hearing on application of Durham Radio Corp. (WDNC), Durham, N. C., for construction permit to install new equipment, change from 1490 ke., 250 watts, unlimited, to 620 ke., 1 KW night, 5 KW day, unlimited, using directional antenna day and night; to be brought back up on notice from petitioner.
- WWJ—The Evening News Assn., Detroit, Mich.—Granted petition to postpone hearing date now set for January 16, 1942, to February 24, 1942, in re application of Drivers Journal Publishing Co. (WAAF), Chicago, Ill., to operate on 950 ke., 1 KW, unlimited time, using directional antenna night.
- John R. Crowder, tr/as Dimple Broadcasting Co., Columbia, Tenn.—Granted motion for leave to amend application for construction permit for new station so as to request 1340 ke., 250 watts, unlimited time, on condition that amendment is filed within 2 weeks; removed from hearing docket.
- WHEB—WHEB, Inc., Portsmouth, N. H.—Denied request for extension of special temporary authority to operate additional time from January 7 to not later than February 5, 1942.
- WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted special temporary authority to operate unlimited time with power of 5000 watts daytime and 1000 watts nighttime, using transmitter and south tower of antenna

system located on Dixie Highway, State Road 27, 2 miles from city limits, northwesterly direction from Chattanooga, Tenn., for a period not to exceed 30 days, pending completion of construction in accordance with construction permit as modified, provided frequency and modulation monitors are in operation at new site on commencing operation and that transmitter is adjusted to within five cycles of assigned frequency during experimental period.

**K53LA**—Standard Broadcasting Co., Los Angeles, Calif.—Granted special temporary authority to operate commercially on **45300 kc.**, power of 1 KW, special emission for frequency modulation, using temporary antenna, with temporary transmitter located near Lookout Mountain Road, Los Angeles County, Calif., for period not to exceed 30 days, pending completion of construction in accordance with construction permit as modified.

**WCAX**—Burlington Daily News, Inc., Burlington, Vt.—Granted modification of construction permit, as modified, for new transmitter, directional antenna for day and night use, increase in power, changes in frequency and move, for extension of completion date from January 6, 1942, to April 6, 1942.

**KOIN**—KOIN, Inc., Portland, Ore.—Granted special temporary authority to operate main transmitter of Station KALE as a duplicate main transmitter for Station KOIN during the test period from 1 to 6 a. m., for a period not to exceed 30 days, in order to permit necessary servicing of KOIN's transmitter.

**WISN**—Hearst Radio, Inc., Milwaukee, Wisc.—Granted special temporary authority to operate 1 KW auxiliary RCA 1-DA transmitter for a period not to exceed 30 days, pending action on formal application for license.

**WRUF**—University of Florida, Gainesville, Fla.—Denied request for extension of special temporary authority to operate unlimited time for a period beginning January 10, 1942, and ending not later than February 8, 1942.

**Columbia Broadcasting System, Inc., Brentwood, L. I., New York.**—Waived Sec. 4.45 of the rules to permit use of equipment of WCBX, now licensed to CBS, for auxiliary purposes with stations WCBX and WCRC with 10 KW power, pending removal of WCBX and increasing power of latter to required minimum of 50 KW. Permittee is now conducting program tests over WCRC, which has supplanted WCAB. Frequencies involved are **6060, 6120, 6170, 9650, 11830, 15270, 17830, 21520 and 21570 kc.**, sharing time on all with WCRC and WCBX and, in addition, sharing time on **6060 kc.** with KWID.

**KSFO**—The Associated Broadcasters, Inc., San Francisco, Cal.—**KPQ**—Westcoast Broadcasting Co., Wenatchee, Wash.—Denied petition of KSFO for rehearing directed against Commission action of August 22, granting without hearing application of KPQ for construction permit (B5-P-3150) to install new transmitter and antenna, change frequency from **1490 to 560 kc.**, and increase power from 250 watts to 500 watts night, 1 KW day; the Commission on its own motion, modified KPQ's authorization so as to permit use of **560 kc.** with 5 KW power, unlimited time, employing directional antenna day and night to protect KVI, KSFO and KLZ within certain limitations, provided that within 60 days KPQ file application for such modification of its construction permit, and without prejudice to KPQ filing request for special service authorization to operate with 500 watts night 1 KW day, conventional antenna, on **550 kc.**, pending construction of the 5 KW antenna and directional antenna.

**WLBC**—Donald A. Burton, Muncie, Ind.—Granted special temporary authority to move studio to south of Muncie, and operate with studio at new location from January 12 to not later than February 10, 1942, pending filing of formal application for same.

**W1XTG**—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Granted extension of special temporary authority to operate high frequency broadcast station on **43400 kc.**, 1000 watts, special emission for frequency modulation, maximum band width not over **200 kc.**, from January 28 to not later than March 29, 1942, at Shrewsbury St., Worcester, pending action on application for new FM station.

**W69PH**—WCAU Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate commercially on **46900 kc.**, 10 KW, special emission for frequency modulation, using temporary horizontal half-wave antenna mounted on roof of building, transmitter at 1616

Walnut St., from January 16 to not later than March 1, 1942, pending completion of construction.

**WNBZ**—Upstate Broadcasting Corp., Saranac Lake, N. Y.—Granted special temporary authority to operate additional time January 30, 1942.

**KXA**—American Radio Telephone Co., Seattle, Wash.—Granted extension of special temporary authority to operate with transmitter at Second and Union Streets, Seattle, Wash., in lieu of site specified in existing license, from January 16 to not later than February 14, 1942, on sustaining basis only.

**WHKC**—United Broadcasting Co., Columbus, Ohio.—Granted special temporary authority to operate additional time from 10 p. m., EST, to conclusion of Zivic-Robinson bout on January 16, 1942, in order to broadcast said bout only.

**WDNC**—Durham Radio Corp., Durham, N. C.—Granted motion to continue hearing now set for January 29, 1942, on application for construction permit (Docket 6209); hearing continued until March 30, 1942.

## APPLICATIONS FILED AT FCC

### 550 Kilocycles

**KSD**—The Pulitzer Publishing Co., St. Louis, Mo.—Construction permit to change frequency from **550 to 940 kc.**, increase power from 1 KW night and 5 KW day to 50 KW day and night, install new transmitter and new directional antenna for night use, and change transmitter location from St. Louis, Missouri, to Illinois State Highway No. 159, 4 miles South of Belleville, Illinois, and request that WTAD be transferred from **930 to 550 kc.**, unlimited time. Amended: to request change of transmitter site to 5 miles South of Belleville, Illinois.

### 570 Kilocycles

**KUTA**—Jack Powers, Frank G. Carman, David G. Smith, Grant Wrathall, d/b as Utah Broadcasting Co., Salt Lake City, Utah.—Modification of construction permit (B5-P-2342) as modified, for installation of new transmitter and directional antenna for day and night use, change in frequency, increase in power, and move, requesting changes in directional antenna for day and night use, increase in power to 5 KW day and night, and extension of commencement and completion dates from 9-27-41 and 3-26-42 to 30 days after grant and 180 days thereafter, respectively.

**WSYR**—Central New York Broadcasting Corp., Syracuse, N. Y.—License to use old RCA 1-G transmitter as an auxiliary transmitter, with power of 1 KW, for emergency use only.

### 580 Kilocycles

**WTAG**—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Construction permit to make changes in directional antenna, for use of FM station, contingent on grant of B1-PH-29.

**WTAG**—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—License to cover operation of 1 KW amplifier of Type 5-D-1 main (5 kw) transmitter, for use as second auxiliary transmitter, power of 1 KW, using directional antenna, for emergency purposes only.

**KMJ**—McClatchy Broadcasting Company, Fresno, Calif.—Construction permit to move transmitter from Ventura at Fowler St., 5½ miles East of Fresno, Calif., to Madera & North Aves., Kerman, Calif., and install directional antenna for day and night use.

**WTAG**—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—License to cover construction permit (B1-P-3019) as modified, for increase in power from 1 KW night and 5 KW day, using directional antenna, to 5 KW, unlimited time, using directional antenna, and make changes in directional antenna for day and night use.

**WTAG**—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Authority to determine operating power by direct method.

### 680 Kilocycles

**KWK**—Thomas Patrick, Inc., St. Louis, Missouri.—Construction permit to change frequency from **1380 to 680 kc.**, increase power from 1 KW; 5 KW-LS to 50 KW, night, and 50 KW day, install new equipment, and directional antenna for day and night use, move transmitter from Water Works,

Conduit & Logan Sts., St. Louis, Missouri, to 10 miles South of St. Louis, near Bixby, Ill. Amended: to request power of 25 KW night and 50 KW day and make changes in directional antenna.

#### 790 Kilocycles

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Modification of license for increase in hours of operation. Amended: to specify increase in hours of operation from specified hours to unlimited time.

#### 930 Kilocycles

WKY—WKY Radiophone Company, Oklahoma City, Okla.—Modification of construction permit (B3-P-3114) for installation of directional antenna and move of transmitter, using power of 5 KW day and night, requesting extension of completion date from 1-20-42 to 7-20-42.

#### 1020 Kilocycles

KDKA—Westinghouse Radio Stations, Inc., Pittsburgh, Pa.—Construction permit to make changes in equipment.

#### 1030 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Modification of construction permit (B5-P-2783) for new equipment and increase in power, requesting extension of completion date from 1-31-42 to 4-1-42.

WBZ—Westinghouse Radio Stations, Inc., Boston, Mass.—Construction permit to make changes in transmitting equipment.

NEW—Fred Jones, Mary Eddy Jones, and W. E. Hightower, d/b as Fred Jones Broadcasting Company, Tulsa, Oklahoma.—Construction permit for a new station, on 740 kc., 25 KW; 50 KW-LS, unlimited time. Amended to request 1030 kc., contingent on station KOB, releasing 1030 kc., and make changes in proposed D.A. system, also requesting 50 KW power day and night. Directional antenna to be used at night only.

#### 1150 Kilocycles

WISN—Hearst Radio, Inc., Milwaukee, Wisc.—License to cover construction permit (B4-P-3299) to move old licensed transmitter to site of new transmitter, power of 1 KW, for emergency use only.

#### 1230 Kilocycles

WCAX—Burlington Daily News, Inc.—Burlington, Vermont.—Modification of construction permit (B1-P-3082) as modified, for move of transmitter, installation of new transmitter, increase in power and change in frequency. Installation of directional antenna for day and night use, requesting extension of completion date from 1-6-42 to 4-6-42.

WITH—The Maryland Broadcasting Co., Baltimore, Md.—Construction permit to install duplicate main transmitter in accordance with provisions, Rule 3.64.

KVOS—KVOS, Inc., Bellingham, Wash.—Special service authorization to operate on 790 kc., 250 watts, unlimited time, for period ending 10-1-42.

#### 1240 Kilocycles

WPAX—H. Wimpy, Thomasville, Ga.—License to cover construction permit (B3-P-3344) for installation of new transmitter.

NEW—R. O. Hardin & J. C. Buchanan, d/b as Nashville Broadcasting Co., Nashville, Tenn.—Construction permit for a new broadcast station to be operated on 1240 kc., 250 watts, unlimited time, facilities of WSIX when vacated. Amended to change name by adding name of J. C. Buchanan and change applicant from an individual to a partnership.

KOCA—Oil Capitol Broadcasting Association, Kilgore, Tex.—Authority to transfer control of corporation from Mrs. Ruth G. Terry & J. E. Neal to Roy G. Terry by transfer of 90 shares of stock.

#### 1260 Kilocycles

KGGM—New Mexico Broadcasting Co., Inc., Albuquerque, N. M.—Construction permit to install new transmitter, move transmitter, change frequency from 1260 (NARBA) to 590 kc., increase power from 1 to 5 KW day and night, and install

directional antenna for night use. Amended: re type of transmitter, changes in directional antenna and move of transmitter.

#### 1280 Kilocycles

WDSU—WDSU, Incorporated, New Orleans, La.—Construction permit to reinstate assignment covered by B3-P-2923, as modified, for move of transmitter, increase in power from 1 to 5 KW, and installation of new transmitter and directional antenna for day and night use, which expired 12-1-41.

#### 1340 Kilocycles

NEW—E. Ogden Driggs & Louise Rust Driggs, d/b as Frankfort Broadcasting Co., Frankfort, Ky.—Construction permit for a new station on 1340 kc., 250 watts, unlimited time.

KFRE—J. E. Rodman, Fresno, Calif.—License to cover construction permit (B5-P-3289) for a new broadcast station, requesting change of studio location.

#### 1380 Kilocycles

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Modification of construction permit (B4-ML-386) to change power from 1 KW night and 5 KW day to 5 KW day and night and install directional antenna for day and night use, requesting approval of directional antenna for day and night use. Amended: re change in directional antenna.

#### 1390 Kilocycles

KCRC—Enid Radiophone Co., Enid, Okla.—License to cover construction permit (B3-P-3402) to reinstate construction permit (B3-P-2810) as modified, for increase in power, installation of new transmitter and directional antenna for day and night use.

KCRC—Enid Radiophone Co., Enid, Okla.—Authority to determine operating power by direct method.

#### 1600 Kilocycles

NEW—J. A. Eisele, Fort Worth, Texas.—Construction permit for a new broadcast station to be operated on 1400 kc., 250 watts, unlimited time.

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Acquisition of control by Mutual Savings Life Insurance Company through purchase of 60 shares (40%) common stock from Clarence H. Calhoun, Jr.

NEW—W. J. Harpole & J. C. Rothwell, a Partnership, Plainview, Tex.—Construction permit for a new broadcast station to be operated on 1400 kc., 250 watts, unlimited time.

WCBM—Baltimore Broadcasting Corp., Baltimore, Md.—Construction permit to change frequency from 1400 kc. to 820 kc., increase power from 250 watts to 5 KW, install new transmitter, install directional antenna for day and night use, and change transmitter site.

#### 1410 Kilocycles

WING—Great Trails Broadcasting Corp., Dayton, Ohio.—Construction permit to install auxiliary transmitter at Stroop Road, Dayton, Ohio, to be operated with power of 250 watts, for emergency use only.

#### 1430 Kilocycles

KWKW—Southern California Broadcasting Co., Pasadena, Calif.—Modification of construction permit (B5-P-3108) for a new station, for change in frequency from 1430 to 830 kc., and approval of antenna system, and transmitter site at Southeast cor. of Duarte Road & Vista St., Pasadena, Calif. Amended to omit request for change in frequency. Install directional antenna system.

KTUL—Tulsa Broadcasting Company, Inc., Tulsa, Okla.—Authority to install automatic frequency control equipment.

#### 1450 Kilocycles

KFMB—Worcester Broadcasting Corp., San Diego, Calif.—Construction permit to change frequency from 1450 to 1170 kc., increase power from 250 watts to 5 KW, install new transmitter and directional antenna for day and night use, and move transmitter from San Diego to Berrytown, California.



NEW—Minor E. Bragg & Robert C. Lipscomb, d/b as Murfreesboro Broadcasting Co., Murfreesboro, Tenn.—Construction permit for a new station on **1450 kc.**, 250 watts, unlimited time.

WCHV—Community Broadcasting Corp., Charlottesville, Va.—Modification of construction permit (B2-P-3349) for new antenna, move of studio and transmitter; requesting extension of commencement and completion dates from 2-16-42 and 8-16-42 to 2-18-43 and 8-18-43, respectively.

#### 1480 Kilocycles

NEW—Associated Broadcasters, Inc., Indianapolis, Ind.—Construction permit for a new station on **1480 kc.**, 100; 250 watts LS, unlimited time. Amended: to request **1210 kc.**, 250 watts daytime hours of operation. Make changes in antenna.

#### 1490 Kilocycles

WOSH—Howard H. Wilson, Oshkosh, Wis.—Modification of construction permit (B4-P-3110) for a new broadcast station, requesting changes in antenna system, move of studio, and extension of commencement and completion dates from 9-29-41 and 3-29-42 to 60 days after grant and 180 days thereafter, respectively.

WOSH—Howard H. Wilson, Oshkosh, Wis.—License to cover construction permit (B4-P-3110) as modified, for a new broadcast station.

WOSH—Howard H. Wilson, Oshkosh, Wis.—Authority to determine operating power by direct method.

KTBI—Tacoma Broadcasters, Tacoma, Wash.—License to cover construction permit (B5-P-3351) for move of transmitter.

NEW—Green Mountain Broadcasting Corp., Inc., Brattleboro, Vt.—Construction permit for a new broadcast station to be operated on **1490 kc.**, 250 watts, unlimited time.

WGKV—Kanawha Valley Broadcasting Co., Charleston, W. Va.—Construction permit to make changes in equipment and increase power from 100 to 250 watts.

#### 1520 Kilocycles

KOMA—KOMA, Inc., Oklahoma City, Okla.—Construction permit to install new transmitter and directional antenna for day and night use, increase power from 5 KW to 25 KW night and 50 KW day, change frequency from **1520 to 690 kc.**, make changes in directional antenna, facilities of KGGF. Amended: to omit request to move, make changes in directional antenna for day and night use, requesting 10 KW power and new type transmitter.

#### FM APPLICATIONS

NEW—The American Network, Inc., New York, N. Y.—Construction permit for a new high frequency broadcast station to be operated on **47900 kc.**; coverage, 8,840 square miles; population, 12,526,151.

W75NY—Metropolitan Television, Inc., New York, N. Y.—Modification of construction permit (B1-PH-52) as modified, for a new high frequency broadcast station, requesting change in type of transmitter.

#### TELEVISION APPLICATIONS

W6XHH—Hughes Tool Co., Los Angeles, Calif.—Modification of construction permit (B5-PVB-62) as modified, for a new television broadcast station, requesting extension of commencement and completion dates from 4-15-41 and 1-15-42 to 1-15-42 and 1-15-43, respectively.

W6XHT—Hughes Tool Co., San Francisco, Calif.—Modification of construction permit (B5-PVB-63) as modified, for a new television broadcast station, requesting extension of commencement and completion dates from 4-15-41 and 1-15-42 to 1-15-42 and 1-15-43, respectively.

WRGB—General Electric Co., Schenectady, N. Y.—License to cover construction permit (B1-PCT-11) for a new commercial television broadcast station.

#### MISCELLANEOUS APPLICATIONS

KFRE—General Electric Co., Schenectady, N. Y.—Authority to determine operating power by direct method.

WCRC—Columbia Broadcasting System, Inc., New York, N. Y.—License to cover construction permit (B1-PIB-26) as modified, for a new international broadcast station.

NEW—David Ashton Brown, Portable-Mobile, Area of Marion, Ohio.—Construction permit for a new Class II Experimental Public Address Relay station to be operated on **310000 kc.**, 1.35 watts power, A3 emission.

WELE—WBNS, Incorporated, Portable-Mobile.—License to reinstate relay broadcast station license which expired 12-1-41.

## FEDERAL TRADE COMMISSION ACTION

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

#### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Cummer Products Co.**, 170 Varick St., New York, is charged, in a complaint, with misrepresentation in the sale of its white shoe cleaner "Energine Shoe White." (4667)

**Di-Function Company, Inc.**—A complaint has been issued charging Di-Function Co., Inc., 2233 North Main St., Fort Worth, Tex., with false advertisement in the sale of "Di-Function," advertised as a treatment for diabetes.

According to the complaint, the respondent advertised in periodical and radio matter that its product is an effective treatment which will cure sugar diabetes; that its use will revive the glands of the pancreas so that they will produce sufficient insulin for the body's needs; and that it will cure long-standing, severe cases of sugar diabetes and make possible the resumption of regular diet, the discontinuance of all medicines, and the enjoyment of a normally well and healthy life. (4666)

**Olando Manufacturers**—Misrepresentation of the constituent fiber or material content of sweaters is alleged in a complaint issued against Herbert and Irving Nebenzahl, trading as Olando Manufacturers, 1318 Milwaukee Ave., Chicago. (4664)

**S. Reiffe & Sons, Inc.**, trading as Fairmount Merchandise Co. and Crown Mail Order Co., 160-166 Monroe St., New York, are charged in a complaint with misrepresentation in connection with the sale by mail order of worn and previously used articles of wearing apparel, including dresses, overcoats, men's suits, hats and shoes. (4665)

#### CEASE AND DESIST ORDERS

The Commission last week made public the following cease and desist orders:

**E. R. Davis Prescription Company**—An order has been issued directing E. R. Davis, trading as E. R. Davis Prescription Co., Bellingham, Wash., to cease and desist from disseminating false advertisements concerning the therapeutic value of a medicinal preparation designated "Davis' Formula No. 7895," offered as a cure or remedy for asthma and hay fever. (4289)

**Arthur Jacobson**, Upsala, Minn., school teacher who sells courses in eye treatment, has been ordered to cease and desist from misrepresentations in the sale of his courses and of certain devices for the use of those who follow his instructions. (4466)

**Stephen Rug Mills**—Nathan E. Herzfeld and Saul S. Herzfeld, trading as Stephen Rug Mills, 135 Madison Ave., New York, have been ordered to cease and desist from misleading representations in the sale of rugs. (4222)

## STIPULATIONS

The Commission last week made public the following stipulations:

**Air Associates, Inc.**, Bendix, New Jersey, engaged in the sale and distribution of aircraft products and accessories, including casein glue, has stipulated to discontinue the use on labels or in printed matter, or in any other way, of the word "waterproof" or any words of similar import as descriptive of such glue, and from use of the word "waterproof" in any way which may tend to convey the belief that the product is impervious to water or its effects. (3341)

**Army-Goods Store**—Jack B. and Sylvia S. Davis, trading as Army-Goods Store and Army Store, 123 North Main St., Memphis, Tenn., have made a stipulation to cease employing the word "Army" as part of the trade name used by them in selling in interstate commerce merchandise not procured from the United States Army, and to cease advertising the word "Army" as descriptive of merchandise to be sold unless the word "Army" is used specifically in connection with particular merchandise actually procured from the Army. (3353)

**Belmont Products Co.**, 833 Anthony Wayne Trail, Toledo, Ohio, engaged in the manufacture and sale of tile-type floor covering, has stipulated to cease and desist from representing that the floor covering which it sells as "Belmont Copper Alundum Tile" or any product of similar composition is germicidal or that it will keep floors of dairies, locker rooms, shower rooms, or any other floors germ free; that the organism causing the condition known as Athlete's Foot cannot survive contact with the material, or otherwise representing that it will kill such organism or under usual conditions will prevent the spread of skin infections or of Athlete's Foot; or that the product is fungicidal or that it will prevent or eliminate growth of moss, algae or other forms of fungus in warm, damp places, green houses, conservatories, or elsewhere. (3340)

**Brown Fence & Wire Co.**, Junata St., Cleveland, Ohio, engaged in the mail order sale and distribution of merchandise, including garden hose, has stipulated that it will cease and desist from use of the term "3-Ply" as descriptive of garden hose which is not constructed of three layers of cotton duck, or of the term "5-Ply" as descriptive of garden hose which does not contain five layers of cotton duck; and from use of the word "ply," either alone or in connection with a designated number or numeral, so as to convey the belief to purchasers that the garden hose contains an indicated number of plies, each ply consisting of a separate layer of cotton duck. If the hose has incorporated therein one or more braided reinforcements, and the word "ply" is used to refer to such braided reinforcement, then the word "ply" shall be immediately accompanied by the word "braided" printed in equally conspicuous type so as to indicate clearly that the ply in the hose is braided. (3346)

**Electric Heat Appliance Company**—Madeline K. Tuttle, trading as Electric Heat Appliances Co., Adrian, Mich., has made a stipulation to cease representing that her "Lightning Speed Electric Water Heater" or similar device is so constructed that it can be used constantly without overheating. The respondent also agrees to desist from representing, by statements such as "Complete with 7 feet of Underwriters Approved rubber covered cord and plug," that a cord not in fact suitable for the requirements of

an electric water heater has been approved by Underwriters Laboratories, Inc., or other recognized institution, for such particular purpose, and that such device or any article of similar construction does or can soften water. The respondent further stipulates that she will cease disseminating advertisements which fail to reveal that extreme care must be exercised in the use of her water heating device or any article of similar construction, due to potential fire hazard from overheating and potential shock hazard from careless handling. (3349)

**Father John's Medicine Co., Inc.**, 73 Market St., Lowell, Mass., formerly known as Carleton & Hovey Co., stipulated that it will cease representing "Father John's Medicine" as a remedy or effective treatment for colds or bronchial or throat irritations; as being rich in vitamins other than vitamins A and D and as being capable of increasing one's appetite. The respondent company also agrees to desist from advertising that its preparation will build resistance to bronchial or throat irritations or have any value in the preventive treatment thereof except to supply vitamin A in those instances where the resistance of the body is low due to an insufficient supply of such vitamin in the daily diet. The respondent's stipulation supplements Stipulation 0958 previously accepted by the Commission from Carleton & Hovey, Inc., although Stipulation 0958 remains in full force and effect with the exception of two of its inhibitions. (02935)

**Garden City Publishing Co., Inc.**, Rockefeller Center, New York, engaged in the publication and sale of books, of which one line is designated "Blue Ribbon Books" and another "Halcyon House Edition," has stipulated that, in connection with the sale and distribution of a book designated "High School—Self Taught," or any similar publication, it will cease and desist from certain representations. (3345)

**Gibson Studios, Inc.**, 58 East Washington St., Chicago, engaged in the sale and distribution of photographs, has entered into a stipulation to discontinue use of the words or terms "hand-painted in oils," "hand-paint" or "painted," either alone or in conjunction with other words or terms, to describe colored or tinted photographs or pictures produced from a photographic plate, film, base or impression; and from substituting for an oval shaped picture frame depicted in an advertisement a frame of rectangular shape or differing in any other material respect from the frame so advertised. (3343)

**F. A. Hughes Co., Inc.**, Rochester, N. Y., advertising agency, entered into a stipulation to cease disseminating certain representations concerning "Orangeine," a medicinal preparation offered for the relief of simple pains and aches, headaches and neuralgia, sold by Kemp & Lane, Incorporated, LeRoy, N. Y. The respondent agency agrees to cease disseminating advertisements which fail to reveal that the preparation should not be used in excess of the dosage recommended; that its frequent or continued use may be dangerous, causing collapse or a dependence on the drug acetanilid contained therein; and that it should neither be taken by nor administered to children; provided, however, that the advertisements need only contain the statement, "Caution, use only as directed," if and when the directions, appearing on the label and in the labeling, contain a caution or warning to the same effect. (02933)

**Ben Kalish**, 330 Seventh Ave., New York, engaged in the manufacture and sale of fur garments, has stipulated to cease and desist from advertising, branding, labeling or invoicing fur garments made from kidskin as "Caracul" coats or garments; from use, in advertisements or on labels, tags, brands or otherwise of any designation or representation of any fur which deceptively conceals the true name or nature of the fur, with the tendency and capacity of misleading, or deceiving purchasers; describing furs in any other way than by use of the correct name of the fur as the last word of the description, and when any dye or blend is used in simulating another fur, the true name of the fur appearing as the last word of the description shall be immediately preceded by the word "dyed" or "blended," compounded with the name of the simulated fur, all such descriptive words to be printed in equally conspicuous type and on a single line, as "Silak Seal-Dyed Coney"

or "Silak Beaver-Dyed Coney"; and from use of any trade name such as "Sealine," "Beaver Coney," "Mink-Marmot" or other trade designation in a manner calculated or having the capacity to mislead purchasers or the consuming public as to the character, name, nature or geographical or zoological origin of any fur or fur product or a product made partly of fur, or in any other material respect. (3348)

**Lanzette Laboratories**—Edward A. Hochbaum, trading as Lanzette Laboratories, Annette Lanzette and Lanzette, Merchandise Mart, Chicago, engaged in selling a device for the removal of superfluous hair designated "Lanzette," has stipulated to cease and desist from representing, through use of the words "rid," "gone," "disappeared," "overcome" or similar expressions in connection with the removal of superfluous hair from the body, that the device will permanently terminate the growth of superfluous hair, or otherwise representing a definite termination of hypertrichosis; or that, through the use of the device, one will have a clearer complexion, or otherwise representing that use of the device will have a beneficial effect upon the skin or the appearance of the skin, in excess of a transient glow or ruddiness. (02932)

**Lycoming Hosiery Mills**—Samuel I. Burd, trading as Lycoming Hosiery Mills, 385 Fifth Ave., New York, sales agent for Burdwin Hosiery Mills, with plants located in Pottstown and Williamsport, Pa., and engaged in the sale and distribution of its hosiery products, has stipulated to cease and desist from use of the word "Nylon" in any manner so as to imply that hosiery or other merchandise composed of other materials is woven from Nylon fibers, and from branding, labeling or advertising such product by featuring the word "Nylon," or separation of words or terms to connote different phrases—one applicable to the stocking as a whole and the other to the type of toe thereof—with the capacity, tendency or effect of creating the belief among purchasers that his stocking with only a Nylon elastic toe is actually a Nylon stocking with an elastic toe, or contains any Nylon aside from that in the toe; and from use of the word "Mills" as part of the trade name by which he conducts his individual business of factor or manufacturer's agent, and of the word "Manufacturers" as descriptive of such merchandising business, and from use of other words of similar implication connoting, contrary to the fact, that the customer is dealing directly with the mills wherein such hosiery is manufactured and not with a middleman. (3342)

**Meryle Publishing Company**—Michael Cohen and Frances Cohen, trading as Meryle Publishing Co., 121 West 19th St., New York, engaged in the publication of greeting cards, have stipulated to cease representing that a fragment of stone or other object attached to a greeting card sold by them is a "Blarney Stone" or "a piece of genuine stone from the original Blarney Castle" or "a piece of guaranteed genuine stone from the original Blarney Castle in Dublin, Ireland," or is the Blarney Stone brought by them "to the consumer"; designating as "Blarney Stone" a piece of crude or rough limestone taken from a quarry, or in any way representing that such fragment was a part of the Blarney Stone or has come from the walls of Blarney Castle, or will bring to the possessor the "luck" or other advantages traditionally associated with the historic Blarney Stone; representing that such fragment is guaranteed or that its genuineness has been verified or otherwise confirmed or certified by a United States Consul or by any other person whatsoever, or using any delusive, artful or adroit statement having the capacity or tendency to mislead purchasers or cause the belief that such fragments were actually taken from the real Blarney Stone; representing that an affidavit certifying a shipment of crude limestone as having been quarried from a ledge in Blarney, County Cork, is an affidavit that fragments of such limestone were part and parcel of the specific Blarney Stone embedded in Blarney Castle; and stating that an affidavit regarding such limestone was "signed by" a United States Consul, or referring to an officer of the United States Government in any manner so as to assert, import or imply that he has made an affidavit or has, formally or informally, certified the truthfulness of a statement merely sworn to before him in his official capacity. (3344)

**Model Hat Co.**, 163 North Wabash Ave., Chicago, engaged in the manufacture and sale of women's hats, has stipulated to cease representing that hats composed in whole or in part of used or

second-hand materials are new or are composed of new materials by failure to stamp on the exposed surface of the sweat bands, in conspicuous and legible terms which cannot be removed or obliterated without mutilating the sweat bands, a statement that the products are composed of second-hand or used materials, provided, that if sweat bands are not affixed to such hats then the stamping must appear on the bodies of the hats in conspicuous and legible terms which cannot be removed or obliterated without mutilating the bodies; and to cease representing in any manner that hats made in whole or in part from old, used or second-hand materials are new or are composed of new materials. (3347)

**Mount Airy Knitting Co.**, Mount Airy, N. C., has made a stipulation to cease certain representations in the sale of knitted underwear. According to the stipulation, the respondent featured the name "Dr. Spencer's Sanitary Underwear" in its trade literature and sold products under that brand when in fact no doctor is connected with the respondent's business and its garments are not made under the supervision and advice of a physician, as implied. The respondent agrees to cease employing the abbreviation "Dr." or the word "Doctor," either with or without the name "Spencer," or other word connoting a doctor or physician in connection with or as part of a trade designation for its garments. (3355)

**C. Wendel Muench & Company**—C. Wendel Muench, trading as C. Wendel Muench & Co., 210 East Ohio St., Chicago, an advertising agency, has made a stipulation to cease certain representations in the sale of "Gaines Dog Meal," also known as "Gaines Dog Food" and "Gaines," a product sold by Gaines Food Co., Inc., Sherburne, N. Y. The respondent agency agrees to cease disseminating advertisements representing that Gaines Dog Food will prevent skin troubles in dogs, unless the troubles are of nutritional origin; that Gaines Foods will make pups more true to type, and will reduce feeding costs by 50 per cent or effect any definitely stated percentage savings when compared with other dog foods of similar type. (02934)

**Pennex Products Co., Inc.**, 1639 Forbes St., Pittsburgh, manufacturer of pharmaceuticals, flavoring extracts and toiletries, stipulated to cease representing that purchasers do not pay freight on Pennex merchandise or that merchandise bought for a price which actually includes an undisclosed charge for freight is received by the purchaser without cost of freight. The respondent company further agrees to desist from representing that Pennex merchandise always exceeds rigid Government regulations in its purity and quality; that mineral oil and milk of magnesia which it sells surpasses the United States Pharmacopeia requirements; that its imitation vanilla flavoring is 33 $\frac{1}{3}$  per cent stronger than purported "Federal requirements"; and that absorbent cotton or bandages sold by it will remain sterile after removal from the container. (3352)

**Phillips Secret Service**—Robert B. Phillips, Sr., trading as Phillips Secret Service and as Phillips Secret Service System, 1917 North Kenneth Ave., Chicago, engaged in the sale and distribution of a correspondence school course of instruction in detective training, has stipulated to cease representing that the demand for trained detectives exceeds the supply, or in any other manner overstating the employment opportunities for detectives; from representing that his course of instruction furnishes or provides knowledge comparable to that acquired by years of actual experience, or that the completion of the course will, of itself, qualify a person for a position as a competent detective; from representing that the pay or remuneration received by detectives is in excess of that received by persons in other professions or fields of employment generally, or representing, by means of comparisons or in any other manner, that the customary or regular salary or remuneration received by detectives is in excess of their actual salary or remuneration; and from making other deceptive or misleading statements or representations concerning the character, nature, quality, value or scope of the course of instruction sold or offered for sale by him with a tendency or capacity to mislead or deceive students, prospective students or the public. (3339)

**Seidlitz Paint & Varnish Co.**, 18th and Garfield Sts., Kansas City, Mo., stipulated to cease representing, directly or inferentially,

that the United States Government or any department or agency thereof, has tested its paint or purchased or used it as a result of such tests. The respondent company further agrees to desist from use of the words "Best By Test" or words of similar meaning in any manner so as to imply that the Government has conducted tests of various paints and as a result has determined that the respondent's products are the best of those tested. (3351)

**Staley Milling Co.**, Kansas City, Mo., engaged in selling poultry products designated "Staley Four Bells Growing Mash," "Staley Four Bells Grower Pellets," "Master Growing Pellets," "Master Growing Mash," "Master Chick All Mash," and "Master Chick All Mash Pellets," has stipulated to discontinue representing that any of the products or any combination of them produces chicks of any definite weight or quality within any definite or specified period of time; or enables the user to count upon any definite percentage or proportion in raising chicks. (02931)

**Trugerman & Peck, Inc.**, 305 Seventh Ave., New York, engaged in the manufacture and sale of fur garments, has stipulated to cease and desist from invoicing or otherwise designating or referring to coats or other articles manufactured from the peltries of Bessarabian lambs or other lambs not full breed or pure bred Persians as "Grey Persian Lamb" or "Gray Persian Coat," or as Persian, and from advertising, offering for sale, selling, branding,

or otherwise representing furs as the product of a true species or breed of animals, unless such fur has been obtained from a true species or breed of animals. (3338)

**Western Auto Stores**, operator of a chain of retail stores with headquarters in Kansas City, Mo., stipulated to cease employing the terms "Triple-Ply," "Three-Ply" or "5-Ply" as descriptive of garden hose which is not constructed, respectively, of three or five layers of cotton duck. If, according to the stipulation, the hose has incorporated therein one or more braided reinforcements, and the word "ply" is used to refer to the braided reinforcement in the hose, the word "ply" shall be immediately accompanied by the word "braided" printed in equally conspicuous type so as to indicate clearly that the ply in the hose is braided. (3350)

#### FTC CASE CLOSED

The Federal Trade Commission has closed its case against Terpezone, Incorporated, 738 Washington Blvd., Chicago, which had been charged in a complaint issued by the Commission with misrepresenting the therapeutic value of a device called "Terpezone Generator," which produces a vapor for use in the treatment of various ailments.

The case is closed without prejudice to the right of the Commission to reopen it should future facts so warrant.

## SELECTIVE SERVICE

Stations threatened with losing licensed operators to the draft whom they will find it difficult if not impossible to replace are urged to supply the following information to NAB after exhausting procedure for appeal previously indicated in NAB REPORTS. In requesting NAB to request immediate investigation by Selective Service Headquarters of such cases, give the engineer's full name, number and location of his local draft board, state whether he is a first or second class operator, and give complete summary of steps taken to secure his temporary deferment.

By careful attention to these instructions valuable time will be saved, as well as wire expense.

## DAYLIGHT-SAVING TIME

One hour, uniform nation-wide daylight-saving time goes into effect at 2:00 A. M., Monday, February 9, for the duration of the war.

## AUTOMOBILE TIRES

Recognizing that many stations whose transmitters are located at a remote distance from their studios will ultimately be faced with the problem of transporting engineers to and from the transmitter, the NAB has laid the whole matter before the Office of Price Administration. Radio broadcasting is not covered by the nine classifications entitled to secure automobile tires. It is learned that at some later time, when the situation has become acute and the entire rubber situation better clarified, some measure of relief may possibly be forthcoming. The OPA is faced with similar situations in railroading where control tower operators live at a distance from the control towers on the railroad; in war industries where the workers' homes are designedly located at some distance from the plant so that if the plant is blown up, the skilled workers will not be blown up with it; in the canning industry where the government has requested that the pack be increased 25%, and field men inspecting crops have to get around; and in an almost interminable list of other work vitally necessary to the national defense and the national welfare. The government indicated that a possible solution, when the need becomes acute, might be for such stations to operate station wagons or other vehicles solely for the purpose of jitneying engineers to remotely located transmitters in those areas where other means of transportation is unavailable.

Meanwhile, the entire matter is being given the earnest consideration of the Office of Price Administration. For the time being station managers should exercise their best ingenuity to get their engineers to and from the transmitters with the maximum saving of rubber. Possible ways and means are doubling up, re-capping of tires, domiciling of engineers at the transmitter and, of course, wherever possible using other available means of transportation. The shortage of rubber is so acute and the military needs for it are so urgent that the basic policy of the OPA seems to be to reserve every possible pound of rubber for the most urgent needs. The situation is something like that of a man shipwrecked and floating at sea on a raft who has one jug of water and doesn't know when he is going to sight a ship or reach land. He naturally gets along on just as little water a day as

is possible to sustain life. Broadcasters facing this problem can rest assured that the NAB has placed the complete problem before the OPA and has received assurance that it will receive the consideration it merits as one pertaining to a defense industry. NAB will follow this up.

## CHICAGO MEETING

A meeting was held in Chicago on Friday, January 16, of those representing the industry trade groups. Those present were: Neville Miller, NAB; George Storer, NIB; Eugene Pulliam, NAI; John Shepard, III, FM, Inc.; and James Shouse, Clear Channel group, acting in place of Edwin W. Craig, who was unable to attend because of work on the Selective Service Board; Chairman James Lawrence Fly; John Fetzer; and Walter Damm.

There was a general discussion of the War-Time Code and of the desirability of creating an Industry War Board to be elected by the industry. No definite action was taken and it was agreed to meet again for further discussion of the various subjects.

## DCB COMMITTEE MEETS

The Domestic Broadcasting Committee of DCB met Tuesday. The NAB was represented by Neville Miller, Chairman, and Lynn Smeby, NAB engineering director.

## RICHARDSON APPOINTED

John H. Ryan, Assistant Director of Censorship, announced the appointment of Stanley P. Richardson, Coordinator of International Broadcasting, as an aide in his radio division.

Richardson has been given a leave of absence by the American short wave broadcasting industry to enable him to accept the Government post.

## TELEGRAPH WEATHER REPORTS

We recently sent to all stations a confidential bulletin respecting the manner in which special weather bulletins would be transmitted by Western Union Telegraph. We are now advised that the Postal Telegraph Company has agreed to perform the service in a similar manner and to authenticate all special weather bulletins at the source.

## NAB REPORTS BINDERS

The order for the binders for the 1942 NAB REPORTS was placed in ample time under ordinary manufacturing conditions for them to have been delivered to all stations prior to the first of the year. Due, however, to priority on materials needed a delay was occasioned at the manufacturing plant. We are assured that all will have been mailed to the stations by the end of this week. We regret the delay.

## INDUCTION INFORMATION

Names of registrants about to be inducted into the armed forces may be furnished newspapers and newspapers may print these

(Continued on page 38)

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

## INDUCTION INFORMATION

(Continued from page 37)

names, Brig. Gen. Lewis B. Hershey, Director of Selective Service, has advised all State Directors.

In a telegram to the State Directors, General Hershey advised that the matter of restricted information, which had included the names of selectees in accordance with War Department policy, had been reconsidered to permit the furnishing to newspapers of "the names of registrants about to be inducted." *No information may be given out, however, with respect to the number of men covered by quotas and calls.*

The War Department has advised NAB that "insofar as the War Department is concerned, there are no objections to names (no totals) being made public by radio, locally, as well as by newspapers."

## WARTIME ENGINEERING CONFERENCE

The Broadcast Engineering Conference of 1942 will be held during the period Monday through Friday, February 23 to 27, on the campus of the Ohio State University at Columbus, Ohio. The Conference this year will be devoted almost entirely to problems with which the broadcast engineer will be confronted due to the war.

The ordinary problems of the engineers have been augmented by many new ones introduced by the emergency. The introduction of these new procedures and plans, which must be made for any eventuality, make it particularly important for the broadcast engineers to meet in discussions led by those men who have been making an exacting study of these problems.

Mr. E. K. Jett, Chief Engineer of the Federal Communications Commission and Chairman of the important Coordinating Committee of the Defense Communications Board, will open the session with a discussion of the many problems confronting communication engineers under the present situation.

The panel on Broadcast Station Operation Under Wartime, which has been organized by Mr. Smeby, will discuss subjects such as priorities and procurement; fire fighting and property protection; telephone lines; battery operated equipment for emergency use; radio broadcast silencing system; temporary and auxiliary antennas; and emergency equipment.

Members of the panel will be Frank Cowan, A T & T; J. D'Agostino, NBC; Raymond F. Guy, NBC; R. V. Howard, KSFO; William Lodge, CBS, and Andrew D. Ring, Consulting Engineer.

All of the members of the panel, with the exception of Mr. Howard, have participated in the work of various committees of the DCB and therefore have given extensive consideration to the subject matter of the panel. Mr. Howard has already had experience with the application of precautions as they have been taken on the Pacific Coast since the declaration of war.

Mr. Frank Cowan, Transmission Engineer for the A T & T, has been instrumental in installing Interceptor Command Information

Centers and special defense communication networks. Mr. Ring is secretary of the Domestic Broadcasting Committee of the DCB.

One of the outstanding applications for broadcast facilities in time of emergency which has taken place in this country was the work done by WHAS during the Ohio River flood which engulfed a large portion of the city of Louisville. The experience which this emergency taught contains many lessons which can be applied to problems on national defense and will be discussed by Mr. Towner, Chief Engineer of that station.

Mr. Gerald Gross, Assistant Chief Engineer of the FCC, recently made a trip to England to study the operation of broadcast stations there. The report which he gives will be both interesting and instructive.

Mr. Karl Troeglen of station WIBW will lead a discussion on engine driven emergency power plants. The installation of such emergency equipment has just been made in both the studio and transmitter at that station.

In times of emergency the use of radio links for various purposes becomes important. Mr. Daniel Noble who has done important work in the development of FM police systems will discuss the operation of Mobile FM equipment and Mr. Jack DeWitt of station WSM will cover the subject of studio transmitter links and high frequency antennas.

Mr. K. S. Van Dyck, President of the Institute of Radio Engineers, will discuss the application of the alert calling system in wartime.

Increasing difficulty in obtaining repair materials, and changing of personnel due to induction into the armed forces, aggravates the problem of proper transmitter maintenance under wartime conditions. Mr. Charles Singer, of WOR, prominent exponent of organized transmitter maintenance, will lead a roundtable discussion on this subject.

The Recording and Reproducing Standards Committee, coordinated by the National Association of Broadcasters, was formed last June. Although the work of the Committee has not been entirely finished, nevertheless, enough of the important items have been standardized so that engineers can begin to make their equipment conform to the standards. Mr. Howard Chinn, Engineer of CBS in charge of audio facilities and a member of the RRSC, will discuss the standards and point out the modifications that must be made in existing equipment.

The problem of the training of engineers and technicians for replacement and the assistance which broadcast station engineers can give in the training of technicians for the military services will be covered in the roundtable led by Professor Everitt. The other members of the panel will be C. M. Jansky, Jr., Consulting Engineer; Carl Smith, WHK; and Fritz Leydorf, WLW.

The Conference will again serve as the Engineering Convention of the NAB. The complete program has been arranged with the advice and assistance of Mr. Lynne C. Smeby, Director of Engineering. This year the Institute of Radio Engineers will also act as a co-sponsor for the session.

The scope of the subjects offered by the Conference is such that the engineers in many activities such as airway and police communication, general receiver and laboratory development, and the military services will find the Conference of interest and are welcome. Correspondence regarding the Conference should be addressed to the director, Dr. W. L. Everitt, Ohio State University, Columbus, Ohio.

## ARMY PRAISES NAB

Major William F. Nee, general headquarters, U. S. Army, stationed at the Army War College, likes NAB's War-Time Service Bulletins. He wrote:

"You are doing a very worthwhile job in acquainting everyone concerned with your policies, and please rest assured of our cooperation in every manner possible. Mr. Kirby's office in the Bureau of Public Relations has been likewise helpful to us."

Major Nee has distributed the War-Time Service Bulletins to Defense Commands and Island Bases.

# Technician Training

## ALBANY

Harold E. Smith, general manager, WOKO-WABY, Albany, N. Y., has already forwarded his first batch of letters to Dean S. C. Hollister, of Cornell University, Coordinator for upper New York state.

## BINGHAMTON

L. H. Stantz, WNBF, Binghamton, N. Y., wrote "we have already sent 126 applications for entrance to the radio course to our State Coordinator, Dean S. C. Hollister, Cornell University, Ithaca.

## JAMESTOWN

Radio Technician Training Courses will begin in Jamestown, N. Y., on February 2, according to a note from Simon Goldman, manager, WJTN.

Most details were concluded January 19 at a meeting attended by Dr. Paul B. Orvis and Professor George F. Craig, of Alfred University; Clinton V. Bush, Jamestown Superintendent of Schools; Frederick P. Rogers, secretary of the Board of Education; Mr. Marsh of the high school faculty, and the station's Chief Engineer Harold J. Kratzert.

## OTHER CITIES

From the column newspaper story which Mr. Goldman attached it is apparent that Alfred University is going all out for radio instruction. In addition to Jamestown, courses will be given in Olean, Corning, Bath, Hornell, Alfred, Wellsville, and Salamanca with approximately 300 students.

## UPPER N. Y. MEETING

Minutes of the NAB Radio Technician Meeting held in Syracuse, N. Y., on January 3, 1942, have just been received from Michael R. Hanna, general manager, WHCU, Ithaca, who served as secretary. The meeting was called by Col. Harry C. Wilder, president, WSYR, Syracuse.

At luncheon W. P. Graham, chancellor of Syracuse University, in furtherance of the cooperative effort of broadcasters and educators, called attention to the fact that we are in war, that we are going to win that war, that we must do everything in our power to insure victory. He stated that radio and the colleges in cooperation are doing a job which is hard to realize. Chancellor Graham said that we can—radio and the colleges—continue to do a remarkable job and with even greater effectiveness once we learn how to cooperate more efficiently. He said we need action now and we are going to provide it, for we must speed up the things that should be done and should have been done a long time ago.

During the afternoon session the group adopted the following resolution, offered by E. A. Brand, of Hartwick College, and seconded by Messrs. McTigue and Powers, respectively of Canisius and Clarkson:

"We recognize the radio training project as vital to the efforts of the United States and its allies. We are appreciative of the fact that education and radio can go hand in hand in performing the task assigned us. We pledge the full capacity of our support. We pledge our personnel and facilities not necessarily to do what we can but to do the job that must be done regardless of sacrifice. We realize that the task of recruiting and training students in the fundamentals of radio so that our armed forces may, in turn, continue this training and utilize the fruits thereof will require that our two agencies proceed immediately with the job at hand."

Those attending the sessions were:

Colonel Harry C. Wilder, president, WSYR, Syracuse; Dr. Paul B. Orvis, N. Y. S. Technical Institute, Alfred University; G. F. Craig, N. Y. S. Agricultural and Technical Institute, Radio Instruction, Alfred University; Douglas H. Fay, Educational Counselor and Assistant Director ESMDT Courses, University of Buffalo;

Austin McTigue, chairman, Department of Physics, Canisius College, Buffalo; A. R. Powers, Professor Electrical Engineering, Director of ESMDT Courses, Clark College, Potsdam; C. L. Henshaw, Instructor in Physics, Colgate University, Hamilton; Paul R. Gleason, head of Physics Department, Colgate University, Hamilton; Carl A. Kallgren, Dean of Students, Colgate University, Hamilton; William C. Ballard, Jr., Professor Electrical Engineering in charge Department of Electrical Communication, Cornell University, Ithaca; R. F. Chamberlain, Professor Electrical Engineering, Cornell University, Ithaca; W. B. LaBorde, Cornell University, Ithaca; John F. McManus, in charge of Cornell ESMDT courses in Buffalo; Michael R. Hanna, manager, WHCU, Ithaca; G. Harvey Cameron, Professor of Physics, Hamilton College, Clinton; Alfred C. Haussmann, Department of Physics, Hobart College, Geneva; Marvin J. Pryor, Professor of Physics, Houghton College, Houghton; George B. Banks, Head Department of Physical Science, Niagara University, Niagara Falls; Stanley B. Wiltse, Director of Defense Training, Rensselaer Polytechnic Institute, Troy; E. M. Morecock, Supervisor Electrical Department, Rochester; Athenaeum and Mechanics Institute, Rochester; Fred J. Parrott, Director of Radio Workshop, St. Lawrence University, Canton; E. A. Brand, Hartwick College, Oneonta; William P. Graham, Chancellor Syracuse University, Syracuse; Louis Mitchell, Dean College of Applied Science, Syracuse University; Charles W. Henderson, Professor of Electrical Engineering, Syracuse University; LeRoy Allen Mullin, Assistant Professor of Electrical Engineering, Syracuse University; W. R. Fredrickson, Department of Physics, Syracuse University; John M. Sayles, New York State College for Teachers, Albany; Walter B. Weber, Electrical Instructor and in charge of school, station W8YD and W8UMY, State Teachers' College, Buffalo; Karl B. Hoffman, station WKBW and WGR, Technical Director, Buffalo; K. J. Gardner, station WHAM, Rochester; James J. Kelley, transmitter supervisor, station WFBL, Syracuse; A. G. Belle Isle, chief engineer, station WSYR, Syracuse; Samuel Woodworth, general manager, station WFBL, Syracuse; Arthur Stringer, NAB Defense Secretary, Washington; Lynne C. Smeby, NAB Chief Engineer, Washington; Lt. Comdr. Lewis H. Lee, U. S. N., Washington.

## PHILADELPHIA

A meeting of broadcasters and educators in Philadelphia, January 15, laid ground work for large numbers of radio technician training courses. Spot announcements in behalf of the course currently are being broadcast. The meeting was called by W. T. Spivey, Drexel Institute of Technology, Philadelphia.

Educators attending the meeting in addition to Mr. Spivey and Dr. A. M. Sones, his associate, were:

Prof. C. C. Chambers, Moore School, University of Pennsylvania; Prof. W. J. Stevens, Drexel Institute of Technology; Prof. E. O. Lange, Drexel Institute of Technology; Dean Scott B. Lilly, Swarthmore College; Dean Lee N. Rittenhouse, Haverford College; Dean J. Stanley Morehouse, Villanova College.

Ken Stowman, WCAU, acted as secretary of the meeting. Every station in Philadelphia had one or more representatives at the meeting. These included Messrs. Unterberger, WDAS; Nygren, WFIL; Gager and associate, KYW; Harris, WIP; Burtis, WPEN; Hibbs, WTEL; Lewis, WCAU, and Simmons, WCAU.

A similar meeting will be held in the Lehigh Valley area, to be called by Professor F. B. Blank, of Lafayette College, Easton.

## OHIO

R. T. Mason, president, WMRN, Marion, Ohio, called at headquarters this week. He said the Marion and surrounding territory would provide large numbers of qualified students for the radio technician training courses. He is working with Ohio Wesleyan. That school, in turn, works through Ohio State University. Ohio Wesleyan will also have a course in Delaware.

Pres. K. C. Leebrick, Kent State University, says: "We are making great progress at Kent . . . we have been given excellent cooperation by WADC. . ."

At the direction of Professor Harvey E. Nold, Ohio State University, Director of Defense Training, Harold K. Schellenger, director of the University's News Bureau, wrote John F. Patt, Ohio industry representative, on January 14:

"Courses are being started shortly at Ohio State University, Ohio Wesleyan, Dennison, Ashland College, Mt. Union College and

Kent State University and we have undertaken the promotion of all of them."

Later information from R. C. Higgy, director WOSU, added to the above list of schools, Capital University of Columbus, Otterbein and Muskingum University.

With Case School of Applied Science, clearing for 6 other colleges—Wooster, Oberlin, John Carroll, Hiram, Youngstown and Baldwin-Wallace; and with large courses under the wing of the University of Toledo and the University of Akron and with much activity in the Cincinnati sector, Ohio is giving a good account of herself.

A. H. Upham, president, Miami University, Oxford, Ohio, wrote on January 13 that "at our own expense" the University will offer a course similar to the NAB Radio Technician Training Course to students on the campus, with Professor Albaugh as instructor.

## MICHIGAN

John E. Fetzer, president, WKZO, Kalamazoo, Mich., has forwarded 208 individual applications made by persons who have indicated an interest in a WKZO radio class. He is continuing the broadcast of spots in accordance with suggestion made by A. J. Fletcher, NAB national defense committee.

## INDIANA

Another Chief Engineer will teach radio technician training courses. He is Claude M. Harris, WAOV, Vincennes, Ind. His selection has been OK'd by Professor C. W. Beese, Purdue University. Classes will be held in the Vincennes high school, according to Victor H. Lund, station manager. Sufficient applications have already been received to predict that the classes will be well attended. "We are all ready to commence actual operation of the first course," he said.

## VIRGINIA

E. B. Norris, Dean of Engineering and ESMDT Institutional Representative of Virginia Polytechnic Institute, Blacksburg, Va., has filed for two radio technician training courses to be given in Bristol, to be conducted by R. A. Smith, engineer of station WOPI.

## TENNESSEE

E. A. Alburty, manager, WHBQ, Memphis, has sent his first day's radio technician training mailing, over 40 inquiries, to State Coordinator Dougherty in Knoxville.

## LOUISIANA

John C. McCormack, general manager, KWKH-KTBS, Shreveport, La., says: "We are today mailing Dean Vorhees of Louisiana State University, 481 letters of application for the Radio Technician Training Program."

## DISTRICT OF COLUMBIA

Lewis K. Downing, dean, School of Engineering & Architecture, Howard University, and Frank Coleman, professor of Physics, Howard University, Washington, D. C., were visitors this week. After learning of the radio technician training courses under Engineering, Science and Management Defense Training, they asserted that such instruction would soon be under way at their school.

# Defense Bond Promotion

## WJRD PRESENTS PLAN

J. E. Reynolds, manager, WJRD, Tuscaloosa, Ala., has evolved a method of putting local merchants and commercial radio to work to (1) establish a keen awareness on the part of listeners

of the vital importance of regular and concentrated buying of defense bonds and stamps; (2) to enlist successfully the support of local merchants in cooperating in the campaign and in stimulating interest among employees for customers.

The plan is a "Buy Defense Bond Week." It was carried on entirely under station auspices. A contest with prizes totaling \$50.00 in bonds and stamps was a part of the plan.

That the plan works and produces in a big way is attested by signed statement of the local postmaster, local bankers and numerous local merchants who sponsored announcements.

Last week the plan and the results of its operation were presented to Treasury officials by Mr. Reynolds. Regarding the success of the plan Henry M. McLeod, postmaster, said:

"There has been a very marked increase in the sale of both bonds and stamps this week over any previous week's sales. It is believed this increase is due to your campaign of advertising and soliciting the sale of both bonds and stamps. The demands have exceeded our expectations. We have been unable to fill all requests for bonds due to our inability to secure the bond forms from the Treasury Department."

During December the First National Bank of Tuscaloosa, according to its President, Gordon D. Palmer, sold \$40,750.00 of defense bonds. From January 1 to 15, inclusive, the bank sold \$54,800.00

President Palmer said: "As evidence of the value of your radio program it is interesting to note that on January 13, 14 and 15 sales amounted to \$24,225.00. Today (January 15) we made 85 different sales. We believe your station is doing a remarkable piece of patriotic work."

Howard Hamner, assistant cashier, The City National Bank of Tuscaloosa, wrote on January 15: "You may be interested in the following information regarding the sale of defense bonds by this bank during the past two weeks. The first of the two weeks we sold a large amount in dollars due to one or two large sales; but it has been gratifying to us to notice a much larger number of individuals who have bought bonds during the last week . . . and the sale of these bonds is increasing daily."

## PRESENTATION TO MERCHANTS

Following is Mr. Reynolds' three paragraph presentation of the subject to Tuscaloosa merchants:

"Since 1939, the black clouds of war have hung over all of Europe. Now, since the treacherous attack of the Japanese in the Pacific, our own America is involved in this grim world conflict.

"Our President has asked that we all buy Defense Bonds. However, as during the last war, many people will of their own inertia make no voluntary move to do so. It's up to you and me to do all we can in Tuscaloosa and West Alabama to awaken our citizens' attention to the importance of buying Defense Bonds and Stamps.

"WJRD has designated the week of January 12 to 17 as 'Buy Defense Bonds Week,' and is soliciting the support of all merchants of Tuscaloosa and West Alabama in the task of making our people more conscious of the perils of the dictators. Hitler has included America in his list of countries to rule or destroy . . . not so in America! Let's buy Defense Bonds and Stamps and whip the h— out of Hitler and the Japs!"

Then there was a special delivery to 260 merchants and some leg work to secure their formal participation in the sponsored campaign. The letter follows:

"Secretary Morgenthau, in his radio address Sunday night, emphasized that nation-wide participation in payroll savings is most essential to the defense saving program and to our war effort. All employers and employees must be encouraged to set aside voluntarily each pay day money for Defense Bonds and Stamps. Many of you, I know, are already doing this very thing and you are to be complimented. You who have not done so can help tremendously in launching a campaign by immediately enrolling your employees to buy bonds and stamps each week.

"I know many of you who have done this. Just today we gave all our employees a bond and asked each one to buy stamps each week, to which they all agreed heartily.



"And, as you know, Monday through Saturday of next week WJRD is conducting a campaign to be known as 'Buy Defense Bonds Week.'

"Hitler has included our nation in his list of countries to rule or destroy . . . BUT NOT SO IN AMERICA. Stamps buy bullets, bonds buy guns and ships. Buy Defense Bonds and Stamps and let's whip the h— out of Hitler and the Japs!

"Kindest personal regards. If I can be of assistance to you in this all out program for America's defense, please call on me."

A sample red and blue on white window sticker, 12½" x 10", was distributed to all merchants. The \$50.00 prize letter writing contest is briefly outlined in one of the many station sponsored announcements:

"How would you like to win \$25.00 worth of Defense Stamps free? All you have to do is to submit to WJRD the best completion of this statement—I'm glad I live in America. I should buy Defense Bonds and Stamps because —'—in fifty words or less. A total of \$50.00 worth of Defense Stamps will be given as prizes in this contest—\$25.00 in stamps as first prize, \$10.00 in stamps as second prize, \$5.00 in stamps as third prize, and ten one dollar stamps as the next ten prizes. Remember, you don't have to buy a thing. Simply have your entry in to WJRD by 10 o'clock Saturday night, January 17."

It was Mr. Reynolds' belief that in composing a statement to enter the contest many people would succeed in selling themselves that buying Defense Bonds and Stamps was the thing to do. Contest judges were Tuscaloosa school teachers.

## WEIM BEATS QUOTA

Milt Meyers, general manager, WEIM, Fitchburg, Mass., is another man who knows how to merchandise defense stamps and bonds.

Here's how it is done in the Fitchburg manner:

"In spite of the fact that WEIM is using many announcements daily concerning sale of thrift stamps and defense bonds, we decided to run a radio sale of stamps and bonds.

"The decision to do this was made in the afternoon of January 14, 1942. The staff thought it advisable to tie it in with a basketball game at a local high school gymnasium on Friday, January 16. We then got busy, ordered lines, signs, posters and contacted possible purchasers to listen to our broadcast, unsponsored, and expenses for which were paid for by WEIM. At Vincent Callahan's direction we obtained five minute men, all representative citizens of our community of 45,000 people.

"We took the air at 7:45 p. m., explained the radio sale of stamps and bonds, heard from the Chairman of the Local Committee and one minute man and urged people to phone the studio indicating their desire to purchase. We then gave the air to the broadcast from the high school and at 7:57 p. m. it was returned to us and we were able to announce \$8,000 in sales in eight minutes. The game then went on and between the halves, three other minute men spoke at the studios. The phones were ringing, the stamps and bonds were selling and we were toasting to, 'Let's Bury the Ax in the Axis.'

"Within one hour our quota of \$4,000 looked sick—net results in excess of \$22,000 of verified sales.

"We give you this report in the hope that every station in the country try it. They'll like it, the people respond when in the mood."

## DEFENSE BONDS AT WHOM

Letter from Joseph Lang, general manager, WHOM, Jersey City, says that the defense bond pay roll plan is being participated in by 62 employees, with an average of \$3.50 for each employee. Based on a 52 week period this pledge amounts to more than \$10,000 in defense saving bonds.

At Christmas time WHOM gave each employee, on the staff for more than six months, a \$25.00 defense saving bond. The effective date of the allotment plan at WHOM was December 9. This Mr. Lang believes makes the station one of the first to put the plan into effect among the radio stations of the country.

Year end gifts to employees of WTAD, Quincy, Ill., were defense bonds in varying amounts depending upon length of service.

Presentation was made by W. Emery Lancaster, president, on December 16.

## Victory Programs

### "UNCLE SAM CALLING"

Reproduced below is a sample script of "Uncle Sam Calling," over WGAR, Cleveland. According to Carl George, director of operations, the show is spotted whenever the station has two or three minutes available. On a morning show, "For Victory," defense announcements are backed up by the staff orchestra.

These shows, covering a limited number of subjects, are written to appeal to the audience at the particular time they are broadcast.

### "UNCLE SAM CALLING"

SOUND: KNOCK ON DOOR.

ANN: Hello. This is Uncle Sam calling, calling all Americans. Your country needs YOU now. Men, women, and children all can help defeat Hitler and the little men from Japan. The men in service, the men in the factory, in the office; the woman in the home, the children in school—all can and must help. This program is presented by WGAR in cooperation with the various agencies of the United States Government. Japan and Hitler have asked for war, and we are going to see that they get one! Japan thinks she's WINNING, just because she started running with the ball BEFORE THE GAME STARTED. And our bombers and planes will score time and time again and win this war but your country needs your help. You've given your pots and pans to help make the planes, now loan your government the money to KEEP 'EM FLYING. Notice I said "loan" the money, that's the way a democracy works. Buy and keep on buying United States Savings Bonds and stamps. Every time you buy a savings stamp you are "Remembering Pearl Harbor" in a way the Axis understands: bombs, aeroplanes, tanks, and guns. They don't understand a free people wanting peace; but they will understand how much we love those things once they feel the force of America against them. Believe me, this is a serious business, more serious than most of us believe, let's get behind our boys and show Hitler and the men who wear kimonos that the old forty-eight states have muscles on their muscles. Come on America, buy those stamps, keep 'em floating, keep 'em flying, and the Axis running! . . . All the ex-Navy or Coast Guardsmen, Attention! Your country needs you again in the U. S. Coast Guard. Things have changed since the old days. The work is harder, but promotions come as fast as you qualify for a higher rank. The food is better, the ships are newer and faster. You can enlist at the pay and rating you held at the time of your honorable discharge. But the motto remains unchanged, "Always Ready." In the work that lies ahead, the coast guard needs the help of your training and experience. Enlist at the Coast Guard recruiting office, 1700 Keith Building; open every day from eight A. M. to midnight. . . . And ladies, you can fight the Japs on the home front. Scrap metal in your home can give the answer to those gangsters who have attacked us. The iron, steel, brass, copper, and all other metals in your home can make shells, ships, tanks and guns to bring us victory. Collect all the scrap you can and then call your scrap dealer or a charity and they will pick it up for you. Remember, there is no such thing as "junk," as long as it's metal it can knock out a Japanese ship, or plane, it can also help chase Hitler back into the ground. Check your home tonight and do something about it TOMORROW! . . . The United States Marines need men! They need hard, tough boys for the job to be done, the job to be won! The Marine Corps station is located in the Federal Building, Cleveland. If you want action and adventure, investigate the greatest corps of fighters on earth. . . . Uncle Sam Calling is presented by WGAR in cooperation with the various agencies of the United States Government.

### "ALL OUT, PEORIA"

"All Out, Peoria" was the 55-minute defense program broadcast on January 15 by WMBD, Peoria. The show originated in the

main ballroom of a Peoria hotel. The broadcast was prompted by a desire to crystalize community effort on the importance of an all-out effort to win the war.

"With the entire world at war," said Station President Edgar L. Bill, "radio faces a greater responsibility of serving the country and community than ever before." To indicate its awareness of that responsibility and anxious to take the initiative in making its listeners realize the problems ahead, Mr. Bill invited leaders of action and thought in Peoria to appear on the broadcast.

On the program appeared leaders in labor, industry, women's organizations and civil defense agencies. They informed listeners what their respective organizations were doing and could do to aid the nation which needs the help of everyone to win the war. Introduced to the listeners were: Louis B. Neumiller, president, Caterpillar Tractor Company; L. E. Brown, chairman of the Peoria-Pekin Defense Council; Veeder Storry, president, Trades and Labor Assembly of the AFL in Peoria; Mrs. T. G. Lowry, president, Peoria Civic Federation of Women's Clubs; Forest Cummings, executive director of the CIO Industrial Union Council; Eugene R. Johnson, president of the Peoria Association of Commerce, and L. O. Schriver, chairman Greater Peoria Victory Bond Organization.

### STATE LEGISLATION

#### NEW YORK:

S. 312 (Gutman) Pure Foods and Drugs—Consumers' Bureau—Creates in health dept. a consumers' bureau for registration, advertising control, analysis, scientific research, education, publicity and regulation of manufacture and sale of proprietary foods, drugs or cosmetics to prevent adulteration or misrepresentation. Referred to Committee on Health.

#### VIRGINIA:

H. 8 (Warren, et al.) Malicious Rumors—To make the publication of certain false and malicious rumors a misdemeanor. Referred to Committee on General Laws.

## FEDERAL COMMUNICATIONS COMMISSION

### NEWSPAPER HEARING

The FCC resumed its newspaper ownership hearing this week. A petition by the Newspaper-Radio Committee to adjourn the hearing *sine die* was denied by Commissioner Walker, presiding, who said:

"The petition does not present a new matter. It was informally presented on the 18 of December and formally passed on by the Commission in meeting shortly thereafter, and, after thorough consideration, was denied.

"A great deal of time and money has already been expended in the preparation of this case, including the collection of a great deal of statistical material, much of which is of peculiarly current value. The Newspaper-Radio Committee has prepared the evidence which it is to submit and which counsel for the Committee estimates will require from nine to twelve days.

"Under the circumstances, the Commission is not impressed with the argument that the war effort will be forwarded by adjourning the proceedings *sine die* and lose the benefit of the tremendous amount of work which has already been done. The Commission believes the war effort will be advanced by completing this investigation at the earliest possible moment."

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 26. They are subject to change.

Monday, January 26

### Consolidated Hearing

- NEW—Air-Waves, Inc., Baton Rouge, La.—C. P., 1400 kc., 250 watts, unlimited.
- NEW—Louisiana Communications, Inc., Baton Rouge, La.—C. P., 1400 kc., 250 watts, unlimited.
- NEW—William J. Bray, James L. Ewing, T. B. Lanford, and John C. McCormack, d/b as Capitol Broadcasting Co., Port Allen, La.—C. P., 1400 kc., 250 watts, unlimited.

Wednesday, January 28

### Consolidated Hearing

- NEW—Yankee Broadcasting Company, Inc., New York, N. Y.—C. P., 620 kc., 1 KW, unlimited, DA-day and night.
- NEW—Newark Broadcasting Corporation, Newark, N. J.—C. P., 620 kc., 5 KW, unlimited, DA-day and night.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

- Josh Higgins Broadcasting Co., Waterloo, Iowa.—Granted construction permit (B4-P-3395) for new station to operate on 1540 kc., 50 KW, unlimited time. Directional antenna day and night.
- WENR—Radio Corp. of America (Assignor), Blue Network Co., Inc. (Assignee), Chicago, Ill.—Granted consent to voluntary assignment of license (B4-AL-332) of station WENR from Radio Corp. of America to Blue Network Co., Inc.
- KGO—Radio Corp. of America (Assignor), Blue Network Co., Inc. (Assignee), San Francisco.—Granted consent to voluntary assignment of license (B5-AL-3331) of station KGO from Radio Corp. of America to Blue Network Co., Inc.
- WJZ—Radio Corp. of America (Assignor), Blue Network Co., Inc. (Assignee), New York City.—Granted consent to voluntary assignment of license (B1-AL-330) of station WJZ from Radio Corp. of America to Blue Network Co., Inc.
- KMJ—McClatchy Broadcasting Co., Fresno, Cal.—Granted construction permit (B5-P-3428) to move transmitter to Madera and North Avenues, Kerman, Calif.; install directional antenna system for day and night use, antenna design subject to approval of Chief Engineer.
- WAGA—Liberty Broadcasting Corp., Atlanta, Ga.—Granted modification of construction permit (B3-MP-1459) to move transmitter locally, change type of proposed transmitter and extend commencement and completion dates to 60 and 180 days after grant, respectively.
- WJW—WJW, Inc., Akron, Ohio.—Granted construction permit (B2-P-3263) to increase power from 250 watts to 5 KW, change frequency from 1240 to 850 kc., install a new transmitter and directional antenna for night use and move transmitter to Franklin Twp., Ohio.
- WNOX—Scripps Howard Radio, Inc., Knoxville, Tenn.—Granted modification (B3-MP-1451) of construction permit (B3-P-2839) to make changes in directional antenna and extend commencement and completion dates, subject to special proof of performance and other engineering requirements.
- KGDM—E. F. Peffer, Stockton, Calif.—Granted construction permit (B5-P-3199) to change frequency from 1130 to 1140 kc., subject to submitting proof of performance protecting XENT, Monterrey, Mexico, from interference; increase power from 1 KW daytime to 5 KW night and day, change hours of operation from daytime to unlimited, install a directional antenna for night use and install a new transmitter.
- KFAB—KFAB Broadcasting Co., Lincoln, Neb.—Granted extension of special service authorization (B4-SSA-18) to operate synchronously with station WBBM from local sunset at Lincoln, Neb., to 12 midnight, CST, for period of 1 year.
- WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted extension of special service authorization (B4-SSA-22) to operate synchronously with station KFAB, Lin-

coln, Neb., from local sunset at Lincoln to 12 midnight, CST, for a period of 1 year.

WOC—The Tri-City Broadcasting Co., Davenport, Iowa.—Granted modification (B4-MP-1404) of construction permit (B4-P-2288) to increase power to 5 KW night and day, move transmitter locally, install new equipment and make changes in directional antenna system for day and night use. (Now licensed on 1450 kc., 250 watts, unlimited time; under construction permit for 1420 kc., 1 KW, directional antenna night, unlimited time.) Dismissed application for modification (B4-MP-1476) of construction permit for extension of commencement and completion dates.

W9XC—Central Broadcasting Co., Davenport, Iowa.—Granted modification of construction permit (B4-MPEX-7) for extension of completion date for construction of developmental station to July 19, 1942.

WRUW—World Wide Broadcasting Corp., Boston, Mass.—Granted temporary extension of license; deferred action on application for renewal of license, for waiver of requirements of Section 4.45, and on application for reinstatement of construction permit to use 50 KW, pending receipt of additional information.

### DESIGNATED FOR HEARING

WAGE—Sentinel Broadcasting Corp., Syracuse, N. Y.—Designated for hearing application for construction permit (B1-P-3323) to increase power to 5 KW, unlimited time; install a new transmitter and make changes in directional antenna. To be consolidated with hearing on application of Donald Flamm (B1-P-3400) for a new station to use frequency of 620 kc.

Cleveland Broadcasting, Inc., Cleveland, Ohio.—Designated for hearing application for construction permit (B2-P-3359) for new station to operate on 1300 kc., 5 KW, unlimited time, employing directional antenna day and night.

KFXD—Frank E. Hurt, Nampa, Idaho.—Designated for hearing application for construction permit (B5-P-2819) to change frequency from 1230 to 1030 kc., increase power from 250 watts to 1 KW night and day, move transmitter to site to be determined near Nampa, Idaho, and make changes in equipment.

KRRR—News-Review Company, Roseburg, Oregon.—Designated for hearing (to be heard jointly with KFXD above) application for construction permit (B5-P-3371) to install a new transmitter, directional antenna, increase power to 10 KW, unlimited time, directional antenna night and day; change frequency to 1030 kc., and move transmitter locally.

### LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending April 1, 1944:

KDKA, Pittsburgh, Pa.; KSOO, Sioux Falls, So. Dak.; WBZ and WBZA, Boston, Mass.; WCAU and auxiliary, Philadelphia; WCFL and auxiliary, Chicago; WHN and auxiliary, New York City; WIBG, Glenside, Pa.; WRVA and auxiliary, Richmond, Va.; WTAM, Cleveland, Ohio; KEX, Portland, Ore.; WGNV, Newburgh, New York; WEAU, Eau Claire, Wisc.; WLAC, Nashville, Tenn.; WJJD, Chicago.

The following stations were granted renewal of licenses for the period ending February 1, 1944:

KIRO, Seattle, Wash.; KOWH, Omaha, Neb.; KPO, San Francisco; KSKY, Dallas, Texas; KXA, Seattle; WEA, New York City; KFUD, Clayton, Mo.; WEEU, Reading, Pa.; WMAQ, Chicago; WTBO, Cumberland, Md.; KFAB, Lincoln, Neb.; WBBM and auxiliary, Chicago.

The following station was granted renewal of license for the period ending April 1, 1944:

WHIP, Hammond, Ind.

The following stations were granted renewal of licenses for the period ending October 1, 1942:

WGAC, Augusta, Ga.; WJRD, Tuscaloosa, Ala.

The following were granted renewals for the period ending October 1, 1943:

WHLN, Harlan, Ky.; WKIP, Poughkeepsie, N. Y.

The following were granted renewals for the period ending December 1, 1943:

WKNY, Kingston, N. Y., and WTMV, E. St. Louis, Ill.

### MISCELLANEOUS

WOBC—Indiana Broadcasting Corp., Indianapolis, Ind.—Granted license to cover construction permit for move of old RCA 1-G transmitter to site of new main transmitter, and use as auxiliary transmitter (B4-L-1557); granted authority to determine operating power by direct measurement of antenna input (B4-Z-1292).

W55M—The Journal Co., The Milwaukee Journal, Milwaukee, Wisc.—Granted modification of construction permit as modified, for new high frequency broadcast station, for extension of completion date from January 30 to February 28, 1942 (B4-MPH-61).

KCKN—The KCKN Broadcasting Co., Kansas City, Kans.—Granted authority to determine operating power by direct measurement of antenna input.

WEIN—The Journal Co., The Milwaukee Journal, Portable-Mobile, area of Milwaukee, Wisc.—Granted license to cover construction permit for changes in equipment and increase in power of relay broadcast station (B4-LRE-370).

WPTZ—Philco Radio and Television Corp., Philadelphia, Pa.—Granted modification of construction permit for installation of new television broadcast station, for extension of completion date from January 1 to April 1, 1942 (B2-MPCT-6).

WHP—WHP, Inc., Harrisburg, Pa.—Granted construction permit to install new auxiliary transmitter for emergency use only, with power of 500 watts (B2-P-3394).

WDEL—WDEL, Inc., Wilmington, Dela.—Granted modification of construction permit as modified for increase in power and install new transmitter and directional antenna for day and night use, for extension of completion date from January 20 to July 20, 1942 (B1-MP-1483).

W51C—Zenith Radio Corp., Chicago, Ill.—Granted license to cover construction permit as modified for new high frequency broadcast station; 45100 kc., service area 10800 square miles (B4-LH-7).

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Granted modification of construction permit as modified for new equipment and increase in power, for extension of completion date from January 31 to April 1, 1942 (B5-MP-1485).

KARM—KARM, The George Harm Station, Fresno, Calif.—Granted license to cover construction permit for change in frequency, increase in power, move transmitter site, install new transmitter and directional antenna for day and night use (B4-L-1583); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1319).

KOKO—The Southwest Broadcasting Co., La Junta, Colo.—Granted license to cover construction permit for increase in power and install new transmitter (B5-L-1582).

W9XBK—Balaban and Katz, Chicago, Ill.—Granted extension of special temporary authority to operate two transmitter units to be installed and operated from the State-Lake Building, Chicago, Ill., link transmitter Type No. 50-UTX with 100 watts power for visual and link transmitter Type 25-UBX 25 watts power for aural, temporary steel tower to be used on roof of said building, in order to conduct tests for the period beginning January 15, 1942 and ending in no event later than February 13, 1942, in accordance with construction permit.

KGEI—General Electric Co., near Belmont, Calif.—Granted extension of special temporary authority to add the frequencies 15130 and 15210 kc. (sharing time with Stations WRUL, WRUS, and WRUW on 15130 and with WBOS on 15210) to the presently licensed frequencies on a temporary basis for the period January 14, 1942, to not later than February 12, 1942, pending filing of formal application and action on same.

W2XYP—Columbia Broadcasting System, Inc., New York, N. Y.—Granted modification of construction permit for change in transmitter location, change in type of transmitter and changes in antenna system (B1-MPST-5).

KTEM—Bell Broadcasting Co., Temple, Tex.—Granted license to cover construction permit for changes in equipment (B3-L-1538).

- WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Denied petition for leave to intervene in the hearing on applications of Yankee Broadcasting Co., Inc., and Newark Broadcasting Corp. Exception noted by counsel for WIP.
- WAGE—Sentinel Broadcasting Corp., Syracuse, N. Y.—Denied petition for leave to intervene in re hearing on above listed applications; exception noted by counsel for WAGE.
- WAGE—Sentinel Broadcasting Corp., Syracuse, N. Y.—Denied petition for leave to intervene in the hearing on application of WDNC, Durham Radio Corp., Durham, N. C. (Docket 6209), for changes in existing facilities; exceptions noted by counsel for WAGE.
- KFEL—Eugene P. O'Fallon, Inc., Denver, Colo.—Denied petition for leave to intervene in the hearing on application of WAAF, Drivers Journal Publishing Co., Chicago (Docket 6129).
- WDRG, Inc., Hartford, Conn.; The Radio Voice of New Hampshire, Inc., Manchester, N. H.—Granted motion for postponement of hearing now scheduled for January 28 until March 26, in re application of WDRG, Inc., for modification of construction permit of FM station, and application for new FM station of Radio Voice of New Hampshire, Inc.
- The Constitution Broadcasting Co., Atlanta, Ga.—Granted motion for waiver of certain requirements of the rules (re additional copies of exhibits to application), upon condition that if the need for additional copies of the exhibits required by Sec. 12(e) of application form should arise in the future, petitioner will furnish same at that time.
- Portsmouth Radio Corp., Portsmouth, Va.—Granted petition for additional time to file findings now due January 21 to February 23, 1942, in re application for new station.
- KSFO—The Associated Broadcasters, Inc., San Francisco, Cal.—Granted request for authority to take depositions in re applications of KSFO and KQW for construction permits to use frequency 740 kc.
- Frequency Broadcasting Corp., Borough of Brooklyn, N. Y.—Granted petition to dismiss without prejudice application for new station to operate on 620 kc., 500 watts, daytime.
- Donald Flamm, New York City.—Denied motion for consolidation and continuance of hearing on applications of Yankee Broadcasting Co., Inc., New York City, and Newark Broadcasting Corp., Newark, N. J., for new stations, dismissed without prejudice motion to intervene in hearing.
- Newark Broadcasting Corp., Newark, N. J.—Granted motion to continue hearing now scheduled for January 19 to January 28, in re application of Yankee Broadcasting Co., Inc., and Newark Broadcasting Corp. for new stations.
- WCAX—The Burlington Daily News, Inc., Burlington, Vt.—Withdrew petition to intervene and enlarge issues in re applications of Newark Broadcasting Corp. and Yankee Broadcasting Co., Inc.
- WGEA—General Electric Co., Schenectady, N. Y.—Granted extension of special temporary authority to add the frequencies 7000 and 11730 kc. (sharing time with Stations KGEI and WGEQ on both frequencies and sharing time with Stations WRUL, WRUS and WRUW on the latter frequency) to the presently licensed frequencies on a temporary basis from January 16 to not later than February 14, 1942, pending filing of formal application and action on same.
- WGEO—General Electric Co., Schenectady, N. Y.—Granted extension of special temporary authority to add the frequencies 7000 and 11730 kc. (sharing time with Stations KGEI and WGEA on both frequencies and sharing time with Stations WRUL, WRUS and WRUW on the latter frequency) to the presently licensed frequencies on a temporary basis from January 16 to not later than February 14, 1942, pending filing of formal application and action on same.
- KGEI—General Electric Co., near Belmont, Calif.—Granted extension of special temporary authority to add the frequencies 7000 and 11730 kc. (sharing time with Stations WGEA and WGEO on both frequencies and sharing time with Stations WRUL, WRUS and WRUW on the latter frequency) to the presently licensed frequencies on a temporary basis from January 16 to not later than February 14, 1942, pending filing of formal application and action on same.
- KIUP—San Juan Broadcasting Co., Surango, Colo.—Granted special temporary authority to sign off at 7:30 p. m., MST, instead of 10 p. m., MST, for the period January 19 to not later than January 24, 1942.
- WSUB—Southern Utah Broadcasting Co., Cedar City, Utah.—Granted extension of special temporary authority to remain silent after 8 p. m., MST, for the period January 19 to not later than February 16, 1942.
- WKY—WKY Radiophone Co., Oklahoma City, Okla.—Granted modification of construction permit for installation of directional antenna for night use, move of transmitter, increase power to 5 KW day and night, and for NARBA frequency 930 kc., for extension of completion date from January 20 to July 20, 1942 (B3-MP-1486).
- K45SF—Hughes Tool Co., San Francisco, Calif.; K49LA—Hughes Tool Co., Los Angeles, Calif.—At the request of the permittee, who pleaded national defense activities necessitated confining his broadcast activities to television stations which he is erecting in San Francisco and Los Angeles, Commission cancelled construction permits for high frequency (FM) broadcast stations K45SF and K49LA, and deleted call signals, thus making frequencies 44500 and 44900 kc. available in San Francisco and Los Angeles respectively to other FM applicants.
- W2XD—General Electric Co., Schenectady, N. Y.—Cancelled license and deleted call signal in view of fact that W2XD has been replaced by W2XGE, operated by the same licensee.
- KFNF—KFNF, Inc., Shenandoah, Iowa.—Denied petition for reconsideration and grant without hearing of application for renewal of license, now scheduled for hearing on February 2, 1942.
- Rockford Broadcasters, Inc., Rockford, Ill.—Denied request for special temporary authority to operate an FM station commercially under the call letters W71RF.

## APPLICATIONS FILED AT FCC

### 550 Kilocycles

- WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—Construction permit for changes in equipment, antenna system, change frequency from 1490 to 550 kc., using power of 100 watts night, 250 watts day.

### 570 Kilocycles

- WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—License to cover construction permit (B2-P-2547 as modified) in part, for new transmitter and increase in power to 500 watts, 5 KW day. (Not covered—directional antenna—night and 5 KW night power.)
- WWNC—Asheville Citizens-Times Co., Inc., Asheville, N. C.—Relinquishment of control by Chas. A. Webb, through payment of accrued preferred stock dividends by licensee corporation.

### 910 Kilocycles

- WJHL—WJHL, Inc., Johnson City, Tenn.—Construction permit to install new transmitter and increase power from 1 KW directional antenna night to 1 KW night, 5 KW day directional antenna night.

### 950 Kilocycles

- KPRC—Houston Printing Corp., Houston, Tex.—Modification of construction permit (B3-P-2791) as modified, for installation of directional antenna for night use, increase in power, for extension of completion date from 1-18-42 to 3-8-42.

### 1230 Kilocycles

- KFIO—Spokane Broadcasting Corp., Spokane, Wash.—License to cover construction permit (B5-P-3144) for new transmitter, vertical antenna, increase in power, change in frequency and hours of operation. Authority to determine operating power by direct measurement.

### 1240 Kilocycles

- WFTM—Fort Myers Broadcasting Co., Fort Myers, Fla.—Construction permit to move transmitter approximately 150 feet from temporary building to permanent building.
- WTAX—WTAX, Incorporated, Springfield, Ill.—License to cover construction permit (B4-P-3381), which authorized changes in equipment.

### 1250 Kilocycles

- NEW—Homer Rodeheaver, Warsaw, Ind.—Construction permit for a new broadcast station to be operated on 1250 kc., 1 KW, unlimited hours, using directional antenna for day

and night use. Amended: to change transmitter site and studio site from Winona Lake to Warsaw, Indiana.

#### 1270 Kilocycles

KFJZ—Tarrant Broadcasting Co., Fort Worth, Texas.—License to cover construction permit (B3-P-3326) for move of old transmitter to site of new main transmitter as auxiliary transmitter.

#### 1300 Kilocycles

NEW—Harold L. Sudbury, May McCutchen and O. W. McCutchen, d/b as Sikeston Broadcasting Co., Sikeston, Mo.—Construction permit for a new broadcast station to be operated on 1300 kc., 250 watts, daytime hours.

KOL—Seattle Broadcasting Co., Seattle, Wash.—Authority to determine operating power by direct measurement.

#### 1310 Kilocycles

WIBA—Badger Broadcasting Co., Madison, Wisc.—Modification of construction permit (B4-P-2689) as modified for new transmitter, increase in power, changes in directional antenna and move of studio and transmitter, requesting extension of completion date from 1-20-41 to 2-20-42.

#### 1330 Kilocycles

NEW—WJPS, Inc., Evansville, Ind.—Construction permit for a new broadcast station to be operated on 1330 kc., 1 KW, unlimited hours, using directional antenna at night. Amended: to specify transmitter site.

#### 1340 Kilocycles

WLBC—Donald A. Burton, Muncie, Ind.—Modification of license to move studio from Muncie, Indiana, to new transmitter site 0.2 mile east of junction of state roads No. 21, No. 3 and No. 67, south of city of Muncie.

#### 1400 Kilocycles

WTNM—Lester Q. Krasin and Otto A. Krutzner, d/b as Krasin and Krutzner Broadcasting Co., Tucumcari, N. M.—Modification of license to change hours from unlimited time to specified hours (7 a. m. to 7:15 p. m.).

WRRN—Frank T. Nied & Perry H. Stevens, d/b as Nied & Stevens, Warren, Ohio.—Authority to determine operating power by direct measurement.

#### 1410 Kilocycles

WBBC—State Broadcasting Corp., New Britain, Conn.—License to cover construction permit (B1-MP-1267), which authorized increase in night power, changes in directional antenna, for day and night use, and authority to determine operating power by direct measurement.

#### 1470 Kilocycles

WSAR—Doughty and Welch Electric Co., Inc., Fall River, Mass.—Construction permit to change frequency from 1480 to 1470 kc., and make changes in directional antenna for day and night use. Amended: for changes in directional antenna.

#### 1560 Kilocycles

WQXR—Interstate Broadcasting Co., Inc., New York, N. Y.—Modification of construction permit (B1-MP-1086) for changes in equipment, increase in power, installation of directional antenna for day and night use, requesting extension of completion date from 2-3-42 to 4-1-44.

### MF APPLICATIONS

NEW—The Constitution Publishing Co., Atlanta, Ga.—Construction permit for a new high frequency broadcast station to be operated on 45,300 kc.; coverage, 7,380 square miles; population, 826,864.

W49-BN—Wylie B. Jones Advertising Agency, Binghamton, N. Y.—Modification of construction permit (B1-PH-10) as modified for a new high frequency broadcast station, requesting extension of completion date from 2-13-42 to 7-13-42.

### MISCELLANEOUS APPLICATIONS

KWID—The Associated Broadcasters, Inc., San Francisco, Calif.—Modification of construction permit (B5-PIB-34) for a new international broadcast station requesting change in frequency of 15340 to 15350 kc., and extension of commencement and completion dates from 12-14-41 and 6-14-42 to 30 days after grant and 150 days thereafter, respectively.

NEW—New Laurel Radio Station, Inc., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on 1622, 2058, 2150, 2790 kc., power 50 watts, emission A3.

KEHD—Topeka Broadcasting Association, Inc., Topeka, Kans.—Application for license for reinstatement of relay broadcast station license which expired 12-1-41.

KEID—KCMO Broadcasting Co., Kansas City, Mo.—Application for license for reinstatement of relay broadcast station license which expired 12-1-41.

KEIE—KCMO Broadcasting Co., Kansas City, Mo.—Application for license for reinstatement of relay broadcast station license which expired 12-1-41.

WAAU—Columbia Broadcasting System, Inc., Mobile.—Modification of license to designate station WBBM, Chicago, Ill., as the standard broadcast station with which this relay station shall be operated instead of standard broadcast station WABC, New York, N. Y.

NEW—General Electric Co., New Scotland, N. Y.—Construction permit for a new television relay broadcast station to be operated on Channel No. 8, 162000-163000 kc., power 50 watts, emission A5 (to be used with applicant's commercial television broadcast station WRGB).

W47-NY—Muzak Corporation, New York, N. Y.—Consent to assignment of construction permit B1-PH-48 and B1-MPH-48 to Muzak Radio Broadcasting Station, Inc.

## FEDERAL TRADE COMMISSION DOCKET

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**American-Chiffon Company**—Misrepresentation of the grade and quality of women's hosiery is alleged in a complaint issued against Scott Products Co., trading as American-Chiffon Co., 9 West Washington St., Chicago. (4670)

**Climax Cleaner Manufacturing Co.**, 2080 West 110th St., Cleveland, is charged with misrepresentation in the sale of "Climax Wall Paper Cleaner," in a complaint. (4668)

**Columbia Appliance Corporation**—A complaint has been issued charging Columbia Appliance Corporation, 225 West 57th St., New York, with misrepresentation and unfair disparagement of a competitor's product. The Columbia corporation sells synthetic solvent dry cleaning machines used in the cleaning of clothing, and also synthetic dry cleaning solvents, including trichloroethylene, for use in the machines. (4669)

## CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders during the past week:

**Boulevard Candy Co.**, 1925 South Western Ave., Chicago, has been ordered to cease and desist from selling or otherwise disposing of candy or other merchandise by means of a game of chance, gift enterprise, or lottery scheme. (3396)

**Hiram Carter, Inc.**, 5706 Hoffman Drive, Elmhurst, N. Y., and S. Fred Griffin, president and principal owner of the corporation, have been ordered to cease and desist from misrepresentations in connection with the sale of various medicinal preparations designated "Old Surgeon's," or "Old Surgeon's Remedy" or "Old Surgeon's Double Duty Remedy." (4101)

**Powerine Co.**, Denver, Colo., engaged in the sale of petroleum products under the trade names "Powerine" and "Powerlube," have been ordered to cease and desist from selling or otherwise disposing of merchandise by means of a game of chance, gift enterprise or lottery scheme. (4423)

**Retail Coal Merchants Association**—A trade association consisting of all but three retail coal dealers in Richmond, Va., its members and officers, and four wholesalers of coal have been ordered to cease and desist from entering into or carrying out any agreement or understanding for the purpose of restraining or eliminating competition in, or monopolizing, the retail sale of coal in the Richmond trade area.

The respondent association and its officers are: Retail Coal Merchants Association; D. Walton Mallory, president; Edwin D. Newmann, vice president; A. Holland White, treasurer, and Charles H. Hall, Jr., secretary, all of Richmond.

The retail coal dealers named in the order as members and as representative of all the other members of the Association, as a class, are: L. D. Wingfield and James L. Hatcher, co-owners of the business operated as Wingfield-Hatcher Coal Co.; A. M. Hungerford, doing business as Hungerford Coal Co.; Massey-Wood & West; Sydnor-Howey & Co., Inc.; D. W. Mallory & Co., Inc.; Ellison & Hawes, Inc.; W. E. Seaton & Sons, Inc., and Gill Fuel Co., Inc.

The respondent wholesale dealers are: Cabell Coal Co., Inc., Covington, Va.; A. T. Massey Coal Co., Richmond; White Oak Coal Co., Charleston, W. Va., and Mr. and Mrs. Robert Henry Moore, Katherine St. Clair Santori, and Houston St. Clair, doing business as Virginia Smokeless Coal Co., Tazewell, Va. (3911)

## STIPULATIONS

During the past week the Commission has announced the following stipulations:

**American Fur Company**—Abe Cohen, trading as American Fur Co., 151 West South Temple, Salt Lake City, Utah, purchaser and seller of raw furs, stipulated to cease representing, by use of statements such as "Eliminate the Middle Man" and "Trapper to Wearer," that he does not resell raw furs purchased by him; that all the raw furs he purchases are used by him in the manufacture of fur coats or other consumer goods, or that trappers or others selling him raw furs receive greater reimbursement because of the alleged elimination of middleman costs. (3356)

**Bawden Studios**, Clayton G. Bawden, Jesse M. Bawden and Leslie M. Bawden, 14 East Seventh St., St. Paul, Minn., entered into a stipulation with the Federal Trade Commission in which they agree to cease representing that the prices at which they sell their photographs are special, reduced or introductory prices; that their pictures, prints or photographs are "Oil Colored Portraits" and their photographers or other employees artists; and that "Hollywood Lightings" are used in the taking of their photographs. The respondents further stipulate they will discontinue use of the word "Etching" or similar words to designate a picture not pro-

duced from etched plates; will cease representing that a customer purchasing a photograph is obliged to buy additional copies; and cease packaging a photograph for which payment has been made with a picture not paid for and causing delivery of the package to be contingent on the payment of the amount claimed as due on the unpaid for picture. (3361)

**Columbia Publications, Inc.**, and Louis H. Silberkleit and Harold Hammond, trading as Atlas Fiction Group, Inc., 60 Hudson St., New York, stipulated to cease certain representations in the sale of magazines. (3354)

**Cummer Products Co.**, 170 Varick St., New York, has entered into a stipulation to discontinue certain representations in connection with the sale of a cleaning fluid designated "Fireproof Energine." (3357)

**Filtex Corporation**, 600 North Mechanic St., Jackson, Mich., stipulated that in the sale of its "Filtex" vacuum cleaner device, containing a filter pad chemically treated, it will cease representing that use of the device would be of appreciable value as a means of protecting against respiratory disorders or against dust or germ laden air, or that it would purify and disinfect air in sick rooms. (3359)

**French Sardine Co., Inc.**, Terminal Island, Calif., distributor of "Stay Well Cat Food," stipulated that it will desist from representing its product as being a "Balanced Diet" or constituting a balanced food or ration for cats generally. According to the stipulation, the respondent's preparation is not a balanced food for cats generally, as cats of different breeds and ages require different food or food elements. (3360)

**Interstate Jewelers**—Franklin F. Bush, trading as Interstate Jewelers, 2326 S. E. Madison St., Portland, Oreg., has entered into a stipulation to cease certain representations in the sale of table flatware or other merchandise. (3362)

**Mutual Spice Co., Inc.**, 457 Broome St., New York, has entered into a stipulation to cease certain representations in the sale of a food product designated "Worcestershire Sauce." The respondent agrees to cease representing, or providing wholesalers, private brand distributors or others with the means to represent, through the use of wrappers, containers or labels which simulate the distinctive wrappers, containers or labels used by Lea & Perrins, Inc., in marketing Worcestershire sauce, or in any other manner, that the respondent's product is Worcestershire sauce manufactured and distributed by Lea & Perrins, Inc., which has for many years distributed its brand of sauce under distinctive labels and wrappers. (3358)

**Northern Electric Co.**, 5224 North Kedzie Ave., Chicago, distributor of electrical heating pads, stipulated that in the sale of such pads not equipped with three or more adequate thermostat or other heat controls calibrated for three distinct temperatures, it will cease employing the words "three heat" as descriptive of the pads or the switches used with them. According to the stipulation, the pads and switches are not capable of maintaining three different degrees of heat, the operation of the switches merely controlling the length of time required to heat the pads to a single maximum temperature. (3364)

**Reed & Barton**, Taunton, Mass., silverware manufacturer, stipulated to cease stamping, branding or labeling as "AA+" flatware or other merchandise which does not actually meet all the recognized standards of trade and industry for the type of silverplating thus implied, the marking "AA" stamped on a piece of flatware or referred to in advertising literature signifying to the trade and public a quality superior to "A1" or "Standard." The respondent further agrees to desist from describing or referring to a statement or document as a "guarantee" or similar undertaking when it fails to name the manufacturer, distributor, or other responsible party to whom the purchaser may turn for redress if the goods purportedly secured by such document fail to meet the assurance or warranty specified. (3363)

## Selective Service

Stations threatened with loss to the draft of first or second class operators whom they will find it difficult, if not impossible, to replace are advised to communicate with the State Occupational Adviser at their State Selective Service Headquarters. (This is additional to procedure outlined in previous bulletins, and is at the suggestion of national headquarters.) Request the Occupational Adviser to bring to the attention of the local board in question the difficulty or impossibility of replacing the registrant and the importance of his position in the operation of the station, and to request that his, the Occupational Adviser's, statement be entered in the registrant's file, so that it will be available to the local board and also to the Board of Appeals if the case is appealed. It is believed that all State Occupational Advisers are familiar with the acute shortage of operators. Such a statement in the registrant's file will presumably carry considerable weight with the local board and the Board of Appeals. Don't wait,—as soon as you learn that induction is imminent get your State Occupational Adviser on the phone. He may ask you to put your request in writing; if so, acquaint him with the tenor of the statement you will have presumably already filed on Form 42-A with the local draft board.

Familiarize yourself again with procedure recommended in previous NAB REPORTS and bulletins. File Form 42-A with local board; contact State Occupational Adviser as above-outlined; if necessary, you should appeal to the Board of Appeals for the area. ONLY THEN, if temporary deferment has not been granted, wire the man's full name and whether first or second class operator, number and location of local draft board, and steps you have taken to secure deferment, to Russell Place, NAB, Washington, D. C. Request for immediate investigation by National Selective Service Headquarters will be made at once.

## ASCAP

### ET CLEARANCE

ASCAP refuses to allow the deduction of 15 per cent sales cost from the gross amount paid for station time when electrical transcriptions are cleared at the source. ASCAP's stand is set forth in a letter from John Paine to Neville Miller dated January 26, which is printed below:

"In connection with the clearance at the source of electrical transcriptions, I would advise you that I am now empowered to clear electrical transcriptions at the source on the 8% and 2% basis, in accordance with my letter to you of September 3, 1941 [see NAB Special Bulletin Sept. 30, 1941], and we will allow from the gross amount paid for the station time, a deduction of the frequency discount and a deduction of a 15% agency commission, if and when paid.

"I might re-state here that we will require clearance at the source only for such stations as may be requested by the advertising

agency or electrical transcription company, as the case may be, and will not require clearance at the source for stations holding ASCAP license agreements, either per program or blanket, to whom the transcriptions may be sent, unless the agency or transcription company for any reason wishes to include such stations."

## Shows From Army Camps

The Radio Branch of the War Department Bureau of Public Relations advises us some radio stations have been discontinuing their broadcasts from army camps and posts since the declaration of War in the belief this was the wish of the War Department. *This is not the case.* There is, on the other hand, even more need for such public service broadcasts from army camps and posts and will continue to be a growing need of them as the army is expanded during the year.

In order to encourage such broadcasting endeavors and facilitate their handling, the Radio Branch has brought to Washington since the beginning of the War, Captain Ed Curtin, lately Public Relations Officer at Camp Wheeler, Ga., and formerly connected with well-known radio establishments.

The Radio Branch encourages all radio stations to continue collaboration with local Public Relations Officers in the promotion of the army by radio from the camps and offers any cooperation possible in your undertaking in this direction. Any inquiries should be addressed to the Radio Branch, Bureau of Public Relations, War Department, Washington.

### RADIO A WAR-TIME ESSENTIAL

The following letter from NAB President Neville Miller to Leland Olds, Chairman, Federal Power Commission, is of interest to all broadcasters:

"We are considerably disturbed by an Associated Press dispatch dated January 22nd, in which you were quoted as having told the House Appropriations Committee that the use of radio in the home was "essentially" a "luxury" and that, as such, it might have to be eliminated.

"I am fully aware that very often single sentences taken from the expression of a complete thought convey a wrong impression, and I hope that you, as the head of the Federal Power Commission, do not look upon the use of electricity for radio in the home as a luxury. Even if home listening were confined to entertainment, we feel that its description as a "luxury" could be challenged in days when maintenance of morale is only one of the many functions that the broadcasting industry is performing to further the country's War effort.

"We are carrying the voice of our country's leaders into the 30,700,000 radio equipped American homes. A recent survey showed that 75,000,000 persons heard President Roosevelt's first Fireside Chat after Pearl Harbor. The printed word can never substitute for the spoken word in this respect.

"Through its news broadcasts, radio is keeping the American people better informed than they ever have been in the past. Radio now constitutes the primary source of news for many people

(Continued on page 48)



1626 K St., N. W.

WASHINGTON

Phone NAational 2080

Neville Miller, *President*

C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

## RADIO A WAR-TIME ESSENTIAL

(Continued from page 47)

and we feel that the removal of a primary source of information such as you suggest would be a staggering blow to democracy.

"As you may know, the Army, the Navy and the Marine Corps are using radio extensively for recruiting purposes. The United States Civil Service Commission is using it for the purpose of recruiting skilled workers for War industries. The Treasury Department relies upon radio to assist in the sale of Bonds and Stamps, and radio has accounted for many millions of dollars worth of sales of these securities that would not otherwise have been obtained. The Office of Civilian Defense and other morale agencies have turned to radio for assistance and it has been willingly given.

"The activities mentioned above are but a few of the broadcasting industry's many War time public services, and I would like to call your particular attention to the fact that broadcasters are performing all of the above mentioned services without cost to the Government. All announcements and programs of the various Government departments and agencies are carried on time gladly donated for that purpose without cost to the Government by the stations and the networks. We believe we are playing an essential part in the Government's War activities, and naturally are proud of the record which is being made by the industry.

"In view of these facts, I feel you must agree that it is not proper to classify the use of radio as a "luxury". It is most unfortunate that the story got into the press in the form that it did, and I am wondering, in view of the importance of radio's present War activities, if you would give us a statement which would counteract the impression which this recent article conveyed. I am sure it would be very helpful, and would be greatly appreciated."

At press time no reply had been received.

## OFFICE OF CENSORSHIP ADDRESS

For the benefit of those desiring to consult with the Office of Censorship, communications should be addressed as follows:

J. Harold Ryan  
Assistant Director of Censorship  
Office of Censorship  
Federal Trade Building  
Pennsylvania Avenue between 6th and 7th Streets  
Washington, D. C.

The telephone number is EXecutive 3800.

## FCC Investigation Proposed

On Wednesday, January 28, Representative Cox (D.-Ga.) announced from the floor of the House his intention of offering a resolution for House investigation of the FCC. According to the Congressional Record, Mr. Cox addressed the House as follows:

"Mr. Speaker, Mr. Fly, of the Communications Commission is using a good law to a bad end. He is guilty of a monstrous abuse

of power and is rapidly becoming the most dangerous man in the Government. He maintains an active and ambitious Gestapo and is putting shackles on the freedom of thought, press, and speech without restraint.

"In the pretended regulation of the broadcasters, which needs regulating, he is breaking down those freedoms which guard all others. He is taking advantage of the stress of the moment to federalize all means of communication.

"I have heretofore opposed the investigation of executive departments of the Government, but the Communications Commission, as now operating under Mr. Fly, must be stopped, and I intend offering a resolution for House investigation."

## FCC POWER TO SUBPOENA UPHELD

The power of the FCC to issue subpoenas in its investigations seeking information applicable to the legislative standards set up in the Communications Act was upheld last Monday by the United States Court of Appeals for the District of Columbia. The court negated the Commission's authority to require witnesses whom it summons to bare their records, relevant or irrelevant, in the hope that something will turn up, or to invade the privacy protected by the Fourth Amendment.

Touching on the powers of the Commission and the qualifications of applicants for a station license the Court said:

"The Communications Act requires no more of an applicant for a radio license than proof of citizenship, character, and financial and technical qualifications to operate in the public interest. Possessing these, the applicant's eligibility is unchallengeable, assuming there is an unused frequency free of interference with an established station. This is the rule announced by the Supreme Court in the *Sanders* case. But the determination of these qualifications is an administrative function which Congress has committed to the Commission, subject only to the requirement that in granting or refusing the license it shall act as the public convenience, interest, or necessity requires. This, however, as the Supreme Court remarked, is not a grant of unlimited power, but only the right to control the range of investigation in ascertaining what, within the compass of the Act, is proper to satisfy the requirements. It does not embrace and should not be extended by implication to embrace a ban on newspapers as such, for in that case it would follow that the power to exclude exists also as to schools and churches; and if to these, the interdict might be applied wherever the Commission chose to apply it. This, we think, would be in total contravention of that equality of right and opportunity which Congress has meticulously written into the Act, and likewise in contravention of that vital principal that whatever fetters a free press fetters ourselves. In this view, we need not consider whether the power exists even in Congress, for Congress has not undertaken, and probably never will undertake, to delegate such power to the Commission. Hence it is that in the present state of the law a newspaper owner who is also the owner of a broadcast station may very well say to whoever challenges this dual right: 'Who art thou that judgest another man's servant. To his own master he standeth or falleth!'"

The opinion in full is as follows:

UNITED STATES COURT OF APPEALS FOR THE  
DISTRICT OF COLUMBIA

No. 8039

JAMES G. STAHLMAN, APPELLANT,

v.

FEDERAL COMMUNICATIONS COMMISSION, APPELLEE.

Appeal from the District Court of the United States for the  
District of Columbia

(Argued December 3, 1941

Decided January 26, 1942)

*Mr. Elisha Hanson*, with whom *Mr. Harold L. Cross, Jr.*, and *Miss Letitia Armistead* were on the brief, for appellant.

*Mr. Thomas E. Harris*, Assistant General Counsel, Federal Communications Commission, with whom *Mr. Telford Taylor*, General Counsel, Federal Communications Commission, appeared on the brief, for appellee.



Before GRONER, C. J., and VINSON and EDGERTON, JJ.

GRONER, C. J.: On March 20, 1941, the Federal Communications Commission issued its order No. 79, which directed that it

. . . undertake an immediate investigation to determine what statement of policy or rules, if any, should be issued concerning applications for high frequency broadcast stations (FM) with which are associated persons also associated with the publication of one or more newspapers . . . and that such investigation . . . shall also include consideration of statements of policy or rules, if any, which should be issued concerning future acquisition of standard broadcast stations by newspapers.

In July following, the Commission issued a supplemental order No. 79-A,<sup>1</sup> in which it particularized the subjects to be considered at the hearing. About the same time the Commission forwarded to broadcast station licensees a questionnaire intended to elicit information concerning the relations between licensees and newspapers in their respective communities, and in the latter part of July issued and served on appellant a subpoena requiring his presence in Washington on August 1, "then and there to testify in the above-entitled cause now pending before this Commission". Appellant is the publisher of the Nashville Banner, and in times past has been president of the American Newspaper Publishers Association, president of the Southern Newspaper Publishers Association, vice-chairman of the Publishers National Radio Committee, and a member of the Radio Committee of the American Newspaper Publishers Association. The Commission advised appellant by letter of July 10 that at the hearings to begin July 23 the Commission planned to receive testimony concerning the past and present relations between the radio industry and radio networks on the one hand, and the newspaper industry and press services on the other, with respect to the joint association of newspapers and radio stations. And it was stated further that the Commission would inquire into the arrangements made in the past for broadcasting of news, the part played by radio stations associated with newspapers in that respect, the availability of newspaper reports for broadcasts, the collection of news for radio broadcasting, and other related matters coming within the scope of the topics set forth in the order. Appellant referred the papers served on him, including the letter, to his counsel, who advised him that the subpoena was a nullity, inasmuch as it purported to command him to appear and testify in a proceeding not authorized by the Act. Subsequently in the hearing, the American Newspaper Publishers Association appeared specially and on the grounds just mentioned moved the Commission to terminate the proceeding. The motion was denied. Appellant did not appear as commanded, and on August 2 the Commission filed in the District Court an application to require his appearance. An order to show cause issued, to which appellant filed his return and answer. A hearing was had, and the District Judge entered an order requiring

<sup>1</sup> Now, Therefore, It is Ordered, That, pursuant to the aforesaid order, testimony and other evidence be taken with reference to the following matters, in addition to such other matters as the Commission may from time to time direct:

1. To what extent broadcast stations are at present associated with persons also associated with publication of one or more newspapers, the classification (in terms of power, location, network affiliation, etc.) of broadcast stations so associated, the circumstances surrounding such association, and the tendency toward such association in the future.

2. Whether joint association of newspapers and broadcast stations tends or may tend to prejudice the free and fair presentation of public issues and information over the air, or to cause editorial bias or distortion, or to inject editorial policy or attitude into the public service rendered by broadcast stations as a medium of public communication.

3. Whether joint association of newspapers and broadcast stations tends or may tend to restrict or distort the broadcasting of news, or to limit the sources of news to the public; or to affect adversely the relation between newsgathering services and broadcast stations.

4. Whether the joint association of newspapers and broadcast stations has or may have any effect upon freedom of access to the radio forum, for the discussion of public issues.

5. Whether the joint association of newspapers and broadcast stations tends or may tend to lessen or increase competition among broadcast stations or to result in the monopolization of local broadcast facilities.

6. Whether the joint association of newspapers and broadcast stations tends or may tend to increase or decrease concentration of control over broadcast facilities or the use thereof.

7. Whether the joint association of newspapers and broadcast stations constitutes or may constitute an undue concentration of control over the principal media for public communication.

8. Whether joint association of newspapers and broadcast stations tends or may tend to result in the utilization of improved facilities and skilled, experienced personnel for the procuring and dissemination of information and opinion by broadcast stations.

9. Whether joint association of newspapers and broadcast stations tends or may tend to insure greater economic stability for broadcast stations and to encourage the maximum technological development of radio.

10. What considerations influence newspaper interests to acquire broadcast stations.

appellant to appear before the Commission to testify concerning the matters to be investigated under Commission order No. 79.

On this appeal, appellant insists very earnestly that the sole question is whether the Commission has the power to consider or to adopt and apply a general policy or rule by which persons engaged in the newspaper publishing business or associated therewith may by reason of that fact alone be differentiated as a class apart from all other persons for the purpose either of preference in the assignment of radio facilities or of disqualification from engaging in the radio broadcasting business. The Commission, on the other hand, contends that its inquiry under order 79 is proper in connection with its licensing functions under Section 309(a) of the Act;<sup>2</sup> and would also be proper under Section 4(k), which directs the Commission to make annual reports to Congress as to additional legislation deemed by it to be necessary. But in its order Section 4(k) is not mentioned. Nor is the language or form of the order responsive to that section. We have, therefore, considered the question solely under the Commission's general powers and duties and to the exclusion of that section.

Both sides apparently are in agreement that the validity of the subpoena may be tested in the manner in which the question is presented here.

The rule most frequently invoked in challenging the powers of an administrative body to constitute itself an inquisitorial or visitorial body as to all matters direct and collateral within its general jurisdiction was stated by Mr. Justice Holmes in *Harriman v. Interstate Commerce Commission*, 211 U. S. 407. In that case the Interstate Commerce Commission had of its own motion undertaken an investigation in relation to carrier community of interests as tending to violate or to defeat the purposes of the Act. Mr. Harriman, an official of the Union Pacific, was called as a witness, and the case went to the Supreme Court as the result of his refusal to answer a question in relation to certain investments in the securities of competing carriers. The Supreme Court sustained his position, holding in effect that, as the Act was drawn, an investigation by the Interstate Commerce Commission of its own motion must be ancillary to a lawful purpose embraced within the powers granted in the statute. Subsequently, Section 13 of the Commerce Act was amended to authorize investigations by the Commission on its own motion concerning any question which might arise under any of the provisions of the Act or relating to the enforcement of any provision of the Act, and in *Smith v. Interstate Commerce Commission*, 245 U. S. 33, the Court sustained the power of the Commission to investigate the expenditure by railroads of money for political purposes. In the Communications Act,<sup>3</sup> as in the amendment to the Interstate Commerce Act, full authority and power is given to the Commission with or without complaint to institute an inquiry concerning questions arising under the provisions of the Act or relating to its enforcement. This, we think, includes authority to obtain the information necessary to discharge its proper functions, which would embrace an investigation aimed at the prevention or disclosure of practices contrary to public interest. Cf. *Federal Trade Commission v. National Biscuit Co.*, 18 F. Supp. 667; *Fleming v. Montgomery Ward & Co.*, 114 F. 2d. 384, cert. den'd., 311 U. S. 690.

If in this case it had been made to appear, as counsel for appellant insist, that the Commission's investigation was solely for the purpose of the consideration or adoption of a hard and fast rule or policy, as the result of which newspaper owners may be placed in a proscribed class and thus made ineligible to apply for or receive broadcast licenses, we should be obliged to declare that such an investigation would be wholly outside of and beyond any of the powers with which Congress has clothed the Commission. For we have previously held that there is nothing in the Act which either prevents or prejudices the right of a newspaper, as such, to apply for and receive a license to operate a radio broadcast station. *Tri-State Broadcasting Co. v. Federal Communications Comm.*, 68 App. D. C. 292, 96 F. 2d. 564. Further consideration confirms that view.

The Communications Act requires no more of an applicant for

<sup>2</sup> Sec. 309(a):

If upon examination of any application for a station license or for the renewal or modification of a station license the Commission shall determine that public interest, convenience, or necessity would be served by the granting thereof, it shall authorize the issuance, renewal, or modification thereof in accordance with said finding . . .

<sup>3</sup> Sec. 403:

The Commission shall have full authority and power at any time to institute an inquiry, on its own motion, in any case and as to any matter or thing concerning which complaint is authorized to be made, to or before the Commission by any provision of this Act, or concerning which any question may arise under any of the provisions of this Act, or relating to the enforcement of any of the provisions of this Act.

a radio license than proof of citizenship, character, and financial and technical qualifications to operate in the public interest. Possessing these, the applicant's eligibility is unchallengeable, assuming there is an unused frequency free of interference with an established station. This is the rule announced by the Supreme Court in the *Sanders* case.<sup>4</sup> But the determination of these qualifications is an administrative function which Congress has committed to the Commission, subject only to the requirement that in granting or refusing the license it shall act as the public convenience, interest, or necessity requires. This, however, as the Supreme Court remarked, is not a grant of unlimited power, but only the right to control the range of investigation in ascertaining what, within the compass of the Act, is proper to satisfy the requirements.<sup>5</sup> It does not embrace and should not be extended by implication to embrace a ban on newspapers as such, for in that case it would follow that the power to exclude exists also as to schools and churches; and if to these, the interdict might be applied wherever the Commission chose to apply it. This, we think, would be in total contravention of that equality of right and opportunity which Congress has meticulously written into the Act, and likewise in contravention of that vital principle that whatever fetters a free press fetters ourselves. In this view, we need not consider whether the power exists even in Congress, for Congress has not undertaken, and probably never will undertake, to delegate such power to the Commission. Hence it is that in the present state of the law a newspaper owner who is also the owner of a broadcast station may very well say to whoever challenges this dual right: "Who art thou that judgest another man's servant. To his own master he standeth or falleth".

But in the view we take of this controversy, the Commission's independent right to carry on its proposed investigation is not foreclosed by anything we have said as to its lack of power to proscribe newspapers or, conversely, its power to place them in a preferred class. Nor is this right prejudiced by the fact—if it is a fact—that the Commission in inaugurating the investigation has misapprehended the limits of its powers. The Commission's right to grant licenses or to revoke licenses in the public interest, and likewise to make rules and regulations necessary to the carrying out of the provisions of the Act, implies the grant of all means necessary or appropriate to the discharge of the powers expressly granted.

In the case we have, the Commission in its supplementary order has specified the subjects about which it wishes to obtain information. These are: whether the joint association of newspapers and broadcast stations tends to prejudice the free and fair presentation of public issues and information over the air; whether such association tends to restrict or distort the broadcasting of news or to limit the sources of news to the public; whether such association affects freedom of access to the radio forum for the discussion of public issues, or unduly limits access of newsgathering services, to the injury of the public. From the other side of the picture, the Commission proposes to inquire whether association of newspapers and broadcast stations will result in utilization of improved facilities and experienced personnel in the procuring and dissemination of information, and whether such association may tend to insure greater economic stability and encourage maximum technology development, and finally, what considerations influence newspaper interests to acquire broadcast stations. These subjects, except perhaps the last named, are clearly within the inherent powers of the Commission. Based on these considerations, and although the information is not for use in any pending proceeding or pending legislation, it was nevertheless within the administrative powers of the Commission to initiate the proposed investigation for the purpose of ascertaining the facts for its guidance in making reasonable and proper public rules, for application to existing stations, and in the consideration of future requests.

In saying this we do not mean to hold or to suggest that the Commission is authorized to require appellant or other witnesses whom it may summon to bare their records, relevant or irrelevant, in the hope that something will turn up, or to invade the privacy protected by the Fourth Amendment, *cf. Federal Trade Comm. v. American Tobacco Co.*, 264 U. S. 298, but only that the Commission may, without interference, seek through an investigation of its own making information properly applicable to the legislative standards set up in the Act. We should not assume that the investigation will be conducted for any other purpose or in disregard of the constitutional limits which govern such procedure.

<sup>4</sup> *Federal Communications Comm. v. Sanders Radio Station*, 309 U. S. 470.

<sup>5</sup> *Fed. Radio Com. v. Nelson Bros. Co.*, 289 U. S. 266, 285.

*Fed. Radio Com. v. Nelson Bros. Co.*, 289 U. S. 266, 276. *Cf. Guthrie v. Harkness*, 199 U. S. 148.

The order of the court below is accordingly affirmed.

*Affirmed.*

EDGERTON, J.: Since the Commission does not appear to have forbidden common control of newspapers and broadcast stations, or to have found that such control is contrary to the public interest, or to have initiated an investigation with a view to such a finding, we need not determine whether it should or could do those things. I express no opinion on that question. I think we should wait until it arises and the interested parties, including the Commission, are heard upon it. In other respects, I concur in the opinion of the court.

## Meetings

### Wisconsin League of Radio Stations

The Wisconsin League of Radio Stations, one of the oldest of the state organizations, held a business session at Racine, on Monday, January 26. Problems incident to the war were the chief topic of discussion. Handling of news and supervision of those programs of a possibly dangerous nature were thoroughly discussed. Means of cooperating in the NAB program for training of radio technicians was given consideration.

A representative of the Office of Civilian Defense outlined the plan of that agency and appealed to the radio stations for assistance and cooperation. Carl Haverlin of BMI and Leonard Callahan of SESAC discussed the music situation and Harold Konnak, a Racine attorney, presented a paper on the application of the Wisconsin ASCAP law. NAB was represented at the meeting by C. E. Arney, Jr., Assistant to the President.

The election resulted as follows:

James Kyler, WCLO, Janesville, President; Rev. James A. Wagner, WTAQ-Green Bay, WHBY-Appleton, Vice President; Donald Burt, WSAU, Wausau, Treasurer; N. C. Ruddell, WATW, Ashland, Secretary; Harry LePoidevin, WRJN, Racine, and Edward Allen, WIBA, Madison, Directors.

Following is a complete list of the attendance: Donald Burt, WSAU; Joe Killeen, WSAU; John Gallagher, WHBY; Edward Allen and K. F. Schmitt, WIBA; N. C. Ruddell, WATW-WJMS; Haydn Evans, WTAQ; Wayne Cribb, WHBL; William Forrest, WIBU; Hiram Born, WHBL; Harry LePoidevin, WRJN; William Huffman, WFHR; Harold Newcomb, WRJN; James Kyler, WCLO; Sidney Bliss, WCLO; James McGenty, WJMC; Gaston Grignon and Woods Dreyfuss, WISN; Frank Starbuck, WRJN; Howard Wilson, WOSH; Charles LaForce, Ray Host and Charles Lanphier, WEMP.

Burt Squires, SESAC; Frank Chizzini, NBC Thesaurus; C. E. Arney, Jr., NAB; Harold Konnak, Attorney; Sil Aston, Howard Wilson Co.; Leonard Callahan, SESAC; Alex Sherwood, Standard Radio; Carl Haverlin, BMI; Wallace Mitchell, United Press.

### Oregon State Broadcasters Association

The annual meeting of the Oregon State Broadcasters was held in Portland, January 16, 1942. This meeting, one of the best attended in the history of the Association, featured radio's part in the war program with discussions on censorship, schools for technicians, programs, defense bonds and procedure for proper station operation for the duration.

Prof. A. L. Albert of O.S.C. made a report for Dean R. H. Dearborn of the college on training schools for technicians. Dean Dearborn has been appointed, by Governor Sprague, as central authority for the state for the purpose of establishing schools to train technicians for our armed forces.

The following resolution was passed by the Association:

Believing the radio industry of Oregon has a major role to play in the united war effort of the nation in providing vital information, especially that of a defense nature,

# FEDERAL COMMUNICATIONS COMMISSION

## Fly Press Conference

Questioned early this week regarding the activities of the Defense Communications Board, James Lawrence Fly, F.C.C. Chairman, said the Board is making progress. For instance he pointed out that the Board has made much progress in connection with procuring for labor appropriate representation on the various committees and they are going along in good shape. He pointed out that this reflects "a cooperative and constructive attitude."

Mr. Fly said that he did not care particularly to comment on the order of the WPB requiring a forty per cent reduction in the manufacture of radio receiving sets. He expressed the opinion that the country has been pretty realistic about the whole defense situation and "its bearing upon this and other businesses. I don't think that the manufacturing industry could have anticipated going ahead at least at the pace that was set in 1941. I think most of the industry now is pretty busy on defense work anyhow. From a manufacturers point of view I doubt if there will be any serious injuries."

Chairman Fly was asked for comment on the action of the House of Representatives in passing the FCC Appropriations Bill so that no salary could be paid to Dr. Goodwin Watson, Chief Broadcast Analyst of the Foreign Broadcast Monitoring Service of the Commission.

Mr. Fly said that the Commission considers that Mr. Watson "has done a splendid job." He told the newsmen that Commissioner Durr has been designated by the Commission to handle the matter actively on behalf of the Commission and "he will undoubtedly be in touch with some of the Senators and they may have conferences with Dr. Watson. Of course that is up to the Senate Appropriations Committee and individual members of the Senate."

Mr. Fly stated that the Commission didn't know of any plans to restrict the appropriations as far as Dr. Watson is concerned until after the action was taken.

## Chairman's Testimony on Appropriations

In his testimony before the Sub-committee of the Committee on Appropriations of the House on the Independent Offices Appropriation Bill last month, Chairman Fly touched upon applications for new stations, competition in the broadcasting field, renewal of licenses, network contracts with affiliates, taxation on stations and networks, and the monopoly investigation of chain broadcasting. Excerpts from the testimony are printed below:

### General Routine Work of the Commission

Mr. WOODRUM. Tell us something of the general work of the Commission, Mr. Fly, the routine work that you would have to do if there were no defense program.

Mr. FLY. The general routine work would cover the regular problems of broadcasting and radio communication, of telephone and telegraph, and the like.

The radio field broadly is advancing. That is, we have new problems every day brought up chiefly by the advances in the art.

For example, frequency modulation has developed rapidly through the years, and since we were here last year there have been numerous applications—they are in the hundreds—for frequency modulation broadcast stations. We have made a substantial number of grants and of course that work will be increasing just as a necessary and natural matter.

With reference to the standard broadcasting, the work there, with the vast number of applications and with the greater amount of engineering work to do, has been increasing. The directional antenna which has been developed in past years is becoming an

Be It Resolved by the Oregon State Broadcasters Association that existing regulations for technical operators now in effect by the Federal Communications Commission be relaxed to permit Class III technicians employment provided Class I, experienced technicians are available on 24-hour daily call to supervise their work in cases of necessity, and

Be It Resolved that the present drain on operators' personnel for armed forces employment and related lines is so great, that this relaxation must be immediately employed to permit Oregon stations in many cases to remain on the air, and

Be It Resolved that copies of this resolution be furnished immediately to the Federal Communications Commission, the NAB, the Governor of Oregon and the Oregon defense administrator.

Henry Swartwood, KOIN, KALE, discussed censorship for radio. The importance of strict supervision over newscasts, ad-lib programs, quiz, man-on-the-street and request programs was mentioned as well as other information not to be broadcast for the duration. Swartwood pointed out that the responsibility for material broadcast rests squarely with the station. "You can't check too closely," he said.

A committee of Swartwood, Q. Cox, KGW-KEX, and Jim Wallace, KAST, was appointed to work out a plan that will be available to Oregon stations to check questionable news or programs. Portland stations have signified their willingness to act as a clearing house for out-state stations in securing information from responsible sources regarding questionable news or information.

## PRODUCER'S RIGHTS UPHeld

Use of the words "Lone Ranger" and "Hi, yo, Silver" in an advertisement of a circus performer who had played the role of the Lone Ranger in a licensed motion picture, were held by the U. S. Circuit Court of Appeals for the Fourth Circuit to infringe the rights of the producer of the show (Lone Ranger, Inc. v. Cox, Jan. 5, 1942). Applying the principles of unfair competition, the court said:

"We entertain no doubt as to the power and duty of a court of equity to afford relief under such circumstances. While the case presented is not precisely similar to that kind of unfair competition involving the use of a corporate or business name or to the ordinary case involving the unfair use of trademarks and trade names, the principle involved is the same as that recognized in these cases, viz., that a court of equity should enjoin any form of 'passing off' which involves fraudulent appropriation, through devices calculated to deceive or mislead the public, of the business or good will which another has built up."

## Wage-Hour

Senator Reed (R.-Kansas) on January 28 introduced a bill (S. 2232) that would extend the work week under the Fair Labor Standards Act of 1938 from forty hours to forty-eight hours. Enacted this would mean that time and one-half would be paid only for the hours worked in excess of forty-eight hours a week.

We print the bill below:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no employer shall be deemed to have violated section 7 (a) of the Fair Labor Standards Act of 1938 by employing any employee for a work-week in excess of forty hours during the remainder of the present war and for a period of six months thereafter, if such employee receives compensation for his employment in excess of forty-eight hours during such workweek at a rate not less than one and one-half times the regular rate at which he is employed.*

almost habitual phase of transmission. Due to the crowding of the spectrum, instead of putting a man on a wave length where there would be no problem as between him and the other stations, or some slight interference, it is impossible to get him in there unless you rig up a very extensive, refined array of antennas, with the various electrical devices, so as to direct the signal in one direction or in two or three directions, and suppress it in one other direction or in two or three other directions. That simply means that while basically the problem is the same—that is, it is a matter of allocation—still when you come to work out one of those cases, in order to make it function, from an engineering point of view, it is much more complicated in the average application.

Then there is the international treaty which takes care in a sense of the division of the standard broadcasting part of the spectrum; the division of that and the division of the wavelengths as between this country and the other countries of North America. That involves day to day administration, correspondence, diplomatic and otherwise, conferences, trying to make all of these cases work out internationally. Any number of them have complications from that point of view.

The television industry is advancing and has been placed upon a commercial basis. It is moving forward quite satisfactorily.

Since we were here before, the most important change has been in the development, at least through the rudimentary stages, of a very interesting scheme of color television. It is thought that scenes might be picked up and broadcast, giving them in full color, in a rough sense comparable to your technicolor motion pictures.

Mr. FITZPATRICK. Do you find much opposition to television?

Mr. FLY. I find this, Mr. Fitzpatrick. There is some opposition in limited circles. I should imagine that it is hard to define, but as you know, when a vested interest is in there, and it is not consistent with television, you have to be on the alert for an opposition either open or undisclosed. And that, of course, is one of the problems in any infant industry.

#### Applications for New Stations—Competition in the Broadcasting Field

Mr. WOODRUM. Have you many new applications for new stations?

Mr. FLY. Yes, a large number. There seems to be no limit upon the number of applications. But, of course, the problem becomes more difficult. Take it in the standard band, where the spectrum is crowded.

Mr. WOODRUM. Where there are existing stations and there are applications to establish other stations, there has been some change in policy of the Commission in recent years about the granting of licenses; has there not? I do not suppose there have been many changes of policy, for that matter, but where there are already stations giving service and you have applications for new stations—

Mr. FLY. By different parties?

Mr. WOODRUM. Yes.

Mr. FLY. There has not been any substantial deviation in Commission policy there, Mr. Chairman. On the whole, I think the Commission has recognized that it cannot very well regulate the competition in the broadcast field. That is, in the statute you declared that it is a competitive industry and we cannot limit the income, we cannot regulate their advertising rates or have any control over profits, or anything of that sort. Of course, we would not endeavor to do so. It is supposed to be wholly competitive.

Then there arises a serious question as to whether we can guarantee existing stations' income by refusing to grant a license to an applicant who is qualified, where the existing stations insist that it will not be a profitable operation, and where it may even cause loss to themselves.

The Supreme Court has indicated a pretty definite disinclination to go into that question, leaving the industry pretty nearly as competitive as in retail grocery stores or drug stores, where there is no guaranty of income, and there is no limit on income, and you go in and establish your store and succeed if you can. The mere fact that there are one or two stores across the street is no bar to your going in.

Mr. WOODRUM. This is purely a licensing proposition. In the case of the grocery store, the Government is not interested in the grocery business, is not supposed to be, and it does not care how many people are in the grocery business or what kind of potatoes they sell. But you can hardly draw that parallel in radio

broadcasting, because certainly the Government is interested in seeing to it that there is good service. It has struck me that it ought to be a matter in which the Commission was interested at least to this extent. Suppose in a community there are two stations giving good service to the community; and by giving good service I mean they are not only affording a means of advertising for the merchants who want to advertise, but they are bringing in sponsored programs which cost them money, and they have to have some income. They have to make some money in order to bring in the N. B. C. chain program or the C. B. S. chain program. Suppose—just to make an exaggerated case, in order to make the illustration—there is a fair economic return for two stations who are rendering good service in that community. Certainly the Commission would not want to see three or four other wildcat stations come in there and throw the whole thing out of gear, and all they would get would be Victrola records played all day long by three or four stations instead of getting good programs by two stations.

Mr. FLY. Yes; I think that is a factor that is deserving of some consideration. I do not know how we can do that to the full logical extreme, although, so long as you have said in the statute that it has got to be a competitive industry.

I do think this—and I think this squares with the Supreme Court's view—that where it can be shown in the extreme case that existing service will be destroyed, that in some way the public interest will be substantially affected in terms of destruction of service—

Mr. WOODRUM. Then you may take cognizance of it?

Mr. FLY. Then conceivably we may take cognizance of it. Because there it would have an impact, and a substantial impact, upon the public service.

Mr. HOUSTON. Is it not true that sometimes a third station coming into the community may serve to bring about the improvement in the service of the other two?

Mr. FLY. Competition is generally assumed to spur that on, that is true. And then, too, another thing that competition has done in this industry quite frequently is this. Competition in the facilities for advertising serves to stimulate advertising itself. If one wholesaler starts advertising his products, the other fellow begins to look alive and may determine that he has got to have a comparable means of advertising. So you cannot assume in advance that the income of two or three or four existing stations is going to be cut down, and that there will be then an equal division between them and the new station. It just does not work out that way.

Mr. HOUSTON. Advertising over the radio has not impaired the advertising value or the advertising income of the newspapers to any extent, has it?

Mr. FLY. The newspapers have maintained I think about as extensive a circulation as ever. There has been a long-range tendency in the newspaper field—and before radio came in, for that matter—to decrease the number of small newspapers. That might be traced a little to the radio, but I think you would have to consider there the factor of fast communication, of good roads, fast transportation, so that the big papers get out to the small town early. And when they can get a big and complete newspaper there at a respectable hour, they are not inclined to buy a smaller sheet that does not give them equivalent service. And then, there is a heavier investment in a newspaper plant than there used to be.

#### Renewal of Broadcasting Licenses—Advisability of Charging Fees

Mr. WOODRUM. Do you still have to renew applications periodically every 60 days or every 6 months, or whatever the period is—that is, for broadcasting licenses?

Mr. FLY. They are renewable every 2 years. We have gradually extended that.

Mr. FITZPATRICK. How much of a fee do they pay?

Mr. FLY. None.

Mr. FITZPATRICK. They do not pay any fee?

Mr. FLY. None, sir.

Mr. WOODRUM. You do not collect any fees at all?

Mr. FLY. None, sir. We have considered that problem and it is our feeling that the industry as a whole at least ought to cover the cost of regulation. That is a theory that has been carried into practice in a number of States in the regulatory field—public utilities and the like. We have considered the possibility of that sort of a tax or system of fees.

Mr. CASE. Would that be on a percentage or a flat fee?

Mr. FLY. We have considered different variations of the plan, sir. In the meanwhile, I was just about to say, the Treasury Department has concerned itself with the problem, I think perhaps from a revenue-producing point of view, and that would be something that would be more extensive than we had in mind. We have simply made our facilities and our information and our cooperation by staff available to the Treasury Department to see what may come out of that.

Mr. FITZPATRICK. Do you suppose that the commission would lose any of its independence if part of its salary came from the owners of the stations?

Mr. FLY. No, sir; I think not, if the Congress provided for the tax. I do not think the present Commission would lose its independence.

Mr. FITZPATRICK. I am not saying that it would. But I was wondering if it would have any bearing on it, if a certain percentage of the money came from the big interests; they might feel that you are partially an employee of theirs.

Mr. FLY. Well, they have felt that in years past to a considerable extent, anyway. But they would have no direct dealing with the Commission in the matter. It would be a tax matter and there would be perhaps only a nominal allocation of the funds to the Commission. I do not think that would be an appreciable factor.

Mr. WOODRUM. I suppose that amateur broadcasters are off the air now for the emergency?

Mr. FLY. Yes, sir; we felt obliged to do that because the thing is just too complicated. We could not watch and listen to them all, and we have got more listening and recording to do now than ever before.

### Network Contracts with Affiliates

Mr. WIGGLESWORTH. Now I want to ask you one question about network contracts with affiliates. As I understand it, licensed affiliates frequently surrender control of their time to these networks to the extent, we will say, of over 40 percent.

Mr. FLY. Oh, yes; more than that.

Mr. WIGGLESWORTH. More than that?

Mr. FLY. Yes.

Mr. WIGGLESWORTH. And that they also authorize in those contracts the networks to increase or decrease the rate which they can charge for their time, and that frequently the chain will get as much as 80 percent of the return from the affiliate's charges. Now, is that a fair statement and, if so, what is the attitude of the Commission in respect to that practice?

Mr. FLY. On the first question, as to whether or not the networks control the rates which the station charges on its own time, that is, for its own local programs advertising national products at least one of the networks is N. B. C. I believe that is the only one. I do not want to be sure, but I will correct the record later if that is in error. The N. B. C. had a provision fixing those rates and requiring that the rates be the same, I believe, as were provided on the network programs. But in the rules which grew out of the monopoly investigation, the Commission prohibited such an agreement, such a restraint upon a station's liberty of action, and I think the practice of the network has since been abandoned. You gentlemen may be interested in reading our report on this point. The subject is discussed at pages 60 and 73.

Mr. WIGGLESWORTH. How about the other question?

Mr. FLY. On network programs, as to the amount the stations get out of it, it varies a great deal. By a very complicated system of calculation, the network contracts from station to station depending upon the audience which the station has, that is, the extent of coverage, the quality of the coverage, the number of people, and all that sort of thing and, for that matter, presumably the number of people who actually listen to the station. There may be other factors which enter into it, but the proportion that the station gets out of the fee for the program will vary considerably. It is clear that in many cases the network gets—I do not know whether it is 80 percent, but they do get the bulk of the fees that come in.

Mr. WIGGLESWORTH. Is that a matter that is left purely between networks and affiliates, or do you exercise any control over it?

Mr. FLY. We have no control over that, sir. That is something the statute does not authorize us to control.

Mr. WIGGLESWORTH. You could control it through your licensing power, of course.

Mr. FLY. Well, I am not sure of that.

Mr. WIGGLESWORTH. At any rate, you are not attempting to do so now?

Mr. FLY. That is right.

Mr. WOODRUM. Of course, one justification for that fee that the chain gets from the portion of fees charged is the fact that the chains give them sustaining programs, do they not—a lot of free programs?

Mr. FLY. Well, in effect they charge them for the sustaining programs and they pay them for carrying the commercials. Again, there is a pretty complex scheme of balancing them off.

### Taxation on Stations and Networks

Mr. WIGGLESWORTH. Now, you spoke about the matter of taxation. As you know, a year ago the Treasury made a study and recommended some taxes on these chains which I think ran up to about \$10,000,000 and the House put those taxes in the bill. Subsequently, I think you appear before the Senate Finance Committee in opposition to those taxes, and the Senate threw them out. I wonder if you have completed the study of that question that you have been working on for a good many years, and whether you have any recommendations?

Mr. FLY. I thought, sir, my previous answer had covered that. In view of the fact that the Treasury itself has begun a study of this specific subject—and I assume, of course, they are interested in it from a revenue-producing point of view—we have made our material and our personnel available to the Treasury so that what we have done by way of studies can be utilized in that way. You see, we are in somewhat of an embarrassing position. It is hardly our job, as a Commission, to appear before the Congress and recommend a tax measure, a revenue measure. Of course, we are concerned with it and that sort of thing, but we recognize that that is primarily a function of the Treasury Department.

Mr. WIGGLESWORTH. How do you reconcile that with the fact that, after they had studied the matter and made recommendations and the House had adopted it, you appeared in opposition before the Senate committee?

Mr. FLY. I think you will find there, sir, I did not appear in opposition to a tax. That was a high gross revenue tax and I did appear and I think it is not unfair to say in opposition. I expressed the thought it was dubious and I still think so. I do not think it was studied through. It would have hit rather severely in certain spots and perhaps it would not have touched substantially at all in many other spots. But I doubt if there was a feasible scheme of taxation, and certainly I was not opposed to the idea of taxation under a well-considered scheme of taxation of the industry; I think there ought to be one.

Mr. WIGGLESWORTH. I may be wrong in my figures and, if I am, I would appreciate it if somebody would correct them, but I think after the proposed Treasury tax of \$10,000,000 had been imposed, the Treasury indicated there would still have been a 40-percent net profit to the stations and networks. I think also your own figures, which you have made public in the course of the last year or so, show that if you take the net profits of the net works and the 700 or more stations before Federal-income taxes are paid, there has been a net profit of something like 66 percent. And that if you do the same thing for just the networks and their 23 managed stations, you find a net profit of something like 300 percent.

If those figures are anywhere near right, it seems to me there is every reason in the world, in these times, for imposing a substantial tax on those who are making a killing out of licenses from the Federal Government for which they do not pay a cent.

Mr. FLY. I agree with you, sir, that there is an appropriate field here for taxation and that many of them can pay such a tax without there being any substantial impact. For example, many of them can pay a tax without being driven out of the profit class. Of course, the major return in the industry is to the networks.

### Monopoly Investigation of Chain Broadcasting

Mr. WIGGLESWORTH. Just one other thing. I understand there is an injunction sought by the three big chains against a threatened antitrust investigation.

Mr. FLY. No. The injunction is sought against the antimonopoly regulations which the Commission has issued.

Mr. WIGGLESWORTH. What lawyer is representing the Government in that connection?

Mr. FLY. Our General Counsel and his assistants are doing the most of the work, sir, in cooperation with the Department of Justice.

Mr. WIGGLESWORTH. Where does Mr. Cahill come into the picture?

Mr. FLY. Mr. John Cahill is former United States Attorney in the Southern District of New York and now a member of the law firm of Wright, Gordon, Zachry, Parlin, and Cahill.

Mr. WIGGLESWORTH. Is Mr. Cahill representing the networks?

Mr. FLY. He has represented the National Broadcasting Co. and, Judge John Burns, former General Counsel of the Securities Commission, up to the present time has represented the Columbia Broadcasting System. Recently Charles Evans Hughes, Jr., has been brought into the case by the Columbia Broadcasting System, and I think he and Judge Burns are associated in the case.

Mr. WIGGLESWORTH. Where does Mr. Brodsky come into the picture—Mr. Samuel Brodsky?

Mr. FLY. Well, Mr. Brodsky is a special assistant attorney general attached to the United States district attorney's office at New York and where, as here, the United States is formally a party in the proceedings he, of course, represents the United States. The Commission, however, is the main party defendant and is the active defendant.

Mr. WIGGLESWORTH. Was Mr. Brodsky a former assistant to Mr. Cahill?

Mr. FLY. Yes; he was an assistant in the district attorney's office when Cahill was there. He was not appointed by Cahill. And I ought to say that the United States attorney there who was formerly associated with Cahill's firm excused himself because of the fact he was formerly associated with Mr. Cahill.

Mr. WIGGLESWORTH. There has been no association between Cahill and Brodsky?

Mr. FLY. None other than I have indicated.

Mr. WIGGLESWORTH. Now, I do not know whether you saw this, but I will just read a quotation from one of the recent radio business letters. I do not know whether there is any further comment you may care to make or not. The letter says:

\* \* \* In 1940 the Antitrust Division wearied of the Federal Communications Commission monopoly investigation of chain broadcasting and demanded all of the evidence and testimony given to the Federal Communications Commission in this inquiry. Federal Communications Commission delayed but promised to get out its monopoly report right away and then send over the desired records. Then the Antitrust Division began to prepare its own action against National Broadcasting Co. and Columbia Broadcasting System and any others believed violating the Sherman Act. However, the Federal Communications Commission issued its chain broadcasting rules and Thurman Arnold's office sat back to see if they would have a salutary effect upon the industry. When radio executives resorted to congressional committees and then showed signs of going into court, Thurman Arnold called officers of National Broadcasting Co., Columbia Broadcasting System, and Mutual Broadcasting System into his office to tell them that he had an antitrust case against them in his mind. That was on October 29, and the next day National Broadcasting Co. and Columbia Broadcasting System went into court to ask injunction against the United States (Federal Communications Commission).

Since the Antitrust Division of the Department of Justice is assigned to defend the Federal Communications Commission in the Federal courts, it was understood that Victor O. Waters, of the Department of Justice staff, began to study the National Broadcasting Co. and Columbia Broadcasting System arguments. Then in a surprising move Attorney General Biddle appointed Samuel Brodsky as Special Assistant to the Attorney General, which left the Antitrust Division wondering if its own case against the radio companies had not already received a coup de grâce.

Is there any additional comment you want to make?

Mr. FLY. I think our own case, that is, the Commission's own report, and the regulations resulting from that were brought into issue by this injunction suit, in which the networks are the plaintiffs and, in that, we have had the cooperation of the department generally—the Attorney General and members of the staff, particularly of the Antitrust Division, including Mr. Waters and others. But the question as to whether the department itself would bring an antitrust action against the networks was a different question and would have involved a different case, in which the United States would have appeared as the plaintiff and as the prosecuting agency, and would have been doing it pursuant to the antitrust laws.

Mr. WIGGLESWORTH. Has that been dropped now? What is the status? Has it been dropped, pending a hearing on the injunction?

Mr. FLY. I do not know, sir. I know it has been given substantial attention by the Department of Justice over a long period, and more intensively since we forwarded our record over there

after we completed our own report. I do not know whether they have concluded to proceed or to abandon.

Mr. WIGGLESWORTH. What is the status of the injunction proceeding?

Mr. FLY. There are presently pending motions by the networks for a preliminary injunction and we, in turn, have motions to dismiss and for summary judgment.

Mr. WIGGLESWORTH. When will those be heard?

Mr. FLY. They will be argued next Monday, December 15.

Mr. WIGGLESWORTH. That is all I have, Mr. Chairman.

Mr. WOODRUM. Thank you, gentlemen.

## BUREAU OF STANDARDS FREQUENCY BROADCAST

The standard frequency service of the National Bureau of Standards station WWV has been extended to include another carrier frequency (15 megacycles). Temporary equipment is still in use while a new transmitting station is being built. The broadcast is continuous at all times day and night from 1-kilowatt transmitters, and carries the standard musical pitch and other features. The radio frequencies are:

5 megacycles (= 5000 kilocycles = 5,000,000 cycles) per second  
15 megacycles (= 15,000 kilocycles = 15,000,000 cycles) per second.

The standard musical pitch carried by the broadcasts is the frequency 440 cycles per second, corresponding to A above middle C. In addition there is a pulse every second, heard as a faint tick each second when listening to the 440 cycles. The pulse lasts 0.005 second, and provides an accurate time interval for purposes of physical measurements.

The 440-cycle tone is interrupted every five minutes for one minute in order to give the station announcement and to provide an interval for the checking of radio measurements based on the standard radio frequency. The announcement is the station call letters (WWV) in telegraphic code (dots and dashes).

The accuracy of the 5- and 15-megacycles frequencies, and of the 440-cycle standard pitch as transmitted, is better than a part in 10,000,000. Transmission effects in the medium (Doppler effect, etc.) may result in slight fluctuations in the 440-cycle frequency as received at a particular place; the average frequency received is however as accurate as that transmitted. The time interval marked by the pulse every second is accurate to 0.000 01 second. The 1-minute, 4-minute, and 5-minute intervals, synchronized with the seconds pulses and marked by the beginning and ending of the announcement periods, are accurate to a part in 10,000,000. The beginnings of the announcement periods are so synchronized with the basic time service of the U. S. Naval Observatory that they mark accurately the hour and the successive 5-minute periods; this adjustment does not have the extreme accuracy of the time intervals, but is within a small fraction of a second.

In general, during the *winter day*, the 5-Mc carrier frequency can be used at all distances out to about 1000 miles and the 440-cycle tone out to about 700 miles; the 15-Mc carrier frequency is usable from about 800 to 5500 miles, and the 440-cycle tone from about 800 to 4000 miles. During the *winter night*, i.e. between about 8 p. m. and 6 a. m. EST, the 5-Mc carrier frequency is usable from about 700 to 7000 miles and the 440-cycle tone from about 700 to 5000 miles; the 15-Mc broadcast is not usable during the winter night, except for the short-distance ground wave (see below). During the *summer day*, the 5-Mc carrier frequency is usable at all distances out to about 400 miles and the 440-cycle tone out to about 300 miles; the 15-Mc carrier frequency is usable from about 900 to 3000 miles and the 440-cycle tone from about 900 to 2500 miles. During the *summer night* before midnight EST, the 5-Mc carrier frequency is usable out to about 2500 miles and the 440-cycle tone out to about 1400 miles, except for a period of 2 or 3 hours before sunrise when it is difficult to receive at distances between about 50 and 400 miles; the 15-Mc carrier frequency is usable from about 1000 to 7000 miles and the 440-cycle tone from about 1000 to 5000 miles.

Besides the distances covered by the sky wave as just described, the ground wave provides coverage at short distances as follows. *At all times*, the 5-Mc carrier frequency is usable out to about 100 miles and the 440-cycle tone out to about 50 miles; and the 15-Mc carrier frequency is usable out to about 70 miles and the 440-cycle tone out to about 35 miles.

The service from the temporary transmitters will continue for

some months. It will be continuous except for such breakdowns as may possibly occur because of the use of temporary apparatus. As rapidly as possible the Bureau is establishing a new station to provide more fully than in the past standard frequencies reliably receivable at all times throughout the country and adjacent areas.

## Radio Training Courses

A dramatized show, backed up by Joey Kerns' orchestra, in behalf of radio technician training courses, has been scheduled by WCAU, Philadelphia, for Sunday, February 8, 11:05-11:30 a. m. It is to be a fast moving show of the "Hurrah America" type. One part will dramatize the use of radio in the Signal Corps and another in the Navy.

This sort of "extra" promotion everywhere will serve to build up a backlog of candidates for these courses. Since State Coordinators have been urged to insert one question covering applicants' draft status this procedure will tend to eliminate those who should not take the course at this time. Emphasis should be placed on men who are ready to serve their country.

While radio technician training courses are being continued and others inaugurated, the good old U. S. Navy continues to reiterate its need for this classification. One of the announcements which the Navy has released for broadcast during the week of February 2 says:

"Attention, *all radiomen* . . . from 17 to 50! The United States Navy needs you . . . and offers you well-paid jobs—to help smash the totalitarian attack on this country! Here are facts about your enlistment . . . if you are qualified: Pay—\$72 a month plus keep! Allowances for dependents—\$1.15 a day! Initial clothing provided! And you'll be given six to eight months' free schooling in operation and care of radio locators, transmitters, receivers, and under-water sound equipment! If you're a high school graduate . . . and *have had experience with radio* . . . your chance to do most for America is to serve as a radio expert in the Naval Reserve! Join today . . . at your nearest Navy Recruiting Station! Knowledge of telegraph code is *not* required!"

### MAILING TO ALL STATIONS

A mailing left Washington January 28 addressed to all stations from A. J. Fletcher, member-in-charge, Radio Technician Training.

All stations are urged to provide the information which Mr. Fletcher requires for the most efficient administration of this job. Enclosed were three suggested spot announcements which carefully detailed the points to stress in the air campaign. One of the announcements prepared by WLS, slightly changed to include an additional fact or two, produced over 2,004 inquiries. He called attention to the fact that men qualified for military service have first preference in this training.

### ST. OLAF COLLEGE

Peter E. Fossum, institutional representative, St. Olaf College, Northfield, Minn., has written that his college intends to participate in the radio technician training program. It is planned to institute the first 16 week program not later than February 15. The training program was called to the attention of St. Olaf by Manager M. C. Jensen, radio station WCAL, Northfield, Minn.

### MISSISSIPPI

During the week details of the radio technician program were forwarded to D. M. Nelson, president and professor of physics, Mississippi College, Clinton, and to G. L. Harrell, professor of physics, Millsaps College, Jackson.

### CHICAGO

Applications running into many thousands have been received by Illinois Coordinator Henry T. Heald, president, Illinois Insti-

tute of Technology, Chicago. From the way the Windy City broadcasting industry and the educators are taking hold of things it is apparent that Chicago will become one of the large training centers of the country. W. E. Hutchinson, station WAAF, Chicago, is the Industry Representative for Illinois.

Carl Meyers, WGN, chief engineer (MBS) is Chairman of the Institution and Instructor Personnel Committee. Other members are Theodore Schreyer, NBC Central Division, and Charles Wariner, president, Associated Broadcasting Technicians' Unit of IBEW, and a staff engineer of WBBM.

Al Hollander, WJJD-WIND, and Frank Baker, WLS, compose the Publicity Committee, while H. B. Lemmon, University of Chicago, A. B. Bronwell, Northwestern University, and R. I. Saracher, Illinois Institute of Technology, make up the Application Processing Committee.

### UNIVERSITY OF SANTA CLARA

George L. Sullivan, institutional representative ESMDT, University of Santa Clara, intends to participate in the radio technician training program. In a letter to C. L. McCarthy, KQW, San Francisco, Mr. Sullivan wrote:

"I believe that we can perform a valuable service for defense and I appreciate very much your willingness to cooperate by designating one of your men to help teach the work and by making some of your facilities in San Jose and Alviso available for use in this instruction work."

### NIAGARA FALLS

Earl C. Hull, general manager, WHLD, Niagara Falls, N. Y., has forwarded his first 100 letters of application for radio technician training courses to the Coordinator for upper New York.

### MILES CITY

Royal E. Nelson, chief engineer, KRJF, Miles City, Mont., wrote that his station had made arrangements for radio technician training classes in Miles City. "We have been given the use of the high school labs for classes and we will donate as much equipment as we can to the cause," Mr. Nelson said. "As our classes advance we will give our students actual experience at control operation on the equipment here at the station . . . this will better prepare students that are going to pass on as full-fledged radio technicians."

### DELIVERED 2004 LETTERS

Station WLS has already delivered 2,004 letters to 32 State Coordinators in the radio technician training program. This was up to January 19. One thousand eighty-seven were delivered to Coordinator Henry T. Heald, president, Illinois Institute of Technology, Chicago, of Illinois. The remainder were divided among 31 states.

WLS' announcement asked listeners to send their inquiry to their nearest radio station if they live outside of Illinois.

### NORTH CAROLINA

Twelve more radio technician training courses are expected to begin in North Carolina approximately February 2. Among the cities in which new courses will be given are: Asheville, Elizabeth City, Gastonia, Greensboro, Goldsboro, Hickory, Kinston and Rocky Mount.

### LYNCHBURG

Word comes from WLVA, Lynchburg, Va., that over 100 applications have been received for radio technician training courses.

### TWIN FALLS

F. M. Gardner, KTFI, Twin Falls, Idaho, writes: "Announcements have been running a couple of days and we have 21 good letter responses, in addition to many inquiries over the telephone."

### CANADA DIRECT

It will be appreciated if broadcasters who receive radio technician inquiries from Canada, in error, will mail such letters directly

to Glen Bannerman, president, Canadian Association of Broadcasters, 1801 Victory Building, Toronto, Ontario. Mr. Bannerman will complete the delivery by turning the letters over to an appropriate agency in Canada.

### KENTUCKY

Nathan Lord, Industry Representative for Kentucky, reports that courses will be definitely established in the following cities: Ashland, Harlan, Lexington, Louisville, Owensboro, Bowling Green, Hopkinsville, Paducah and Henderson.

They will vary in number from twenty to one hundred twenty men each, the latter, of course, being divided into several sections. In addition it is planned to start more courses whenever and wherever possible.

"In the main," said Mr. Lord, "classes will be held at radio stations although in one or two instances high schools with physics laboratories have been selected. Also the radio stations will provide most of the necessary equipment."

The organization meeting last week was attended by station owners, managers and chief engineers as well as educators. In addition representatives attended ABTU, NYA and Ken-Rad Radio Company.

The Universities of Louisville and Kentucky are the only schools with engineering departments so all of these courses in Kentucky will be under their supervision.

### DETROIT

Detroit is assured of radio technician training courses in the very near future because of leadership of the University of Detroit and Wayne University. Decision to organize radio classes by Wayne University was transmitted by A. R. Alliason, head, Electrical Engineering Department.

Ralph R. Johnson, Industrial Coordinator, College of Engineering, University of Detroit, indicated the decision of his school to participate in the program on January 23.

### BLOOMINGTON

A. M. McGregor, WJBC, Bloomington, Ill., has mailed his first batch of radio technician training course applications to the State Coordinator. They were 27 "good" prospects, he said.

### LANSING

Harold F. Gross, president, WJIM, Lansing, is preparing to do an outstanding job. His engineers have already offered their services as instructors so as to increase the number of courses that may be given.

### KALAMAZOO

Kalamazoo College and Western Michigan College, are both located in Kalamazoo, home of WKZO. Station President, John E. Fetzer, has had conferences with representatives of both institutions and with Mr. Libby from the office of the State Coordinator, Dean Dirks of Michigan State College. He writes: "I believe before long we can have these courses opened up here and are bending every effort toward that end."

### GASTONIA

Pat McSwain, WGNC, Gastonia, N. C., writes: "A class of 40 or 45 will begin here February 16 with three qualified instructors . . . with the seven additional applications we are sending to the State Coordinator we have a total of 94 applicants."

### ST. NORBERT COLLEGE

As result of the call for the institution of radio technician training courses there is to be much teaching activity in and around Green Bay, Wis. At the request of the station management of WTAQ, Green Bay, and WHBY, Appleton, Rev. L. F. Jacobs, has been designated to direct the training program. There will be courses for the public, high school students and college students.

On the campus of St. Norbert College, West De Pere, five miles from Green Bay, there will be both a day course and a night

course. A night course will also be given in Green Bay. For the benefit of its students St. Norbert College has definitely incorporated a technician training program in its curriculum, which begins February 2. There will be a course in principles of radio, electricity and magnetism.

St. Norbert high school will offer an introductory course in radio to juniors and seniors provided they meet the requirements. This work will be given by Rev. Father A. Le Mieux, who has done graduate work in radio and electronics.

Arrangements are being made to give an introductory course in radio at Central High School in Green Bay.

W. Stengel, chief engineer, WTAQ and WHBY, will assist Father Le Mieux in the high school work. Rev. Jacobs will take over lectures to the public as well as to the college.

Other members of the station operating staff will lend their services to the construction of demonstration and laboratory equipment.

### TWO MORALE SHOWS

"Keep 'em Singing," 10:45 p. m., Saturday nights, preceding the WWVA Jamboree, is taking the place of "Inquiring Mike," in accordance with radio code. "Keep 'em Singing" is a community sing period and the name was given by listeners. Paul J. Miller, production manager, says:

"The more we think of keeping 'em singing the more we feel that this is a job for the broadcasters to keep up the morale of the country by keeping millions in a singing mood, while at the same time utilizing the many defense announcements, which are of course very necessary."

"America Answers" is a Monday, Wednesday and Friday morning show over WSIX, Nashville, Tenn., which has been inaugurated as a morale show.

Early in the series WSIX interviewed youths as they came to enlist in various branches of the service. One of the first young men interviewed was George Hill from Cookeville, Tenn., a nephew of the famous hero of World War No. 1, Alvin York.

The news photo of the Hill youth enlisting was widely used in newspapers throughout the country.

J. T. Bernard, manager, radio programs, RCA Manufacturing Company, has arranged to include manpower announcements for the Army, Navy, Marine Corps and Coast Guard in the "Music You Want" programs.

### A PROGRAM SUGGESTION

An interested radio listener has sent in the following:

"It was my suggestion that every radio station in the United States broadcast the Star Spangled Banner every Sunday afternoon at the exact time of the Pearl Harbor attack in their respective time zones. This would continue until the end of the war.

"While tire rationing and possible ration tickets will make most Americans aware of the fact that we are at war, there are still too many of our people who are too apathetic.

"The Star Spangled Banner played on Sunday afternoons followed by a stirring announcement that at that time on December 7th the integrity of the United States had been challenged might do much to bring home the fact that we were in an all out war."

### RADIO SET PRODUCTION CUT

The War Production Board, through Acting Director of Priorities, J. S. Knowlson, on January 24, issued Limitation Order L-44, which reduces the production of new radio receiving sets. The curtailment order provides for an average monthly reduction in production, during the next 90 days, of more than 40 per cent below the monthly output during the nine months ending September 30, 1941. Similar cuts were ordered in the number of tube sockets in the sets produced, which will result in corresponding curtailment of the number of tubes used in new sets.

One of the reasons for the order was to provide manufacturing facilities for the manufacturing industry to undertake a two billion dollar military production program. Civilian output must be



reduced drastically, it was explained, so that receiver and parts makers and allied branches of the industry can participate in this effort to the fullest possible capacity. The War Production Board estimates that 60,000,000 radios are now distributed among 87 per cent of the American homes. Permitted civilian production during the next 90 days, together with stocks now in manufacturers' and dealers' hands, it was stated, will meet essential replacement requirements.

## STATION EMPLOYEES BUY SAVINGS BONDS

Paul W. Morency, General Manager of WTIC and W53H, advises that all employees of both stations have subscribed to a payroll deduction plan for the purpose of purchase of United States Savings Bonds. We would be pleased to hear from other stations with respect to similar cooperation.

## Sales

### Campbell-Ewald Proposal

Some stations have received a proposal from the Campbell-Ewald Agency, offering transcribed programs for local syndicated sale. The Agency proposes to charge a fixed fee for the programs, and also wants regular agency commission of 15% on the basis that they "will assist in the local sale."

NAB member stations have pointed out that this is entirely at variance with standard advertising procedure, since the agency could hardly give any actual sales help on a local account, would not service it, would not write the commercial copy, and would not be the agency of record on the account. Another station comments that it appears "Campbell-Ewald want us to take over their new business department."

### Vita-Phates, Inc.

Vita-Phates, Inc., 2770 Broadway, New York, a vitamin-mineral product, has queried some stations for availabilities through the Walter W. Wiley Agency. The company is extremely small; Miss E. Buzby, secretary, reports that a small amount of radio time was used but results were disappointing and she is not interested in further radio. The Manufacturers Trust Co., given as a business reference, reports that the company has maintained a "very small balance"—less than \$100.

### Hotels and Restaurants

A "Summary Table" on hotel and restaurant radio advertising, compiled from reports to "The Broadcast Advertising Record," is available to member stations upon request. The table contains a 59-page list of hotels and restaurants using radio, and shows stations used and service purchased during the period of January-April, 1941. If you wish a copy, write the Department of Broadcast Advertising.

### Mail-Pull Stations Wanted

The Peabody Co., Box 3661, Miami, Fla., manufacturers and distributors of razor blades, cameras, hosiery, etc., have written the NAB for data "on stations that sell merchandise direct to the consumer and the quantity of mail that they pull."

Any stations interested are invited to send evidence of their mail-pulling ability to that address. It is understood that regular rates would be paid.

### When NOT to Advertise

A western advertising manager, after reading a report on "The Importance of Advertising Under Present Conditions" sent to his clients the following letter, which uses effective reverse English to

emphasize the importance of making advertising keep pace with war orders:

"Within the last few weeks I have read a number of statements regarding the importance of advertising under present conditions. After digesting the material it seems to me that a manufacturer—or business man—who finds himself in an oversold condition, or who expects shortly to be oversold, can with all logic discontinue his advertising, provided the following conditions prevail:

1. His present competitors stop advertising.
2. No new competitors enter the field.
3. No one discovers a substitute for his product.
4. None of his present dealers goes out of business.
5. No new dealers enter the picture.
6. The public stops forgetting.
7. The public stops being born.
8. The public stops dying.
9. *He expects to go out of business as soon as the parade is over.*"

### Gov. Lehman Asks Advertising

Gov. Herbert H. Lehman of New York has recommended a continuation of state advertising in his annual budget message to the legislature, although asking a \$5,000,000 reduction in the total state budget. Details are given in *Radio Daily* for January 27. Governors and legislators of other states with advertising appropriations should be interested.

### Department Store Scripts Wanted

The Retail Reporting Bureau, 171 Madison Ave., New York, is cooperating with the NAB in its campaign to interpret radio advertising to department stores. The Bureau issues "*Retail Advertising Week*," a service for department store advertising managers, for which the stores pay a substantial subscription fee.

Milton B. Conhaim, head of the Bureau, has agreed to devote space regularly to radio. Previous issues have dealt almost exclusively with newspaper advertising.

Stations are requested to cooperate by sending to Mr. Conhaim complete scripts used by department stores, as well as all other information on the campaigns that they can supply. Active cooperation by NAB member stations will go a long ways towards developing additional department store revenue.

### Progress Among Theatres

That some progress has been made in the industry drive to secure more advertising revenue from amusement enterprises, and especially from motion picture producers and exhibitors, is shown by a response from Robert D. Hussey, Director of Radio Activities for Paramount Pictures, Inc., to the NAB Department of Broadcast Advertising.

Weekly radio scripts, furnished by Hussey's department to radio stations, are designed for sponsorship by local accounts, he said.

"Budgets set up by our advertising representatives throughout the country always contain allotments for radio advertising directly proportionate to billboard and newspaper advertising. Paramount has repeatedly suggested to such (local) exhibitors the wisdom of purchasing radio time as an excellent advertising medium. For several years past we have offered them without cost, recorded spot announcements and 15-minute transcribed programs, through the use of which they buy local radio time. A recent survey discloses that as a result of our efforts, exhibitors releasing Paramount pictures have led the field in the purchase of radio spot announcements and time programs."

Growing paper shortages are expected to work to radio's advantage as a local theatrical advertising medium, as it has already done in Australia. Member stations have pointed out that increased amusement billings can be obtained partly through greater sales effort, and partly through the exercise of greater care in the donation of free time to amusement enterprises.

### Per-Inquiry and Free Time

United Radio-Television Institute, Inc., Newark, N. J., is seeking per-inquiry deals for its correspondence course, purporting to train radio technicians.

**United Advertising Companies, Inc.**, Chicago, previously listed in REPORTS, is now offering proposals on behalf of Westminster Insurance Agency, stating that "we are buying this on a straight time basis. However, should the station fail to produce inquiries at (a stated sum) each, we will be forced either to cancel or discontinue payment for time until the number of inquiries reaches the figure of (the stated sum) per inquiry."

**Aviation Arts**, Hollywood, wants per-inquiry deals on its "Wings for Americans" booklet.

**Barbara Gould, Inc.**, New York, is sending scripts to "beauty editors" and conductors of women's programs asking free promotion for its Barbara Gould Blackhead Treatment and Evening in Paris cosmetics.

**The Ferriss Pharmaceutical Co.**, Chicago, has circularized stations with a P-I proposal on Cahill pipes and tobacco. The letter mentioned such leading stations as WLS, WJR and WLW, although it did not state that they were accepting the business on a contingent basis. *These stations definitely do not accept that kind of business and their orders were placed at regular rates.* E. F. Hinkamp, president of the company and author of the circular, has written NAB that his circular did not say the stations mentioned were on a per-inquiry basis, and that "it certainly was not intended." This case is similar to others where the call letters of leading reputable stations have been used, and other stations have been led to believe that per-inquiry business was being accepted. Stations are advised to be on the alert for such statements, and not to be misled by vague or clever phraseology.

Requests for free time have been sent to stations by **France-Libre-Unie, Inc.** (United Free France), of New York. This organization, while undoubtedly serving a worthy cause, is extremely small and local in its operations. It occupies one office in an old building on Lexington Avenue, has no regular staff, but is served chiefly by volunteers. Its monthly financial report for December showed proceeds of \$1550.45, of which 75% went to a trust account for material aid to the Free French Colonies, and 25% to a general expense account.

## ANNUAL ADVERTISING AWARDS

Speakers for the Annual Advertising Awards Presentation Dinner at the Waldorf-Astoria on February 6 have been announced by F. C. Kendall: W. L. Batt, Chief, Requirements Committee, War Production Board; Thomas E. Dewey, and Sir Gerald Campbell.

## CONFERENCE ON CHILDREN'S RADIO PROGRAMS

Dr. John W. Studebaker, U. S. Commissioner of Education and FREC Chairman, announces that on February 9 a meeting of his Committee will be held to consider the possibility of establishing a special research and service agency devoted to improvement of children's radio programs. This is an important conference to all radio broadcasters and suggestions that might be helpful are cordially solicited. NAB will be glad to clear these through to the Committee.

## LEGISLATION

### FEDERAL

S. 2232 (Reed, R-Kansas) **WAGES AND HOURS**—To provide that the workweek established by the Fair Labor Standards Act of 1938 shall temporarily be extended from forty hours to forty-eight hours. Referred to Committee on Education and Labor.

### STATE

NEW YORK:

S. 462 (Williamson) **SMALL LOAN INTEREST—ADVERTISING**—Requires that in advertising for loans and in other statements by licensed lenders of small loans, rate of interest or charge shall be stated as rate per centum per month on unpaid principal balances. Referred to Committee on Banks.

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 2. They are subject to change.

#### Monday, February 2

WJAX—City of Jacksonville, Jacksonville, Fla.—C. P., 930 kc., 5 KW, DA-night, unlimited.

#### Consolidated Hearing

NEW—Beauford H. Jester, Waco, Texas.—C. P., 1230 kc., 250 watts, unlimited.

NEW—Roy Branham Albaugh, Waco, Texas.—C. P., 1230 kc., 250 watts, unlimited.

#### Further Hearing

WGST—Georgia School of Technology, Atlanta, Ga.—Renewal of license (main & auxiliary), 920 kc., 1 KW night, 5 KW day, unlimited.

#### Friday, February 6

KGNC—Plains Radio Broadcasting Co., Amarillo, Texas.—C. P., 860 kc., 5 KW night, 10 KW day, DA-night, unlimited.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.—Granted renewal of license for the period beginning February 1, 1942 (B1-R-138).

WPRA—Puerto Rico Advertising Co., Mayaguez, P. R.—Granted modification of temporary license (B-ML-1103), pending decision on renewal application, to change frequency from 790 to 990 kc., and increase day power from 2½ to 5 KW.

KTHS—Hot Springs Chamber of Commerce, Hot Springs, Ark.—Granted extension of Special Service Authorization (B3-SSA-24) to operate unlimited hours with 1 KW night, 10 KW LS simultaneously with WBAL for the period ending February 1, 1943.

WJNO—Laura O'Brien, Executrix under the Last Will & Testament of J. J. O'Brien, deceased (transferor); Louis Marshall Heminway and John Hylan Heminway (transferees), West Palm Beach, Fla.—Granted consent (B3-TC-281) to relinquishment of control of WJNO, Inc., Station WJNO, from Laura O'Brien, Executrix under the Last Will and Testament of J. J. O'Brien, deceased, to Louis Marshall Heminway and John Hylan Heminway.

Board of Education, City of Buffalo, Buffalo, N. Y.—Granted construction permit (B1-PED-24) for new station to operate on 42900 kc., 1 KW, special emission for frequency modulation. Applicant proposes to broadcast educational programs, including science, art, music, English, vocational guidance, safety, and national defense, to the school system of Buffalo, embracing 13 high schools and 80 grammar schools with more than 75,000 students, as well as general educational and patriotic programs to the general public. Secondly, will provide training of students in radio operation and transmission. Station will be located at Seneca Vocational High School.

New Jersey Broadcasting Corp., Jersey City, N. J.—Granted construction permit (B1-PH-70) for new station to operate on 49100 kc., with a service area of 6,200 square miles.

Bremer Broadcasting Corp., Jersey City, N. J.—Granted construction permit (B1-PH-72) for new station to operate on 49500 kc., with a service area of 6,200 square miles.

Radio Service Corp. of Utah, Salt Lake City, Utah.—Granted construction permit for new station to operate on 331000 kc., 25 watts and special emission for frequency modulation on an experimental basis only, to be used in connection with applicant's FM broadcast station K47SL; granted subject to condition that no construction be undertaken pending completion of the investigation under Order No. 79 (B5-PST-5).

Westinghouse Radio Stations, Inc., Boston, Mass.—Granted construction permit (B1-PST-9) for new station to operate on 331600 kc., 25 watts, on an experimental basis only, to be used in connection with applicant's international broadcast station WBOS.

WWPG—R. S. Erskine (transferor), Charles E. Davis (transferee), Lake Worth Broadcasting Corp., Lake Worth, Fla.—Granted consent to the acquisition of control of Lake Worth Broadcasting Corp. (Station WWPG), from R. S. Erskine to Charles E. Davis, by transferring 40 shares of stock for a consideration of \$4,000 (B3-TC-286).

KIEM—Redwood Broadcasting Co., Inc., Eureka, Calif.—Granted modification of license (B5-ML-1102) to increase night power from 500 watts to 1 KW, subject to proof of interference protection to Canadian Station CFCT.

WSAI—The Crosley Corp., Cincinnati, Ohio.—Granted construction permit for installation of 100 watt booster amplifier for use during daytime in connection with Station WSAI.

W9XCV—The Journal Company (The Milwaukee Journal), Milwaukee, Wisc.—Granted application for modification of construction permit for experimental television relay broadcast station for extension of commencement and completion dates to April 27 and October 27, 1942, respectively.

W6XHT-W6XHH—Hughes Tool Co., San Francisco, Calif., Los Angeles, Calif.—Granted application for modification of construction permits for experimental television broadcast stations W6XHT and W6XHH for extension of commencement and completion dates for a period of 6 months from January 15, 1942.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted petition for further extension of temporary license for period of 90 days, from February 1, 1942, pending Commission action on applications requesting WBAX facilities.

## DECISIONS

The Commission announced proposed grant of a construction permit to the Brown Radio Service and Laboratory, Gordon P. Brown, owner, to change the operating assignment of Station WSAY, at Rochester, N. Y., from 1240 to 1370 kc., increase power from 250 watts to 1 KW, move transmitter site locally, make changes in transmitting equipment, and install directional antenna for both day and night use (B-145). A mutually exclusive application by Edward J. Doyle of Rochester for the same facilities, which figured in a joint hearing, was denied, but without prejudice to the right of Doyle to apply for the frequency to be vacated by WSAY or any other available frequency.

The Commission also announced proposed grant of a construction permit to Western Gateway Broadcasting Corporation for a new broadcast station at Schenectady, N. Y., to operate on 1240 kc. with power of 250 watts, unlimited time. In so doing it, of necessity, proposed denial of an application by Van Curler Broadcasting Corporation for the same facilities.

On August 14, 1940, the Van Curler application was granted and the Western Gateway application was designated for hearing. Thereafter, on October 2, 1940, the Commission, upon considering petitions for rehearing, set aside the Van Curler grant and ordered a consolidated hearing, which was held April 3, 4 and 5, 1941.

On the basis of this hearing and other record the Commission in its Proposed Findings (B-143) concludes:

"Western Gateway Broadcasting Corporation is qualified in every respect to construct and operate the station proposed; it proposes to render a balanced program service comparable to that normally provided by local broadcast stations; and its proposed station would provide a satisfactory technical service throughout the City of Schenectady and the rural areas contiguous thereto.

"As already shown, one of the three directors of Van Curler Broadcasting Corporation, while testifying under oath, deliberately misrepresented the facts concerning the payment for his stock in

the company, and it was only after persistent cross-examination that he finally revealed the true facts in connection therewith. This factor is vital in that it would reflect upon the credibility of statements or information which the Commission may require him to supply as a director of the corporation in connection with the operation of the proposed station. In the performance of our duties we must, among other things, determine whether the operation of proposed stations, or the continued operation of existing stations, would serve public interest, and in so doing "we are, of necessity, required to rely to a large extent upon statements made by station licensees, or those connected therewith. Caution must, therefore, be exercised to grant station licenses only to those persons whose statements are trustworthy. Taking cognizance of the attempt of the witness to mislead the Commission, and his connection with Van Curler Broadcasting Corporation, we are of the opinion that this applicant is not qualified to become the licensee of the station proposed by it. Moreover, while this applicant has made a showing of the public service programs \* \* \* it expects to broadcast, it has not adduced evidence as to its other program plans. We are, therefore, unable to find from this record that the applicant, Van Curler Broadcasting Corporation, would provide a well-balanced program service, or a service comparable or superior to that proposed by Western Gateway Broadcasting Corporation.

"After considering the foregoing factors in the light of the entire record, we conclude, and so find, that the granting of the application of Western Gateway Broadcasting Corporation (Docket No. 5900) would, but that of Van Curler Broadcasting Corporation (Docket No. 5196) would not, serve public interest, convenience and necessity. Having reached this conclusion, it follows that the application of Western Gateway Broadcasting Corporation should be granted and that of the Van Curler Broadcasting Corporation denied."

## DESIGNATED FOR HEARING

Fred C. Morgan, Harrison Eiteljorg, Roger A. Beane, d/b as Hoosier Broadcasting Co., Indianapolis, Ind.—Designated for hearing application for construction permit (B4-P-3292) for a new station to operate on 810 kc., 250 watts, daytime.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Designated for hearing application for modification of construction permit (B4-MP-1210; B4-ML-386) for approval of directional antenna for day and night use on frequency 1380 kcs. with power of 5 KW.

## LICENSE RENEWALS

Granted renewal of following broadcast station licenses for the period ending in no event later than October 1, 1942:

KGDE, Fergus Falls, Minn.; KGFV, Kearney, Nebr.; WTOL, Toledo, Ohio; KAND, Corsicana, Tex.; KIUL, Garden City, Kans.; KSUB, Cedar City, Utah; WDSM, Superior, Wisc.; KADA, near Ada, Okla.; KAVE, Carlsbad, New Mexico; KVNU, near Logan, Utah.

Granted renewal of following broadcast station licenses for the period ending in no event later than October 1, 1943:

KEUB, Price, Utah; KDNT, Denton, Tex.; WMSD, Muscle Shoals City, Ala.; WIBM, Jackson, Mich.; WGPC, Albany, Ga.

Granted renewal of following broadcast station licenses for the period ending in no event later than August 1, 1943:

KIUN, Pecos, Tex.; KIUP, Durango, Colo.; KTSW, Emporia, Kans.; KRMC, Jamestown, N. Dak.; WFOR, Hattiesburg, Miss.; WHUB, Cookeville, Tenn.; WGIL, Galesburg, Ill.; WCBY, Columbus, Miss.; KGFL, Roswell, New Mexico; KICA, Clovis, New Mexico; KTEM, Temple, Tex.

Granted renewal of following broadcast station licenses for the period ending in no event later than December 1, 1943:

KOVC, Valley City, N. Dak.; WKBZ, Muskegon, Mich.; KVOE, Santa Ana, Calif.; WGKV, Charleston, W. Va.; WMJM, Cordele, Ga.; WHBB, Selma, Ala.; KWEW, Hobbs, N. Mex.; KTOH, Lihue, Hawaii; WMRN, Marion, Ohio.

Granted renewal of following broadcast station licenses for the period February 1 1942, to not later than February 1, 1944:

KMMJ, Grand Island, Nebr.; WMAZ and auxiliary, Macon, Ga.; WLAW, Lawrence, Mass.; WABC and auxiliary, New York, N. Y.; WHKC, Columbus, Ohio.

Granted renewal of following broadcast station licenses for the period February 1, 1942, to not later than April 1, 1944:

KYW, Philadelphia, Pa.; WHO, Des Moines, Iowa; WMBI, Chicago, Ill.; WNEW and auxiliary, New York, N. Y.; KFBK, Sacramento, Calif.; KSL, Salt Lake City, Utah; KTHS, Hot Springs National Park, Ark.; WCAR, Pontiac, Mich.

Granted renewal of following broadcast station licenses for the period February 1, 1942, to not later than February 1, 1944:

WFAA, Dallas, Tex.; WSM and auxiliary, Nashville, Tenn.; WSB and auxiliary, Atlanta, Ga.; WOR and auxiliary, New York, N. Y.

Granted renewal of licenses for the following stations for the period February 1, 1942, to February 1, 1944:

KGO and auxiliary, San Francisco; WENR, Chicago; WJZ and auxiliary, New York City.

Licenses for the following stations were further extended upon a temporary basis, pending determination upon application for renewal, for the period ending March 1, 1942:

KFJB, Marshalltown, Iowa; WBRB, Red Bank, N. J.; WFTC, Kinston, N. C.; WGCM, Gulfport, Miss.; WGRM, Greenwood, Miss.; WJMA, Covington, Va.; WCBT, Roanoke Rapids, N. C.; KATE, Albert Lea, Minn.; KBST, Big Springs, Texas; KCMC, Texarkana, Texas; KFGQ, Boone, Iowa; KGIW, Alamosa, Colo.; KGKL, San Angelo, Texas; KPLT, Paris, Texas; KRBC, Abilene, Texas; KVAK, Atchison, Kans.; KVGB, Great Bend, Kans.; WMAN, Mansfield, Ohio; KQRS, Rock Springs, Wyo.; KWLK, Longview, Wash.; WBNY, Buffalo, N. Y.; KVWC, Vernon, Texas; WFPG, Atlantic City, N. J.; WGNC, Gastonia, N. C.; WKBV, Richmond, Ind.; WKEU, Griffin, Ga.; WMFJ, Daytona Beach, Fla.; WMIS, Natchez, Miss.; WRJN, Racine, Wisc.; WSPB, Sarasota, Fla.; KFBI, Wichita, Kans.; WMEX, Boston, Mass.; KGGF, Coffeyville, Kans.; WOWO, Fort Wayne, Ind.; WNYC and auxiliary, New York; KOA, Denver; KWJJ, Portland, Ore.; KWKH, Shreveport, La.; WDGY, Minneapolis, Minn.; WDZ, Tuscola, Ill.; WGY, Schenectady, N. Y.; WHB and auxiliary, Kansas City, Mo.; WJSV, Washington, D. C.; WKBW, Buffalo, N. Y.; WLW, Cincinnati, Ohio; WOI, Ames, Iowa; WPTF and auxiliary, Raleigh, N. C.; WQXR and auxiliary, New York City; WRUF, Gainesville, Fla.; KXL, Portland, Ore.; WIBC auxiliary, Indianapolis, Ind.; KITE, Kansas City, Mo.; WORK, York, Pa.; WGY auxiliary, Schenectady, N. Y.

Granted renewal of licenses on a temporary basis only, pending receipt of and determination upon application for renewal, for the period ending April 1, 1942:

KGU, Honolulu, T. H.; KTRB, Modesto, Calif.; WCAZ, Carthage, Ill.; WLB, Minneapolis, Minn.

Granted extension upon a temporary basis only, pending receipt of and/or determination upon applications for renewal of license, in no event later than March 1, 1942, of following licenses:

W2XAB, New York, N. Y.; W2XVT, Passaic, N. J.; W2XWV, New York, N. Y.; W3XE, Philadelphia, Pa.; W3XP, Philadelphia, Pa.; W9XBT, Chicago, Ill.; W9XUI, Iowa City, Iowa; W10XKT, Allen B. DuMont Laboratories, Inc., portable mobile.

WLWO—The Crosley Corp., Cincinnati, Ohio—Granted renewal of license for the period ending November 1, 1942.

Granted renewal of following television station licenses for the period February 1, 1942, to February 1, 1943 (areas shown):

W2XBT, New York, N. Y.; W2XBU, New York, N. Y.; W3XAD, Camden, N. J.; W3XEP, Camden, N. J.; W6XAO, W6XDU, Los Angeles, Calif.; W9XZV, Chicago, Ill.; WNBT, New York, N. Y.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than March 1, 1942.

W2XVP—City of New York, Municipal Broadcasting System, New York City, N. Y.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than March 1, 1942.

W5XAU—WKY Radiophone Co., Oklahoma City, Okla.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than March 1, 1942.

WFIN—Findlay Radio Co., Findlay, Ohio—Granted license (B2-L-1585) to cover construction permit (B2-P-2846) for new station; **1330 kc.**, 1 KW, daytime. Also granted authority to determine operating power by direct measurement (B2-Z-1322).

KSCJ—Perkins Bros. Co. (The Sioux City Journal), Sioux City, Iowa—Granted license (B4-L-1574) to cover construction permit (B4-P-2290) for installation of directional antenna for night use, and increase in power to 5 KWS; also authority to determine operating power by direct measurement (B4-Z-1313).

KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—Granted license (B3-L-1586) to cover construction permit (B3-P-3369) for installation of new transmitter.

WEBC—Head of the Lakes Broadcasting Co., Duluth, Minn.—Granted license (B4-L-1552) to cover construction permit (B4-P-2821) for installation of directional antenna for night use, and increase in power. Also authority to determine operating power by direct measurement of antenna input (B4-Z-1281).

KPRO—Broadcasting Corp. of America, Riverside, Calif.—Granted authority to determine operating power by direct measurement of antenna power (B5-Z-1323).

WCRC—Columbia Broadcasting System, Inc., Brentwood, N. Y.—Granted license (B1-LIB-21) to cover construction permit (B1-PIB-26) authorizing a new international broadcast station; **6060, 6120** (conditionally), **6170, 9650, 11830, 15270, 17830, 21520, 21570 kc.**; 50 KW; sharing with WCBX on all frequencies; share **6060** with KWID.

WSO—Paducah Broadcasting Co., Inc., Henderson, Ky.—Granted license (B2-L-1584) to cover construction permit (B2-P-3149) for new station; **860 kc.**; 250 watts; daytime. Also authority to determine operating power by direct measurement of antenna power (B2-Z-1321).

WARM—Union Broadcasting Co., Scranton, Pa.—Granted authority to determine operating power by direct measurement of antenna input (B2-Z-432).

WELE—WBNS, Inc., Portable-Mobile, Area of Columbus, Ohio—Granted license (B2-LRE-372) for reinstatement of license of relay station; **31220, 35620, 37020, 39260 kc.**; 2 watts; to be used with standard broadcast station WBNS.

KCRC—Enid Radiophone Co., Enid, Okla.—Granted license (B3-L-1594) to cover construction permit (B3-P-3400, to reinstate B3-P-2810) for increase in power to 1 KW; new transmitter and direction antenna for day and night use, and authority to determine operating power by direct measurement (B3-Z-1330).

Columbia Broadcasting System, Inc., New York, N. Y.—Granted special temporary authority to eliminate the usual hour and half-hour station identification on all radio broadcast stations affiliated with the Columbia network during the President's Birthday Ball broadcast between 11:15 p. m., EST, January 30, 1942, and 12:15 a. m., EST, January 31, 1942, only.

Mutual Broadcasting System, Inc., New York, N. Y.—Granted special temporary authority to eliminate the pause for station identification on all radio broadcast stations affiliated with the Mutual network during following programs: "March of Dimes" from 11:15 p. m., EST, January 24, 1942, to 12:15 a. m., EST, January 25, 1942; "Birthday Greetings" from 12 midnight, EST, January 29, 1942, to 1 a. m., EST, January 30, 1942; and the President's Birthday program from 11:15 p. m., EST, January 30, 1942, to 12:15 a. m., EST, January 31, 1942, only.

W2XCB—Columbia Broadcasting System, Inc., Portable-Mobile (area of New York City)—Granted modification (B1-MPVB-68) of construction permit (B1-PVB-46) which authorized a new television relay broadcast station, for extension of completion date to July 7, 1942.

W2XEO—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted special temporary authority to operate ST station W2XEO on **331,000 kc.**, 50 watts, special emission for frequency modulation, using temporary antenna located on roof of building, 408 State St., Schenectady, in order to relay programs to High Frequency Broadcast Station W47A (which operates under special temporary authority) for a period ending not later than February 24, 1942, pending completion of construction in accordance with permit.

W2XOY—General Electric Co., New Scotland, N. Y.—Granted extension of special temporary authority to operate a high

- frequency experimental broadcast station on **43200 kc.**, 2500 watts, special emission for frequency modulation, with the transmitter located at New Scotland, N. Y., for period January 28 to not later than February 24, 1942.
- W55M**—The Journal Company (The Milwaukee Journal), Milwaukee, Wis.—Granted extension of special temporary authority to operate frequency modulation station commercially on **45500 kc.**, 3000 watts, special emission for frequency modulation, with transmitter located at 606 West Wisconsin Ave., Milwaukee, from January 26 to not later than March 26, 1942, subject to any rules and regulations that may be adopted by the Commission.
- Blue Network Company, Inc.**, New York, N. Y.—Granted special temporary authority to eliminate the pause for station identification on all radio broadcast stations affiliated with the Blue Network during programs broadcast in the interest of the campaign for funds to fight Infantile Paralysis on following dates: 11:15 p. m., EST, January 24, 1942, to 12:15 a. m., EST, January 25, 1942; 12 midnight, EST, January 29, 1942 to 1 a. m., EST, January 30, 1942; and 11:15 p. m. EST, January 30, 1942, to 12:15 a. m., EST, January 31, 1942, only.
- National Broadcasting Co., Inc.**, New York, N. Y.—Granted special temporary authority to eliminate the pause for station identification on all radio broadcast stations affiliated with the NBC Red Network during programs broadcast in the interest of the campaign for funds to fight Infantile Paralysis on following dates: 11:15 p. m., EST, January 24, 1942, to 12:15 a. m., EST, January 25, 1942; 12 midnight, EST, January 29, 1942, to 1 a. m., EST, January 30, 1942; and 11:15 p. m., EST, January 30, 1942, to 12:15 a. m., EST, January 31, 1942, only.
- WTMA**—Atlantic Coast Broadcasting Co., Charleston, S. C.—Granted modification of construction permit as modified for installation of new transmitter, directional antenna for night use, change frequency, increase power and move transmitter, for extension of completion date from January 21 to April 21, 1942 (B3-MP-1481).
- WIBA**—Badger Broadcasting Co., Madison, Wis.—Granted modification of construction permit as modified for new transmitter, increase in power, changes in directional antenna system, move studio and transmitter, for extension of completion date from January 20 to February 20, 1942 (B4-MP-1493).
- WGTM**—WGTM, Inc., Wilson, N. C.—Granted extension of special temporary authority to operate with studio at 115 West Nash St., Wilson, N. C., in lieu of site specified in construction permit, from January 22 to not later than February 20, 1942.
- WSON**—Paducah Broadcasting Co., Inc., Henderson, Ky.—Granted motion for leave to file appearance in re application for modification of construction permit to operate on **860 kc.**, 500 watts daytime; previously due January 15, 1942.
- WHEC**—WHEC, Inc., Rochester, N. Y.—Granted petition for dismissal without prejudice application for construction permit to operate on **790 kc.**, 5 KW, unlimited, directional antenna night and day.
- William J. Bray, James L. Ewing, T. B. Lanford, and John C. McCormack, d/b as Capitol Broadcasting Co.**, Port Allen, La.—Granted petition to dismiss without prejudice application for construction permit for new station.
- The Constitution Broadcasting Co.**, Atlanta, Ga.—Granted motion for leave to amend application for new station so as to specify a different directional antenna design or a different site, or both, on condition that the amendment is filed within 14 days; continuance denied.
- WELL**—Federated Publications, Inc., Battle Creek, Mich.—Granted motion for continuance of hearing in re application for renewal of license, now scheduled for March 4, to March 16, 1942.
- WIRE**—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted motion for leave to amend application to substitute photographs of proposed site, in re construction permit to operate on **1190 kc.**, 50 KW, unlimited time, directional antenna night; not removed from docket.
- KFRO**—Voice of Longview, Longview, Tex.—Granted motion that hearing on application for modification of construction permit to operate on **1370 kc.**, 5 KW, unlimited, directional antenna night, be continued for 90 days (May 18, 1942); hearing was scheduled for February 16, 1942; denied as to request to place in pending files.
- Bob Jones College, Inc.**, Cleveland, Tenn.—Granted motion for leave to amend application for new station with respect to directional antenna design, on condition that amendment is filed within 14 days; hearing now scheduled for March 16; denied as to continuance of hearing.
- News Syndicate Co., Inc.**, New York, N. Y.—Granted motion for order to take deposition in re hearing on application for construction permit for new station.
- WCAX**—Burlington Daily News, Inc., Burlington, Vt.—Denied petition to intervene and to enlarge issues in re hearing on applications of Yankee Broadcasting Co., Inc., New York, N. Y., and Newark Broadcasting Corp., Newark, N. J., for new stations; exception noted by counsel for WCAX.
- KFQD**—Anchorage Radio Club, Inc., Anchorage, Alaska—Granted extension of special temporary authority to operate unlimited time instead of S. H.—6 p. m. to midnight, LST, from January 21 to not later than March 1, 1942.
- KGA**—Louis Wasmer, Spokane, Wash.—Granted special temporary authority to operate with power of 5000 watts on non-directional antenna, using transmitting equipment specified in construction permit and located at 4102 South Regal St., Spokane, in lieu of site specified in existing license, for a period not to exceed 30 days, pending completion of construction, provided present tower dismantled immediately when operation begins at new site.
- W67NY**—Columbia Broadcasting System, Inc., New York, N. Y.—Granted extension of special temporary authority to operate frequency modulation station W67NY commercially on **46700 kc.**, 3 KW, special emission for frequency modulation, using temporary antenna, with transmitter located at 500 Fifth Ave., New York City, from January 30 to not later than March 30, 1942, pending completion of construction in accordance with construction permit as modified.
- W49PH**—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate frequency modulation station W49PH commercially on **44900 kc.**, 1 KW, special emission for frequency modulation, using temporary coaxial antenna, with transmitter located at 35 South Ninth St., Philadelphia, from February 2 to not later than April 2, 1942, pending completion of construction in accordance with construction permit as modified.
- WAAF**—Drovers Journal Publishing Co., Chicago, Ill.—On Commission's own motion supplemented the notice of issues heretofore released on the application for construction permit (Docket No. 6129).
- W47A**—The Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted extension of special temporary authority to operate high frequency broadcast station W47A on a commercial basis, using temporary antenna system and temporary main studio at the transmitter of the subject station, pending completion of construction and submission of additional data with license application, for the period January 27 to not later than February 25, 1942.
- WCBW**—Columbia Broadcasting System, Inc., New York, N. Y.—Granted extension of special temporary authority to operate television broadcast station WCBW in accordance with construction permit (B1-PCT-2 as modified B1-MPCT-3) except with four KW aural and visual power from January 27 to not later than February 25, 1942.
- W2XYC**—General Electric Co., Schenectady, N. Y.—Granted extension of special temporary authority to use already licensed Class I experimental Station W2XYC on **161775 kc.**, power of 25 watts, special emission for frequency modulation, in order to relay to high frequency experimental station W2XOY programs originating in the General Electric studios in Schenectady, N. Y., for a period beginning February 2, 1942, and ending in no event later than March 3, 1942, pending action on application for construction permit and installation of ST transmitter.
- W2XQR**—John V. L. Hogan, Long Island City, N. Y.—Granted extension of special temporary authority to operate on **45900 kc.**, with 1000 watts power, special emission for frequency modulation, using temporary antenna, with transmitter located atop the Chanin Building, 122 East 42nd Street, New York City; composite maximum rated carrier output 1000 watts; facsimile modulation may be employed in connection with the program of research and experimentation. (No authority is contained herein to conduct a facsimile broadcast service.) Authority granted from January 27 to not later than March 28, 1942.

WNAC—The Yankee Network, Inc., Boston, Mass.—Granted special temporary authority to operate auxiliary transmitter of Station WAAB as an auxiliary transmitter for Station WNAC for a period not to exceed 30 days, pending filing of and action on application for same.

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—Granted special temporary authority to install and operate composite 1 KW transmitter, using 660-foot tower with non-directional antenna, at Madera and North Avenues, Kerman, Calif., in lieu of site specified in existing license, for a period not to exceed 10 days.

WQXR—Interstate Broadcasting Co., Inc., New York City.—Extended special temporary service authorization from February 1, 1942, to no later than March 1, 1942, to operate with power of 10 KW, non-directional antenna, unlimited time, on 1560 kc., subject to condition that if and when Cuba signifies its intentions of using its facilities on this channel, the licensee herein will take such steps as are necessary to comply with previous authorization (B1-MP-1086) in time to prevent objectionable interference to Cuba.

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Denied request for special service authorization to operate from sunset Buffalo to local sunrise with power of 1 KW, employing non-directional antenna.

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Denied petition for review by the Commission en banc of the action of the Motions Commissioner on January 16, 1942, denying a petition to intervene in the consolidated hearing of Yankee Broadcasting Co., Inc., and Newark Broadcasting Corp., for a new station in the New York City area to operate on 620 kc., approved action of Motions Commissioner in denying petition to intervene.

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Denied petition to reconsider and grant without hearing application for a construction permit to change operating assignment from 1240 kc., 250 watts power, unlimited time, to 580 kc., 1 KW, unlimited time, with directional antenna night (hearing scheduled for February 27, 1942).

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Denied motion and supplement thereto to return the application of Thomas Patrick, Inc. (KWK), for construction permit (B4-P-2364) to the applicant and cancel hearing thereon (Docket No. 5701).

WPER—Tropical Broadcasting Co., De Land, Fla.—On advice that permittee has decided not to proceed with construction, Commission retired construction permit to closed files and deleted station and call letters.

## APPLICATIONS FILED AT FCC

### 550 Kilocycles

WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—Construction permit for changes in transmitting equipment, changes in antenna system, change in frequency from 1490 to 550 kc., using power of 100 watts night, 250 watts day.

### 610 Kilocycles

NEW—The Continental Broadcasting Co., Salt Lake City, Utah.—Construction permit for a new broadcast station to be operated on 610 kc., 1 KW, unlimited time, using directional antenna. Amended: re site and changes in directional antenna.

### 630 Kilocycles

WMAL—M. A. Leese Radio Corp., Washington, D. C.—Modification of license to change name to The Evening Star Broadcasting Co.

### 660 Kilocycles

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—Construction permit to change frequency from 610 to 660 kc., increase power from 1 to 10 KW, and install new transmitter.

### 680 Kilocycles

WPTF—WPTF Radio Co., Raleigh, N. C.—Authority to determine operating power by direct measurement for main transmitter.

WPTF—WPTF Radio Co., Raleigh, N. C.—Authority to determine operating power by direct measurement for auxiliary transmitter.

### 920 Kilocycles

WJAR—The Outlet Company, Providence, R. I.—Construction permit to make changes in and move old main transmitter to site new transmitter and use as auxiliary transmitter with power of 1 KW.

### 930 Kilocycles

NEW—Paducah Newspapers, Inc., Paducah, Ky.—Construction permit for a new broadcast station to be operated on 930 kc., 1 KW, unlimited time, using directional antenna for day and night use. Amended: to request transmitter site at E. of Brookport, Ill., and make changes in directional antenna.

### 1080 Kilocycles

WINK—Mid-America Broadcasting Corp., Louisville, Ky.—Modification of construction permit (B2-P-2760) for a new station, requesting change in type of transmitter and extension of commencement and completion dates from 1-12-42 and 7-12-42 to 60 days after grant and 180 days thereafter, respectively.

### 1260 Kilocycles

WNAC—The Yankee Network, Inc., Boston, Mass.—Construction permit to reinstate B1-MP-322 as modified for increase in power from 1 KW night, 5 KW day to 5 KW day and night, installation of directional antenna for day and night use and changes in equipment and to request directional antenna for night use only.

### 1280 Kilocycles

WMRO—Martin R. O'Brien, Aurora, Ill.—Modification of license for change in power from 250 watts to 100 watts night, 250 watts day and hours from daytime to unlimited.

### 1340 Kilocycles

WGTM—WGTM, Inc., Wilson, N. C.—Voluntary assignment of license and permit from WGTM, Inc. to Penn T. Watson.

### 1360 Kilocycles

WSAI—The Crosley Corp., Cincinnati, Ohio—Modification of construction permit (B2-P-2221) as modified for increase in power, installation of directional antenna for night use, move of transmitter, requesting changes in directional antenna, extension of completion date from 7-15-41 to 180 days after grant, and booster station on 100 watts, daytime, to use directional antenna day and night. Amended: to request directional antenna night only.

### 1440 Kilocycles

WHIS—Daily Telegraph Printing Co., Bluefield, W. Va.—Construction permit to increase power from 500 watts night, 1 KW day to 5 KW, installation of directional antenna for night use, install new transmitter and move transmitter.

### 1450 Kilocycles

WNOE—WNOE, Inc., New Orleans, La.—Authority to determine operating power by direct measurements.

### 1490 Kilocycles

KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—License to cover construction permit (B5-P-3351) for move of transmitter. Amended: to correct type number of transmitting equipment.

KPAB—Mervel M. Valentine, Laredo, Texas.—Voluntary assignment of license from Mervel M. Valentine to The Pan American Broadcasting Co., Inc.

WKBZ—Ashbacker Radio Corp., Muskegon, Mich.—Construction permit for installation of new transmitter.

## FM APPLICATION

K37LA—Earle C. Anthony, Inc., Los Angeles, Calif.—Modification of construction permit (B5-PH-45) for a new high

frequency broadcast station, requesting approval of directional antenna system for a coverage of 34,960 square miles and approval of transmitter. Population: 3,597,000.

## TELEVISION APPLICATIONS

W3XAU—WCAU Broadcasting Co., Philadelphia, Pa.—Modification construction permit (B2-PVB-47) as modified for a new television broadcast station, requesting extension of commencement and completion dates from 1-28-41 and 1-28-42 to ?. Amended: to request extension of completion date only from 1-28-42 to 3-28-42.

W9XAK—Kansas State College of Agriculture and Applied Science, Manhattan, Kansas—Modification of construction permit (B4-PVB-25) as modified for a new television broadcast station, requesting extension of completion date from January 15, 1942, to 7-15-42.

## MISCELLANEOUS APPLICATIONS

KSDS—San Diego Unified School District, San Diego, Calif.—Modification of construction permit (B5-PED-20) for a new non-commercial educational broadcast station, requesting extension of completion date from 2-24-42 to 7-1-43.

NEW—The Associated Broadcasters, Inc., Portable-Mobile—Construction permit for a new relay broadcast station to be operated on ~~1622, 2058, 2150, 2790 kc.~~, 50 watts, Emission A3.

# FEDERAL TRADE COMMISSION DOCKET

## COMPLAINTS

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Abbot Manufacturing Company**—Alleging misrepresentation in connection with the sale of perfume, a complaint has been issued against Miahati, Inc., and Andrew Apicella and Jean Vivaudou, trading as Oceanic Import Co., 377 Fourth Ave., New York, and Abbot Manufacturing Co., 551 Fifth Ave., New York. (4671)

**Associated Tailors**—A complaint has been issued charging Lea H. Heller, Michael Heller, and Harry Hindlemann, trading as Associated Tailors and Associated Denver Tailors, Denver, Colo., with misrepresentation in the sale of men's clothing. (4672)

**Curtiss Candy Co.**, Chicago, is charged with price and other discrimination in violation of the Robinson-Patman Act and monopolistic practices in violation of the tying or exclusive dealing section of the Clayton Act, in a complaint. (4673)

**Detroit Rex Products Company**—Complaints have been issued charging Detroit Rex Products Co., 13011 Hillview Ave., Detroit, and G. S. Blakeslee & Co., 1844 South 52nd Ave., Cicero, Ill., with misrepresentation and unfair disparagement of a competitor's product in connection with the sale of synthetic solvent degreasing machines and synthetic degreasing solvents consisting of trichloroethylene. The Detroit company's solvents are known as "Triad" and "Perm-A-Clor" and the Blakeslee firm's solvent as "Blacosolv." (4674-4678)

**Walter H. Johnson Candy Co.**, Chicago, is charged with price discrimination in violation of the Robinson-Patman Act, in a complaint. (4677)

**Liquid Tight Paper Container Association**—Eight manufacturers of cylindrical liquid tight paper containers and the trade association of which they are members are charged in a complaint with engaging in practices, including price fixing, for the purpose and with the effect of restraining and suppressing competition and creating a monopoly in the sale of their products. Respondents named in the complaint are:

Liquid Tight Paper Container Association, 1532 Lincoln-Liberty Building, Philadelphia, and its secretary and manager, George J. Lincoln, Jr.; Boothby Fibre Can Co., 84 Linden Park St., Boston; Gordon S. Smith and George T. Hynes, trading as Champion Container Co., Third and Somerset Sts., Philadelphia; Fonda Container Co., Inc., 2150 Erie St., Utica, N. Y.; Mensha Products Co., Menasha, Wis.; Minkoff & Rosenfield Brothers, Inc., trading as Miro Container Co., 557 DeKalb Ave., Brooklyn; Russell Box Co., 200 Boston Ave., Medford, Mass.; Sealright Co., Inc., Fulton, N. Y.; and Sutherland Paper Co., Kalamazoo, Mich. (4675)

## CEASE AND DESIST ORDERS

No cease and resist orders were issued last week by the Commission.

## STIPULATIONS

During the past week the Commission announced the following stipulations:

**Baum Laboratories**, 71 Fresh Pond Road, Brooklyn, stipulated that he will discontinue representing that his "Baum's Ace Brand Corn, Callous and Bunion Salve" is a competent treatment, an effective remedy or a cure for corns, callouses, warts, bunions or ingrown toenails; that it is harmless or entirely safe under conditions of continued or repeated use; that it is either "new" or a "scientific remedy" for disfigured feet due to corns and bunions or that the results to be obtained from its use are guaranteed, unless, whenever the word "guaranteed" is used, clear and unequivocal disclosure is made as to what is offered by way of security. The respondent also agrees to stop disparaging competing products and to discontinue use of the word "Laboratories" as a part of his trade name. (3372)

**Bireley's, Inc.**, 1127 North Mansfield Ave., Hollywood, Calif., distributor of food concentrates used in compounding soft drinks, entered into a stipulation to cease and desist from representing that the drink designated "Bireley's Orange" is made wholly or predominantly of orange juice; that a bottle of the drink contains the juice of a whole orange when, in fact, the orange juice content is less than that of an average sized orange, or that the drink will aid in the prevention of colds, prevent an oversupply of white corpuscles in the blood or build up red corpuscles. The respondent also agrees to discontinue representing that the drink designated "Tomato Cocktail" is composed of tomato juice or that the drink called "Bireley's Grape" is a real fruit beverage. (3365)

**M. Chorost & Co.**, 1013 Broadway, Brooklyn, which used the so-called "Synthetic Rajah Mohair" in the manufacture of certain furniture, entered into a stipulation with the Commission. The copartners in the firm of M. Chorost & Co. are Morris and Gertrude Chorost, Benjamin and Florence Miller, and Julius and Alice Tarr. (3369)

**R. D. Cortina Co., Inc.**, trading as Cortina Academy, 105 West 40th St., New York, made a stipulation to cease representing that the Cortina "learn by listening" method, taught by correspondence course, is the quickest and easiest way ever devised to study a foreign language and will enable a person to speak Spanish or any other foreign language at once.

The respondent further agrees to cease advertising that the Cortina method will enable a person, within any definite time, to master a foreign language or speak it fluently and correctly with perfect understanding and full knowledge of its finer shades of meaning or well enough to qualify the pupil for positions requiring ability to speak the language like a native. (02937)

**Carl Griesbann**, 325 Mountain Road, Union City, N. J., engaged in the sale of chenille fabrics, stipulated that he will cease and desist from advertising, labeling, invoicing or selling products composed in whole or in part of rayon without clearly disclosing, by use of the word "rayon," that such products are composed of or contain rayon; and, when a product is composed in part of rayon and in part of other fibers or materials, will discontinue failing to disclose each constituent fiber, in the order of its predominance by weight beginning with the largest single constituent, in immediate connection with and in type equally conspicuous as the word "rayon." The respondent also agrees to cease using the word "Persian" or any other words connoting fur as descriptive of fabrics made or composed of fibers other than fur and to discontinue advertising, labeling or selling fabrics composed of fibers other than fur under any representations or conditions of deceptive concealment whereby purchasers may be misled into buying such fabrics in the belief that they are composed of fur. (3371)

**Erwin W. Hasebroeck**, 307 South Second St., Norfolk, Nebr., who sells a book called "Permanent Relief from Sinus Trouble and Asthma," stipulated to cease representing that an observance of the advice contained in the book will have any effect in the treatment of asthma or afford permanent relief from sinusitis. (02939)

**Hillshire Down**—Marion E. Baldwin, trading as Hillshire Down, Killingly, Conn., entered into a stipulation to cease and desist from certain representations in the sale of cosmetic preparations designated "Hillshire Down Goat Milk Hand and Arm Cream," "Hillshire Down Goat Milk Massage and Cleansing Cream," and "Hillshire Down Lotion." (02938)

**Max Hollinger**, 134 West 29th St., New York, dealer in fur garments, entered into a stipulation to cease and desist from invoicing or otherwise designating or describing any fur or fur garment in any manner other than by use of the correct name of the fur as the last name of the description thereof, and, when any dye, blend or process is used in simulating another fur, the true name of the fur appearing as the last name of the description shall be immediately preceded, in equally conspicuous type by the word "dyed," "blended" or "processed" compounded with the name of the simulated fur. According to the stipulation, the respondent, in invoices to retail dealers, designated certain fur garments as "Gray Broadtail Ensemble" or as "Gray Broadtail Coat & Hat," when, in fact, the garments so described were not made of broadtail peltries, that is, peltries of baby lambs of the Karakul breed of sheep, but were manufactured from peltries other than broadtails. (3370)

**National Radio Institute**, 16th and U Sts., N. W., Washington, D. C., selling a correspondence course of instruction designated "Course in Practical Radio and Television," stipulated that it will cease and desist from representing that it has obtained employment for students with any particular radio concern when such is not a fact and that its course covers all the radio requirements needed to qualify one for a license to serve as a ship radio operator.

The respondent further stipulates that, in advertisements referring to radio positions which require a knowledge of code, and in all of its enrollment blanks, it will reveal conspicuously the fact that there is an extra charge for the course covering code instructions; and agrees to reveal conspicuously in advertising material which sets forth the terms under which a student may pay for the course, the fact that there is a limitation of two and one half years allowed for completing the course and that if a student has not finished the prescribed program within two and one-half years from the date of his enrollment, he may be charged an additional amount before being allowed to continue with the course. (02936)

**Newsstand Publications, Inc.**—A stipulation to discontinue certain representations in connection with the sale of magazines and periodicals has been entered into by Newsstand Publications, Inc., Western Fiction Publishing Co., Inc., and Manvis Publications, Inc., 330 West 42nd St., New York, and Martin Goodman and Abraham Goodman, officers of the three corporations. According to the stipulation, the respondents published, in magazines and periodicals, reprints of fiction articles and stories without designating them as such. They agree to cease disseminating any publication containing any reprints of stories or articles previously published unless the fact that such stories and articles are reprints is truthfully and unambiguously disclosed.

The respondents further stipulate that they will discontinue the following practices: Substituting a new title for the original title of a reprinted story unless such substitute title is immediately accompanied in equally conspicuous type by the title under which the story was originally published; changing the names of characters in reprinted stories or otherwise disguising an original story in any manner which causes readers to believe that the reprinted story is an original; using a pseudonym in lieu of the true name of an author so as to imply that a reprinted story bearing such pseudonym is new or original; representing, by use of the word "copyright," any story, magazine, book or publication which has not been copyrighted as being copyrighted; and reprinting any copyrighted story or book from which the notice of original copyright has been removed or omitted, or which is not supplemented with adequate copyright notice indicating the year or years when copyrighted. (3366)

**Wadsworth Feed Co.**, Warren, Ohio, engaged in the sale of animal and poultry feeds, has made a stipulation to cease and desist from representing that its feeds can be depended upon to produce more milk, lower cost milk, or milk with high health standards, or to keep stock in excellent physical condition; that its dairy rations are higher in digestibility and feeding value than any competing product; that its poultry rations can be depended upon to cause faster chick growth, lower poultry mortality, or increased egg production; and that competitive animal and poultry feeds containing oat hulls or other roughage are, by reason of such content, inferior to the respondent's products. The respondent also agrees to discontinue use of the word "guarantees" unless clear and unequivocal disclosure is made of exactly what is offered by way of security. (3367)

**Wissahickon Plush Mills, Inc.**, 3727 Main St., Philadelphia, agrees to discontinue use of the words "Synthetic Rajah Mohair" as a designation for its rayon and cotton upholstery fabric; and use of the word "mohair," either alone or with other words, to designate a textile fabric not made from the hair of the Angora goat, in any manner so as to imply that such textile fabric is mohair.

The respondent also agrees to stop advertising, labeling or selling products composed in whole or in part of rayon without clearly disclosing that fact by use of the word "rayon"; and, when a product is composed in part of rayon and in part of other fibers or materials, to cease failing to disclose each constituent fiber in the order of its predominance by weight beginning with the largest single constituent, in immediate connection with and in type equally as conspicuous as the word "rayon." (3368)

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## FETZER APPOINTED CHAIRMAN OF NATIONAL DEFENSE COMMITTEE

John Fetzer, WKZO, Kalamazoo, Michigan, NAB Director for the Eighth District, has been appointed Chairman of the NAB National Defense Committee to fill the vacancy caused by the resignation of John Shepard, III, who resigned because of the press of other duties, including the Chairmanship of the recently formed Broadcasters' Victory Council. As Chairman of the NAB National Defense Committee, Mr. Fetzer has been designated as the NAB representative on the Broadcasters' Victory Council.

A. J. Fletcher, WRAL, Raleigh, North Carolina, member of the NAB National Defense Committee, in charge of the campaign for establishment of training courses for radio technicians, reports encouraging results from the efforts of broadcasters. A meeting of the NAB National Defense Committee will be held in the near future to review the work to date and to lay plans for future activities.

## EXECUTIVE COMMITTEE MEETING

A meeting of the NAB Executive Committee was held at the Roosevelt Hotel on Thursday, January 29th, at which general industry problems were discussed. John Fetzer, WKZO, as Chairman of the NAB National Defense Committee, was designated as the NAB representative on the Broadcasters' Victory Council.

It was the opinion of the Committee that every effort should be made to push the plans for the training courses for radio technicians. The War Time Code was discussed, and the music situation was reviewed. The Committee decided to appoint a committee to draft plans to be submitted to the Board for a permanent War Relief fund and Roger Clipp, of WFIL, has been appointed Chairman of the Committee. Legislation was discussed and the Committee was of the opinion that now was not an appropriate time to urge hearings on the Sanders Bill. Other subjects discussed were the music situation, news broadcasts and the general business outlook for radio.

## DISTRICT MEETINGS

A series of district meetings in the even numbered NAB districts has been set. This fulfills the By-Law requirements that meetings be held in even numbered years in even numbered districts for the purpose of electing district directors for the ensuing two-year term. The dates for the District 2 and District 4 meetings have not been set.

In addition to the director's election, in which member stations will participate, agenda are being prepared to include discussion of industry matters of vital interest to not only member but non-member stations. Invitations have been extended to the Office of Facts and Figures, the Office of Censorship, and the Public Relations Branches of the Army, Navy and Marine Corps to send representatives to each of the meetings. It is confidently expected that all of these agencies will be represented along with the NAB headquarters staff. This should assure good attendance at all of the meetings. Following is the schedule of meetings thus far set:

Wednesday, February 18, District 6 (Arkansas, Louisiana, Mississippi, Tennessee), Hotel Roosevelt, New Orleans, Louisiana.

Monday February 23, District 16 (Arizona, New Mexico and southern California) Biltmore Hotel, Los Angeles.

Wednesday, February 25, District 14 (Colorado, Idaho, Utah, Wyoming, Montana, and western South Dakota), Albany Hotel, Denver, Colorado.

Friday, February 27, District 12 (Kansas and Oklahoma), Lasso Hotel, Wichita, Kansas.

Monday, March 2, District 10 (Iowa, Nebraska and Missouri), Paxton Hotel, Omaha, Nebraska.

Wednesday March 4, District 8 (Indiana and southern Michigan), Park Club, Kalamazoo, Michigan.

## THANK YOU, SENATOR!

Senator Wheeler said some nice things about radio in the Senate not long ago. We are grateful.

"... I should hate to see the radio taken over by the government of the United States," he said.

"I think it would be one of the worst things that could possibly happen to the United States if the radio in this country were owned by the government, as it is in Germany and as it is in Russia, and as it is in Italy, or as it is in England, because everybody recognizes that while the radio in England is government-owned, the English have a far poorer service than we have here in the United States.

"I have been a critic of the radio broadcasting companies on numerous occasions; but everything is relative, and, with all due respect to them, when we compare their service with the service that is given in other countries, the service is better over here.

"But if the radio were owned by the government, of course we would have the government saying who could speak over the radio, and the government would absorb the time with nothing but propaganda, as is done in Germany and in Italy and in Russia."

That's the kind of a talk, Senator, that makes us want to do an even better job. We're grateful.

Senator Wheeler made these remarks during debate on the bill (now law) giving the government authority to take over the telephone, telegraph and other communications industries during the war, with the proviso that they must be returned to their owners six months after the war is over.

While the bill was pending, the NAB sought its amendment to provide that broadcasting stations be returned to their owners six months after the war if they are taken over by the government.

This request was rejected by the Senate Interstate Commerce Committee after it heard from Chairman James Lawrence Fly of the FCC. He said, in part, at the committee hearing, in commenting on the NAB proposal:

"As I indicated to you gentlemen during this hearing, I am not entirely happy with the specific wording of the old law or, for that matter, with the present bill. But I think what we are shooting for here is not a complete state of perfection, and I am not sure that we could satisfy everybody with specific wording. What we are trying to do here is get a job done, in substance, and after all we are in a war status today . . .

"I think the only thing I want to say at this time is that I just do not think this is a propitious occasion for reopening of any such existing status."

## CODE COMMITTEE MEETS

The NAB Code Compliance Committee is meeting Friday in Washington to consider the entire matter of the handling of news

(Continued on page 68)



1626 K St., N. W.

WASHINGTON

Phone NAational 2080

Neville Miller, *President*

C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

## CODE COMMITTEE MEETS

(Continued from page 67)

broadcasts during the war. Invited to attend are Archibald McLeish, Chairman of the Committee on War Information; William B. Lewis, Assistant Director in Charge of Operations, OFF; Douglas Meservey, Deputy Chief, Radio Division, OFF; Ed Kirby, NAB Director of Public Relations on leave of absence and Chief, Radio Branch, Bureau of Public Relations, War Department; John Shepard, III, Chairman, and the members of the Broadcasters' Victory Council; and Fred Weber, representing MBS.

The Code Committee meeting was promptly called as a result of a meeting last Saturday at the Office of Facts and Figures, when Neville Miller and representatives of the four national networks considered the matter of eliminating middle commercials from news programs and the use of news items as a springboard for commercials.

## COX URGES HOUSE TO INVESTIGATE COMMUNICATIONS COMMISSION

On Monday Representative Cox (D-Georgia) introduced a resolution (H. Res. 426), "Authorizing an investigation of the organization, personnel and activities of the Federal Communications Commission," which was referred to the Committee on Rules.

Addressing the House on the subject Mr. Cox said:

"Mr. Speaker, last week I made the statement on the floor that I purposed offering a resolution for a House investigation of the Federal Communications Commission. The report of the statement reaching Mr. Fly provoked great laughter. Mr. Fly, you know has a monumental contempt for this body and its Members, but later, upon conferring with one or two members of the Commission, he took a most serious attitude toward the suggestion. Agents of the Commission have been assigned the duty of contacting Members.

"Mr. Fly would tell you there is nothing wrong with the Commission and that he has no fear of an investigation, yet he would leave no stone unturned to prevent it. If you have not heard from members of the Commission or their agents you will be hearing.

"There is nothing personal in this suggestion on my part, I have nobody to punish. If I were disposed to do so I could fill the RECORD with pertinent and authenticated material that would give Mr. Fly something to think about. All I am interested in is guarding the public against the maladministration of a fine law."

We print below the resolution in full:

### H. RES. 426

"Resolved, That there is hereby created a select committee to be composed of five members of the House to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

"The committee is authorized and directed to conduct a study and investigation of the organization, personnel and activities of the Federal Communications Commission, with a view to determining whether or not such Commission and its organization, in the selection of personnel and in the conduct of its activities, has been, and is acting, in accordance with law and the public interest.

"The committee shall report to the House (or to the Clerk of the House if the House is not in session), at the earliest practicable date during the present Congress, the results of its investigation, together with such recommendations as it deems desirable.

"For the purposes of this resolution, the committee is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers and documents, and to take such testimony as it deems necessary.

"Subpoenas may be issued under the signature of the chairman of the committee or any member designated by him, and may be served by any person designated by such chairman or member."

## Radio Essential War Industry

Leon Henderson, Administrator of the Office of Price Administration, in connection with a statement issued with regard to radio price ceilings, made the following observation:

"Radio constitutes an important factor in defense. Besides serving as a source of news and of entertainment vital to morale, it furnishes the principal channel through which civilian defense authorities are enabled to disseminate directions and intelligence necessary to the public safety."

## Labor

### "REGULAR HOURLY RATE"

There are two different methods of determining an employee's "regular hourly rate" under the Wage and Hour Law. One method is used when an employee works a regular number of hours each week for a regular salary. The other method (less well understood) is used when an employee works an *irregular* number of hours each week for a regular salary.

#### I

Let us take first, the employee who works a regular number of hours each week for a regular salary. For instance, take the technician who was hired with the understanding that he was to work 40 hours a week for \$40. To determine his "regular hourly rate," divide his salary by his regular number of hours. His regular hourly rate is \$1, and he is entitled to \$1.50 above his regular \$40 for each hour above 40 he works each week. If he works 44 hours, he is entitled to \$46 for that week.

#### II

Now let us take the case of an announcer who also is hired at an agreed salary of \$40. But there is no understanding as to his hours. He is going to be an announcer at the station and to do the tasks assigned to him, no matter what the hours. It is understood that his hours will be irregular, or are likely to be irregular. His "regular hourly rate" must be re-determined each week, by dividing the salary by the number of hours he worked that week. Then, for each hour he works above 40, he is entitled to *one-half* his "regular hourly rate" for that week. Take, for instance, the week the announcer worked 50 hours. His "regular hourly rate" that week is \$40 divided by 50 hours, or 80 cents. For his ten hours overtime, the announcer is entitled to ten times 40 cents (half of 80 cents) or \$4. His total pay check is \$44.

(Here is the logic behind this: the announcer already has been paid straight time for his 50 hours because he agreed to work an indefinite time for \$40. Hence, he is entitled only to half his straight time, extra, for the time he worked above 40 hours.)

The NAB Labor Relations Director will gladly help any member who finds himself in difficulty with any Wage and Hour problem.

## COST OF LIVING

The Labor Department reports that living costs in large cities rose 2.2 per cent during the last quarter of 1941, bringing the cost of living December 15 to 110.5 per cent of its average between 1935 and 1939. Detailed figures are available at the NAB.

## A STRIKELESS INDUSTRY

With a knock on wood, the NAB is pleased to report that the broadcasting industry and its employees are abiding 100 per cent with President Roosevelt's "no strike or lock-out" labor policy.

Any member threatened with labor trouble should communicate immediately with the NAB Labor Relations Department.

## FILE YOUR CONTRACTS

File your labor contracts. The NAB wants to establish a labor information service as good or better than that of the American Newspaper Publishers Association. Ask any newspaper publisher what this service means to him. No individual information is disclosed.

## TALENT FEES

The following exchange of correspondence may prove interesting to members:

Mr. Neville Miller,  
National Association of Broadcasters,  
1626 K Street, N. W.,  
Washington, D. C.

Dear Mr. Miller:

It is our practice to act as a collection agency for certain of our employees who receive a fee from the advertiser for talent. In other words, we pay them and bill the advertiser who in turn pays us. If the collection is not made, the advance to the employee is charged against him.

Am I correct in assuming that such payments are not a part of our compensation to these employees and as such not subject to Social Security Taxes or Wage and Hour requirements. Perhaps I should make it plain that these employees all receive wages from us which, of course, are handled through our payroll in the regular way. These talent charges are a matter between them individually and the advertiser, ourselves acting as collection agency.

Will you be kind enough to pass this query to the proper department. I know your bulletins have covered it but I cannot seem to find it.

Cordially yours, — — —

Dear Mr. — — —:

Neville Miller asked me to answer your letter of January 27, about talent.

In the first place, we take the position that the employer-employee relationship under the Wage and Hour Act is, or should be, the same as the relationship under the Social Security Act. We have repeatedly said that we would take the first good case to court in the event that our contention is challenged by the Wage and Hour Division.

The Bureau of Internal Revenue, which determines relationships under the Social Security Act, says that talent is not the employee of the station in the event that the station acts merely as the collection agency of the employee or, vice versa, as the paying agent of the sponsor. The Bureau contends, however, that the method of payment is but one of several factors to be considered in determining the relationship. Most important of these factors is "direction and control." In the case or cases "at bar," who directs and controls the talent? Is it the station or is it the sponsor (or his agent)? Another weighty factor is hiring and firing. Did the station or the sponsor (or his agent) select the talent, or did the sponsor merely agree to pay a talent fee for whatever talent the station selected for his program?

The Bureau of Internal Revenue, unfortunately, refuses to render individual opinions to trade associations. And it repeatedly has said that the facts in each case must be considered in determining that case. The above suggestions are in line with accumulated opinions of the past. To play absolutely safe, you will have to address an inquiry to the Bureau of Internal Revenue, Washington, D. C. You probably will be able to make a proper determination yourself, however, in the light of the above guidance.

Sincerely yours,

JOSEPH L. MILLER,  
Director of Labor Relations.

## Sales

## CHECKING SERVICES

Radio checking services continue to be a threat to the industry as they often undermine the confidence of advertisers in radio's integrity or its ability to render the advertising service purchased.

Leader in the field is the National Radio Checking Service, Inc. with headquarters in St. Louis and an eastern office in New York. A. S. Foster is General Manager and George I. Reid is Eastern Manager.

Information asked for on the report blanks given to checkers is interesting, and tells stations the points on which they are being checked. These blanks provide space for the station, city and date; the time scheduled; whether the account being checked has a show or spot announcement; the product to be advertised; the preceding program and sponsor; other spot announcements and sponsors (*particular attention is paid to double-spotting*); whether the show or spot was on or not on; spots following and sponsors; program following and sponsor; whether or not the "commercial was clear and understandable"; if a show, how many commercials given; if the title of the show was given; "if our show or spot was not on, what was"; and list of errors by announcer or remarks.

The booklet of instructions to checkers is likewise illuminating. Many of the checkers are invalids or shut-ins. All are paid on a piece-work basis. It is reasonable to suppose that all of them understand they are hired to *find errors*. In this instruction booklet appear such phrases as:

"On stations that are pressed with local business, the station announcer may sometimes try to 'anticipate' a (network) cue and try to 'sandwich' in another announcement. . . ." "Sometimes an advertiser buys an hour, and breaks it into two or more shows for various brands. . . . There is supposed to be no announcement between this and the beginning of the next show except station identification. . . . Oftentimes the station will 'sneak' in a local announcement. . . ."

On a promotion piece, sent to clients, the company claims it has 450 checkers throughout the country "to protect your radio investment." It lists 11 of the most common discrepancies "that can occur in any radio station":

1. Show or Spot omitted.
2. Portion of Commercial omitted.
3. Wrong sequence (preceding and following Program).
4. Two or three announcements running, either before or after your Program, or "sandwiched" with your Spot.
5. Competitive Products advertised next to yours.
6. Momentary transmitter failure, causing breaks in Commercial.
7. "Garbled" talk or interruption.
8. Insincere announcing.
9. Transcriptions ineffectively handled.
10. Show starts late or ends early, or both.
11. Local Station "rushing" Net Work cue.

A company representative stated that approximately 40 clients are buying the service; that 29 accounts have been secured in the New York area alone. One important advertiser, using both network and national spot service extensively, was reported consider-

ing a \$40,000 order for checking—presumably to come out of the radio budget.

A promotion piece issued by the company lists these present or past clients: American Chicle; Campbell Corn Flakes, Carnation Milk, Carter's Little Liver Pills, Curtiss Candy, 4-Way Cold Tablets, Father John's Medicine, Flex-O-Glass, Gold Medal Capsules, Grove's Bromo Quinine, Kroger Grocery & Baking Co., Lydia Pinkham, Malto-Meal, M & M Candy, Marlin Firearms, Mayrose Ham, Penetro, Pequot Mills, Pepto-Bismol, Pinex, Ralston Purina, Readers Digest, St. Joseph Aspirin, Savarin Coffee, Sheaffer Pen, Simoniz, Studebaker, Sweetheart Soap, Vicks Vaporub and Vatri-nol.

In selling its service, the company uses testimonial letters, some of which are reported to state that in a single campaign, enough errors were caught, and enough make-goods or rebates were secured from stations, to *more than pay* for the cost of the checking service.

The sales approach is generally not made to agencies, but direct to the clients. Some agencies are reluctantly forced to engage a checking service because of instructions from their client.

Radio's only defense, they point out, is to do its own checking, 1) by scrupulously rendering every commercial service as ordered, and 2) by reporting any errors, no matter what their nature, to the client or agency first and arranging a satisfactory adjustment without delay.

If every station in the industry would do this, there would be no need for clients to spend large sums on checking services, the agencies say.

For further details, write the Department of Broadcast Advertising.

### "Manual of Radio Advertising" Mailed to Members

The NAB "Manual of Radio Advertising," in preparation for nearly a year, was mailed this week to all member stations. Prepared in loose-leaf form, the Manual now contains five chapters, with additional sections yet to come. It is meant to serve primarily as a handbook for ready reference, and contains a fund of basic industry data for use in sales, promotion and public relations.

Extra copies are available only through NAB members at \$3.80 per copy, including chapters yet to be released.

### Per-Inquiry and Free Time

**Progressive Music Publishers**, New York, is seeking per-inquiry deals through its Kansas City Branch on its sheet music.

**Movie-Radio Guide**, New York, is seeking per-inquiry subscription deals.

Publishers of income tax booklets continue to bombard stations with per-inquiry propositions. Among the more persistent are Beckman & Beerbohm, Detroit, and Gardner-Shea Publishing Co., Oklahoma City.

**Henry Flarsheim and Staff**, Chicago and Boston, is seeking per-inquiry deals on behalf of its client, **Mason Shoe Mfg. Co.**, which is looking for agents to sell shoes direct to wearers.

All have been invited to use radio on the basis of established card rates.

### PEABODY AWARDS

The Advisory Committee for the Henry Foster Peabody Radio Awards for 1941, to be made this spring, decided at recent New York meeting to revise somewhat the basis for the awards.

This year there will be awards for the best dramatic program, the best musical program, the best educational program and the best news reporting. There also will be several special awards for outstanding programs of other kinds called to the committee's attention.

The committee will make a careful survey to see whether there is any daytime program that can receive an award as a distinct contribution to better daytime radio.

The committee also will give special attention to non-network programs, as it definitely appreciates the place of non-network broadcasting in the radio picture.

The awards will be made at a dinner in New York early in April.

Stations wishing to call the attention of the committee to any particular program should forward a script or transcription, with a covering explanatory letter, to the Henry W. Grady School of Journalism, University System of Georgia, Athens, Ga.

### "WAR TIME"

When the clocks are moved ahead an hour at 2:00 a. m. Monday, February 9, the nation will operate on "war time". That is the name picked by the President for the new daylight-saving time enacted into law by Congress. The law states that standard time shall be advanced one hour.

Among the various government agencies there had been considerable difference of opinion as to what the new time should be called and the President has clarified the situation for all who have to print program schedules and time tables by designating the new fast time as "war time". The abbreviations will be "E.W.T." for Eastern War Time, "C.W.T." for Central War Time, "M.W.T." for Mountain War Time, and "P.W.T." for Pacific War Time.

### BMI SEGREGATES PUBLISHING

On the eve of the issuance of the eight-year BMI licenses, the Board of Directors announced this week that BMI's publishing activities would be segregated within the organization from the licensing activities, with the intention that the publishing business should run as an independent department on a business basis, in the same manner as any other commercial publishing house.

This decision marked the last step by the Board of Directors in the fulfillment of a plan designated to put BMI on a permanent economic basis, which plan has already resulted in economies reducing its license fees from an approximate 3% rate on its first contracts to an average of less than 1% on the new eight-year licenses now being issued. It was pointed out that these economies had been effected in the face of an increased scale of payments to BMI's composers and affiliated publishers, and that the proposed plan would tend to increase, rather than diminish, BMI's support of composers and of its affiliated publishers.

The Board of Directors stated that BMI initially was compelled to turn out a great volume of music for the benefit of its licensees. With ASCAP music back on the air on many stations, and, above all, with BMI's affiliated publishers having proved their ability to produce meritorious music, it was, the Board felt, no longer necessary for BMI to continue publishing so large a volume of music.

### ENGINEERING HANDBOOK

Additional material for the Engineering Handbook was mailed to member stations last week. This consisted of charts and graphs on miscellaneous subjects and "Recommended Practice for Field Intensity Surveys for the Purpose of Estimating Field Strength Contours of a Broadcast Station in the Regular Broadcast Band."

Methods of taking measurements and presenting the data have varied to such an extent that it is often difficult to compare the work of one investigator with that of another. It is hoped that the recommended practice for Field Intensity Surveys will bring about uniformity in this field.

## Radio Training Courses

For the benefit of the broadcast industry, State Educators and Federal Educators, A. J. Fletcher, WRAL, Raleigh, and Member-in-Charge Radio Training Courses for the NAB National Defense

Committee, said today that he wanted to reiterate the urgent need for persons trained in the fundamentals of radio.

Minimum needs, he said, are in six figures. The situation as to the numbers required was rechecked during a series of calls in Washington Monday, Tuesday and Wednesday of this week.

He expressed the belief, the result of contact with educators, broadcasters, and officials, that the importance of the job and its immensities is just now becoming to be realized.

At state meetings of educators with or without broadcasters present, Messrs. Stringer and Smeby have repeatedly pointed out that qualified instructors would have to be brought into the picture from the liberal arts colleges as well as from the engineering schools and broadcast stations.

### TRAIN OTHER INSTRUCTORS

To meet the problem of a shortage of instructors Professor C. W. Beese, Purdue University, reported: "We are setting up a program for training physics teachers and electrical engineers for handling these courses."

In all probability physics instructors and electrical engineers in other states would be willing to follow the Indiana example when they learn the importance of the radio teaching job.

### EQUIPMENT SCARCITY NO OBSTACLE

That scarcity of equipment need not deter educators from the teaching job is attested by Rutgers University, New Brunswick, N. J. M. A. Chaffee, associate ESMDT director, already has 925 students taking the radio technician training course and plans to induct a minimum of 1075 students as soon as possible.

Naturally 2,000 students present a laboratory apparatus problem. Professor Chaffee has solved it by assigning light trucks, laden with apparatus, to various routes which cover the 31 off-campus teaching centers in which the radio extension courses are being given.

Below we are publishing brief notes of stations or teaching institutions. These contribute to a feeling of confidence that a good job is being done by all. The list is incomplete.

### PITTSBURGH

Herbert L. Spencer, president, Pennsylvania College of Women, and Western Pennsylvania Coordinator, last week met with representatives of Carnegie Institute of Technology, the University of Pittsburgh, Pennsylvania State College and Grove City College, and C. E. Lawall, president, West Virginia University, and ESMDT Regional Adviser, Region 11.

"The University of Pittsburgh is now submitting a proposal to train 420 students within the next 16 weeks," Dr. Spencer reported.

"Carnegie Institute of Technology, will offer the courses at Washington and Jefferson College, in Washington, Pa.

"Grove City College has unusual equipment and will train a fairly large number providing students are available.

"Pennsylvania State College is deeply interested in the program and is planning on a large number of extension courses throughout the state of Pennsylvania. We are preparing a special bulletin on this program and will advertise the course extensively. I want you to know that we are deeply interested in this course and will do all in our power to promote it."

### ALABAMA

Howard E. Pill, President, WSFA and state industry representative said: "Dean Hannum and I set a goal at 50 classes in the state and we are making good progress—largely because of Dean Hannum's energy, ability and enthusiasm. . . .

"Many of the members of the engineering staffs of Alabama stations are doing actual teaching and others are cooperating by seeing that the classes have demonstrative equipment. In so far as Alabama is concerned, I believe I can truthfully say that everything is right in the groove."

C. W. Beese, in charge of defense training, Purdue University and Indiana leader: "We have 15 cities in Indiana where broadcasting stations are located. We think that licensed operators there will be able to take care of at least that many training centers. We are also setting up a program for training physics teachers and electrical engineers to handle these courses. Requests for equipment to set up laboratories have already gone in.

"The broadcasting stations in Indiana are giving us excellent cooperation. Some announcements have already gone out and inquiries are pouring in. It looks as if there is a lot of interest in our part of the country in taking these courses. Unless someone tells us to hold up we are going to push them through just as fast as we can."

### GEORGIA

Don Ioset, managing director, WAGA, Atlanta, and Industry Representative for the state of Georgia, reports "plenty of action on the part of 28 radio stations in the state. Scores of student applications have arrived at the Georgia School of Technology, where Dr. R. L. Sweigert is State Coordinator. Many stations have sent in lists of engineers who indicate willingness to instruct and be of any service they can lend."

Mr. Ioset has conferred with all four Atlanta stations—WATL, WGST, and WSG—on the matter of teaching assistance and has submitted a list of 32 broadcast engineers living in Atlanta who offer their services for instruction.

### TEXAS COLLEGE OF ARTS AND INDUSTRIES

A. W. Straiton, ESMDT Institutional Representative, contemplates radio technician training courses in Corpus Christi, Victoria and Brownsville.

### DRAKE UNIVERSITY

Drake University, Des Moines, has already accepted 90 persons for radio technician training courses. The balance of the applicants will be kept on the waiting list until additional facilities may be arranged.

### IOWA

F. C. Eighmey, manager, KGLO, Mason City, Iowa, and Industry Representative, has distributed two voice radio technician training course announcements to Iowa stations. They hit the bullseye.

### MIAMI

F. W. Borton, president, WQAM, Miami, wrote: "We are happy to advise you that we are cooperating 100% with the Technical High School here in Miami. This school is fully equipped to carry on the training of technicians."

N. Fournier, WAWZ, Zarapath, N. J., said: "We have launched immediately our efforts in behalf of this campaign."

### BECKLEY, W. VA.

According to Charles R. Armentrout, assistant manager, WJLS, Beckley, W. Va., Chief Engineer Al J. Ginkel will teach a radio technician training course in Beckley. This is given in connection with the National Department of Education, West Virginia University, Beckley College and radio station WJLS.

### KFVD, LOS ANGELES

Frank Burke to A. J. Fletcher: "We have sent 157 inquiries concerning the proposed radio courses to our state coordinator, Prof. R. W. Sorensen, Pasadena. . . . We find the material very helpful that you sent us and have incorporated your suggestions in our announcements."

### KNX, LOS ANGELES

Francis Farmer Wilder, director of education, CBS to Dr. P. W. Sorensen, California Institute of Technology, Pasadena: Attached is a list of 40 engineers we think are qualified to take part in the instruction of the radio technician training courses.

We have studios and equipment available for instruction and would be pleased to conduct classes here at KNX. Under separate cover we are sending 198 inquiries that have been received to date and we shall forward others to you as they come in.

#### NORTH DAKOTA

According to a letter from Dalton LeMasurier, manager, KILO, Grand Forks, N. D., the State Coordinator, Dean L. C. Harrington, North Dakota University, sent Professor O'Brien, the University's instructor of radio engineering, on a tour of the state. He will contact stations and schools throughout the state relative to the establishment of radio technician training courses.

#### WBRW, WELSH, W. VA.

J. J. Herget, general manager, to A. J. Fletcher: "70 men and women have signed up for the radio training courses which started in our studios at 7:00 p. m., Monday, February 2.

#### BUFFALO

Charles T. Harrell, in charge of Public Service Programs, WBEN, reports that "the station is working in close cooperation with the University of Buffalo, Canisius College, State Teachers College and Niagara University. As it now stands all of these four schools will be offering courses."

#### CONNECTICUT

Franklin M. Doolittle, president and general manager, WDRC, Hartford, and Industry Representative for Connecticut, reports that the net accepted applications for radio technician instruction is now 921.

"It appears," he said, "that these can be under instruction simultaneously in the various schools throughout Connecticut. I think, however, that after some of the better students have taken the course it may be possible to use them in future courses and thus increase the number under instruction at one time.

"It is planned to begin courses in Bridgeport, New Haven, New London and Waterbury at an early date. The first instruction in Hartford will begin on February 9."

#### DALLAS

According to Durward J. Tucker, chief radio engineer, Municipal Radio Department, City of Dallas, six classes will get underway within a few days. Classes are under the direction of Prof. Huffman of Southern Methodist University, Engineering School, Dallas.

KRLD, KSKY, WFAA and WRR are cooperating in recruiting students. One of the classes will be taught by Mr. Tucker.

#### WICHITA

Two classes are in progress with an attendance of 60, according to word from Herb Hollister, president, KANS. KFBI, KFH and KANS are working together to make a success of the program. State Coordinator Guy V. Keeler has appointed Dick Binford as Wichita Coordinator.

#### UNIVERSITY OF TEXAS

The University of Texas gave its first radio course in the cities surrounding Austin about the first of June 1941.

"We gave such courses in San Antonio, Houston and Austin last fall," said R. W. Warner, chairman of Department Engineering, Science and Management Defense Training, University of Texas, "and the response was so great that we followed immediately with a similar course in San Antonio and Houston . . . we are taking steps immediately to offer and supervise courses in about *ten cities* within a radius of 200 miles of Austin . . . these courses were patterned exactly like those in the outline you sent around."

#### NORTHERN CALIFORNIA

Howard Lane, business manager, KFBK, Sacramento, and Industry Representative for Northern California, reports that Stan-

ford University, University of California and Santa Clara University have met to complete teaching plans for Northern California area. It is planned to include in the teaching program all liberal arts colleges wherever facilities are available.

#### FLY TO GET TRAINING

Miss Harriett N. Alleman, general manager, WOGB, West Yarmouth, Mass., reports that several of the boy students in the radio technician class which the station is giving, on its own behalf, regularly fly over from the islands for instruction.

#### WJLS BUYS BONDS

Radio Station WJLS, Beckley, W. Va., is 100% National Bond and Stamp conscious. They participate in the payroll deduction plan.

#### KTSA HELPS

KTSA, San Antonio, Texas, has found a "new" way to extend a helping hand to men in the service. Whenever Western Union and Postal Telegraph have been unable to locate addressees which were to be notified as the next of kin as result of military action, announcements were made over the radio with 100% success to date.

According to Lewis Lacey, promotion manager, "we simply say something to the effect that the telegraph company is holding a message for John Q. Doe and anyone knowing his whereabouts is asked to tell him about the message."

#### WRVA COOPERATION

Prominently displayed on page 3 of WRVA's monthly house organ, "WRVA Dialog," is a page on defense stamps and bonds. One of the pertinent paragraphs reads:

"Much has been said about the preservation of our liberties and civilization. This bears repetition and cannot be over-emphasized. *The American System of Broadcasting* is a product of our democracy and operates under a guarantee of freedom of expression. Its existence must depend upon the maintenance of free enterprise, but all of our freedoms are dependent upon the extent to which every American rallies to the needs of our country. In the recent words of Virginia's retiring Chief Executive, Hon. James H. Price, broadcast over WRVA: 'If we fail in this "all-out" effort, little else matters.'

#### WCBS BUYS BONDS

Jack Heintz, manager, WCBS, Springfield, Illinois, reports that the staff of his station is participating in the purchase of defense bonds by payroll deduction 100%.

#### FEDERAL LEGISLATION

H. Res. 426 (Cox, D-Georgia) COMMUNICATIONS COMMISSION—Authorizing an investigation of the organization, personnel and activities of the Federal Communications Commission. Referred to the Committee on Rules.

#### STATE LEGISLATION

##### KENTUCKY:

S. 99 (Williams) ALCOHOLIC BEVERAGES—RADIO ADVERTISED—To prohibit the sale and keeping for sale by holders of retail dealers licenses alcoholic beverages advertised on the radio. Referred to the Committee on Regulation of Alcoholic Liquor.

##### NEW YORK:

A. 742 (Bannigan) PUBLICATION—RESTRICTIONS—Makes it a misdemeanor to incite hostility against any person or group by reason of race, color, religion or manner of worship, by publication, radio broadcast or other means of communication and makes owner of building liable for use as meeting place. Referred to Committee on Codes.



## FEDERAL COMMUNICATIONS COMMISSION

### Curb on Broadcast Authorizations

At the request of the DCB, pending the adoption of a specific policy by that Board and the War Productions Board with respect to curtailing standard broadcast construction to meet materials requirements by the military, the FCC will make no further grants for the construction of new standard broadcast stations or authorize changes in existing standard broadcast transmitting facilities where all or a substantial part of the primary area in either category already receives good primary coverage from one or more other stations.

In general the FCC's Standards of Good Engineering Practice will be used as a guide in the determination of good primary service.

National defense requires that there be adequate broadcast facilities but this does not alter the fact that every economy in the use of critical materials for securing and maintaining these facilities must be practiced to the end that there will be the greatest possible saving in materials. This announcement concerns standard broadcast facilities only. It is understood that the DCB is proceeding with studies looking toward the conservation of materials in all other radio services and will submit recommendations at the earliest practicable date.

### "WAR TIME" RULES

To conform to the new "War Time" daylight saving law, the Commission en banc Tuesday revised its Rules and Regulations and adopted an order to provide that the times of sunrise and sunset now specified in all existing instruments of authorizations for standard broadcast stations be advanced one hour, effective at the start of the new "War Time" at 2 o'clock a. m., February 9, 1942, as follows:

Adopted new Section 2.36 of General Rules and Regulations; amended Section 3.87, footnote No. 26 to Section 7.81(d), footnote No. 27 to Section 7.82(d), footnote No. 67 to Section 8.221(d), footnote No. 70 to Section 8.222(c)(5), and footnote No. 71 to Section 8.222(d)(6); adopted new Order No. 90.

### PROPOSED DENIAL OF WCSC TRANSFER

Public interest would not be served by transfer, as proposed, of The South Carolina Broadcasting Co., Inc., licensee of broadcast station WCSC, Charleston, S. C., from The Liberty Life Insurance Co. to John M. Rivers, according to proposed findings of the FCC. It concludes:

"Under the terms of the contract entered into between the applicants, the proposed transferor retains substantial financial control of the licensee corporation and the proposed transferee assumes no personal financial obligation. There has been no showing that the proposed transferee contemplates the investment of his personal funds toward payment of the purchase price. Nor has it been shown that the Board of Directors of the licensee corporation in the event of approval of this application, will not be associated with the proposed transferor. With control so divided, only a partial transfer would be effected, and neither the transferor nor the transferee would have the control over the licensee requisite for the operation of Station WCSC in the public interest.

"The performance of the contract upon which the instant application is based would impose a constant charge upon the gross revenues and resources of the licensee and thus would tend to impair its ability to operate Station WCSC in the public interest."

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 9. They are subject to change.

#### Monday, February 9

- KFNF—KFNF, Incorporated, Shenandoah, Iowa.—Renewal of license, **920 kc.**, 500 watts night, 1 KW day; S-KUSD.  
KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—C. P., **860 kc.**, 5 KW night, 10 KW day; DA-night, unlimited time.

#### Thursday, February 12

##### Consolidated Hearing

- KRBC—Reporter Broadcasting Co., Abilene, Tex.—C. P., **1470 kc.**, 1 KW, unlimited time.  
WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Modification of license, **1470 kc.**, 500 watts night, 1 KW day, unlimited time.  
NEW—H. C. Cockburn, trading as San Jacinto Broadcasting Co., Houston, Tex.—C. P., **1470 kc.**, 1 KW, unlimited time; contingent on channel being vacated by KXYZ.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

- KFQD—R. E. McDonald and Barbara McDonald (husband and wife) (Transferors), William J. Wagner (Transferee), Anchorage, Alaska.—Granted consent to transfer of control (B-TC-291) of Anchorage Radio Club, Inc., station KFQD, from R. E. McDonald and Barbara McDonald (husband and wife) to William J. Wagner, representing 332 shares of stock for \$10,000.  
KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Granted modification of license (B-ML-1108) to operate unlimited time instead of specified hours 6 p. m. to midnight LST, upon representation of applicant that Section 3.45(a) of rules will be complied with as soon as feasible.  
KDB—Thomas S. Lee and R. D. Merrill, Executors of the estate of Don Lee, deceased (Transferors), Don Lee Broadcasting System (Transferee), Santa Barbara, Calif.—Granted consent (B5-TC-279) to transfer of control of Santa Barbara Broadcasters, Ltd., Station KDB, from Thomas S. Lee and R. D. Merrill, Executors of the estate of Don Lee, deceased, to Don Lee Broadcasting System.

### DESIGNATED FOR HEARING

- WKAL, Inc., Kalamazoo, Mich.—Designated for hearing application for construction permit (B2-P-3270) for new station to operate on **1230 kc.**, 250 watts, unlimited time. (Requests facilities vacated by WGRB, Grand Rapids, Mich., as of 9-29-41.) Exact site and antenna system to be determined subject to Commission approval.

### MISCELLANEOUS

- KPRC—Houston Printing Corp., Houston, Tex.—Granted modification of construction permit for directional antenna for night use and increase in power, for extension of completion date from January 18 to March 8, 1942 (B3-MP-1491).

- WOSH—Howard H. Wilson, Oshkosh, Wis.—Granted modification of construction permit for new station, for move of studio to 151½ Main St., Oshkosh, Wis. (B4-MP-1487). Granted license to cover construction permit as modified for new station (B4-L-1598). Granted authority to determine operating power by direct measurement of antenna input (B4-Z-1333).
- WPAX—H. Wimpy, Thomasville, Ga.—Granted license to cover construction permit for installation of new transmitter (B3-L-1589).
- WTAG—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Granted license to cover construction permit as modified for increase in day power and changes in directional antenna for day and night use (B1-I-1599); granted authority to determine operating power by direct measurement of antenna power (B1-Z-1334). Granted license for operation of one KW amplifier of Type 5-D-1 (5 KW) main transmitter, for use as second auxiliary transmitter, using 1 KW power and directional antenna, for emergency purposes only (B1-L-1601).
- KICA—Western Broadcasters, Inc., Clovis, N. Mex.—Granted license to cover construction permit as modified for new equipment, change in frequency and increase in power (B5-L-1579).
- W51R—Stromberg-Carlson Telephone Manufacturing Co., Rochester, N. Y.—Granted license to cover construction permit for new high frequency broadcast station (B1-LH-8).
- KEEW—Eagle Broadcasting Co., Inc., Brownsville, Tex.—Granted authority to determine operating power by direct measurement of antenna input.
- KAAD—Tarrant Broadcasting Co., Portable mobile.—Granted renewal of relay broadcast station license for the period ending October 1, 1942.
- WENK—WLEU Broadcasting Corp., Portable mobile.—Granted renewal of relay broadcast station license for the period ending December 1, 1943.
- WOSII—Howard H. Wilson, Oshkosh, Wis.—Granted extension of special temporary authority to operate with main studio at 151½ Main St., Oshkosh, in lieu of site specified in construction permit, for the period January 29 to not later than February 27, 1942, pending action on formal application for change of studio site.
- WINS—Hearst Radio, Inc., New York, N. Y.—Granted extension of special temporary authority to operate by the direct method (antenna current—4.97 amperes for 1 KW; antenna resistance—40.5 ohms) with power of 1 KW, using Western Electric Type 355-B-1 transmitter (formerly licensed to WHN) for a period beginning January 27 and ending not later than February 25, 1942, provided frequency check shows that it is within 5 cycles of assigned frequency. (Antenna: Tapered self-supporting insulated tower; height of vertical lead, 254'; overall height above ground, 261'. Ground system consists of 32 radials number 10 copper wire 170' long bonded at base of tower.)
- WRRF—Tar Heel Broadcasting System, Inc., Washington, N. C.—Granted modification of construction permit for new station, for approval of antenna and transmitter site and change in type of proposed transmitter (B3-MP-1480).
- KHJ—Don Lee Broadcasting System, Los Angeles, Calif.—Granted license to cover construction permit as modified which authorized changes in equipment, installation of directional antenna for day and night use, increase power, and move transmitter (B5-L-1543); granted authority to determine operating power by direct measurement.
- Beauford H. Jester, Waco, Tex.—Granted motion for continuance of hearing on applications of Beauford H. Jester and Roy Branham Albaugh for new stations at Waco, Tex.; hearing now set for February 2; continued to March 6, 1942.
- J. C. Lee and E. W. Lee (Lee Brothers Broadcasting Co.), San Bernardino, Calif.—Granted motion to dismiss without prejudice application for consent of assignment of license of Station KFXM from Lee Brothers Broadcasting Co. (assignor) to Tri City Broadcasting Co. (assignee).
- Cleveland Broadcasting Co., Cleveland, Ohio.—On Commission's own motion, consolidated hearing on application of Cleveland Broadcasting Co. for new station, with the application of Lake Shore Broadcasting Corp. for new station at Cleveland, Ohio.
- Northeastern Pennsylvania Broadcasters, Inc., Wilkes-Barre, Pa.—Granted petition for an extension of time for filing proposed findings of fact and conclusions on its application (Docket No. 6170) for new station; further ordered that the time for filing proposed findings on applications of Wilkes-Barre Broadcasting Corp. (Docket 6135), Central Broadcasting Co. (Docket 6169), Key Broadcasters, Inc. (Docket 6171), and Northeastern Pennsylvania Broadcasters, Inc. (Docket 6170) be extended until March 9, 1942.
- Essex Broadcasters, Inc., Detroit, Mich.—Granted special temporary authority to transmit to radio Station CKLW for broadcast by that station program of the Detroit Lutheran Charities League, originating in the auditorium of the Burns Avenue Baptist Church in Detroit, Mich., from 2:30 to 3 p. m., EST, February 8, 1942, only.
- WHKC—United Broadcasting Co., Columbus, Ohio.—Denied request for special temporary authority to operate additional time on January 30 and February 6, 1942.
- WSAJ—Grove City College, Grove City, Pa.—Granted special temporary authority to operate additional time from 8 to 10:30 p. m. EST, February 10, 21, 24, and 27, 1942, and March 10, 1942, in order to broadcast home basketball games, only.
- WOI—Iowa State College of Agriculture & Mechanic Arts, Ames, Iowa.—Denied request for special temporary authority to operate additional time February 3, 23 and 27, 1942.
- WCNW—Arthur Faske, Brooklyn, N. Y.—Granted special temporary authority to operate additional time from 12 midnight EST, January 30 to 1 a. m., EST, January 31, 1942, only, in order to broadcast "Salute to President Roosevelt," provided WWRL remains silent.
- WMBI—The Moody Bible Institute of Chicago, Ill.—Granted special temporary authority to operate additional time from 12 midnight February 3 to 6 a. m., CST, February 4, 1942, in order to broadcast program in connection with Founders' Week Conference, only.
- WILL—University of Illinois, Urbana, Ill.—Granted special temporary authority to operate additional time, using 250 watts, from 7:25 to 9:25 p. m., CST, February 7, 9, 14, 21, 23, 1942; from 7:55 to 9:55 p. m., CST, February 16, 1942; from 8:10 to 10:10 p. m., CST, February 28, 1942, in order to broadcast basketball games played by that University.
- WAGF—Dothan Broadcasting Co., Dothan, Ala.—Granted special temporary authority to operate additional time from 7:45 to 8:45 p. m., CST, January 29, 1942, only, as requested.
- WMRO—Martin R. O'Brien, Aurora, Ill.—Granted special temporary authority to operate additional time from 7:30 to 10 p. m., CST, on January 30 and 31, 1942, in order to broadcast the highschool basketball tournament from Somonauk, Ill., only, subject to the express condition that power is reduced to 100 watts.
- KTNM—Krasin & Krutzner Broadcasting Co., Tucumcari, N. M.—Granted extension of special temporary authority to operate from 7 a. m. to 7 p. m., MST, instead of unlimited time as specified in existing license, from January 31 to not later than March 1, 1942, only.
- W49D—John Lord Booth, Detroit, Mich.—Granted modification of special temporary authority to operate an RCA 10-KW transmitter on 44900 kc., using a temporary antenna for the period beginning February 16, 1942, and ending not later than April 16, 1942, pending completion of construction in accordance with construction permit.
- W71NY—Bamberger Broadcasting Service, Inc., New York, N. Y.—Granted extension of special temporary authority to operate frequency modulation station commercially on 47100 kc., power of 10,000 watts, special emission for frequency modulation, at 444 Madison Ave., New York City, using Western Electric Type 506-A-1, Serial No. 101, 10-KW transmitter, using a single, vertical coaxial antenna having a power gain factor of one; and using Western Electric Type B-151182, at the aforementioned location, as an auxiliary transmitter, for the period February 19 to not later than April 19, 1942, pending completion of construction in accordance with construction permit as modified.
- W47NY—Muzak Corporation, New York, N. Y.—Granted extension of special temporary authority to operate commercially on 44700 kc., 3 KW power, special emission for frequency modulation, using temporary antenna, with transmitter located at 70 Pine St., New York City, and described as General Electric Type GF-103B, maximum rated carrier power output 3 KW, for a period beginning February 4 and ending in no event later than April 4, 1942, pending completion of construction in accordance with construction permit as modified.
- W45OM—WBNS, Inc., Columbus, Ohio.—Granted extension of special temporary authority to operate frequency modula-

- tion station W45OM commercially on **44500 kc.**, 10 KW power, special emission for frequency modulation, using temporary antenna, with transmitter located at Barnet Road, Columbus, Ohio, described as R.E.L. Cat-520DL, maximum rated carrier power output 10 KW, from February 13 to not later than April 13, 1942, pending completion of construction in accordance with construction permit as modified.
- WBNX**—Broadcasting Co., Inc.; News Syndicate Co., Inc.; FM Radio Broadcasting Co., Inc.; Knickerbocker Broadcasting Co., Inc.; Debs Memorial Radio Fund, Inc.; Greater New York Broadcasting Corp.; Wodaam Corporation (all of New York, N. Y.); Mercer Broadcasting Co., Ewing Township, N. J.—On Commission's own motion postponed hearing on FM applications in Dockets 6013, 6175, 6176, 6177, 6178, 6179 and 6181, now set for February 16, to February 17, 1942.
- WMIN**—WMIN Broadcasting Co., St. Paul, Minn.—Granted motion for continuance of hearing on applications of Station WMIN and Independent Merchants Broadcasting Co. (WLOL), Minneapolis, Minn., for construction permits to operate on **630 kc.**, 1 KW night, 5 KW day, directional antenna night and day, unlimited; hearing now set for February 24, continued to March 23, 1942.
- Bernard N. Walker, Concord, N. C.—Granted petition for leave to withdraw without prejudice application for new station.
- Tennessee Radio Corp., Nashville, Tenn.—Granted motion for all parties to proceeding to extend time for filing proposed findings of fact and conclusions to February 26, 1942, in re applications of Tennessee Radio Corp., and Nashville Broadcasting Co. for construction permits for new stations.
- S. Brad Hunt, Alton, Ill.—Granted motion for leave to file a written appearance in re application for new station.
- KGNC**—Plains Radio Broadcasting Co., Amarillo, Tex.—Granted petition for continuance of hearing in re application for construction permit to operate on **860 kc.**, 5 KW night, 10 KW day, directional antenna night, unlimited; hearing now set for February 6; continued to February 9, 1942.
- W9XAK**—Kansas State College of Agriculture & Applied Science, Manhattan, Kans.—Granted modification of construction permit as modified for new television station, for extension of completion date from January 15 to July 15, 1942 (B4-MPVB-72).
- KFI**—Earle C. Anthony, Inc., Los Angeles, Calif.—Granted extension of special temporary authority to operate the 5-KW auxiliary transmitter between the hours 12 midnight and 6 a. m., PST, daily, from February 2 to not later than March 3, 1942, in order to permit necessary servicing of the 50-KW main transmitter.
- W2XMN**—Edwin H. Armstrong, Alpine, N. J.—Granted extension of special temporary authority to operate an additional transmitter located at Alpine, N. J., on **43 mc.**, with a power not to exceed 40 KW, using frequency modulation, from February 7 to not later than April 7, 1942, in order to conduct further experiments on adjacent channel operation of high frequency broadcast stations and to demonstrate such operation to certain engineering committees of the Radio Manufacturing Association.
- Cuyahoga Valley Broadcasting Co., Cleveland, Ohio.—Granted motion to dismiss without prejudice application for new station.
- WJAX**—City of Jacksonville, Jacksonville, Fla.—Granted petition for leave to amend application for change in operating assignment, so as to specify a new directive antenna design for use on **930 kc.**
- Philco Radio & Television Corp., Philadelphia, Pa.—Granted extension of special temporary authority to relay broadcast through Television Relay Station W3XP television programs originating at Commercial Television Station WNBT (licensed to NBC) for rebroadcast over Commercial Television Station WPTZ, for a period of 30 days beginning February 1, 1942, upon condition that the programs retransmitted by the station be for experimental purposes only.
- W3XTF**—Philco Radio & Television Corp., Philadelphia, Pa.—Granted extension of special temporary authority to operate special experimental television relay transmitter at Wyndmoor, Pa., on **230000-242000 kc.** with power output of 15 watts (peak) in order to conduct experiments relative to reception and retransmission of television programs to Television Station WPTZ from January 31 to not later than March 1, 1942.
- W67C**—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted extension of special temporary authority to operate frequency modulation station W67C commercially on **46700 kc.**, power of 1 KW, special omission for frequency modulation, using temporary antenna, transmitter at 1 No. LaSalle St., from February 6 to not later than March 7, 1942, pending completion of construction in accordance with construction permit.
- WSVS**—Board of Education, City of Buffalo, Buffalo, N. Y.—Retired to files request for special temporary authority to remain silent for the period February 1 to February 28, 1942, the license for WSVS having been surrendered by the licensee by letter of January 29, 1942, for cancellation.
- WBNY**—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 8:30 a. m. to 10 a. m., EST, Monday through Friday, for the period February 1, 1942, and ending not later than February 28, 1942, provided WSVS remains silent (see item above).
- Trent Broadcast Co., Trent, N. J.—Commission, on its own motion, set aside its order of October 7, 1941, dismissing petition by WOAX, Inc., for rehearing of grant of a construction permit to Trent Broadcast Co. to erect a new station to operate unlimited time on **920 kc.** with 1 KW power, using a directional antenna; and further ordered that petitioner be given 20 days within which to file additional material or affidavits, and applicant 10 days thereafter to file answer. The Commission will then be able to dispose of the matters raised by the petition for rehearing on its merits.
- Birney Imes & Robin Weaver, d/b as Imes-Weaver Broadcasting Co., Murfreesboro, Tenn.—Placed in pending file pursuant to Order No. 79 application for construction permit (B3-P-3215; Docket 6194) for new station to operate on **1340 kc.**, 250 watts, unlimited time; exact site and antenna system to be determined subject to Commission's approval.
- W2XWV**—Allen B. DuMont Laboratories, Inc., New York, N. Y.—Granted special temporary authority to rebroadcast WNBT television programs for experimental purposes for a period beginning February 2 and ending not later than February 9, 1942.
- WEKP**—Scranton Broadcasters, Inc., Scranton, Pa.—Granted special temporary authority to operate Relay Broadcast Station WEKP on **39.82 mc.** in order to make measurements for antenna proposed in application for construction permit to increase the power of Station WGBI (File No. B2-P-3405) for a period not to exceed 15 days.
- KWFR**—Wichita Broadcasting Co., area of Wichita Falls, Tex.—Cancelled relay broadcast station construction permit authorization of KWFR, in accordance with written request of the permittee dated January 27, 1942.
- General Electric Co., Schenectady, N. Y.—Granted special temporary authority to operate Television Relay Station (formerly licensed as W2XI) on Channel No. 8, **162000-168000 kc.**, with power of 50 watts (peak), A5 emission for relaying visual program material for experimental purposes only, for a period to expire February 28, 1942.
- KMJ**—McClatchy Broadcasting Co., Fresno, Calif.—Granted extension of special temporary authority to operate Composite 1-KW transmitter using 660-foot tower with non-directional antenna, at Madera and North Avenues, Kerman, Calif., in lieu of site specified in existing license, from February 3 to not later than February 12, 1942. Also granted special temporary authority to operate with power of 5 KW, using non-directional antenna, at Madera and North Avenues, Kerman, Calif., in lieu of site specified in existing license, for a period not to exceed 30 days.

## APPLICATIONS FILED AT FCC

### 560 Kilocycles

- KWTO**—Ozarks Broadcasting Co., Springfield, Mo.—Modification of construction permit (B4-P-2827) for change in hours, installation of directional antenna for night use, requesting move of transmitter, changes in directional antenna and extension of commencement and completion dates from 2-21-42 and 8-20-42 to 60 days after grant and 180 days thereafter, respectively.

### 610 Kilocycles

- WSGN**—The Birmingham News Co., Birmingham, Ala.—Construction permit to increase power from 1 KW to 1 KW

night, 5 KW day, using directional antenna night and install new transmitter.

WIOD—Isle of Dreams Broadcasting Corp., Miami, Fla.—Construction permit to increase power from 5 KW to 5 KW night, 10 KW day and make changes in directional antenna and changes in transmitter.

#### 620 Kilocycles

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Construction permit to install new transmitter, directional antenna for day and night use, change frequency from 1240 to 620 kc., increase power from 250 watts to 1 KW night, 5 KW day, move transmitter. Amended: to request 850 kc., changes in directional antenna for night use only, and correct data re transmitter site.

WROL—S. E. Adcock, d/b as Stuart Broadcasting Co., Knoxville, Tenn.—Construction permit to install new transmitter, changes in directional antenna, change power from 500 watts night, 1 KW day to 5 KW, using directional antenna night. Amended: to change name from Stuart Broadcasting Corp. in accordance with assignment granted.

KGW—Oregonian Publishing Co., Portland, Ore.—Construction permit to install new transmitter and increase power from 5 KW to 5 KW night, 10 KW day, using directional antenna night.

#### 660 Kilocycles

NEW—Northern Ohio Broadcasting Co., Elyria, Ohio.—Construction permit for a new broadcast station to be operated on 660 kc., 1 KW, daytime. Amended: re engineering data.

#### 730 Kilocycles

NEW—Charles F. Eden, Providence, R. I.—Construction permit for a new broadcast station to be operated on 730 kc., 1 KW, daytime.

#### 830 Kilocycles

NEW—J. C. Horton, Santa Ana, Calif.—Construction permit for a new broadcast station to be operated on 830 kc., 10 KW, limited time-WCCO.

#### 990 Kilocycles

WIBG—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Modification of construction permit (B2-P-3207) for new transmitter, directional antenna for day and night use, increase in power, changes in hours, move transmitter, requesting changes in directional antenna and approval of \* studio at Philadelphia, Pa., and approval of transmitter at Township of Whitemarsh, Pa.

\* Move from Glenside, Pa.

#### 1150 Kilocycles

WDEL—WDEL, Inc., Wilmington, Dela.—Modification of construction permit (B1-P-2758) for increase in power, new transmitter and directional antenna for day and night use, requesting change in type of transmitter.

#### 1240 Kilocycles

WGCM—WGCM, Inc., Gulfport, Miss.—Transfer of control of corporation from P. K. Ewing to Hugh O. Jones and Wm. E. Jones, equally, 280 shares common stock.

#### 1340 Kilocycles

WLBC—Donald A. Burton, Muncie, Ind.—License to cover construction permit (B4-P-3317) for move of transmitter, installation of new antenna system. Amended: re type of transmitter.

WLBC—Donald A. Burton, Muncie, Ind.—Authority to determine operating power by direct method. Amended: re antenna and ground system.

NEW—John R. Crowder, tr. as Dimple Broadcasting Co., Columbia, Tenn.—Construction permit for a new broadcast station to be operated on 1240 kc., 250 watts, unlimited time (facilities WSIX requested when vacated). Amended: to request 1340 kc. (amendment incomplete).

KRBA—Ben T. Wilson, R. A. Corbett and Thomas W. Baker, d/b as Red Lands Broadcasting Assn., Lufkin, Texas.—Modification of license to change hours from daytime to unlimited time, using power of 250 watts. Amended: re engineering data and form 329 resubmitted.

#### 1400 Kilocycles

WPAY—The Scioto Broadcasting Co., Portsmouth, Ohio.—License to cover construction permit (B2-P-2685) as modified for changes in equipment, changes in antenna, increase power and move transmitter.

WPAY—The Scioto Broadcasting Co., Portsmouth, Ohio.—Authority to determine operating power by direct method.

NEW—KTOP, Inc., Topeka, Kans.—Construction permit for a new broadcast station to be operated on 1400 kc., 250 watts, unlimited hours (contingent on KTSW's change to 1490 kc.).

#### 1410 Kilocycles

WKBH—WKBH, Inc., LaCrosse, Wisc.—Modification of construction permit (B4-P-2733) as modified for new transmitter, directional antenna for night use, increase in power and move of transmitter, requesting extension of completion date from 3-26-42 to 9-26-42.

#### 1430 Kilocycles

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Construction permit to change frequency from 1430 to 1190 kc., increase power from 5 to 50 KW, install new transmitter, make changes in directional antenna for night use and move transmitter. (Facilities WOWO requested.) Amended: re substitution of photos of proposed site.

#### 1440 Kilocycles

KABC—Alamo Broadcasting Co., Inc., San Antonio, Tex.—Construction permit to move transmitter, install new transmitter, install directional antenna for day and night use, change frequency from 1450 to 1440 kc. and increase power from 250 watts to 1 KW.

#### 1450 Kilocycles

NEW—Chattahoochee Broadcasting Co., Columbus, Ga.—Construction permit for a new broadcast station to be operated on 1450 kc., 250 watts, unlimited time. Amended: re corporate structure.

KIDW—The Lamar Broadcasting Co., Lamar, Colo.—Voluntary assignment of license to C. R. Anderson.

WHIT—Coastal Broadcasting Co., New Bern, N. C.—Modification of construction permit (B3-P-3239) for a new station, requesting change in type of transmitter and approval of studio and transmitter sites. Amended: to specify new transmitter and studio sites as West of New Bern and antenna changes.

#### 1460 Kilocycles

WGOV—E. D. Rivers, Valdosta, Ga.—Construction permit to install new transmitter, increase power from 250 watts to 500 watts night, 1 KW day, change frequency from 1450 to 1460 kc. Amended: to request 950 kc., increase power from 500 watts night, 1 KW day to 1 KW and install directional antenna for night use.

#### 1470 Kilocycles

WSAN—Lehigh Valley Broadcasting Co., Allentown, Pa.—Modification of construction permit (B2-P-2637) as modified, for increase in power, installation new transmitter, and directional antenna for day and night use, change in hours, requesting change in type of transmitter and changes in proposed directional antenna.

#### 1490 Kilocycles

NEW—B. Loring Schmidt, Salem, Ore.—Construction permit for a new broadcast station to be operated on 1490 kc., 250 watts, unlimited hours.

WGKV—Kanawha Valley Broadcasting Co., Charleston, W. Va.—Construction permit to make changes in equipment and in-

crease power from 100 to 250 watts. Amended: re Section 4a.

KYOS—Merced Broadcasting Co., Merced, Calif.—License to cover construction permit (B5-P-2545) for change in frequency and increase in hours of operation.

KYOS—Merced Broadcasting Co., Merced, Calif.—Authority to determine operating power by direct method.

KTSW—Emporia Broadcasting Co., Inc., Emporia, Kans.—Construction permit to change frequency from 1400 to 1490 kc. and changes in equipment.

#### 1510 Kilocycles

KGA—Louis Wasmer, Spokane, Wash.—Modification of construction permit (B5-P-2602) for new transmitter, installation of directional antenna for night use, increase in power, move studio and transmitter, requesting extension of completion date from 2-24-42 to 6-15-42.

#### 1550 Kilocycles

WALB—The Herald Publishing Co., Albany, Ga.—Construction permit to change frequency from 1590 to 1550 kc., changes in directional antenna for night use, installation of new transmitter, increase power from 1 to 10 KW. Amended: to request changes in directional antenna for night use and omit request for increase in power and installation of new transmitter.

#### 1590 Kilocycles

KGEZ—Donald C. Treloar, Kalispell, Mont.—Modification of construction permit (B5-P-2573) as modified for change in frequency, increase in power and installation of directional antenna for night use, requesting change in frequency from 1460 to 1590 kc. and change in type of antenna from directional to vertical.

WAKR—Summit Radio Corp., Akron, Ohio.—Modification of construction permit (B2-P-3038) for increase in power, changes in directional antenna for night use and installation of new transmitter, requesting extension of completion date from 3-1-42 to 9-1-42.

#### 1600 Kilocycles

NEW—Peter Q. Nyce, Alexandria, Va.—Construction permit for a new broadcast station to be operated on 1600 kc., 5 KW, unlimited hours, directional antenna day and night use and located Washington, D. C. Amended: to request 740 kc., 1 KW, daytime only and transmitter and studio to be Alexandria, Va., change type of transmitter and request vertical radiator.

WCNW—Arthur Faske, Brooklyn, N. Y.—Modification of construction permit (B1-P-3151) for new transmitter, increase in power, change in frequency and hours of operation, requesting changes in antenna system.

### FM APPLICATIONS

NEW—Associated Broadcasters, Inc., Indianapolis, Ind.—Construction permit for a new high frequency broadcast station to be operated on 47,300 kc.; population, 759,389; coverage, 6,665 square miles. Amended: to request coverage 8,185 square miles, population 870,054, changes in antenna and specify rated power as 10 KW instead of 5 KW.

W59NY—Interstate Broadcasting Co., Inc., New York, N. Y.—Modification of construction permit (B1-PH-109) for a new high frequency broadcast station, requesting extension of completion date from 2-17-42 to 8-17-42.

### TELEVISION APPLICATIONS

NEW—Philco Radio and Television Corp., Portable-Mobile.—Construction permit for a new television relay broadcast station to be operated on Channel Nos. 13 and 14, 230000-242000 kc., 15 watts, Emission A5, to be used with Station WPTZ.

NEW—Philco Radio and Television Corp., Portable-Mobile.—Construction permit for a new television relay broadcast station to be operated on Channel Nos. 13 and 14, 230000-242000 kc., 15 watts, Emission A5, to be used with Station WPTZ.

NEW—Bamberger Broadcasting Service, Inc., New York, N. Y.—Construction permit for a new commercial television broad-

cast station to be operated on Channel No. 6, 96000-102000 kc., ESR: 1246 (Formerly W2XBB); Aural: Max. 2 KW; Visual: Max. 4 KW.

### MISCELLANEOUS APPLICATIONS

WCBX—Columbia Broadcasting System, Inc., New York, N. Y.—Modification of construction permit (B1-PIB-27) as modified for increase in power, new transmitter, move transmitter and change in frequencies, requesting extension of completion date from 1-25-42 to 2-25-42.

WAOB—National Broadcasting Co., Inc., Port Washington, N. Y.—License to cover construction permit (B1-PRY-246) for changes in equipment and move of transmitter.

NEW—L. B. Wilson, Inc., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on 31220, 35620, 37020, 39260 kc., 50 watts, Emission: special for frequency modulation with a band width of not over 30 kc.

NEW—Charleston Broadcasting Co., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on 1622, 2058, 2150, 2790 kc., 250 watts, Emission A3.

## FEDERAL TRADE COMMISSION DOCKET

### COMPLAINTS

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**American Plate Glass Company**—H. W. Lederer and two corporations of which he is president, The Bible Institute and American Plate Glass Co., both located at 224 West 34th St., New York, are charged in a complaint with using deceptive acts and practices to promote the sale of bibles and other religious publications and hand-bag mirrors. (4687)

**Kola Astier Corp.**—A complaint has been issued charging Kola Astier Corporation and Gallia Laboratories, Inc., 254-256 West 31st St., New York, with misrepresentation in the sale of "Kola Astier," a medicinal preparation. (4682)

**Baer Laboratories, Inc.**—A complaint has been issued charging Baer Laboratories, Inc., 30 East 20th St., New York, with misrepresentation in connection with the sale of a medicinal product designated "Sulfuraid-21." (4686)

**B. & L. Hat Co.**, Ben D. Fogel and Louis Singer, 612 West Lake St., Chicago, are charged, in a complaint, with misrepresentation in the sale of hats.

The complaint alleges that the respondents manufacture women's hats from felt and other materials obtained from old, worn and previously used hats and sell such products to retailers, jobbers or wholesalers in various States without any label, marking or designation stamped on or attached to the hats, to indicate to such dealers or the public that the hats are made from old materials. (4679)

**E. I. du Pont de Nemours & Co., Inc.**, Wilmington, Del., is charged in a complaint, with misrepresentation and disparagement

## STIPULATIONS

of a competitor's product in connection with the sale of synthetic degreasing and dry cleaning solvents consisting of trichlorethylene and perchlorethylene. The du Pont Company's solvents are "Cecolene No. 1" and "Cecolene No. 2," for use in degreasing machines, and "Tri-Clene" and "Per-Clene," for use in dry cleaning machines. (4685)

**Griffith Laboratories**—Charging misrepresentation in the sale of a meat-curing preparation, a complaint has been issued against The Griffith Laboratories, Chicago, manufacturer of "Prague Powder," advertised as a "dry cure" to be used in rubbing on meat and as a "pickle," when in liquid form, for pumping into meat. (4684)

**Hickok Manufacturing Co.,** Rochester, N. Y., and Pioneer Suspender Co., Philadelphia, are charged, in complaints, with misrepresentation in the sale of products made of "Vinylite," a plasticized material having a glass-like appearance. (4680-4681)

**John C. Johnson Company**—Disparagement of aluminum cooking utensils sold by competitors is alleged in a complaint issued against John C. Johnson Co., 1120 First National Bank Building, Birmingham, Ala., engaged in the sale of ironware cooking utensils. (4690)

**Pakula and Co.,** trading as L. W. Ring Co., 5 North Wabash Ave., Chicago, engaged in selling jewelry and novelties to dealers and other purchasers, is charged, in a complaint with misrepresentation. (4676)

**Physicians Electric Service Corporation**—A complaint has been issued against Physicians Electric Service Corporation, Los Angeles, manufacturer of the device, and Solomon E. Mendelsohn, president of the corporation; and the May Department Stores Co., a New York corporation with a California office and store in Los Angeles, distributor of the device.

The complaint alleges that through newspaper and other advertisements approved or prepared in collaboration by the respondent manufacturer and distributor, the respondents represent that their device, when used by the unskilled lay public in treating self-diagnosed ailments by self-application in the home, is a scientific, safe, harmless and effective means for relieving or curing rheumatism, arthritis, neuritis, bursitis, lumbago, sciatica, neuralgia, sinus trouble, colds, women's disorders and other ailments, and for alleviating pain resulting from them. (4683)

**Richter and Phillips Co.,** Cincinnati, is charged in a complaint, with misrepresentation in the sale at retail of jewelry, silverware, luggage, giftware and other jewelers' merchandise to consumers who buy for their own use and not for resale or retailing. (4688)

**E. H. Roberts Portrait Co.,** 1000 Holmes St., Kansas City, Mo., its officers and more than 200 of its representatives and sales agents are charged in a complaint with entering into understandings and agreements to sell tinted or colored enlargements and miniatures of photographs, and frames, through the use of misleading and deceptive acts and practices, in violation of the Federal Trade Commission Act. (4692)

**John F. Trommer, Inc.**—Misrepresentation in the sale of "Trommer's White Label" beer is alleged in a complaint issued against John F. Trommer, Inc., operating a brewery in Orange, N. J., and maintaining its principal office at Bushwick Ave. and Conway St., Brooklyn. (4689)

**Wineholt Company**—Charging misrepresentation in the sale of watches and pistols, a complaint has been issued against Mervin Wineholt, trading as Wineholt Co., and as Mervin Wineholt Co., Woodbine, Pa. (4691)

During the past week the Commission has announced the following stipulations:

**Arthur-Leslie Sauce Co.,** 122 Charles St., New York, has entered a stipulation to cease certain representations in the sale of a food product designated "Worcestershire Sauce." The respondent agrees to cease representing, or providing wholesalers, private brand distributors or others with the means to represent, through the use of wrappers, containers or labels which simulate the distinctive wrappers, containers or labels used by Lea & Perrins, Inc., in marketing Worcestershire sauce, or in any other manner, that the respondent's product is Worcestershire sauce manufactured and distributed by Lea & Perrins, Inc., which has for many years distributed its brand of sauce under distinctive labels and wrappers. (3373)

**Cal-Par Corporation,** 685 Broadway, New York, has entered into a stipulation to discontinue representing that its laxative preparation designated "Bolk" acts as an intestinal tonic, relieves constipation in a natural manner, or is safe to use in cases of colitis or constipation; that the preparation will always be of benefit where symptoms of headache, nausea, dimmed eyesight, or weakness are present; and that it will prevent toxins from breaking down the intestinal walls and entering the blood stream or will prevent degenerative changes in nerves, glands or organs, or is a safeguard against obesity. (02943)

**Chemical Products Co. and Chemical Products Laboratory,** Ellsworth, Minn., entered into a stipulation to cease representing that a preparation designated "Sixty Minute Worm Expeller" and "Sixty Minute Worm Remedy" expels all worms from dogs, cats or foxes; is effective or dependable under all conditions; and, when administered to dogs, reduces the danger of fits, distemper, paralysis, eczema or other diseases. The respondent further stipulates it will cease representing, by use of the designation "Sixty Minute" in the brand name of the product, that it expels worms in 60 minutes, and discontinue representing that the preparation is safe or harmless unless explanation is made that the product may not be safe to administer to weak or sick animals. (02940)

**Conti Products Corp.,** 45 Clinton Ave., Brooklyn, has entered into a stipulation to discontinue representing that a cosmetic designated "Conti Complexion Cream" is effective in preventing or correcting skin dryness, in helping maintain the proper moisture balance of the skin, or in conditioning the facial muscles, or that it will have a beneficial effect upon so-called "worry lines." The respondent also agrees to cease representing, through use of the word "tissue" in describing the preparation, that it builds up, nourishes or otherwise beneficially affects the tissues of the skin. (02941)

**C. P. Leister Hatchery,** McAlisterville, Pa., stipulated to cease representing that his poultry breeding stock is blood-tested for Pullorum disease each year and all reactors removed or that such stock is otherwise tested or culled, unless all his poultry breeding stock and the flocks from which he receives eggs for hatching purposes are actually tested or culled as represented. (3378)

**Lindfelt Manufacturing Co.,** 307 Court Ave., Des Moines, Iowa, engaged in the sale of gloves and mitts, entered into a stipulation to discontinue selling or distributing any imported product without clearly and distinctly marking the exposed surface of the package or wrapping so as to disclose the country of origin. According to the stipulation, the respondent company, which also trades as Lindfelt Glove Mfg. Co. and as Champion Manufacturing Co., sold gloves imported from Japan without making any disclosure of the country of origin other than by a sticker bearing the words "Made in Japan" which was attached to the inner seam in the gloves. (3377)

**Antone Matysek**, 2219 East Biddle St., Baltimore, entered into a stipulation to cease and desist from certain representations in connection with the sale of a booklet entitled "Physique Control Course," courses of instructions designated "Health-O-Flex System Courses," and an exercising device called "Health-O-Flexer." (02942)

**Stylewise Hosiery Sales, Inc.**, 330 Fifth Ave., New York, distributor of women's hosiery, entered into a stipulation to cease and desist from use of the word "Manufacturers" as descriptive of its business, and from use of other words of similar implication, the effect of which may tend to convey the belief that it makes women's hosiery or that it actually owns and operates or directly and absolutely controls a plant or factory in which such products are manufactured. According to the stipulation, the respondent described itself in letterheads and other trade literature as a "Manufacturer" with mills in Philadelphia and Oxford, Md., when in fact it does not make hosiery but buys its merchandise from other concerns. (3376)

### CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders during the past week:

**Blum Lace & Embroidery Co.**, 6103 Buchanan Place, West New York, N. J., engaged in the sale of chenille fabrics, stipulated that they will cease and desist from advertising, labeling, invoicing or selling products composed in whole or in part of rayon without clearly disclosing, by use of the word "rayon," that such products are composed of or contain rayon; and, when a product is composed in part of rayon and in part of other fibers or materials, will not fail to disclose each constituent fiber, in the order of its predominance by weight beginning with the largest single constituent, in immediate connection with and in type equally conspicuous as the word "rayon." The respondents also agree to cease using the word "Persian" or any other words connoting fur as descriptive of fabrics made or composed of fibers other than fur, and to discontinue advertising, labeling or selling fabrics composed of fibers other than fur under any representations or conditions of deceptive concealment whereby purchasers may be misled into buying such fabrics in the belief that they are composed of fur. (3374)

**Goody's Inc.**, Winston-Salem, N. C., manufacturer of "Goody's Headache Powders," stipulated to cease disseminating advertisements which fail to reveal conspicuously that its headache powders should not be used in excess of the dosage recommended; that frequent or long-continued use may be dangerous, causing dependence on a drug, or causing skin eruptions or mental derangement; that use of the preparation may cause collapse; and that the powders should not be taken by nor administered to children; provided, however, that the advertisement need contain only the statement: "Caution: Use only as directed," if and when the directions appearing on the label or in the labeling contain a warning to the same effect. The respondent further agrees to desist from advertising that use of the preparation will remove the cause of symptoms indicated by headache, neuralgia, muscular aches and pains, or has value other than as a temporary alleviating agent. (3375)

**Old Colony Knitting Mills, Inc.**, manufacturer of sweaters, Hingham, Mass., and Maine Spinning Co., producer of yarns, Skowhegan, Maine, have been ordered to cease and desist from misusing the word "Shetland" to describe certain of their products. (4236)

**Sure Laboratories**, 841 North Wabash Ave., Chicago, has been ordered to discontinue misrepresentations in connection with the sale of a preparation designated "Sure," advertised as a breath purifier.

The Commission finds that the respondent falsely represented in advertising that "Sure" is not a perfume but is a preparation which will neutralize all odors and remove every trace of offensive breath, and that agents selling the product can realize average net earnings of as high as \$300 a week. (3948)

**Victor Hat Co.**, 153 North Wabash Ave., Chicago, has been ordered to cease and desist from misrepresentations in the sale and distribution of women's hats. (4629)

### FTC CLOSES CASE

The Federal Trade Commission closed its case resulting from a complaint issued against Albert Walters, trading as Wayne-Townesend & Co., 1001 Chestnut St., Philadelphia, charging him with violation of the Federal Trade Commission Act in the sale of men's wearing apparel. Closing of the case was ordered without prejudice to the Commission's right to resume proceedings, should future facts so warrant.

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February 13, 1942.

*To all Broadcasting Stations*

All station managers have received from Carl Haverlin a copy of the new BMI License. The details of this license were discussed at the District meetings last Fall, and a resolution was passed at every District meeting unanimously approving the contract and expressing the determination to give BMI the continued support it so well deserves.

Now is the time for action. Won't you show your appreciation for the grand job BMI has already done and your confidence in its future by sending in your signed contract to BMI now?

With kindest regards, I am,

Very truly yours,

Neville Miller.

### CONSTRUCTION PRIORITIES

The DCB has recommended to the War Production Board and the FCC that, effective immediately, all new construction for standard broadcast facilities be limited in accordance with the following:

"1. No critical materials shall be allocated by the War Production Board or further authorizations issued by the Federal Communications Commission for the construction of any new standard broadcast station where all or a substantial part of the proposed primary service area is already provided with primary service from one or more standard broadcast stations.<sup>1</sup>

"2. No critical materials shall be allocated by the War Production Board or further authorizations issued by the Federal Communications Commission for construction in order to change the transmitting facilities of any existing standard broadcast station unless the change will result in a substantial new primary service area no substantial part of which is already provided with primary service from one or more standard broadcast stations.<sup>2</sup>

"3. No critical materials shall be allocated by the War Production Board for the construction, under outstanding authorizations of the Federal Communications Commission:

(a) Of any new standard broadcast station where all or a substantial part of the proposed primary service area is already provided with primary service from one or more standard broadcast stations; or

(b) In order to change the transmitting facilities of any existing standard broadcast station unless the change will result in a substantial new primary service area no substantial part of which is already provided with primary service from one or more standard broadcast stations."<sup>1</sup>

<sup>1</sup> In general, the Federal Communications Commission's Standards of Good Engineering Practice will be used as a guide in the determination of primary service.

It is understood that this matter has already received consideration by the Federal Communications Commission, as evinced in that Commission's public statement of January 30, and by representatives of the War Production Board in conferences with the Priorities Liaison Committee of the Defense Communications Board.

### CHILDREN'S RADIO PROGRAM CONFERENCE

A conference was held Monday, February 9 in the Interior Department Broadcasting Studios in Washington, D. C. to discuss the establishment of a permanent research agency for the improvement of children's radio programs. The conference was called by Dr. John W. Studebaker, Commissioner of Education and Chairman of the Federal Radio Education Committee. The original proposal of this project was submitted by the Evaluation of School Broadcasts staff at Ohio State University, the FREC project supported by the Rockefeller Foundation funds.

Dr. Studebaker extended invitations to all of those interested in children's radio programs, and called upon the following people to review the proposal in advance of the meeting and give ten-minute talks on views of the practicability of the project:

Dr. James Rowland Angell—National Broadcasting Company  
Mrs. Dorothy Lewis—Radio Council on Children's Programs  
Mr. Davidson Taylor—Columbia Broadcasting System  
Mrs. Sidonia Gruenberg—Child Study Association  
Mr. Belmont Farley—National Education Association  
Miss Josette Frank—For Robert J. Maxwell, of Superman, Inc.  
Mr. Paul Peter—National Association of Broadcasters

The conference was opened with a speech by Dr. Studebaker, reviewing the history of the proposal and a statement to the effect that the FREC was interested in having the proposal receive a fair consideration but was not advocating the adoption of the proposal as a project of FREC. This undertaking would be separately operated and supported.

Following Dr. Studebaker's address, Norman Woelfel and I. Keith Tyler of the Ohio State University Evaluation of School Broadcasts project, made presentations, "Criteria for Children's Radio Programs" and "Proposal for a Research and Service Agency" respectively. The ten-minute comments of the persons mentioned above followed on the agenda. Considerable diversity of opinion was expressed by those people as to the value and need for such an agency.

After considerable discussion Mr. Charters of Ohio State University moved that Dr. Studebaker, as Chairman of the conference, appoint a small committee representative of those groups interested in children's radio programs, to determine the practicability of the recommendation, and if that committee found the plan to be workable, that it recommend specific procedure for putting the plan into operation.

### "THIS IS WAR" SERIES

In amplification of the announcement in War Service Bulletin No. 8, non-network stations may broadcast the series off the air, without lines to the nearest network outlet, but *rebroadcasts* off the air or by transcription are forbidden.

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

## NEVILLE MILLER ADDRESSES CANADIAN ASSOCIATION

Neville Miller, John Gillin of WOW, Omaha, NAB Director for the Tenth District, and Lynne Smeby, NAB Director of Engineering, represented the NAB at the Annual Meeting of the Canadian Association of Broadcasters on February 9-11 at Montreal.

Mr. Miller was guest speaker at the luncheon on Monday, Mr. Smeby was guest speaker at the Tuesday breakfast Round Table on priorities and engineering problems under War conditions, and Mr. Gillin spoke at the afternoon meeting Monday which considered standardization of rate structure.

The other subjects under discussion were price control and the effect of the War on broadcasting in Canada.

William L. Shirer, CBS, was guest speaker at the Annual Banquet on Tuesday night.

Highlights of Mr. Miller's talk follow:

1. Radio will remain as a privately-owned, competitively-operated business, and will *not* be taken over by the Government. Although, under our law, the Government *could* take over radio at any time, all responsible Government Officials have not only declared themselves against Government ownership, but are showing an increasing appreciation of the splendid service being rendered by the broadcasters.

2. Radio has ceased to be thought of as merely entertainment or a luxury, and is now recognized as a national defense activity. In speaking of radio, Price Administrator Leon Henderson recently used these words:

"Radio constitutes an important factor in defense. Besides serving as a source of news and of entertainment vital to morale, it furnishes the principal channel through which civilian defense authorities are enabled to disseminate directions and intelligence necessary to the public safety."

3. The Government has recognized that experience in radio is needed for the successful handling of the Government's radio activities, and has recruited from the broadcasting industry the personnel needed to fill the key radio positions in the Government.

4. There is a continued evidence of a policy on the part of the Government to rely on the industry for self-regulation, rather than the enactment of legislation. This was particularly evident recently in the actions of the Censor and the OFF.

This all means that since the War started, radio's foundations have been strengthened, not weakened, and with continued cooperation and public service, those foundations will be so strengthened that radio will be able to stand firm, even in the uncertain days which lie ahead.

In closing, may I say you have no monopoly on problems; we have our share. We are all in an industry which usually has at least one crisis by ten o'clock every morning. We do not know what the effect of this War will be on advertising—how low our revenues may sink, or how high our operating costs may go. But we *do know* we are in this War to win—and win we must—because, should we lose radio, as you and I know it, with all its power, with all its glory, we would perish!

You and I did not will this War. Had we our wish, we would still be at peace; but since it is here, we must give our all to end it as soon as possible.

But some day the guns will be still, the last unknown soldier will have made the supreme sacrifice, and the nations of the world will gather around the peace table. On that table will be laid the list of those nations, and those leaders, who tried to destroy

civilization, and radio—as used by them—will be listed as one of their weapons.

Also on that table will be laid the names of those nations and their leaders who fought to save civilization—and radio will be on that list! And it is your job, and my job, to see that it is written in letters of gold!

## NAZI "PARTY LINE"

What is the current Nazi "party line" in its short wave propaganda?

It was exposed in some detail this week by Archibald MacLeish, Director of OFF, after a thorough study by his and other agencies.

Mr. MacLeish's statement may be of special interest to news editors, for their guidance in seeing that none of the Nazi propaganda inadvertently gets into news or other broadcasts.

Warning that the "Borgia Bund" of enemy radio propagandists is using an ancient technique to spread a brand new concoction of lies in an attempt to poison the minds of the United Peoples against one another was sounded today by Archibald MacLeish, Director of the Office of Facts and Figures.

"The technique," said Mr. MacLeish, "is as old as Satan. It is the shabby but subtle system of playing both ends against the middle. The Axis propaganda poisoners are constantly on the air whispering defamatory stories about the British or the Australians or the South Americans into listening ears in the United States, then they nimbly switch to a beam aimed at Britain or another of the United Nations to pour out lies about us."

"As an official charged by the President with the duty of seeing to it that American citizens get the facts about the war," Mr. MacLeish continued, "I have been appealed to by officers of the Government's war agencies to call attention to this campaign of attempted mind-poisoning. The poison, in the form of exaggerations, distortions and outrageous lies, is being spread from Berlin, Tokyo and Rome via short wave radio. The campaign is as shrewd, as ruthless, as any poison plot of the Borgias.

"In 'Mein Kampf', Hitler advocated the lie as a powerful strategic weapon, and counseled in favor of the biggest and boldest lie on the theory that 'the great masses of the people . . . are more easily victimized by a large than a small lie.' Hitler has been proved right so far as the German people are concerned. They have been fed, and evidently have swallowed, a well-balanced diet of some of history's most outstanding falsehoods.

"But once again, as in 1917, the strategists of the aggressor nations underestimate the intelligence and temper of the American people. I think that Americans are smart enough to detect enemy falsehoods, and resolute enough to resent the impudence that dares to try to foist such falsehoods on the citizens of this country."

Mr. MacLeish pointed out that his statements were not based on conjecture, but on a factual study of enemy short wave propaganda which has been conducted by the Intelligence Bureau of the Office of Facts and Figures during the past several weeks in cooperation with the Foreign Broadcast Monitoring Service of FCC, and the Office of the Coordinator of Information. The study has covered propaganda broadcasts from the enemy countries, and has been especially directed at a comparison of lines of propaganda channeled toward the different members of the United Nations.

"The strategy of Axis short wave propaganda remains the same—to attempt to divide country from country among the United Nations, race from race, religion from religion," said Mr. MacLeish. "Only its tactics change, as the enemy propagandists seize upon—or manufacture—new incidents or issues.

"The comparative study of Axis broadcasts—for example, the comparison of broadcasts directed at the United States and at Great Britain—has provided illuminating instances of the mind-poisoning technique of Goebbels and his Italian and Japanese imitators."

As an example, Mr. MacLeish cited a recent broadcast aimed at the United States which declared:

"The American foreign policy is dictated from Downing Street rather than from Washington, and will leave America holding the bag."

Thus, to Americans, the story is that their country is but a  
*(Continued on page 84)*

# What Stations Say About the NAB "MANUAL OF RADIO ADVERTISING"

*Another service to NAB members!*

A valuable compilation of basic radio sales data—the first and only thing of its kind prepared for any advertising medium!

"Send eight copies . . ."  
Please send immediately, eight copies  
of your new Manual—WOV

*The Trade Press says—*

I found the Manual most interesting and instructive. Certainly such a compilation of basic data has long been needed by the radio industry. I shall keep it close at hand and expect to use it often.—ADVERTISING AGE.

"Each Salesman will study . . ."  
. . . Each salesman in our organization is going to spend considerable time studying it—WIBA

"In use so often . . ."  
. . . The one we already have is in use so often that it never seems to be available to me, so this one will be ear-marked for my desk alone—WFIL

"For my own personal use . . ."  
Words cannot express my appreciation of this, so far, very complete Manual. With the chapters yet to come, the radio industry will certainly have some important material available in one volume. I wish you would forward me a copy for my own personal use—WBLK

*"Almost daily use . . ."*

A splendid piece of work and you deserve unlimited credit for the production of this important sales help. We shall have almost daily use for this Manual and it will be of very great assistance to our sales department—WLOK

*A new use for it . . .*  
. . . Please send two additional copies, one of which is to be used to give our clerical department a more complete insight and foundation to our daily problems—WKPT

*For Reference Library*  
I note with great interest, your "Manual of Radio Advertising" and want to have the CBS Reference Library on your list—CBS

"Most constructive . . ."  
Congratulations! This in my judgment is one of the most constructive projects that the NAB has yet undertaken. . . . Send four copies—WPTF

*By Telegram*

SEND SIX COPIES "RADIO SALES MANUAL". IT'S GREAT!  
—WBNS

*. . . . . and dozens of others!*

One copy sent free to every NAB member. Extra copies available *only* to NAB members. Complete price—\$3.80, including all chapters *yet to come*. To order extra copies, use enclosed postcard or simply write to National Association of Broadcasters, 1626 K St. N.W., Washington, D. C.

NAZI "PARTY LINE"  
(Continued from page 82)

tail to the English kite. But to the British, the Axis propagandists chant:

"The British Empire is dissolving like a lump of sugar into Roosevelt's tea cup."

And the Berlin radio within the past few days charged that the landing of American troops in Northern Ireland was, among other things, timed to "coincide with Roosevelt's gradual absorption of Australia and Canada."

During the Pan-American conference in Rio de Janeiro, enemy radio speakers from Berlin, Tokyo and Rome vied with enemy agents on the ground in a frantic but fruitless effort to disrupt harmony among the American Republics.

On the beam to South America, the United States was repeatedly charged with imperialistic designs. Many attempts were made to fabricate a picture of religious conflict. Among the fabrications was an allegation that the Vatican, which promptly denied the story, was urging the South American countries not to break off relations with the Axis. Another, via Italian radio, portrayed "Protestant Roosevelt" in an alliance with "Atheist Stalin" attacking "Catholic Fascism."

The Italian radio has been particularly abusive in attempting to vilify the United States in order to give South Americans the idea that their neighbors to the north are a nation of crooks governed by gangsters.

Said a Rome broadcast during the Rio conference:

"A noted North American gang leader accepted a recruit at once when the applicant stated that his experience-record included work for the F. B. I., for Mayor LaGuardia, Secretary Morgenthau, and lately for Sumner Welles. Cried the gang leader, 'That's enough! You have just the qualifications for a successful gangster.'"

"The enemy propagandists have the effrontery to broadcast statements diametrically at variance with authenticated news stories appearing on the front page of every American paper," Mr. MacLeish declared. "They are evidently ignorant of the fact that the American people are the best-read, best-informed people in the world."

The Director pointed to the thoroughly-documented record of the manner in which the Nazis have systematically plundered the countries which they have over-run, and of starvation conditions in Greece and other Nazi-dominated areas. In the face of these known facts, Berlin now broadcasts:

"It has always been the greatest concern of Germany to supply the necessary foodstuffs to those people who are standing under Germany's protection."

And the broadcast went on to blame the British blockade, rather than Nazi thievery of food and materials, for the distress of the occupied countries.

Despite the fact that the world is aware of the notorious conduct of Japanese troops in China, the Tokyo radio has as a favorite theme the nobility and high honor of the Jap soldier.

"It would seem," said Mr. MacLeish, "that Japan is a little sensitive about the treachery of Pearl Harbor. At least the Japanese apologists are taking great pains to point out how honorable the Japanese are. National honor, as we know it in the United States, does not need such high-pressure advertising."

The Axis effort to stimulate disunity among the United Nations is constant and as ingenious as it is unscrupulous. From Tokyo, broadcasts to Burma picture the Filipinos as deserting the Americans; broadcasts to the Philippines describe the Burmese as deserting the British.

Particular attention is being paid to Turkey in an effort to destroy that country's confidence in the United Nations. Shortly after the visit of British Foreign Minister Anthony Eden to Moscow, the Nazi radio made up the story that he had agreed that Russia should have the Dardanelles. The Turkish government investigated and found the report to be false, whereupon the German propaganda chiefs offered the alibi that they had been

misled by a British news agency. That story, too, was investigated and found to be false.

## A. F. of M.—AGMA SETTLEMENT

The A. F. of M. (Mr. Petrillo) and AGMA (Mr. Tibbett) have settled their feud about concert artists and accompanists by agreement. Mr. Petrillo appeared to be the winner. His jurisdiction was recognized. But AGMA gets jurisdiction in dealing with managers in the concert field.

## FEDERAL COMMUNICATIONS COMMISSION

Chairman James Lawrence Fly of the FCC said on Monday at his press conference that the Commission has not yet decided on when it will invoke priorities against television and FM stations along with standard broadcast stations.

Discussing this he said that "the important thing was simply to bring into practical operation what has for some time appeared to be a fundamental policy on the part of the defense agencies. That is that there should not be future grants and we did what seemed to be the simplest thing to avoid trouble"—that was to stop the grants where there is existing primary service—for the time being. He said that what is to be done with FM and television that's another thing. "That has not been considered. Of course we have always had it in mind but there has been no specific policy adopted in relation to it. That is one thing that we will have to take up in the very near future. That's unavoidable, of course."

Mr. Fly said that the Commission has secured 30,000 more square feet of space for its personnel which he said was badly needed.

## SHORTER FORM FOR BROADCAST RENEWALS

Looking to relieving the amount of paper work required for renewal of standard broadcast station licenses, the Commission approved a revised draft of Form 303, "Application for Renewal of Standard Broadcast Station Licenses." The form has been shortened from 10 pages to 5, and in other ways has been simplified to meet the cooperative suggestions made by various licensees.

The groundwork for simplification of Form 303 was laid last year at conferences between representatives of the FCC, NAB, NIB and FM, Inc. Gene Pulliam, WIRE, representing NAB, was chairman of the conference committee.

## STATE LEGISLATION

### KENTUCKY:

H. 230 (Crouch) LICENSE ALCOHOLIC BEVERAGES—To prohibit the sale and keeping for sale by holders of retail dealers licenses alcoholic beverages advertised by means of radio. Referred to Committee on Alcohol and Liquor Control.

### NEW YORK:

S. 12 (Williamson) CONSUMER'S INSTALLMENT SALES ACT—Requires that installment sellers of goods for \$2,000 or less and sales finance companies shall obtain license to do business from superintendent of banks, that such business shall not be associated with or adjacent to small loan business and that installment contracts shall contain all terms including interest charges in percentages, forbids extra charges, limits insurance coverage to amount due seller, provides for repossession and redemption of goods. Referred to Committee on Banks.

A. 984 (Ehrlich) CHILD LABOR—Prohibits employment of children under 16 years in theatrical performances, circuses, motion pictures, radio broadcast performances, except on amateur programs, without written consent of education board or officials. Referred to Committee on Education.

## 923 STATIONS

The Federal Communications Commission issued operating licenses to four stations and granted one permit for the construction of a new station during the month of January, 1942. One CP station was deleted. A comparative table by months follows:

	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1
Operating .....	835	836	837	836	849	854	859	859	869	877	882	887	891
Construction .....	46	54	54	55	48	43	44	53	44	38	37	36	32
	881	890	891	891	897	897	903	912	913	915	919	923	923

## Radio Training Courses

### SOUTHERN CALIFORNIA

Professor R. W. Sorensen, of the California Institute of Technology, Pasadena, and coordinator for Southern California, spent an hour and a half at headquarters on Monday, February 9. He returned to the Coast the same evening after air mailing directions for handling the thousands of accumulated letters which had been forwarded by the Southern California broadcast stations.

Professor Sorensen indicated that he was aggressively behind the training program and planned to make the courses widely available throughout his territory.

### NORTH DAKOTA

J. M. Hetland, technical director, WDAY, Fargo, N. D., writes: "We have learned from our state coordinator that definite proposals for courses in Grand Forks, Valley City, Bismarck, Minot and Fargo have been sent in."

### ARIZONA

Arizona stations are all actively at work back of the radio technician training program, according to Dick Lewis, KTAR, Phoenix, industry representative. He anticipates a progress report in the very near future. Prof. O. H. Polk, University of Arizona, is State Coordinator.

### MANHATTAN COLLEGE, N. Y. C.

From Aldred D. Donovan, assistant director, Engineering Defense Training, Manhattan College, School of Engineering, New York City: "Following the recommendations of your Association, Manhattan College has set up defense training courses in the fundamentals of radio (Part No. 1) for the training of radio technicians. Our present plans are to train upwards of one thousand. . ."

### FLORIDA

Says Joseph Weil, University of Florida, Gainesville, State Coordinator: "Plans are now underway to offer fundamentals of radio, as outlined by the National Association of Broadcasters, in Pensacola, Jacksonville, Gainesville, Orlando, Miami and Tampa. It may be offered in other localities where qualified trainees are available and suitable instructors can be obtained."

### KANSAS

Report by Guy V. Keeler, director, ESMDT, University of Kansas, Extension Division, Lawrence, Kans.:

During the past week organization meetings have been held in the following towns with the following results:

Atchison, 2 classes; Topeka, 4 or 5 classes; Emporia, 2 classes; Wichita, 3 classes.

In Kansas City, Kans. and Mo., a general meeting with representatives from all broadcast stations has been held. Mr. Keeler estimates that from 1,500 to 2,000 people, perhaps more, will be enrolled from the greater Kansas City area. We are working

directly with Ben Ludy, of Topeka (industry representative), who has been interested and most helpful, he reported. Additional classes will be started soon and interest is high.

Mr. Keeler also revealed that there are enough qualified students in Pittsburg, Kans., to take part No. 2 of the radio technician training course. This class is made up of those who successfully completed a recent course in elementary radio engineering.

Kansas State College has two classes in radio, one in ultra-high frequency, designed for senior electrical engineering students, and one in radio technology.

A course has been in session for some weeks in Coffeyville.

### COLORADO AND WYOMING

In Colorado members of radio engineering staffs are supplementing the faculties of engineering schools in teaching classes. This information came from Robert H. Hudson, Rocky Mountain Radio Council, Denver, who also wrote that radio technicians are being trained in Wyoming as well as in Colorado. Classes are being organized in Denver, Golden, Colorado Springs and Pueblo by the University of Colorado, the University of Denver and the Colorado School of Mines with the assistance of radio stations KOA, KLZ, KVOB, KFEL and KMYR, Denver, KVOR, Colorado Springs, and KGHF, Pueblo.

### OREGON AND WASHINGTON

"Broadcasters in both Oregon and Washington are doing a grand job with regard to enrolling prospective radio technicians. Paul Connet, KGW-KEX, Portland, is handling the work in Oregon; Harvey Wixson, KHQ-KGA, Spokane, is taking care of eastern Washington; and George Priebe, KRSC, Seattle, is handling the work for eastern Washington. All in all, things are going along pretty well and these three men seem to be quite hopeful for the future," says Harry R. Spence, director of district 17, and President of KXRO, Aberdeen, Wash.

### MISSOULA

A. J. Mosby, manager, KGVO, Missoula, Mont., wrote: "Thanks to the splendid work of Professors Gibbs and Schilling we are all set to get our radio technician schools started here by February 23."

### LaGRANGE, GA.

Edwin Mullinax, general manager, WLAG, LaGrange, Ga., wrote: "WLAG is making good progress in getting radio school underway. Our understanding is that school will start about February 15 and are making plans accordingly. We have offered our studio as an instruction point without charge."

### HAVERFORD COLLEGE

L. H. Rittenhouse, Hilles Laboratory of Applied Science, Haverford College, Haverford, Pa., wrote on February 8 that radio technician training courses are to be given at his college.

### FLINT JUNIOR COLLEGE

Dean W. S. Shattuck of the Flint (Mich.) Junior College, intends to give radio technician training at his school.

### MORNINGSIDE COLLEGE

Alvin H. Smith, chief engineer, KSCJ, Sioux City, Iowa, reports that 125 people turned out for the radio technician training course registration at Morningside College on February 3. Ninety-nine were eligible and signed up for the course.

### MASSACHUSETTS

A meeting of Massachusetts broadcasters was held at Hotel Kenmore, Boston, on February 7, for the purpose of discussing various phases of the campaign for the establishment of radio training courses throughout Massachusetts. The principal speaker was Professor R. G. Douglass, Massachusetts Institute of Technology.

state coordinator for defense training courses in the state. Other speakers were Professor John Henderson of Northeastern University, Boston; Arthur Stringer and Lynn Smeby of the National Association of Broadcasters. E. E. Hill, state industry representative, was chairman of the meeting. Those attending and the stations represented were:

WAAB-ANAC—Boston, Roy Harlow, Vice President, Yankee Network; Irving B. Robinson, Chief Engineer.

WBZ-WBZA—Boston and Springfield, Cy Young, Manager; Tod Sloane, Chief Engineer.

WEEI—Boston, Harold Fellows, General Manager; Philip Baldwin, Chief Engineer.

WHDH—Boston, Ralph G. Matheson, Manager; Harold Jones, Asst. Chief Engineer.

WCOP—Boston, Roland Hale, Chief Engineer.

WMEX—Boston, Alfred Pote, General Manager.

WORL—Boston, John Parker, Chief Engineer.

WRUL—Boston, Hollis Baird.

WHAI—Greenfield, James L. Spates, Manager.

WHYN—Holyoke, Thomas R. Humphrey, Chief Engineer.

WOCB—Hyannis, Rodney Merrill, Chief Engineer.

WLAW—Lawrence, John D. Maloy, Program Director; George A. Hinckley, Chief Engineer.

WLLH—Lowell—Lawrence, Robert F. Donahue, Manager; Ralph Newton, Chief Engineer.

WNBH—New Bedford, Irving Vermilya, General Manager.

WESX—Salem, Van D. Sheldon, Station Manager; Richard I. Hammond, Chief Engineer.

WMAS—Springfield, A. W. Marlin, Manager; Earl G. Hewinson, Chief Engineer.

WSPR—Springfield, Quincy A. Brackett, General Manager; Lawrence Riley, Chief Engineer.

WEAN—Providence, R. I., Harold Tilley, Chief Engineer.

MASSACHUSETTS RADIO SCHOOL—Guy Entwistle.

EASTERN RADIO INSTITUTE—Thomas J. Moore.

Cities in which it is planned courses will be given include Boston, Worcester, Springfield, Lowell, Fall River, New Bedford, Falmouth, Salem, Lynn, Brockton, Fitchburg, Newburyport, Greenfield, and Pittsfield. Others may be added from time to time. Cooperating institutions are expected to include: Massachusetts Institute of Technology, Harvard, Boston University, Boston College, Northeastern University, Tufts College, Worcester Polytechnic Institute, Massachusetts State College and possibly Simmons, Wellesley, and Smith.

### ADOPT RESOLUTION

The following resolution, introduced by Cy Young, WBZ, was unanimously adopted:

WHEREAS the broadcasters of Massachusetts recognize the acute need for the training of radio technicians for service in the armed forces of our Country as well as in industry, and

WHEREAS, the National Association of Broadcasters has provided a national organization of educators and broadcasters who will assist in the establishment and development of such courses;

Now, therefore, be it resolved that the broadcasters of Massachusetts shall cooperate whole-heartedly with the State Coordinator and shall give unstintingly of their time and effort in providing the publicity, personnel and available equipment necessary to insure the success of the undertaking.

### BOUTWELL URGES SPEED

William D. Boutwell, chief, Division of Radio, Publications & Exhibits, U. S. Office of Education, has recently reported on various radio training programs.

At the present time, he pointed out, in addition to the ESMDT program with which the broadcasting industry is cooperating, there are a number of regular vocational courses financed jointly by the Federal Government and the various states and administered by the Office of Education, in cooperation with state boards for vocational education and local public schools.

He said: "the Army alone needs about 6000 officers and 100,000 enlisted men, together with several thousand civilian radio technicians of professional grade. It is apparent the largest number the schools can train is not too many.

"Time is now of the essence. American education is moving forward on these fronts to train a vast army of radio technicians."

## Radio Course Broadcasts

E. K. Cohan, CBS director of engineering, discussed the need for radio technician training over WABC-CBS on Saturday, February 7, with a repeat on Friday, February 12.

Mr. Cohan employed the magic of radio communication to interest his listeners in the courses in this fashion:

"Good Evening, Fellow Americans! Hearing a voice come out of that radio set of yours is an everyday occurrence, isn't it?—And it doesn't matter much whether the speaker is in New York or San Francisco, his voice comes to you the instant he speaks, without any tangible connection between the microphone he uses and the loudspeaker which reproduces his voice,—and regardless of the thousands of miles which may be separating the two points. Did you ever stop to wonder what miracle of science makes this possible?

"When you hear a news commentator casually say, 'This is London,' or, 'This is Chunking, China,' did you know that there are no transatlantic or transpacific cables in existence capable of bringing these voices to you, that only radio makes this possible?

"Do you realize that the first man to detect the presence of enemy aircraft off Hawaii used a device made possible through the development of the radio vacuum tube?

"Those little vacuum tubes in your radio set—and their big brothers in the transmitters—are capable of performing miracles unheard of forty years ago.

"They can detect fly-power electrical energy; they can amplify whispers to thunderous volume, and they can generate the energy that carries my voice to your loudspeaker.

"Those uncomplaining little vacuum tubes which took a 30,000-mile beating in your car radio—before the treads wore out—are the Aladdin Lamps of the twentieth century. To them we owe radio, television, long distance telephony, talking motion pictures, aircraft dispatching, aircraft communication and navigation, and the ability to hear, in New York on a Thursday evening, something being said by a commentator in Batavia the following Friday morning!

"The technical side of radio is mighty interesting work, and to those of you who have often said, 'I wish I knew more about it,' your government is offering you a free training course to equip you to become a radio technician—and to learn all about vacuum tubes and their many uses.

"Training courses in Fundamentals of Radio are now being given three evenings a week by dozens of colleges throughout the country. Additional classes are being set up as rapidly as they can be organized. There is no charge for this tuition, other than a few dollars for textbooks—which remain your property." Etc.

### WTAD, QUINCY

WTAD, Quincy, Ill., has a fifteen-minute program "We're All Americans," and on Friday last it was used to emphasize the Radio Technician Training Program, according to a note from C. Arthur Fifer, general manager. Following are several lines from the middle commercial which lead into information concerning the courses:

"May we have your undivided attention for the next few moments? To an astounding extent the operations of this war depend upon radio. Not the kind of radio you are listening to now . . . but the kind of radio that directs the activities of our ships and men in battle. Frankly there are not enough technicians to man the posts. This is an appeal to you to take one of those posts. If you are a young man of fighting age, a post at battle station . . . if you are above military combat age . . . it is a complicated job . . . one needing special training . . . you will receive the training . . . that training will be arranged so that you can continue to carry on your regular activities . . ." etc.

## War Notes

### WBIG LOBBY DISPLAY

Major Edney Ridge, WBIG, Greensboro, N. C., has sent us a gloss print of a lobby display promoting "Public Relations and National Defense."

The top center consists of the "WBIG Honor Roll," with six stars, each one representing a station employee in service. Below is what is apparently a winged display board. On a white shield, on dark background, is lettered—"Remember, Our Country Is at War!" Below this appears "Talk Less—Do More." Between the two end displays is a bond poster.

### WLS MAP SELLS

World maps are on the preferred reading list of radio listeners according to Glenn Snyder, manager, WLS, Chicago. He prevailed upon news editors Bentley and Lewis to edit a new map and then proceeded to sell them for a dime. A total of 38,249 has been sold from the beginning of the offer at six a. m. October 28, 1941.

### WAR PROGRAM

"Remember Pearl Harbor" is the title of a new series of programs devoted to the war effort recently inaugurated by WMBD, Peoria, Ill. Helpful hints to listeners as to how to conserve rubber, waste paper, vital materials and other war material will be incorporated into the scripts. There is also information on defense bond sales, Red Cross campaigns, government needs for defense workers and announcements in behalf of the various branches of the armed services.

### WIBX IS 100 PER CENT

Vice President Elliott Stewart of WIBX, Utica, N. Y., reports that the entire staff of 34 has signed up 100 per cent for the pay roll allotment plan as it concerns defense savings.

### WHAT ABOUT THIS?

Instead of "Hitler," say "Adolph Schickelgruber." Suggestions comes from Dr. Edwin Davis, Omaha, Nebr.

"Those in control of broadcasts reaching countless millions," says Dr. Davis, "are not unaware of the tremendous power of wide-flung ridicule. 'I realize that this thought is too obvious to be original; also that wars are not won by slogans. It nevertheless seems possible that such a campaign, given impetus by those qualified and able, might 'catch on' and gain momentum, as has 'V-for-Victory'."

### NORTH CAROLINA RESOLUTIONS

Three separate resolutions were unanimously adopted by the broadcasters composing the North Carolina Association of Broadcasters at their recent meeting in Wilmington according to A. E. Joscelyn, WBT, chairman, and Bryce Beard and Major Edney Ridge, WBIG, Greensboro, of the resolutions committee. That concerned with radio technicians has been referred to Lynne C. Smeby, NAB director of engineering, who has been handling this matter with the Commission. The second of the resolutions places North Carolina broadcasters on record as reiterating their desire to render full service to North Carolina and the nation throughout the war. The complete facilities and personnel of all stations were extended to the various government agencies and all branches of the armed forces. The third resolution acknowledged the presence of Captain C. W. Stark, Captain R. W. Petzoldt, Lieutenant R. C. Webb, Hart S. Cowperthwaite and then thanked them for their whole-hearted cooperation.

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 16. They are subject to change.

Tuesday, February 17

Consolidated Hearing

- NEW—WBNX Broadcasting Co., Inc., New York, N. Y.—C. P., 48300 kc., 8,730 sq. mi., unlimited time.  
NEW—News Syndicate Co., Inc., New York, N. Y.—C. P., 47900 kc., 8,500 sq. mi., unlimited time.  
NEW—FM Radio Broadcasting Company, Inc., New York, N. Y.—C. P., 48300 kc., 8,600 sq. mi., unlimited time.  
NEW—Knickerbocker Broadcasting Co., Inc., New York, N. Y.—C. P., 48300 kc., 8,550 sq. mi., unlimited time.  
NEW—Debs Memorial Radio Fund, Inc., New York, N. Y.—C. P., 48700 kc., 8,600 sq. mi., unlimited time.  
NEW—Greater New York Broadcasting Corp., New York, N. Y.—C. P., 48700 kc., 8,500 sq. mi., unlimited time.  
NEW—Mercer Broadcasting Company, Ewing Twp., N. J.—C. P., 44700 kc., 3,200 sq. mi., unlimited time.

Wednesday, February 18

- WPRP—Julio M. Conesa, Ponce, Puerto Rico.—C. P., 1480 kc., 1 KW night, 5 KW day, unlimited time.  
WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Modification of C. P., 1520 kc., 1 KW night, 5 KW day, unlimited time.  
WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Renewal of license, 1420 kc., 250 watts, unlimited time.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

- WMCA—Knickerbocker Broadcasting Co., Inc. (Assignor), WMCA, Inc. (Assignee), New York, N. Y.—Granted consent to the voluntary assignment of license of Station WMCA from Knickerbocker Broadcasting Co., Inc., to WMCA, Inc. (both companies being wholly owned by Mr. Edward J. Noble).  
W81PH—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Granted modification of construction permit (B2-MPH-56) to change frequency from 48100 kc. to 46500 kc. (group B channel), to serve an area of 9,300 square miles.  
Park Cities Broadcasting Corp., Dallas, Tex.—Granted motion for an extension of time within which to file Proposed Findings of Fact and Conclusions on application for construction permit for new station; time extended until February 13, 1942.  
W2XMN—Edwin H. Armstrong, Alpine, N. J.—Granted extension of special temporary authority to retransmit the transmissions of High Frequency Broadcast Stations W2XAG, W65H and W43B for the period February 24 to not later than April 25, 1942, in order to continue rebroadcasting experiments. Granted extension of special temporary authority to operate a high frequency experimental broadcast station on 42800 kc., 40000 watts power, special emission for frequency modulation, with transmitter located at North of Alpine, N. J., from February 24 to not later than April 25, 1942, pending completion of new FM Station W31NY.  
W43B—The Yankee Network, Boston, Mass.—Granted extension of special temporary authority to operate frequency modulation station commercially on 44300 kc., 50000 watts power, special emission for frequency modulation, using the trans-

mitter of High Frequency Experimental Station W1XOJ at summit of Asnebumskit Hill, Paxton, Mass., from February 23 to not later than April 23, 1942, without prejudice to the issues to be determined in the hearing on application. (File No. B1-PH-51)

W9XBK—Balaban & Katz, Chicago, Ill.—Granted extension of special temporary authority to operate two transmitter units to be installed and operated from the State-Lake Bldg., Chicago; Link transmitter Type No. 50-UTX with 100 watts power for visual and Link transmitter Type 25-UBX, 25 watts power to be used for aural; temporary steel tower to be used on roof of said building, in order to conduct tests for the period February 14 to not later than March 15, 1942, in accordance with construction permit. (B4-PVB-50)

KOIN—KOIN, Inc., Portland, Ore.—Granted special temporary authority to operate with main transmitter of Station KALE as a special auxiliary transmitter for Station KOIN during the test period from 1 to 6 a. m., from February 9 to not later than March 9, 1942, in order to permit necessary servicing of KOIN's transmitter.

W2XAG—Carman R. Runyon, Jr., Yonkers, N. Y.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on 117190 kc., 5000 watts, special emission for frequency modulation, with transmitter located at 544 North Broadway, Yonkers, N. Y., from February 25 to not later than April 26, 1942.

W65H—WDRG, Inc., Hartford, Conn.—Granted extension of special temporary authority to rebroadcast High Frequency Broadcast Station W2XMN emissions from February 25 to not later than April 25, 1942.

W8XAD—WHEC, Inc., Rochester, N. Y.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on 42600 kc., 1000 watts, special emission for frequency modulation, with transmitter located at 979 Mt. Read Blvd., Rochester, N. Y., from February 25 to not later than April 26, 1942.

W65H—WDRG, Inc., Hartford, Conn.—Granted extension of special temporary authority to operate frequency modulation station commercially on 46500 kc., 1000 watts, special emission for frequency modulation, with transmitter located at Meriden, Conn., from February 25 to not later than April 25, 1942, pending completion of construction pursuant to construction permit.

## TENTATIVE DECISIONS

Holding that the proposal is inconsistent with Commission's rules and, further, is contrary to equitable distribution of radio service, the Commission announced intended denial of the application by the City of New York Municipal Broadcasting System to increase the hours of operation of its station WNYC on the frequency 830 kilocycles with its present power of 1 kilowatt.

This licensee sought to operate from 6 a. m. to 11 p. m., Eastern Standard Time, using directional antenna, instead of daytime until sunset at Minneapolis, as at present.

In its Proposed Findings of Fact and Conclusions (B-140), the Commission is of the opinion that such a grant would not serve the public interest, convenience and necessity. The Commission's Rules Governing Standard Broadcast Stations provide that only one full time station may be assigned to the frequency in question (now used by Columbia Broadcasting System station WCCO at Minneapolis on an unlimited time basis) and that the power of such station shall not be less than 50 kilowatts (which is the power of WCCO). Simultaneous operation would result in interference detrimental to both stations. Also, grant of the application as proposed "would not tend toward an equitable distribution of radio service to the several states and communities" as contemplated by the provisions of Section 307(b) of the Communications Act. Commissioner Payne dissented.

The Commission denied a petition by Portsmouth Radio Company requesting a grant without further hearing of its application for a new station in Portsmouth, Va., to operate on 1490 kilocycles with 250 watts power, unlimited time. The Commission directed that further hearings on the application be held in the light of the existing situation on the availability of materials.

At the same time, the Commission denied the application of R. N. Wallace and G. E. Schnibben, doing business as Norfolk

County Broadcasting Co., for like facilities at Norfolk, Va. (B-147)

## DESIGNATED FOR HEARING

McKeesport Radio Co., McKeesport, Pa.—Designated for hearing application for construction permit for new station to operate on 1360 kc., 1 KW, daytime only; exact site to be determined, subject to Commission's approval (B2-P-3186).

Ralph W. S. Bonnett, Sandusky, Ohio.—Designated for hearing application for construction permit (B2-P-3362) for new station to operate on 1450 kc., 250 watts, unlimited time; exact site to be determined, subject to Commission's approval.

WIBC—Indiana Broadcasting Corp., Indianapolis, Ind.—Designated for hearing application for construction permit (B4-P-3335) to increase power from 1 KW night, 5 KW LS, to 5 KW night, 10 KW LS, directional antenna for night use, and make changes in transmitting equipment.

WMAS—WMAS, Inc., Springfield, Mass.—Designated for hearing application for construction permit (B1-P-3228) to change frequency from 1450 to 910 kc., increase power from 250 watts to 1 KW, install new transmitter and directional antenna system for day and night use.

## LICENSE RENEWALS

Granted renewal of following station licenses for the period ending in no event later than February 1, 1944:

KIEV, Glendale, Calif.; KOA, Denver, Colo.; WGY and auxiliary, Schenectady, N. Y.; WHB and auxiliary, Kansas City, Mo.; WKAR, East Lansing, Mich.; WOI, Ames, Iowa; WPTF and auxiliary, Raleigh, N. C.; WRUF, Gainesville, Fla.

Granted renewal of following station licenses for the period ending in no event later than April 1, 1944:

KGA, Spokane, Wash.; KOMA, Oklahoma City, Okla.; KWJJ, Portland, Ore.; WBAL, Baltimore, Md.; WDG, Minneapolis, Minn.; WDZ, Tuscola, Ill.; WINS, New York, N. Y.; WOAI and auxiliary, San Antonio, Tex.; WQXR and auxiliary, New York, N. Y.

## MISCELLANEOUS

WMAL—M. A. Leese Radio Corp., Washington, D. C.—Granted modification of license for change in name of license corporation from M. A. Leese Radio Corp., to The Evening Star Broadcasting Co. (B1-ML-1111).

KGW—Oregonian Publishing Co., Portland, Ore.—Granted license to cover construction permit as modified, which authorized installation of directional antenna and increase in power (B5-L-1591); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1328).

KDAL—Red River Broadcasting Co., Inc., Duluth, Minn.—Granted license to cover construction permit as modified, which authorized change in frequency, increase in power, installation of new transmitter, and directional antenna for night use and move of transmitter (B4-L-1554); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1284).

WTAX—WTAX, Inc., Springfield, Ill.—Granted license to cover construction permit which authorized changes in transmitting equipment (B4-L-1604).

WAKR—Summit Radio Corp., Akron, Ohio.—Granted modification of construction permit for increase in power, changes in equipment, changes in directional antenna for night use only, for extension of completion date from March 1 to September 1, 1942 (B2-MP-1497).

W49BN—Wylie B. Jones Advertising Agency, Binghamton, N. Y.—Granted modification of construction permit as modified which authorized new high frequency broadcast station, for extension of completion date only, from February 13 to July 13, 1942 (B1-MPH-65).

WJAR—The Outlet Company, Providence, R. I.—Granted construction permit to make changes in and move old main transmitter to site of new main transmitter, East Providence, R. I., for use as auxiliary transmitter with power of 1 KW, for emergency use only (B1-P-3430).

WBZ—Westinghouse Radio Stations, Inc., Boston, Mass.—Granted construction permit for changes in transmitting equipment (B1-P-3419).



- KDKA—Westinghouse Radio Stations, Inc., Pittsburgh, Pa.—Granted construction permit for changes in transmitting equipment (B2-P-3423).
- WHEB—WHEB, Inc., Portsmouth, N. H.—Denied request for special temporary authority to begin operation at 7 a. m., EST (time is in accordance with Public Law No. 403, approved January 20, 1942, effective 2 a. m., February 9, 1942), using power of 250 watts to 7:45 a. m., EST, from February 9 to February 28, 1942.
- Don Lee Broadcasting System, Portable-Mobile, area of San Francisco, Calif.—Granted construction permit for new relay broadcast station; 1616, 2090, 2190, 2830 kc., 100 watts (B5-PRY-264).
- WAAU—Columbia Broadcasting System, Inc., Portable-Mobile, area of Chicago, Ill.—Granted modification of license of relay station to designate station WBBM, Chicago, as the standard broadcast station with which the station shall be operated, instead of standard broadcast station WABC, New York, N. Y. (B4-MLRY-29).
- KEID—KCMO Broadcasting Co., Portable-Mobile, area of Kansas City, Mo.—Granted application for license for reinstatement of relay broadcast station license which expired December 1, 1942 (B4-LRE-374).
- KEIE—KCMO Broadcasting Co., Portable-Mobile, area of Kansas City, Mo.—Granted application for license for reinstatement of relay broadcast station license which expired December 1, 1942 (B4-LRE-375).
- New Laurel Radio Station, Inc., Portable-Mobile, area of Laurel, Miss.—Granted construction permit for new relay broadcast station; 1622, 2058, 2150, 2790 kc., 50 watts (B3-PRY-268).
- KEHD—Topeka Broadcasting Assn., Inc., Portable-Mobile, area of Topeka, Kans.—Granted application for license for reinstatement of relay broadcast station license which expired December 1, 1941 (B4-LRE-373).
- W9XCB—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted modification of construction permit as modified which authorized new television broadcast station, for extension of completion date from January 15 to July 15, 1942 (B4-MPVV-69).
- WCBX—Columbia Broadcasting System, Inc., Brentwood, N. Y.—Granted modification of construction permit as modified, which authorized increase in power, installation of new transmitter, move of transmitter and additional frequencies, for extension of completion date from January 25 to February 25, 1942 (B1-MPIB-34).
- KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted special temporary authority to operate the auxiliary transmitter between the hours of 12 midnight and 6 a. m., PST, daily, for a period not to exceed 30 days, in order to permit necessary servicing of the main transmitter.
- W53PH—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate frequency modulation station W53PH commercially on 45300 kc., 1 KW power, without frequency modulation monitor, using temporary transmitter R.E.L. Type 518, maximum rated carrier power output 1 KW, located atop the Widener Bldg., Philadelphia, for the period beginning February 4, and ending in no event later than March 5, 1942, pending completion of construction in accordance with construction permit as modified.
- WISN—Hearst Radio, Inc., Milwaukee, Wis.—Granted license to cover construction permit to move old licensed 1 KW transmitter to site of new main transmitter, and use as auxiliary for emergency purposes only (B4-L-1600).
- WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Granted license to cover construction permit as modified, in part, for new transmitter and increase in power (B2-L-1605).
- WRRN—Nied & Stevens, Warren, Ohio.—Granted authority to determine operating power by direct measurement of antenna input (B2-Z-1337).
- WNOE—WNOE, Inc., New Orleans, La.—Granted authority to determine operating power by direct measurement of antenna input (B3-Z-1339).
- WFNC—Cumberland Broadcasting Co., Fayetteville, N. C.—Granted authority to determine operating power by direct measurement of antenna input (B3-Z-1320).
- Frequency Broadcasting Corp., Brooklyn, N. Y.—Granted petition for 60-day continuance of hearing now set for February 16 on application for new FM station, and hearing continued to April 15.
- KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Granted motion for order to take depositions in re applications of KSFO, San Francisco, and KQW for construction permits to operate on 740 kc.
- Donal Flamm, New York City.—Granted petition to accept amendment to application for new station, to specify transmitter site.
- KRBC—Reporter Broadcasting Co., Abilene, Tex.; WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.; San Jacinto Broadcasting Co., Houston, Tex.—Granted joint motion for 60-day continuance of hearing now set for February 12, on applications for use of 1470 kc., and hearing continued to April 13.
- Herman Radner, Dearborn, Mich.—Granted petition for leave to amend application to reduce power to 250 watts; denied as to request for removal from hearing docket.
- WROL—S. E. Adcock, d/b as Stuart Broadcasting Co., Knoxville, Tenn.—Granted petition for leave to intervene in the hearing on application of KWFT, Wichita Broadcasting Co., Wichita Falls, Tex., for modification of license.
- WROL—S. E. Adcock, d/b as Stuart Broadcasting Co., Knoxville, Tenn.—Granted petition for leave to intervene and enlarge issues in re hearing on application of WDNC, Durham Radio Corp., Durham, N. C., for construction permit to change facilities.
- Jewel Lee Noble, E. Francis Egleston, M.D., and James W. Bonner, d/b as Physicians and Surgeons, Emergency Radio Call Service, San Francisco, Calif.—Granted motion for dismissal without prejudice of application for construction permit for new experimental station.
- Jewel Lee Noble and Harry Bell, d/b as Physicians and Surgeons, Radio Page Service, Los Angeles, Calif.—Granted motion for dismissal without prejudice of application for construction permit for new experimental station.
- KFNF—KFNF, Inc., Shenandoah, Iowa.—Granted in part motion for postponement of hearing to February 24 on application for renewal of license now scheduled for February 9.
- WJJD—WJJD, Inc., Chicago, Ill.—Denied request for special temporary authority to begin operation at 7 a. m., CST (time in accordance with Public Law No. 403, effective February 9, 1942), from February 9 to February 28, 1942.
- WHKC—United Broadcasting Co., Columbus, Ohio.—Denied request for special temporary authority to operate additional time on February 13, 1942.
- WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted extension of special temporary authority to operate unlimited time with power of 5000 watts daytime and 1000 watts nighttime, using transmitter and south tower of antenna system located on Dixie Highway, State Road 27, 2 miles from city limits, northwesterly direction from Chattanooga, from February 8 to not later than March 9, 1942, pending completion of construction in accordance with construction permit as modified, provided frequency and modulation monitors are in operation at new site on commencing operation and that transmitter is adjusted to within five cycles of assigned frequency during experimental period.
- WTAW—Agricultural & Mechanical College of Texas, College Station, Tex.—Granted special temporary authority to operate additional time from 8 to 9 p. m., CST, February 11, 1942, only, in order to broadcast special program in connection with a concert to be given by the choir of the Texas State College for Women.
- WAIT—WAIT, Inc., Chicago, Ill.—Denied request for special temporary authority to begin operation at 7 a. m., CST, from February 9 to February 28, 1942.
- Southwestern Michigan Broadcasting Co., Kalamazoo, Mich.—Denied petition for reconsideration, rehearing, and other relief directed against Commission action of October 21, 1941, granting without hearing the application of WSIX, Inc., Nashville, Tenn., for modification of construction permit (B3-MP-1364) to increase night power from 1 to 5 KW on the frequency 980 kc., make changes in directional antenna system and install new transmitter, and approval of transmitter site.
- Ashland Broadcasting Co., Ashland, Ky.—Placed in pending files pursuant to Order No. 79 application for construction permit (B2-PH-39) for new station.

APPLICATIONS FILED AT FCC  
610 Kilocycles

- WAYS—Inter-City Advertising Co., Charlotte, N. C.—License to cover construction permit (B3-P-2878) as modified, for

a new broadcast station and approval of studio site.  
WAYS—Inter-City Advertising Co., Charlotte, N. C.—Authority to determine operating power by direct method.

#### 700 Kilocycles

WLW—The Crosley Corporation, Cincinnati, Ohio.—Authority to determine operating power by direct measurement.

#### 710 Kilocycles

WFTL—Ralph A. Horton, Ft. Lauderdale, Fla.—Modification of construction permit (B3-P-3355) which authorized change in frequency, from **1460** to **710 ke.**, increase in power from 250 watts to 10 KW, installation of new transmitter and directional antenna for night use and move transmitter, for approval of antenna and of transmitter site at South side of The North New River Canal, 9 miles, west of Fort Lauderdale, Fla., and change type of transmitter proposed.

#### 750 Kilocycles

WHEB—WHEB, Inc., Portsmouth, N. H.—Construction permit to install new transmitter, install directional antenna for day use, increase power from 1 KW to 10 KW, and change hours of operation from limited time to daytime.

#### 900 Kilocycles

WSBA—Susquehanna Broadcasting Co., York, Pa.—Modification of construction permit (B2-P-3314) as modified, for a new broadcast station, requesting approval of antenna and approval of studio and transmitter site at U. S. Route 111, North of York, Pennsylvania.

#### 910 Kilocycles

WRNL—Richmond Radio Corporation, Richmond, Va.—License to use directional antenna at night with auxiliary transmitter.

WRNL—Richmond Radio Corporation, Richmond, Va.—Authority to determine operating power by direct measurement of antenna power by direct measurement of auxiliary transmitter, employing directional antenna at night.

WRNL—Richmond Radio Corporation, Richmond, Va.—License to cover construction permit (B2-P-2995) for new transmitter, changes in directional antenna for night use, and move of transmitter.

WRNL—Richmond Radio Corporation, Richmond, Va.—Authority to determine operating power by direct measurement of antenna power.

#### 930 Kilocycles

WJAX—City of Jacksonville, Jacksonville, Fla.—Construction permit to change power from 1 KW night and 5 KW day to 5 KW day and night, make changes in equipment and install directional antenna for night use. Amended: to show **930 ke.** under NARBA, and make changes in directional antenna.

#### 970 Kilocycles

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Construction permit to increase power from 1 KW to 5 KW day and night, install new transmitter and make changes in directional antenna for night use. Amended: re directional antenna.

WCSH—Congress Square Hotel Co., Portland, Maine.—Construction permit to install new transmitter and vertical antenna at former site of main transmitter, 579 Congress St., using 250 watts power for use as auxiliary transmitter for emergency use only.

#### 1080 Kilocycles

KWJJ—KWJJ Broadcast Co., Inc., Portland, Oregon.—License to cover construction permit (B5-P-3354) for changes in equipment.

WCAZ—Superior Broadcasting Service, Inc., Carthage, Ill.—License to cover construction permit (B4-P-3224) for increase in power from 100 to 250 watts daytime and changes in equipment.

#### 1200 Kilocycles

WMAW—C. T. Sherer Co., Inc., Worcester, Mass.—Modification of construction permit (B1-P-2963, as modified), which authorized a new station on **1200 ke.**, 250 watts, unlimited time, at Worcester, Mass., with amplifiers at Auburn, Marlboro and Whitinsville, Mass., using 100 watts, for extension of completion date from 2-17-42 to 8-17-42.

#### 1230 Kilocycles

WCAX—Burlington Daily News, Inc., Burlington, Vt.—License to cover construction permit (B1-P-3082) as modified, for a new transmitter, installation of directional antenna for day and night use, change in frequency, increase in power and move of transmitter.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Authority to determine operating power by direct method.

WJNO—WJNO, Inc., West Palm Beach, Fla.—Construction permit to reinstate B3-P-3041 (which expired 9-23-41) to use formerly licensed composite transmitter and install vertical antenna as an auxiliary unit at 511 Datura Street, West Palm Beach, Florida, and specify **1230 ke.** under NARBA.

#### 1240 Kilocycles

KDON—Monterey Peninsula Broadcasting Co., Monterey, Calif.—License to cover construction permit (B5-P-3235) for increase in power and installation of new transmitter.

KDON—Monterey Peninsula Broadcasting Co., Monterey, Calif.—Authority to determine operating power by direct method.

KROY—Royal Miller, Sacramento, Calif.—Construction permit for change in frequency from **1240** to **1030 ke.**, increase in power from 100 watts to 10 KW, move transmitter from 14th Ave. & 65th Street, Sacramento, Calif., to Del Paso Road, Sacramento, Calif., and install new transmitter and directional antenna for day and night use.

#### 1300 Kilocycles

NEW—Sikeston Community Broadcasting Co., Sikeston, Mo.—Construction permit for a new broadcast station to be operated on **1300 ke.**, 250 watts, daytime.

#### 1340 Kilocycles

KXRO—KXRO, Inc., Aberdeen, Wash.—Construction permit to change frequency from **1340** to **1520 ke.**, and increase power from 250 watts to 1 KW, install new transmitter and make changes in vertical radiator. Amended: re ground system.

NEW—Hugh McClung, Sacramento, Calif.—Construction permit for a new station on **1340 ke.**, 250 watts, unlimited time. Amended: to specify transmitter site as site to be determined, Washington Twp, Yolo County, Calif.

WSAV—WSAV, Inc., Savannah, Ga.—Construction permit to change frequency from **1340** to **1370 ke.**, increase power from 250 watts to 1 KW, install new transmitter and install directional antenna for night use.

WCLS—WCLS, Inc., Joliet, Ill.—Construction permit to move transmitter approximately 250 feet from present site, Elgin at Walnut St., Joliet Twp., Ill., to 601 Walnut St., Joliet, Ill.

#### 1350 Kilocycles

KRNT—Iowa Broadcasting Co., Des Moines, Iowa.—License to cover construction permit (B4-P-2726) as modified, to move transmitter, new directional antenna for night use and increase in power. Amended: re supplemental engineering data.

KRNT—Iowa Broadcasting Co., Des Moines, Iowa.—Authority to determine operating power by direct measurement. Amended: re supplemental engineering data.

#### 1380 Kilocycles

KBWD—Wendell Mayes, Joe N. Weatherby, B. P. Bludworth, and J. S. McBeath, d/b as Brown County Broadcasting Co., Brownwood, Tex.—Voluntary assignment of license from Wendell Mayes, Joe N. Weatherby, B. P. Bludworth, and J. S. McBeath, d/b as Brown County Broadcasting Company to Brown County Broadcasting Company.

#### 1400 Kilocycles

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Acquisition of control by Mutual Savings Life Insurance

Company through purchase of 60 shares (40%) common stock from Clarence H. Calhoun, Jr. Amended: re stockholders.

WCOS—Carolina Advertising Corp., Columbia, S. C.—Voluntary assignment of license from Carolina Advertising Corporation to Carolina Broadcasting Corporation.

#### 1450 Kilocycles

WNOE—WNOE, Inc., New Orleans, La.—Construction permit to change frequency from 1450 to 1060 kc., increase power from 250 watts to 50 KW, install new transmitter and directional antenna for day and night use, and move transmitter from New Orleans to approximately 2 miles north-east of Ama, La.

WKEU—Radio Station WKEU, Griffin, Ga.—Construction permit for increase in power from 100 to 250 watts, increase in hours of operation from daytime to unlimited time, change transmitter site and make changes in antenna. Amended: re engineering data.

WCHV—Community Broadcasting Corp., Charlottesville, Va.—Voluntary assignment of permit and license from Community Broadcasting Corporation to Charles Barham, Jr., and Emmalou W. Barham, d/b as Barham and Barham.

WRLC—R. G. LeTourneau, Toccoa, Ga.—Construction permit to change frequency from 1450 kc. to 1420 kc., increase power from 250 watts to 1 KW, change hours of operation from unlimited to daytime, and make changes in equipment and antenna.

#### 1460 Kilocycles

KSO—Iowa Broadcasting Co., Des Moines, Iowa.—License to cover construction permit (B4-P-2727) as modified, for move of transmitter, new directional antenna for night use and increase in power. Amended: re supplemental engineering data.

KSO—Iowa Broadcasting Co., Des Moines, Iowa.—Authority to determine operating power by direct measurement. Amended: re supplemental engineering data.

#### 1490 Kilocycles

NEW—Westcoast Broadcasting Co., Wenatchee, Wash.—Special service authority to make changes in equipment and operate on 560 kc., with power of 500 watts, 1 KW LS, until completion of construction of antenna.

### FM APPLICATIONS

W51NY—National Broadcasting Co., Inc., New York, N. Y.—Modification of construction permit (B1-PH-15) as modified, for a new high frequency broadcast station, requesting extension of completion date from 2-27-42 to 3-27-42.

W63C—National Broadcasting Co., Inc., Chicago, Ill.—Modification of construction permit (B4-PH-31), as modified, for a new H.F.B. station for extension of completion date from 3-3-42 to 12-3-42.

### TELEVISION APPLICATION

W6XYZ—Television Productions, Inc., Los Angeles, Calif.—Modification of construction permit (B5-PVB-33) as modified, for a new television station, requesting extension of completion date from 4-15-42 to 10-15-42.

### MISCELLANEOUS APPLICATIONS

NEW—Banks of The Wabash, Inc., Terre Haute, Ind.—Construction permit for a new low frequency relay station on 1622, 2058, 2150, 2790 kc., 40 watts, A-3, unlimited time. Location of transmitter area of Terre Haute, and Vigo County, Indiana. Portable-Mobile.

W6XDU—Don Lee Broadcasting System, Portable-Mobile, Los Angeles and environs.—Modification of construction permit (B5-PVB-83, which authorized addition of aural equipment using special emission) for extension of commencement and completion dates only, from 9-1-41 and 3-1-42 to 3-1-42 and 9-1-42, respectively.

WTNK—WOAX, Incorporated, Portable-Mobile, area of Trenton, N. J.—License for reinstatement of relay broadcast station license which expired 10-1-41.

NEW—Larus & Brother Company, Inc., Richmond, Va.—Construction permit for new relay broadcast station, on 31620, 35260, 37340, 39620 kc., 100 watts, A-3 emission. Location: transmitter, Hotel Richmond, Ninth & Grace Sts., Richmond, Virginia.

NEW—Eastern Carolina Broadcasting Co., Portable-Mobile, area of Goldsboro, N. C.—Construction permit for a new low frequency relay broadcast station to be operated on 1616, 2090, 2190 and 2830 kc., power of 50 watts, A3 emission, unlimited time.

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Authority to determine operating power by direct method for auxiliary transmitter.

NEW—United Broadcasting Co., Cleveland, Ohio.—Construction permit for a new relay broadcast station. Frequencies: 31620, 35260, 37340, 39620 kc. Power of 50 watts, A3 emission. Location: 1311 Terminal Tower, Cleveland, Ohio.

KFAS—Midnight Sun Broadcasting Co., Portable-Mobile, area of Fairbanks, Alaska.—License for reinstatement of relay broadcast station license which expired 12-1-41.

## FEDERAL TRADE COMMISSION DOCKET

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Dickson Weatherproof Nail Co.**—A complaint has been issued charging Dickson Weatherproof Nail Co., 1615 Sherman Ave., Evanston, Ill., with making false claims with respect to the superiority of certain roofing nails it sells. The respondent has a branch office and factory at Birmingham, Ala. (4700)

**Erdley Hatcheries**—John F. Erdley, trading as Erdley Hatcheries, Wray, Colo., and Montgomery Ward and Co., Chicago, are charged in a complaint with misrepresentation in the sale of baby chicks. The respondent Erdley is engaged in the hatching and selling of baby chicks, and Montgomery Ward and Co., in connection with its business, makes contracts with hatcheries in various States, including Erdley's, for the purchase of baby chicks. (4696)

**Hollywood Magic Garment Company**—Misrepresentation of the results to be obtained from use of a weight-reducing device designated "Hollywood Magic Garment" is alleged in a complaint issued against Hollywood Magic Garment Co., 1019 North Las Palmas Ave., Hollywood, Calif. (4702)

**Robert W. Irwin Company**—A complaint has been issued charging Robert W. Irwin Co., 23 Summer Ave., Grand Rapids, Mich., manufacturer of household furniture, with misrepresenting the kind of wood from which certain of its products are manufactured. (4701)

**Lincoln Academy, Inc.**—Allegedly misrepresenting their correspondence school as being connected with the United States Government or the United States Civil Service Commission, Lincoln Academy, Inc., 43 Lincoln Park, Newark, N. J., and its officers, Mr. and Mrs. K. Arnold Freedman, are named respondents in a complaint. (4703)

**New Standard Publishing Company, Inc.**—Alleging misrepresentation and deceptive practices in the sale of "Doubleday's Encyclopedia" to teachers, students, professional and business men and club women in various States, a complaint has been issued against New Standard Publishing Co., Inc., encyclopedia dealer, Richmond, Va., Julius B. Lewis, president of the New Standard Company and Doubleday-Doran & Co., Inc., Garden City, Long Island, N. Y., publishing house. (4697)

**New York Graphic Society, Inc.**—Eight art picture publishers and dealers, seven of them located in New York and one in Detroit, are charged with a combination and conspiracy in restraint of competition in the sale of their products, in a complaint.

Respondents in the case are: Rudolph Lesch Fine Arts, Inc., 225 Fifth Ave., New York Graphic Society, Inc., 10 West 33rd St., Erich S. Herrmann, Inc., 385 Madison Ave., David Ashley, Inc., 230 Fifth Ave.; Raymond & Raymond, Inc., 40 East 52nd St.; Reinthal & Newman, Inc., 33 West 34th St., and International Frame and Picture Co., Inc., 225 Fifth Ave., all of New York; and International Art Publishing Co., Inc., 242 West Lafayette Ave., Detroit. (4693)

**Parker-Thompson Company**—Charging the use of a lottery plan in the sale of men's clothing, a complaint has been issued against Albert Rose, trading as Parker-Thompson Co., 1205 I St., N. W., Washington, D. C.

The complaint alleges that the respondent solicits purchasers to buy suits or overcoats under a "club" plan involving a lottery contrary to Federal Government policy and the Federal Trade Commission Act. (4699)

**Rex Products Corporation**—Misrepresentation is charged in a complaint issued against Rex Products Corporation, 111 Cedar St., New Rochelle, N. Y., engaged in the manufacture and sale of toilet compacts. (4695)

**A. Stein & Company**—A complaint has been issued charging A. Stein & Co., Chicago, manufacturer of men's accessories, with misrepresentation in the sale of products made of "Vinylite," a plasticized material having a glass-like appearance. (4690)

**Velodent Products Manufacturing Co., Inc.**, 429 West Broadway, New York, engaged in the manufacture and sale of shaving cream, is charged in a complaint with misrepresentation. (4694)

**Von Drug Company**—A complaint alleging misrepresentation of the therapeutic properties of a medicinal preparation designated "Von's Pink Tablets," advertised as a treatment for stomach ulcers, has been issued against George Von Nieda, trading as Von Drug Co., Miami Beach, Fla. (4704)

## STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Garber-Eagle Oil Corporation**—Two Brooklyn food products distributors have stipulated to cease certain representations in the

sale of Worcestershire sauce. The respondents are Garber-Eagle Oil Corporation, 345 Hewes St., and Louis Gerber, Nat Gerber and Samuel Gerber, trading as Gerber Bros., 2nd Ave. and 45th St. (3379-3380)

**Los Angeles Period Furniture Co.**, 1838 East Santa Barbara Ave., Los Angeles, in a stipulation entered into agrees to discontinue designating or describing any mirror not actually backed by genuine metallic copper applied by the electrolytic process as being made with a copper back; provided, however, that if the word "copper" is used properly to designate the copper content of backing not electrolytically applied, then such word shall be immediately accompanied, in equally conspicuous type, by other words clearly indicating that the mirror backing is not genuine metallic copper backing electrolytically applied. (3381)

**Remington Rand, Inc.**, Buffalo, N. Y., stipulated that it will discontinue representing that its electric shavers designated as "Speedak," "Rand Close Shaver," "Remington Close Shaver" and "Remington Dual Close Shaver" cannot irritate the skin and will cure ingrown hairs and eliminate or prevent the formation of scar tissue. (02944)

**Schick Incorporated**, Stamford, Conn., has entered into a stipulation to cease and desist from representing that its electric shavers equipped with the so-called "Whisk-Its" attachment are the only shavers which feature or include means to catch or hold and retain beard clippings. (3382)

**Engval Vaatveit**, McIntosh, Minn., engaged in selling bronze plates for use in making memorials, entered into a stipulation to cease and desist from representing that salesmen, distributors or dealers handling his products can, within a specified period of time, make profits in excess of the average net profits consistently made in like periods of time by his active full-time salesmen, distributors or dealers in the ordinary course of business. The respondent also will cease representing that persons engaged in the business of making memorials from bronze plates procured from him require no capital and need not make any investment in the business. (02945)

## CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders during the past week:

**Do-Ray Lamp Co., Inc.**, 1458 South Michigan Ave., Chicago, manufacturer of fog lamps, auxiliary driving lights, reflectors, flares and other automobile accessories, have agreed to discontinue misrepresentations in the sale of a driving lamp. (4218)

**Parke, Austin & Lipcomb, Inc.**, and its subsidiary, Smithsonian Institution Series, Inc., both of 500 Fifth Ave., New York, have been ordered to discontinue the use of deceptive acts and practices in the sale of books entitled "Smithsonian Scientific Series" and "World Epochs." The order also is directed against the officers of the corporate respondents, Alfred Monett, president; Robert A. Hogan, Jr., treasurer; and Joseph M. McAndrews, secretary. (4465)

## 20,000 ACCEPTED FOR RADIO TRAINING MORE FUNDS BEING SOUGHT

*Please Discontinue All  
Radio Training Announcements*

The first unit in the Radio Technician Training Program is to consist of 20,000 persons.

Courses for 12,700 have already been approved. Courses for 6,000 eligible applicants are being processed. The remainder of the 20,000 are included in proposals from colleges and universities not yet tabulated.

This is today's status of the cooperative enterprise of educators and broadcasters to impart the fundamentals of radio. Statistics were revealed at a joint conference on Tuesday, February 17, in the office of Lieutenant Colonel N. A. Burnell, II, Director of Defense Training, Federal Security Agency. Besides Colonel Burnell those present were Dean Audrey A. Potter, College of Engineering, Purdue University, and Chairman, National Advisory Committee, Engineering, Science and Management Defense Training, U. S. Office of Education; Dean R. A. Seaton, Director, ESMDT; Neville Miller, Lynne Smeby and Arthur Stringer, all of NAB.

A letter recently sent to all stations by A. J. Fletcher, member-in-charge of the Radio Training Courses, asked broadcasters to discontinue the broadcast of announcements in behalf of the training program. This was mailed at the request of Dean Seaton. The Dean explained at Tuesday's meeting that "unfortunately funds are insufficient to take care of all who have applied", but that every effort was being made

*(Continued on page 98)*

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

**WAR DEPARTMENT**  
 Bureau of Public Relations  
 Washington

February 19, 1942.

Mr. Neville Miller, President  
 National Association of Broadcasters  
 1626 K Street, N. W.  
 Washington, D. C.

DEAR MR. MILLER:

The War Department is deeply grateful to the National Association of Broadcasters for its prompt response to the Army's request for cooperation in publicizing the urgent need of the Army Emergency Fund by radio stations throughout the country.

I am sure that radio executives can appreciate the fact that in the raising of an Army of nearly four million men this year, increasing to seven or more million men, and with the immediate raising of an Air Force of two million, the impact of war has come to millions of families throughout the nation.

As this Army grows and is engaged in combat round the world in defense of our nation, not only sorrow for lost ones, but real financial burdens will come to countless families. To alleviate this financial distress is the purpose of the Army Emergency Fund.

The patriotic response of American broadcasters which has come in to us from all sides is most re-assuring. Because of a last minute change in plans, however, we are asking radio stations to hold up the announcements until further notice.

Let me thank you and the broadcasters again. Together we are sharing the fortunes of war; together we feel that "if it helps the Army, it helps you also."

Very sincerely,

JOHN THOMAS TAYLOR,  
*Colonel, C. W. S.,  
 Assistant to the Director.*

**"THIS IS WAR" SERIES**

Blue, CBS and NBC affiliate stations may grant permission to non-network stations to:

- (1) Pick up from the network station by radio receiver and to rebroadcast the program, "THIS IS WAR!"
- (2) Take the program from the network station over a line supplied by the non-network station and broadcast it.
- (3) Transcribe the program either off the air or over line and broadcast the transcription after eleven P. M., Local Time.
- (4) Blue, CBS and NBC affiliates may transcribe the program and rebroadcast the transcription after eleven P. M., Local Time, in addition to broadcasting the program at its regular time.

**DISTRICT 6**

Hoyt Wooten, WREC, Memphis, was unanimously elected director for the sixth NAB district at a meeting February 18 in New Orleans.

Mr. Wooten succeeds Edwin W. Craig, WSM, Nashville. The meeting unanimously adopted the following resolution, thanking Mr. Craig for his services as a director:

Whereas Edwin W. Craig, now concluding his second term as director of the 6th District, finds it impossible to longer serve in

that capacity due to press of other work and whereas we the stations of his district are fully aware of the unselfish service and untiring efforts of Edwin Craig, not only in our behalf, but in the interest of the industry as a whole:

And whereas his service to the Industry has been indeed coincident with his long experience as a broadcaster and has far exceeded in both length and quality of service all normal demands, now therefore be it resolved that in our farewell to Edwin W. Craig as a director we express at once our earnest appreciation of his abilities, our sincere obligation to his impartiality and our heartfelt best wishes for all he undertakes.

Carl Haverlin, vice president of BMI discussed the new contract and following his presentation a resolution was unanimously adopted pledging all present to continued support of BMI and urging similar action by other sixth district broadcasters.

Leonard Callahan, general counsel for SESAC, and Robert Murray, public relations director of ASCAP, outlined their services.

At the noon luncheon the delegates were guests of the New Orleans stations. Major F. R. Worthington, U. S. Marine Corps, Robert Coleson of the Radio Section of the Public Relations Branch of the War Department and Lieut. Robert Read, U. S. Navy, public relations officer for the eighth Naval District, spoke.

At the afternoon session, Robert Richards, assistant to J. Harold Ryan of the Office of Censorship, spoke and a round table discussion of the censorship matter was had.

Associate members of NAB were heard; Claude Barrere of NBC Thesaurus, Herbert Denny of Standard Radio, and "Cy" Langlois of Lang-Worth, gave information of their services.

C. E. Arney, Jr., assistant to the president of NAB, detailed the activities which have been carried on.

The following resolutions were adopted:

**I**

Inasmuch as the New Orleans stations have entertained the visitors to this 6th District meeting so royally,

THEREFORE BE IT RESOLVED: That a vote of thanks and appreciation for their courtesy and hospitality be conveyed to the committee in charge of arrangements and to WSMB, WWL, WDSU, WNOE and WJBW.

**II**

Inasmuch as the Broadcasting Industry has been tireless in its efforts in behalf of all aspects of national welfare and defense, and in particular, in support of the activities of the U. S. Treasury Department, and,

WHEREAS, it must be recognized that the ability of the Broadcaster to continue to assist the government in such respects is purely dependent upon his economic welfare, now, therefore,

BE IT RESOLVED: By the Broadcasters of the 6th District, that the U. S. Treasury Department be respectfully requested to prepare and furnish to the Industry a series of scripts and other program material of interest to the Department and furthermore, to sanction and approve the attempt of the Industry to have this series sponsored by advertisers.

**III**

WHEREAS, New Orleans is one of the most interesting, charming, unique and picturesque cities in America, and

WHEREAS, New Orleans, by reason of its central location, equable climate, splendid hotel, meeting room, restaurant and recreational facilities, can assure the success of our national convention in every respect, and

WHEREAS, the South has never had the privilege of serving as host to our national convention, and

WHEREAS, New Orleans has offered its hospitality for a period of years, and

WHEREAS, The By-Laws of NAB provide that the entire membership shall vote upon the site of the ensuing year's convention, therefore,

BE IT RESOLVED, that the 6th District, National Association of Broadcasters, does hereby endorse and recommend New Orleans as the site of the 1943 convention of the National Association of Broadcasters, and further pledges its active support of New Orleans' invitation at the Cleveland convention in May of this year.

Those attending: E. A. Alburty, Manager, WHBQ; H. V. Anderson, Exec. Vice-Pres., WJBO; C. E. Arney, Jr., Asst. to President,

NAB; Claude Barrere, Representative, NBC; George Blumenstock, Manager, WSKB; Leonard D. Callahan, Gen. Counsel, SESAC; Mrs. Frank P. Cashman, Owner, WIBC; Rev. F. A. Cavey, Faculty Director, WWL; I. T. Cohen, District Counsel, ASCAP; Herbert Denny, Representative, STANDARD RADIO; Jack M. Draughan, President, WSIX; P. K. Ewing, Vice-Pres. and Gen. Mgr., WDSU; P. K. Ewing, Jr., General Mgr., WMIS; F. C. Ewing, General Manager, WGCM; Wm. Gaudet, International News Service; Jimmy Gordon, Vice-Pres. and Gen. Mgr., WNOE; Wiley P. Harris, Director, WJDX; Carl Haverlin, Vice-Pres., BMI; Douglas Henry, Attorney, WSM; "Cy" Langlois, Secy.-Treas., Lang-Worth; J. C. Liner, General Manager, KMLB; J. C. Liner, Jr., President, KMLB; Ted Maloy, Bureau Manager, United Press; John C. McCormack, Gen. Mgr. KWKH-KTBS; Robert L. Murray, Pub. Relation Dir., ASCAP; A. H. Noble, Sales Department, WLAC; Jack Parrish, Owner and Manager, KOTN; Harold Wheelahan, Manager, WSMB; Earl W. Winger, Vice-President, WDOD; Major F. R. Worthington, USMC, Marine Corps; C. J. Wright, President, WFOR; Robert L. Sanders, Pres.-Chief Engineer, WSKB; Stanley Shepard, District Mgr., H. W. Slavick, General Manager, WMC; S. Stephenson Smith, Educational Counselor, ASCAP; Hugh M. Smith, Manager, WAML; F. C. Sowell, Jr., Manager, WLAC; Harry Stone, General Manager, WSM; W. H. Summerville, General Manager, WWL; Jess Swicegood, General Manager, WKPT; S. C. Vinson-haler, KLRA; Roy Wooten, Program Manager, WREC; G. E. Zimmerman, Vice-Pres. and Genl. Mgr., KARK; James Hanrahan, WMPS.

## DISTRICT MEETING SCHEDULE

District 16, Monday, February 23, Biltmore Hotel, Los Angeles, California.

District 14, Wednesday, February 25, Albany Hotel, Denver, Colorado.

District 12, Friday, February 27, Lassan Hotel, Wichita, Kansas.

District 10, Monday, March 2, Paxton Hotel, Omaha, Nebraska.

District 8, Wednesday, March 4, Park Club, Kalamazoo, Michigan.

District 4, Saturday, March 7, Hotel Roanoke, Roanoke, Virginia.

## TWENTIETH ANNUAL NAB CONVENTION

Pursuant to the vote of the membership at the St. Louis convention, the Board has definitely set the Twentieth Annual NAB Convention at Cleveland, Ohio, on May 11, 12, 13 and 14.

All preliminary arrangements have been made and the Hotel Statler has been selected as the convention headquarters hotel. However, the other hotels of Cleveland, including the Cleveland, Carter and Hollenden, have pledged their fullest cooperation in caring for those who will attend the convention.

The Cleveland Convention and Visitors Bureau has cooperated actively in the preliminary planning and we are assured of their continuing help. J. Harold Ryan, District Director of the Seventh District, which embraces Ohio, has named the local committees which will serve in assisting in the planning and conduct of the convention. Mr. Ryan, himself, heads the general committee which is made up as follows:

J. Harold Ryan, WSPD, Toledo, Chairman

John Patt, WGAR, Cleveland

Vernon H. Pribble, WTAM, Cleveland

Robert T. Mason, WMRN, Marion

Stanton P. Kettler, WHIZ, Zanesville

S. Bernard Berk, WAKR, Akron

Felix Hinkle, WHBC, Canton

Requests for hotel reservations may be sent directly to any Cleveland hotel which will in turn refer them to the NAB Housing Committee for attention and assignment. Priority in the matter of room assignments is given to NAB members for a period ending 30 days before the convention. Get your request for reservations in early. Everything points to a well attended meeting.

## NEW OFF COMMITTEES

The Office of Facts and Figures has appointed two new committees to work with its Radio Division. The first, made up of production and idea men from networks, agencies and the OFF, includes:

A. K. Spencer, J. Walter Thompson Company; Heagen Bayles, Ruthrauff & Ryan, Inc.; John G. Hymes, Lord & Thomas; John A. Carter, Pedlar & Ryan; Arthur Pryor, Batten, Barton, Durstine & Osborn; Frederick W. Wile, Jr., Young & Rubicam; R. J. Scott, Schwimmer & Scott; Kirby Hawkes, Benton & Bowles; Charles Vanda, CBS; Madeline Ensign, MBS; C. L. Menser, NBC; Charles Barry, BNC; William Lewis, OFF; Frank Stanton, OFF; Philip Cohen, OFF, and Douglas Meservey, OFF.

The second committee, to represent station, includes:

Neville Miller, NAB president; John Shepard, 3rd, Boston; George B. Storer, Detroit; James D. Shouse, Cincinnati; John E. Fetzer, Kalamazoo; and Eugene C. Pulliam, Indianapolis.

## "MAN ON THE STREET"

J. H. Ryan, Assistant Director of Censorship, said Tuesday that his office recently had approved for broadcast a variation of the conventional "Man-In-The-Street" program, upon which the Broadcasting Code frowns, at the instance of a station manager who revised the format of his show so as to apply safeguards deemed essential for protection against its possible use for subversive purposes.

Mr. Ryan called attention to the fact that the adequacy of the safeguards adopted in this instance was dependent upon the use of more personnel and equipment than ordinarily are available to smaller stations. For this reason, he urged that other station managements consult the Office of Censorship about their specific problems before instituting substitute programs, which, in their own opinion, might provide the necessary safeguards.

"Virtually every program of this general type varies in some degree from the others," Mr. Ryan said. "For this reason, no blanket approval of substitutes can be given in advance. Broadcasters who feel that they could make use of such programs and still fulfill their obligations of self-censorship should submit their specific program structures to the Office of Censorship for review and interpretation."

## TIRES FOR BROADCASTING

Under the new Tire Rationing Regulations issued February 19, recapping and retreading of tires for trucks used by radio stations and for passenger cars used by executives, engineers, technicians and workers in the communications industry may be available, under the provisions of the new Regulations, on application to Local Rationing Boards after March 2. Broadcasting comes under "List B" of the Eligibility Classification, reading as follows:

"LIST B: The following vehicles shall be eligible for tires or tubes to the extent, and only to the extent provided by Chapter V of the Tire Rationing Regulations: (a) A passenger car used principally to provide one or more of the following transportation services: (3) Transportation of executives, engineers, technicians or workers to and from, or within, such of the following as are essential to the war effort: power generation or transmission facilities, transportation or COMMUNICATION FACILITIES, or agricultural, extractive, industrial, military or naval establishments; (7)(b) Trucks used for any important purpose not included in List A."

In order to obtain the necessary certificate from the Local Rationing Board, applicant must establish certain facts as to the use of and use for the tires which are set forth in Chapter V of the Regulations, which will be on file at the Local Board.

## WOW SUES ASCAP

Woodmen of the World Life Insurance Society, Inc., operator of Station WOW, Omaha, on February 11 entered suit against ASCAP for \$298,319.94 triple damages under the Nebraska music

monopoly law. The suit was filed in the District Court of Douglas County, Nebraska.

## LABOR BOARD ELECTIONS

The following letter relative to Labor Board election campaigns may prove useful:

Miss Anne Paulsen, Secretary  
Civil Liberties Union of Massachusetts  
Room 448, 73 Tremont Street  
Boston, Massachusetts

DEAR MISS PAULSEN:

Please forgive my delay in answering your letter of January 24. I wanted to ascertain the facts in the matter before writing to you.

Station \_\_\_\_\_ informs me that the proposed broadcast you referred to was addressed to the employees of a single factory in an attempt to influence their voting in a Labor Board election. The station refused the broadcast, not on the ground that it contained controversial material, but on the ground that it was not of sufficient general interest to broadcast "in the public interest." As you no doubt know, a broadcasting station is required to operate "in the public interest, convenience and necessity" to obtain and keep its license from the Federal Communications Commission. It cannot do that and broadcast programs which are intended for an extremely small minority of its listening audience.

Aside from this reason (which seems to us to have been sufficient in itself), there is some question as to the legality of carrying "electioneering" speeches before Labor Board elections. We have been given to understand that a Labor Board election is not like an ordinary public election in that it is a part of an administrative process. The Wagner Act says that the National Labor Relations Board, in the event of a dispute about representation, may investigate the claims of the opposing unions and may, during the course of this investigation, hold an election to determine whether the union or unions involved represent a majority of the employees in the appropriate unit. According to an informed opinion on this matter, a broadcasting station which permitted the use of its facilities to influence the voting might be held to have interfered with the Labor Board's "investigation."

Waving aside this legal argument, we feel that the station's reason stated above was sufficient ground for refusing the proposed broadcast. We would like to have your opinion on this matter.

Sincerely yours,

JOSEPH L. MILLER,  
*Director of Labor Relations.*

February 13, 1942.

## WAGE AND HOUR ACT

A jury in Montgomery, Ala., on February 13 decided against a group of employees of the Capital Broadcasting Company, Inc. (WCOV), who sued the Station for \$9,893 under the Wage and Hour Act.

This was the first suit brought by radio station employees to come to the attention of the NAB Labor Relations Department. In several other cases the Wage and Hour Division has made charges against stations on complaint of employees. These few cases were settled informally or by consent decrees in federal courts.

## Sales

### Fred Thrower Named to Sales Managers' Executive Committee

Latest addition to the NAB Sales Managers' Executive Committee is Fred M. Thrower, general sales manager for the Blue Network, Inc., New York.

The appointment, recommended by the committee at its latest meeting, is in line with the action of the NAB Board of Directors when it set up the present committee structure, providing representation for all segments of the industry. In addition to a

representative from each net, there is a committee member for large, medium, and small stations, and a chairman chosen at large. The committee now consists of Mr. Thrower, Chairman; Eugene Carr, WGAR; John Outler, WSB; Dietrich Dirks, KTRI; E. Y. Flanigan, WSPD; Linus Travers, WAAB; Arthur Hayes, WABC, and George Frey, NBC.

## Beer Stories Needed

Case histories are urgently needed from stations on the successful use of radio advertising by brewers. Please send details of your beer campaigns, however large or small, to the Department of Broadcast Advertising. Please list sponsor, radio service used, objectives, other promotion and offers if any, and *results*. A testimonial or sample script, if available, helps.

## Advertising Pamphlets Enclosed

With this issue of *REPORTS* are two pamphlets, "American Paradox" and "Dressing on Your Salad," available in any quantity through William E. Rudge's Sons, 225 Varick St., New York, N. Y., at a cost of \$15 per thousand. An extra charge of \$2 (regardless of quantity ordered) is made for imprinting the leaflets with your name and address.

These are the first in a series to *educate the consumer regarding the social and economic values of advertising*, and the plan has the endorsement of numerous advertisers, agencies, trade associations, etc. Stations wishing to do so may order direct, and may also request a free copy of future releases.

## Per-Inquiry and Free Time

**S. T. Seidman & Co.**, New York, is seeking *guaranteed returns* on its transcriptions for **Musical Notations, Inc.**, selling piano courses.

**American Honey Institute**, Madison, Wis., wants free time to promote its honey recipe booklet, basing its appeal on the present sugar shortage. These requests are going to the "Director, Home-maker's Hour."

**United Advertising Companies**, Chicago, previously listed here, is blanketing the industry with a form letter and a three-page list of clients seeking per-inquiry deals if possible, but mentions one that "prefers to buy time outright." Reactions received by the NAB from stations on this have been especially critical.

**Gouffain-Cobb Agency**, Chicago, seeks P-I deals for decal-labels on behalf of the **American Label Co.**

**General Electric Co.**, Schenectady, N. Y., seeks free time for another "Excursions in Science" transcribed series.

**Henry Flarsheim & Staff**, Chicago, seeking P-I deals for the **Mason Shoe Mfg. Co.**, writes the NAB: ". . . I thoroughly understand your point of view. In this case, however, the fact that some stations have done business with us on a per-inquiry basis will prove a definite benefit to some of your member stations. . . . On the basis of the results which we have obtained so far, we believe that we will be in position very shortly to buy time at regular rates from stations in the area where our client is particularly interested in obtaining sales people." Unfortunately, similar promises from other per-inquiry advertisers have seldom materialized.

One NAB member writes that many free-time seekers "are trying to ride in on the national emergency, without paying for advertising. . . . We are led to the conclusion that some stations must be giving this free publicity or the practice would have been discontinued. . . . These manufacturers will never pay for radio advertising if they can get any of it free. . . ."

**Elliott & Nelson**, New York, a publicity agency, seeks free time to promote a Splinter-Proof-Blackout-Pad on behalf of the **Palmer Bros. Co.**, Fitchville, Conn. Scripts are sent to the "Program Director."

**British Food Parcels Service Co.**, New York, wants P-I deals for food packages to be sent to Britain. Investigation is under way, but this appears to be a commercial enterprise.



The **American Mercury** magazine, New York, seeks free time for a series of "Between the Headlines" scripts, although they will permit local sponsorship provided credit is given to the *Mercury*. Comment received by the NAB on this from a well-known national rep firm is "Free publicity in newspapers has cost and continues to cost publishers the country over untold millions of dollars. Don't let radio stations make the same mistake."

**South Suburban Press, Inc.**, Blue Island, Ill., wants P-I deals for a "Soldier's Permanent Service Record."

**Amy Vanderbilt**, New York publicity agency, seeks free time for the **Jackson & Perkins Co.**, Newark, and its nursery products.

Since many of these requests go to your program director, women's director, etc., it is suggested that you hold a staff meeting and discuss your attitude on this subject with all concerned, or have all such material routed through your sales department, where disguised commercials can be detected and steps taken to have the business placed on the proper basis.

## Advertising Coordinates for War Effort

The facilities of national advertising have been coordinated and placed at the disposal of the government to help in the total war effort, according to a statement released today by an organization comprised of representatives of major factors in the advertising industry. These sponsoring groups include: the American Association of Advertising Agencies, the Association of National Advertisers, the American Newspaper Publishers Association, the National (Magazine) Publishers Association, the National Association of Broadcasters, the Outdoor Advertising Association of America, and many other affiliated groups.

This organization, named The Advertising Council, will undertake to help the government utilize, for purposes of inspiring and instructing the public concerning various phases of the war effort, the talents, techniques and channels of advertising, which in normal times have proved they can help shape the thinking and action of the public.

The Council has been in process of formation since last November, under the direction of a special committee presided over by Chester J. La Roche, Chairman of the Board of Young & Rubicam, Inc., and Chairman of the Council. Frederic Gamble, Managing Director of the American Association of Advertising Agencies, is assistant to the Chairman, and Paul B. West, president of the Association of National Advertisers, is Secretary.

In the Council are representatives of advertising agencies, advertisers, retail advertising, industrial advertising, and media (news-papers, magazines, radio and outdoor advertising).

Cooperating in this effort to unleash all of advertising's power for the duration are 13 associations affiliated with the advertising industry, including typographers, independent broadcast station owners, advertising clubs, photo engravers, direct mail specialists, lithographers, trade papers, newspaper editors, and farm paper proprietors.

Dr. Miller McClintock, who has been closely associated with the advertising industry for several years and is well known as an administrator, will be Managing Director.

The Council has been set up purely as coordinating group, and will not itself do any creative work. Independent committees, composed of the nation's leading advertising men in creative, production and media fields, will work closely with the Council to help the various departments of the government make the most effective possible use of space or time made available to the government by various media and advertisers.

The Council already has formed a Radio Committee, to work with Radio Coordinator W. B. Lewis of the OFF; and a creative committee consisting very largely of the same group of advertising men who developed the outstandingly successful

advertising used in last year's United Service Organization campaign.

Members of the Council have had several meetings in Washington with government officials, the most recent having been held February 5 with Donald Nelson, War Production Board head. On the same day, meetings were held also with the Office of Facts and Figures.

Offices of the Council will be maintained in Washington to be near the center of the war effort, as well as in New York.

The basic idea from which the Advertising Council developed was generated at a meeting at Hot Springs, Virginia, last November, jointly sponsored by the Association of National Advertisers and the American Association of Advertising Agencies. Here were assembled representatives of the entire advertising industry, and at this important joint industry meeting it was made evident that the industry should organize to represent, and thus draw together all of the facilities of advertising into a single, coordinated, representative group.

A list of present members of the Council, together with the affiliated organizations follows:

### *The Advertising Council*

Chairman, Chester J. La Roche, Chairman of the Board, Young & Rubicam, Inc.; Assistant to Chairman, Frederic R. Gamble, Managing Director, American Association of Advertising Agencies, Secretary, Paul B. West, President, Association of National Advertisers, Inc.; Managing Director, Dr. Miller McClintock.

### *Representing Radio*

(Representatives sanctioned by National Association of Broadcasters which is composed of 522 members throughout the United States.)

Paul W. Kesten (network representative), Vice-President and Director, Columbia Broadcasting System, Inc.

John Elmer, Baltimore, Md. (station representative), owner of WCBM, for 14 years an independent station; member of Board of Directors and Executive Committee of the National Association of Broadcasters.

## SET MANUFACTURE TO END

The radio manufacturing industry, whose civilian output already has been cut to 40 per cent below last year's total, was told February 12 it is next in line for conversion to the production of war material.

Speaking before a meeting of representatives of fifty-five set manufacturers, R. R. Guthrie, assistant chief, Bureau of Industry Branches, said the radio makers will be converted "as rapidly as is technically possible."

While no deadline was set, it is expected that the major part of the job will be done within three months. A program for conversion will be drawn after conferences between representatives of the industry and government.

Immediate cancellation of recent substantial increases in wholesale and retail prices of radio receiving sets and radio phonographs was requested February 19 by Price Administrator Leon Henderson in a sharply-worded telegram directed to all wholesale and retail outlets.

The price advances, which followed official indication by the War Production Board that most civilian radio production soon would be discontinued, were characterized in Mr. Henderson's wire as "inflationary and unfair because maximum manufacturers' prices were set by this office on February 9."

"I am requesting," the Administrator added, "the immediate withdrawal of any retail or wholesale increases on your radio receivers and phonographs which have been made since February 10 and the immediate re-establishment of retail and wholesale prices and discounts in effect on February 10, 1942."

Copies of the telegram were sent to all radio and phonograph manufacturers and most of the wholesale and retail trade associations for dissemination to wholesalers and retailers. Those receiving the telegram were asked to air-mail to OPA copies of the communications they were forwarding to their customers and members.

## FOUR WBIG PROGRAMS

Four daily periods at WBIG, Greensboro, N. C., are devoted to manpower recruiting and defense financing. The opening and close is changed for each broadcast. Interspersed between musical selections are spotted selected announcements. This is the schedule, daily and Sunday: 7-7:15 a. m.; 11:15-11:30 a. m.; 6:10-6:15 p. m.; and 11:30-11:45 p. m.

## WOW'S REVUE SELLS BONDS

The Woodmen of the World station, WOW, Omaha, is engaged in a program to induce at least 25,000 persons in ten mid-western cities to start the purchase of an additional defense bond.

The sales medium is the "Red, White and Blue Patriotic Revue". This is an inspirational, musical extravaganza, two hours in length, produced and directed by WOW's Production Manager Lyle DeMoss. Admission to each performance is free. However, each person who attends must purchase a minimum of fifty cents worth of defense savings stamps in a new book. And the purchase must be made on the day of each local performance. All 10 performances, within a radius of 150 miles of Omaha, will be before 2,000 or more people.

At Columbus, February 15, the Revue sold \$17,000 worth of bonds and stamps in two performances, according to John J. Gillin, Jr., WOW, manager. First two Revues started 5,000 persons in the purchase of an extra bond. For complete details of this promotion write: BILL WISEMAN, promotion manager, WOW.

## TELEVISION AUCTION

WCBW, Columbia's New York City Television station, is one of the stations which makes a national defense report each month. Manager of television operations, Leonard H. Hole, has reported what is believed to have been the first television auction ever to be conducted wherein the public, at their homes, watched the auction and saw their telephone bids accepted at the studio.

Six hundred fourteen dollars was raised through the auction and turned over to the National Foundation for Infantile Paralysis. President Roosevelt's personally signed calendar sheets, made available by Associate Justice James F. Byrnes, were the items auctioned.

## PROMOTES "THIS IS WAR"

John Ballard, general manager, KGNC, Amarillo, Texas, "took his pen in hand" to produce a two column by 12 inch advertisement in the Amarillo Daily News of February 14 to call attention to "This is War".

## WARNS AGAINST CODED SPOTS

Lt. Comdr. M. R. Robbins, 6th Naval District, has addressed a letter to all stations in Georgia and North and South Carolina warning them to be on the watch for codes concealed in commercial announcements. Said Commander Robbins:

"It has come to our attention that a possible way in which agents could make use of commercial radio stations for transmitting information to the enemy is through cleverly coded 'spot' commercials.

"In the interest of national security, it is requested that you study these 'spots' announcements with this idea in mind. Shrewd use of commercial radio broadcasting facilities can easily permit the transmission of highly confidential news and information to enemy listeners at sea, who know in advance the time of broadcast and the reference code to be used.

"It is desirable that copy be submitted several days in advance of the date on which it is to be used so that you can check this for possible subversive activities. In the event that your records show such possible use of these coded 'spot' commercials, this office would be interested in seeing a sample copy of a day's activities."

## PEABODY AWARDS DINNER

The George Foster Peabody Awards for outstanding radio programs in 1941 will be made April 10 at a dinner in New York

City to be sponsored by the New York University of Georgia Alumni Society. Details will be announced later. The awards are a joint enterprise of the Henry W. Grady School of Journalism, University of Georgia, and the National Association of Broadcasters.

## 20,000 ACCEPTED FOR RADIO TRAINING

(Continued from page 93)

to extend training. It will now be necessary to present the need for supplemental funds for radio technician training at forthcoming hearings.

## SOME APPROVED COURSES

Since December 31, 1941, ESMDT courses in elementary radio have been approved for institutions listed below. Not shown are institutions with previously approved elementary radio courses, liberal arts colleges with courses sponsored by ESMDT approved Engineering Schools, nor institutions which may have proposals being processed.

### Alabama

University of Alabama

### Arkansas

University of Arkansas

### California

University of Southern California  
Stanford University

### Colorado

Colorado School of Mines  
Colorado State College of A & M Arts  
University of Denver

### Connecticut

University of Connecticut

### Florida

University of Florida

### Georgia

Georgia School of Technology

### Illinois

Northwestern University  
University of Chicago

### Indiana

Purdue University  
Rose Polytechnic Institute

### Iowa

Iowa State College of A & M Arts  
State University of Iowa

### Kansas

University of Kansas

### Kentucky

University of Kentucky  
University of Louisville

### Maine

University of Maine  
Bates College

### Maryland

University of Maryland  
Johns Hopkins University

### Massachusetts

Boston College  
Massachusetts State College

### Michigan

University of Detroit  
Wayne University

### Nebraska

University of Nebraska

### *New Hampshire*

Dartmouth College

### *New York*

Clarkson College of Technology  
Cornell University  
Hofstra College  
Long Island University  
Syracuse University  
Union College

### *North Carolina*

North Carolina State College

### *North Dakota*

University of North Dakota

### *Ohio*

Fenn College  
University of Akron  
Ohio State University  
Ohio University  
University of Toledo  
University of Cincinnati  
University of Dayton

### *Oklahoma*

University of Oklahoma  
Langston University

### *Pennsylvania*

Villanova College  
Pennsylvania State College  
Drexel Institute of Technology  
Haverford College  
University of Pittsburgh

### *Rhode Island*

Brown University

### *South Carolina*

The Citadel  
Clemson Agricultural College  
University of South Carolina

### *Texas*

Agricultural & Mechanical College of Texas  
University of Texas

### *Virginia*

Virginia Polytechnic Institute  
Virginia State College for Negroes

### *Washington*

University of Washington

### *West Virginia*

West Virginia University

### *Wyoming*

University of Wyoming

### *Puerto Rico*

University of Puerto Rico

## ARMY AND NAVY STRESS NEEDS

The need for radiomen is currently emphasized in the folio of spot announcements released by the Army for the week of February 16. Four out of six announcements called for radiomen. Two specified "men with amateur or commercial radio licenses." One stated "radio operator licenses." The fourth said: "Radio Operators! Here is a chance to use your radio experience in the service of your country. The Signal Corps wants men for radio communication jobs."

Two of the Navy's February 16 announcements specified that "If you are a high school graduate with an amateur A or B radio license," the Navy needs you. Same announcements also said that men actively engaged in radio repair work were eligible.

These announcements are all in line with the NAB-ESMDT program. It teaches only the fundamentals of radio. On donning the uniform students may thus receive in-service training for specialized communications tasks without delay.

By specifying that students in the radio technician training courses meet the prerequisite of high school graduation with two years of mathematics and one year of physics, the educational process is speeded. Progress is much faster when students have nearly identical educational background.

## 2 BILLION DOLLAR EQUIPMENT PROGRAM

Indicative of the extent to which this is a war of communications is the action of the War Production Board, on February 13. On that date, WPB ordered the entire radio manufacturing industry to convert its facilities to war production in order to concentrate all radio manufacturing facilities in the \$2,000,000,000 radio apparatus manufacturing program. This program was mentioned January 25 by J. S. Knowlson, acting director of priorities, in announcing the 40 per cent cut in radio receiver production.

The fact that all set production was ordered discontinued within three weeks after a 40 per cent cut indicates the urgent need for vast quantities of radio equipment of all kinds in the all-out war effort.

As has been repeatedly pointed out, there is a need for all kinds of radiomen. They are needed at the professional level. They are needed in almost unlimited quantities at the sub-professional level.

Early last year NAB felt that a shortage in radio manpower was impending. In July the National Defense Committee approved the promotion of technician training courses. Meanwhile the Army, Navy and other agencies, in spot announcements, continued to seek radiomen. Most frequently it was specified that applicants should be holders of amateur or commercial licenses. This means men having basic radio knowledge.

"Fundamentals of Radio," the course outline distributed by NAB, will, generally speaking, impart such knowledge minus radio law and code. Technical knowledge is the thing.

Code was omitted at the suggestion of educators within the armed forces since it is a longer and more pretentious job to impart the fundamentals of radio than it is to train code operators.

A substantial quantity of the radio equipment which the \$2,000,000,000 will provide has never before been in production. As in the early days of home radio sets, it seems reasonable to anticipate that at least minor "bugs" may be found in some of the new products. They must be removed or corrected by technicians—men, possessing, first of all, a knowledge of the fundamentals of radio.

In the face of this triple threat job of training green men, of manufacturing new apparatus and then of maintaining it, those in the technical end of the broadcasting industry are offered a unique opportunity for service.

## TEACHERS A BOTTLENECK

Since broadcast stations are a vital part of the war effort, engineers who instruct student technicians perform double defense duty. Not only do they fill important posts at stations, but by giving basic instruction, they free other civilian and military personnel for imparting specialized instruction once fundamentals are acquired. Collectively, station technicians probably comprise the largest pool of available radio teaching talent in the Nation. With the armed forces "drafting" more and more men from engineering faculties, that source of assistance is definitely decreasing in size. But by continuing the teaching job in their own communities, under the supervision of the educators, the broadcast engineers can continue to give double service.

## GIVE YOUR BEST

Engineers who participate in the program as teachers need to give everything they have to the job. They can urge technicians without licenses in their employ to take the courses which they teach. Four or 5 weeks of extra study afterwards by themselves should qualify these men for at least a second class license. Some of the men may make good teachers.

After satisfactorily completing both parts of the "Fundamentals of Radio", men may not be called immediately to military service.

## MAINE

George F. Kelley, Jr., WCSH, Portland, and Industry Representative, called a meeting of broadcast stations for Monday, February 16, in connection with radio technician training.

## BROWN UNIVERSITY

A note from Roy Harlow, vice president, Yankee Network, said that the first class started at Brown University February 16 with an enrollment of 65 out of 100 applications.

## OHIO NORTHERN UNIVERSITY

R. T. Mason, president, WMRN, Marion, Ohio, advises that through the activities of WMRN 28 students enrolled in a radio class being held in the Bucyrus High School. Classes are under the direction of Ohio Northern University. This completes the organization of the second city in the station's listening area.

## VALLEY CITY COURSE STARTED

Robert I. Ingstad, manager, KOVC, Valley City, N. D., has finished recruiting students for the radio technician training course at State Teachers College, in Valley City, which the station chief engineer is assisting in teaching. The station is also assisting in the recruiting of students for the course at the University of North Dakota, Grand Forks.

## CHICAGO COURSES

Radio technician training program is scheduled to get underway in Chicago, Monday, February 23, according to a note from W. E. Hutchinson, WAAF, Illinois Industry Representative. Classes are given in cooperation with University of Chicago, Northwestern University and Illinois Institute of Technology.

## PUSH TRAINING IN UTAH

According to Earl J. Glade, vice president of KSL, and industry representative for the radio technician training program in Utah, courses throughout the state are now in process of organization. On February 11 Dean Taylor of the University of Utah left on a trip to the southern part of the state to complete the organization. "Within a week or two we should have these courses progressing splendidly", Mr. Glade concluded.

## DETROIT UNDER WAY

The first radio technician training class within the Detroit area was scheduled to begin on Monday, February 16, according to a note from William A. Alfs, WJR, industry representative for Michigan. Classes will be held at the Detroit Institute of Technology, Lawrence Institute of Technology, University of Detroit and Wayne University.

## DEVILS LAKE JUNIOR COLLEGE

Bert Wick, KDLR, Devils Lake, N. D., reports that E. J. O'Brien, of the Electrical Engineering Department of the University of North Dakota, completed arrangements on February 12 for a radio technician training course at Devils Lake Junior College.

## WATERLOO AND CEDAR RAPIDS

WMT Chief Engineer Charles Quentin reports that WMT's studios in Waterloo and Cedar Rapids, Iowa, are cooperating fully in the establishing of schools for radio technicians in both cities. Plans are under the direction of Professor E. L. Waterman of the State University of Iowa, and classes were scheduled to begin February 16. In Cedar Rapids the night school courses will be conducted at Coe College and in Waterloo at both the East and West High Schools.

## KILGORE COLLEGE

Approximately on February 2 a class of 22 fulltime radio students began studying the mysteries of radio at Kilgore College, Kilgore, Texas, under the direct supervision of Norman F. Rode, professor of Electrical Engineering, Texas Agricultural and Mechanical Col-

A little extra homework and they, too, can pass an FCC examination. The possession of an operator's license of any kind, though not necessary, starts men up the promotion ladder a little faster in or out of service. According to one of the February 16, 1942, Army spot announcements, "a recognized radio license will be accepted in lieu of a test."

There are so many men required that candidates for the Army or Navy with varying amounts of radio knowledge can all be used. Obviously, the more a man learns before getting into uniform the more training time he will save himself and the military.

## MOST AMATEURS GONE

More than 10,000 amateurs are already in service according to George Bailey, president, American Radio Relay League. Very few additional technicians will be available from the amateur ranks. The supply of fulltime radiotelephone operators has all but dried up. An estimated one thousand of the 5,500 broadcast technicians are now serving their country.

## UNSHACKLED IMAGINATION

The big time use of radio is new to this war. The mass training of radio technicians is likewise new. Yet radio can contribute so much to *Winning the War* that our imaginations must be unshackled. Otherwise, months hence, the armed forces will be needing tens of thousands more technicians than have been trained. We must not be guilty of underestimating the need for radiomen in view of known and projected plans.

In estimating radio personnel requirements it is vital to the nation's safety to take full cognizance of the time required to train green men. Most experienced men are already gone and there is no large supply left for the expansion that is just beginning.

## SALUTE TO MR. SUMNERS

Chairman Sumners (Texas) of the Judiciary Committee had it about right when he solemnly told the House, a few days ago, to arouse the Nation to its danger.

"America," Mr. Sumners told the House, "doesn't yet realize that it is in the greatest war of all time, facing the greatest military machine in history."

We also agree with you, Mr. Sumners, that "the American people have got the stuff in them to do the job."

And radio employed to the limit of its possibilities will make the job easier.

## JOHNS HOPKINS UNIVERSITY

L. W. Milbourne, general manager, WCAO, Baltimore, and Maryland industry representative, writes that Dr. W. B. Kouwenhoven plans three night radio technician training courses and one daytime course.

## HARRISBURG, VA.

"We have gone ahead together with the aid of our State Coordinator, Dean Earl B. Norris, Virginia Polytechnic Institute, and established a beginning and advanced course at Shenandoah College in Dayton. These courses have already been approved in preliminary form by ESMDT and we are very happy to say that the courses will start next week, providing no snags appear".—W. L. Braun, chief engineer, WSVB.

## ROSE POLYTECHNIC INSTITUTE

President D. B. Prentice, says: "We have 71 in the beginning course in fundamentals of radio at Rose Polytechnic; 121 in the more advanced course."

## HARTFORD, CONN.

J. H. Lampe, dean of engineering, the University of Connecticut, says: "We have started training for some 325 people in nine sections in Hartford and I am in the midst of organizing classes in New London, New Haven, Bridgeport, Waterbury."

lege, and under the general supervision of J. T. L. McNew, ESMDT Institutional Representative, Texas A. & M. Samuel Parker, of Kilgore College, advised H. A. Degner, manager, KOCA, Kilgore, Texas, on February 13, that he would start another class of 50 on Monday, February 16; and that this would be a night class.

### COURSE OUTLINES TO NEBRASKA

Twenty copies of the suggested radio technician training course outline were sent last week to W. L. DeBaufre, director of ESMDT courses at the University of Nebraska, Department of Engineering Mechanics, Lincoln. Mr. DeBaufre said that the University had been conducting courses for radio technicians at the University of Omaha in Omaha, and that it had requested authorization for a similar course at the University of Nebraska, Lincoln.

### UNIVERSITY OF MARYLAND

NAB headquarters has received a catalogue of the Engineering, Science and Management Defense Training courses offered by the College of Engineering, University of Maryland, at Baltimore, College Park, Hagerstown, Md., and Washington, D. C. Dean S. S. Steinberg is Maryland and District of Columbia Coordinator for the radio technician training program. The several radio courses that are offered by the University of Maryland are listed in this catalogue.

### COLUMBIA, MO.

KFRU, Columbia, is to be the center for training for radio technicians from towns, villages and farms located within an area of 50 miles of Columbia, according to a note from Charles Thomas, manager. The courses will be conducted in cooperation with the University of Missouri, which is located in Columbia.

### RECRUITS A-1 APPLICANTS

Durward J. Tucker, chief radio engineer, City of Dallas radio station, WRR, reports that a large percentage of the applications received by his station are men of 1-A draft classification. Here is the announcement which delivers a heavy percentage of this type of men:

"The Army and Navy and Defense Agencies are in immediate need of radio technicians. Here is your chance to obtain radio training FREE, and prepare yourself for an important position in case you are called into the *Army*, or wish to volunteer for *Navy* duty. Listen carefully to these qualifications:

"1. You must be 17 years of age or over, a high school graduate with two years of math and one year of physics.

"2. Men qualified for service in Army or Navy have first chance at this training.

"3. You must be ambitious and willing to attend a three hour class after working hours three days per week.

"If the above qualifications fit you, address a postal card or letter to FREE RADIO TRAINING, RADIO STATION WRR, DALLAS, TEXAS, right now. An application blank will be mailed to you as soon as possible."

### STATE LEGISLATION

#### MISSISSIPPI:

H. 523 (WOODLIFF) COMMUNICATIONS-INTERFERENCE  
—To prevent intentional injury to or interference with property used in connection with war preparation or communications. Referred to Committee on Judiciary B.



### FOREIGN LANGUAGE BROADCASTS

An FCC wartime survey reveals 200 standard radio stations in the United States broadcasting in 29 foreign languages, for a total of 6,776 hours, during the first 30 days after Japan began hostilities on December 7th last.

A pre-war survey, conducted by the Commission in 1940, showed 199 stations broadcasting in 31 foreign languages for a period of about 1330 hours a week. Previously an additional 57 stations had broadcast in foreign tongues. The current survey indicates a decrease of 67 hours as compared with foreign language broadcast time for the 30 days preceding the outbreak of war.

Italian, Polish, and Spanish still predominate the domestic foreign language broadcasts directed at local foreign-born populations. A comparison of foreign language broadcasts for the 30-day period before and following the Pearl Harbor attack follows:

Language	Nov. 7 to Dec. 6, 1941	Dec. 7, 1941 to Jan. 5, 1942
Italian	1644	1667
Polish	1518	1560
Spanish	1413	1341
Jewish	550	547
German	380	293
Portuguese	205	211
Czech	188	198
Lithuanian	143	139
Hungarian	141	143
French	104	89
Greek	86	106
Ukrainian	81	80
Finnish	79	76
Swedish	78	83
Slovak	59	64
Chinese	34	31
Croatian	30	31
Norwegian	27	27
Russian	21	19
Rumanian	15	15
Danish	10	9
Serbian	9	18
Arabic	6	5
Japanese	5	0
Dutch	4	4
Syrian	4	4
Albanian	3	7
Armenian	3	5
Slovene	3	3
Mesquakie (Indian)	0	1
Totals	6,843	6,776

The number of stations carrying broadcasts in each foreign language for the post-war period is here shown:

Language	Number of Stations
Polish	84
Italian	66
Spanish	58
German	30
Greek	25
Jewish	22
Hungarian	20
Swedish	18
Portuguese	16
Lithuanian	16
French	15
Czech	14
Finnish	14
Ukrainian	13
Slovak	11
Norwegian	9
Russian	7
Rumanian	6
Croatian	5
Serbian	5
Danish	4
Albanian	2
Arabic	2
Armenian	2
Chinese (Cantonese)	2
Dutch	2
Mesquakie (Indian)	1
Slovene	1
Syrian	1

No domestic station broadcasts in foreign tongue exclusively. Only three stations broadcast 300 hours or more of foreign languages in the 30 days mentioned. Two stations broadcast 200 to 299 hours, 3 from 160 to 199 hours, 3 from 120 to 159 hours, 11 from 80 to 119 hours, 22 from 40 to 79 hours, 25 from 20 to 39 hours, 36 from 10 to 19 hours, and 95 for less than 10 hours.

Few high-power stations broadcast in foreign languages. Only one 50 kilowatt station does, and no 25 kilowatt station. Lesser power stations engaging in foreign language broadcasts include three 10 kilowatt stations, 38 of 5 kilowatts, 48 of 1 kilowatt, 8 of 500 watts, 94 of 250 watts, and 8 of 100 watts.

As in the case of foreign-language newspapers, most of these stations are in areas with considerable foreign-born populations. Since the outbreak of war, and under increased surveillance, the foreign-language stations have themselves jointly and individually acted to guard against subversive broadcasts. Many programs are being devoted to the United States war effort, and various Government agencies are utilizing this media to inform and enlist the support of our foreign-born in the battle for democracy. In particular, foreign-language stations have broadcast information about the alien registration and other matters pertaining to aliens within our borders.

### CHARLES R. DENNY, JR., APPOINTED ASSISTANT GENERAL COUNSEL TO SUCCEED THOMAS E. HARRIS

The FCC Wednesday announced the appointment of Charles R. Denny, Jr., as Assistant General Counsel to succeed Thomas E. Harris, who has resigned to take a position as Assistant General Counsel of the Office of Price Administration. Mr. Denny, who is now in the Department of Justice, will join the Commission's staff within a week.

Mr. Denny was born in Baltimore, Md., on April 11, 1912. He has been for many years a resident of Washington, D. C., and attended the Washington public schools. He was graduated from Amherst College in 1933 and from the Harvard Law School in 1936.

From 1936 to 1938, Mr. Denny was employed by the Washington law firm of Covington, Burling, Rublee, Acheson & Shorb. Since that time Mr. Denny has been employed by the Lands Division of the Department of Justice. He is at present the Chief of the Appellate Section, and has had extensive appellate court experience.

### RADIO INTERSTATE COMMERCE

Judge Emmerich Freed of the United States District Court for the Northern District of Ohio, Eastern Division, in the case of United States of America v. Betteridge and Wolf, in an opinion dated February 6, 1942, stated that operation of any radio transmitter within the United States or certain of its territories or possessions must be licensed by the FCC and conducted by a licensed operator. The opinion points out:

"It is needless to go into a lengthy dissertation on the inherent natural characteristics of radio transmission to arrive at the inescapable conclusion that all transmission of energy, communications or signals by radio, either use an interstate or foreign channel of transmission or so affect interstate or foreign channels as to require the regulation of their use by licensing or otherwise if the announced purpose of this section; that is, the retention of control in the United States of all channels of interstate and foreign radio communication, is to be carried out effectively. The daily use of the radio, even to a lay mind unacquainted with the science of radio transmission or its engineering intricacies, has clearly demonstrated this conclusion.

"A careful analysis of the prohibited operation of a radio transmitting apparatus without a license discloses that the section is so all-inclusive that it would require great imaginative faculty to find an instance where the operation of a transmitting apparatus would not be embraced within the provisions of the Act. *In fact, I am bound to come to the conclusion that all the operations of a radio transmitting apparatus fall into one or the other or several subsections of the statute and that under the Act none can operate without a license.*"

This case involves the prosecution of two individuals who had operated an unlicensed transmitter at Thistledown Race Track, near Cleveland, Ohio, in August, 1941, in connection with a scheme to best the bookies by signalling "tips" while the races were being run. The defendants contended that the five-meter ultra-high frequency transmitter which they were using was incapable of sending signals beyond the boundaries of Ohio. Monitoring officers of the Commission offered no proof of actual interstate interception of the signals or interference with interstate communications, but evidence was submitted to the court to establish that these radio signals were capable of receipt at great distances from the point of origin, depending upon atmospheric and other conditions. In considering that point, the court said:

"There is evidence to the effect that such transmissions could not be controlled by the sender except as to volume and would transmit energy, signals, and communications in radiated directions and that such transmissions would interfere with any other radio transmissions using the same frequency at the same time either from outside the State of Ohio, to points within the State of Ohio, or from inside the State of Ohio to points outside the state."

The court pointed out that the intent of the defendants to transmit only within the state was immaterial; that all that is necessary to commit the offenses described in Sections 301 and 318 of the Communications Act of 1934, as amended, is to operate a transmitter without proper licenses.

One defendant was sentenced to a term of imprisonment of six months and another to three months.

The Commission warns against violation of the Communications Act by the unauthorized operation of a radio transmitter, regardless of the limitations which may exist with regard to the range of ground wave transmission. This warning is directed particularly to potential operators of 2½ and 5 meter ultrahigh frequency transmitters who have sometimes felt themselves to be beyond the jurisdiction of the Commission.

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 23. They are subject to change.

#### Tuesday, February 24

KFNF—KFNF, Incorporated, Shenandoah, Iowa.—Renewal of license, 920 kc., 500 watts night, 1 KW day, S-KUSD.

#### Thursday, February 26

##### Further Hearing

KWK—Thomas Patrick, Inc., St. Louis, Mo.—C. P., 680 kc., 25 KW night, 50 KW day, unlimited, DA-day and night.

##### Further Hearing

WGST—Georgia School of Technology, Atlanta, Ga.—Renewal of license (main and auxiliary), 920 kc., 1 KW night, 5 KW day, unlimited.

#### Friday, February 27

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—C. P., 580 kc., 1 KW, DA-night, unlimited.

# FEDERAL COMMUNICATIONS COMMISSION ACTION

## APPLICATIONS GRANTED

- Edwin A. Kraft, Kodiak, Alaska.—Granted construction permit (B-P-3279) for new station to operate on frequency 1230 kc., 250 watts, unlimited time. Exact site to be determined subject to Commission's approval.
- KGIW—E. L. Allen, Alamosa, Colo.—Granted construction permit to increase power from 100 watts to 250 watts day and night, and install a new transmitter (B5-P-3220).
- KTNM—Lester Q. Krason & Otto A. Krutzner, d/b as Krutzner Broadcasting Co., Tucumcari, N. Mex.—Granted modification of license (B5-ML-1109) to change hours of operation from unlimited time to specified hours.
- KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska.—Granted license (B-L-751) to cover construction permit to increase power to 1 KW, said license to expire August 1, 1942; and renewal application (B5-R-97) dismissed and retired to closed files.
- WQXR—Interstate Broadcasting Co., Inc., New York City.—Granted extension of special service authorization (B1-SSA-23) to operate 10 KW non-directional, unlimited time on 1560 kc., for a period of one year only.
- WSVS—Board of Education, Buffalo, N. Y.—Granted authority to close the records of the Commission, deleting call letters WSVS and canceling existing license of station.

## DESIGNATED FOR HEARING

- Chambersburg Broadcasting Co., Chambersburg, Pa.—Designated for hearing application for construction permit (B2-P-3310) for new station to operate on 1340 kc., 250 watts, unlimited time.
- William L. Klein, Oak Park, Ill.—Designated for hearing application (B4-P-3320) for construction permit for new station to operate on 1490 kc., 250 watts, unlimited time. Exact site and antenna system to be determined subject to Commission's approval.
- Minor E. Bragg & Robert C. Lipscomb, d/b as Murfreesboro Broadcasting Co., Murfreesboro, Tenn.; Andrew L. Todd, Murfreesboro, Tenn.; Nashville Radio Corp., Nashville, Tenn.—Designated for consolidated hearing applications (B3-P-3426, B3-P-3396 and B3-P-3034) for construction permits for new stations to operate on frequency 1450 kc., 250 watts, unlimited time; exact site to be determined subject to Commission's approval.

## ACTION ON DOCKET CASE

The Commission has proposed to deny the application by the Butler Broadcasting Corporation for a new standard broadcast station at Hamilton, Ohio, to operate on 1450 kilocycles with 250 watts power, unlimited time (B-144). As a result of hearing, the Commission concludes that public interest, convenience or necessity would not be served by such a grant.

## MISCELLANEOUS

- WLBC—Donald A. Burton, Muncie, Ind.—Granted license to cover construction permit which authorizes move of transmitter and installation of new antenna system (B4-L-1607); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1288).
- KILO—Dalton LeMasurier, Grand Forks, N. D.—Granted license to cover construction permit which authorized construction of a new broadcast station (B4-L-1556); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1290).
- WPAY—The Scioto Broadcasting Co., Portsmouth, Ohio—Granted license to cover construction permit as modified for changes in transmitting equipment, changes in antenna system, increase in power and move of transmitter (B2-L-1608); granted authority to determine operating power by direct measurement of antenna input (B2-Z-1343).

- KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—Granted license to cover construction permit for move of transmitter (B5-L-1593).
- WPTF—WPTF Radio Co., Raleigh, N. C.—Granted authority to determine operating power by direct measurement of antenna input (main transmitter) (B3-Z-1341). Same, for auxiliary transmitter (B3-Z-1342).
- KOL—Seattle Broadcasting Co., Seattle, Wash.—Granted authority to determine operating power by direct measurement of antenna input (B5-Z-1338).
- WHIT—Coastal Broadcasting Co., New Bern, N. C.—Granted modification of construction permit (B3-P-3239, for new station) for change in type of transmitter, approval of studio and transmitter location at Trent Road, U. S. Highway 17 West of New Bern, N. C., and make changes in antenna system (B3-MP-1475).
- WLBC—Donald A. Burton, Muncie, Ind.—Granted extension of special temporary authority to move studio from 125 South Walnut Street, Muncie, Ind., to 0.2 mile east of the junction of State Road 21 and State Roads 3 and 67, south of Muncie, Ind., and operate with studio at the new location for a period beginning February 11 and ending not later than March 12, 1942, pending grant of formal application for same.
- KNEL—G. L. Burns, Brady, Texas—Granted special temporary authority to cease nighttime hours of operation and operate daytime only for a period not to exceed 30 days.
- WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Denied request for special temporary authority to operate on 1230 kc. with power of 250 watts, unlimited time, for a period not to exceed 30 days, pending action on formal application on same.
- The Constitution Broadcasting Co., Atlanta, Ga.—Granted in part petition for 60-day postponement of hearing now set for March 16 on applications of the Constitution Broadcasting Co., Atlanta, and Bob Jones College, Inc., Cleveland, Tenn., for a new station to use frequency 550 kes., and continued hearing to April 13, 1942.
- Debs Memorial Radio Fund, Inc., New York City—Granted petition for 30-day postponement of hearing now set for February 17 on application of WBNX, Broadcasting Co. Inc., News Syndicate Co., Inc., FM Radio Broadcasting Co., Inc., Knickerbocker Broadcasting Co., Inc., Debs Memorial Radio Fund, Inc., Greater New York Broadcasting Corp., New York City, and Mercer Broadcasting Co., Ewing Twp., N. J., all applicants for new FM stations, and hearing continued to March 16, 1942.
- Mercer Broadcasting Co., Ewing Twp., N. J.—Granted motion to amend application for new FM station so as to specify frequency 49,900 kc., and removed from the hearing docket.
- KFEQ—KFEQ, Inc., St. Joseph, Mo.—Denied petition to continue for 30 or 60 days hearing now set for February 26, on application of KWK, St. Louis, Mo., Docket 5701. Oral request by counsel for WMAQ for continuance of 1 week also denied.
- KTHS—Hot Springs Chamber of Commerce (Assignor) and Southland Radio Corp. (Assignee) Southland Radio Corp., El Dorado, Ark.—Granted petition for dismissal without prejudice of application for voluntary assignment of license of station KTHS, Docket 6233, and application for construction permit, Docket 6234.
- WELL—Federated Publications, Inc., Battle Creek, Mich.—Granted, except as to 7 witnesses, petition for order to take depositions in re application for renewal of license; otherwise denied.
- New Mexico Broadcasting Co., Albuquerque, N. M., Santa Fe, N. M.—Granted motion to accept amendment to KGGM's application to reduce night power to 1 KW, Docket 6142, but denied as to removal from hearing docket the applications of KVOA, Docket 6082, KGGM, Docket 6142, and KVSF, Docket 6143.
- WROL—Stuart Broadcasting Corp., Knoxville, Tenn.—Granted petition to accept amendment to application, Docket 6224, to change name of applicant to S. E. Adcock, d/b as Stuart Broadcasting Co., but denied petition for removal from hearing docket.
- WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Granted petition for 30-day continuance of hearing now set for February 24, in re application in docket 6129, and continued same to March 24.

## 550 Kilocycles

- NEW—Bob Jones College, Inc., Cleveland, Tenn.—Construction permit for a new broadcast station to be operated on ~~550~~ **550** kc., 1 KW, daytime. Amended: to install directional antenna for night use, changes in equipment, change power to 1 KW night, 5 KW day and hours from daytime to unlimited.
- NEW—The Constitution Broadcasting Co., Atlanta, Ga.—Construction permit for a new broadcast station to be operated on ~~550~~ **550** kc., 1 KW night, 5 KW day, unlimited time, using directional antenna for night use. Amended: re changes in proposed directional antenna.

## 570 Kilocycles

- WMCA—Knickerbocker Broadcasting Co., Inc., New York, N. Y.—Voluntary assignment of license to WMCA, Inc. Amended: re assignment agreement.

## 610 Kilocycles

- KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—Construction permit for change in frequency from ~~610~~ **610** to ~~660~~ **660** kc., increase power from 1 to 10 KW and install new transmitter. Amended: re engineering data and information required by revised Form 303.

## 620 Kilocycles

- WKAQ—Radio Corporation of Porto Rico, San Juan, P. R.—Construction permit to move transmitter from San Juan to municipality of Rio Piedras, P. R.

## 680 Kilocycles

- NEW—Herman Radner, Dearborn, Mich.—Construction permit for a new broadcast station to be operated on ~~680~~ **680** kc., 1 KW, daytime. Amended: to request 250 watts and change type of transmitter.

## 850 Kilocycles

- WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Construction permit to install new transmitter, directional antenna for night, change frequency from ~~1240~~ **1240** to ~~850~~ **850** kc., increase power from 250 watts to 1 KW night, 5 KW day, and move transmitter. Amended: re directional antenna.
- KOA—National Broadcasting Co., Inc., Denver, Colo.—License to cover construction permit (B5-P-3250) for equipment changes.

## 910 Kilocycles

- WRNL—Richmond Radio Corp., Richmond, Va.—License to use directional antenna night with auxiliary transmitter.
- WRNL—Richmond Radio Corp., Richmond, Va.—Authority to determine operating power by direct method.

## 940 Kilocycles

- WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Modification of construction permit (B3-P-3043) as modified for change in frequency, increase in power, installation of directional antenna and move of transmitter, requesting extension of completion date from 4-6-42 to 7-6-42.

## 960 Kilocycles

- KROW—Educational Broadcasting Corp., Oakland, Calif.—Modification of construction permit (B5-P-2803) for increase in power, installation of new equipment, directional antenna for night use and move of transmitter, requesting extension of commencement and completion dates from 8-24-41 and 2-24-42 to 8-24-42 and 2-24-43, respectively.

## 1030 Kilocycles

- WSAV—WSAV, Inc., Savannah, Ga.—Construction permit to change frequency from ~~1310~~ **1310** to ~~1370~~ **1370** kc., increase power from 250 watts to 1 KW, install new transmitter and install directional antenna for night use. Amended: to request facilities of WCOA, contingent on WCOA changing to ~~1030~~ **1030** kc.

- KINY—Edwin A. Kraft, Juneau, Alaska.—Modification of construction permit (B-P-3089) for increase in power, changes in equipment and antenna, requesting change in frequency from ~~1460~~ **1460** to ~~1050~~ **1050** kc., changes in equipment and extension of commencement and completion dates from 9-9-41 and 3-9-42 to 20 days after grant and 30 days thereafter, respectively. Amended: re additional engineering data.

## 1220 Kilocycles

- WADC—Allen T. Simmons, Tallmadge, Ohio.—Construction permit to install new transmitter, new directional antenna for day and night use, increase power from 5 to 50 KW, change frequency from ~~1350~~ **1350** to ~~1220~~ **1220** kc., facilities WHBC when vacated, and move transmitter.

## 1230 Kilocycles

- WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Construction permit to install new transmitter.
- WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Construction permit to install new transmitter.
- WOLS—Florence Broadcasting Co., Inc., Florence, S. C.—Construction permit to install new transmitter.

## 1240 Kilocycles

- NEW—John R. Crowder, tr. as Dimple Broadcasting Co., Columbia, Tenn.—Construction permit for a new broadcast station to be operated on ~~1240~~ **1240** kc., 250 watts, unlimited time. (Facilities of WSIX when vacated.) Amended: to request ~~1340~~ **1340** kc., and omit request for facilities WSIX.

## 1310 Kilocycles

- WIBA—Badger Broadcasting Co., Madison, Wis.—License to cover construction permit (B4-P-2689) as modified, for new transmitter, increase in power, changes in directional antenna for night use, and move transmitter and studio.
- WIBA—Badger Broadcasting Co., Madison, Wis.—Authority to determine operating power by direct method.

## 1330 Kilocycles

- WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Modification of construction permit (B3-P-1849) as modified for installation of directional antenna for night use, increase in power, requesting extension of completion date from 2-11-42 to 5-11-42.

## 1340 Kilocycles

- NEW—Sacandaga Broadcasting Corp., Gloversville, N. Y.—Construction permit for a new broadcast station to be operated on ~~1340~~ **1340** kc., 250 watts, unlimited time. Amended: re engineering data.

## 1420 Kilocycles

- WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Special service authorization to operate on ~~1230~~ **1230** kc., unlimited hours.
- WFCI—Pawtucket Broadcasting Co., Pawtucket, R. I.—Construction permit to install new transmitter and increase power from 1 KW to 5 KW, using directional antenna.

## 1450 Kilocycles

- WILM—Delaware Broadcasting Co., Wilmington, Del.—Construction permit to install new vertical antenna system. Amended: to request move of transmitter approximately 30 feet from present location and to use south tower of WDEL's directional array.

## 1520 Kilocycles

- WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—License to cover construction permit (B1-P-3393) to move old main transmitter to site of new transmitter and use as auxiliary transmitter with power of 5 KW.
- KXRO—KXRO, Inc., Aberdeen, Wash.—Construction permit to change frequency from ~~1340~~ **1340** to ~~1520~~ **1520** kc., increase power from 250 watts to 1 KW, install new transmitter and changes in vertical radiator. Amended: re engineering data.



## FM APPLICATIONS

- K45LA**—Don Lee Broadcasting System, Los Angeles, Calif.—Modification of construction permit (B5-PH-26) for a new high frequency broadcast station, requesting to change coverage from 7,000 to 7,585, population from 2,604,104 to 2,612,000, change in antenna and move studio and extend commencement and completion dates from 12-31-40 and 6-30-41 to 60 days after grant and 180 days thereafter, respectively. Amended: to change coverage from 7,585 to 8,262 square miles.
- K31LA**—Columbia Broadcasting System, Inc., Hollywood, Calif.—Modification of construction permit (B5-PH-94) for a new high frequency broadcast station, requesting approval directional antenna system for a coverage of 34,500 square miles and approval of transmitter. Population: 3,420,002.
- W57PH**—Westinghouse Radio Stations, Inc., Philadelphia, Pa.—Modification of construction permit (B2-PH-65) for a new high frequency broadcast station, requesting approval of antenna system, equipment and transmitter site. Population: 4,088,000.
- W67C**—Columbia Broadcasting System, Inc., Chicago, Ill.—Modification of construction permit (B4-PH-57) as modified for a new high frequency broadcast station, requesting extension of completion date from 3-14-42 to 9-14-42.
- NEW**—Houston Printing Corp., Houston, Texas—Construction permit for a new high frequency broadcast station to be operated on **46,500 kc.**, 10,500 square miles coverage. Population: 722,600.

## MISCELLANEOUS APPLICATIONS

- WCBX**—Columbia Broadcasting System, Inc., New York, N. Y.—License to cover construction permit (B1-PIB-27) as modified for increase in power, new transmitter, move transmitter and change in frequencies.
- KEIV**—Nichols and Warinner, Inc., Portable-Mobile—License for reinstatement of relay broadcast station which expires 12-1-41.
- NEW**—KSTB, Inc., St. Paul, Minn.—Construction permit for a new relay broadcast station to be operated on **156750, 158400, 159300, 161000 kc.**, 50 watts, Emission A3. Amended to specify Emission as Special.
- W2XMC**—Muzak Corp., New York, N. Y.—Modification of construction permit (B1-PEX-36) as modified, for a new developmental broadcast station, requesting extension of completion date from 3-1-42 to 9-1-42.
- NEW**—The National Life and Accident Insurance Co., Nashville, Tenn.—Construction permit for a new relay broadcast station to be operated on **156750, 158400, 159300, 161100 kc.**, 40 watts Emission: Special.
- NEW**—Wichita Broadcasting Co., Portable-Mobile—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, power 50 watts, Emission A3.
- NEW**—Queen City Broadcasting Co., Inc., Portable-Mobile—Construction permit for a new relay broadcast station to be operated on **31220, 35620, 37020, 39260 kc.**, 50 watts, A3 Emission.
- NEW**—Queen City Broadcasting Co., Inc., Portable-Mobile—License to cover above construction permit (B5-PRE-421).
- NEW**—The Radio Voice of New Hampshire, Inc., Portable-Mobile—Construction permit for a new relay broadcast station to be operated on **1616, 2090, 2190, 2830 kc.**, 15 watts, Emission A3 (Section 3b).

## FEDERAL TRADE COMMISSION DOCKET

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

## COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an

opportunity to show cause why cease and desist orders should not be issued against them.

**Branch Institute of Eng. & Science**—A complaint has been issued charging Joseph G. Branch, 3917 South Parkway, Chicago, trading as Joseph G. Branch Institute of Engineering and Science, with misrepresentation in the sale of correspondence courses of instruction to purchasers in Central and South American countries. (4708)

**Ferbo Company**—Dissemination of false advertisements concerning a food flavoring product is alleged in a complaint issued against Arthur H. Ferber, trading as The Ferbo Co., 100 King's Road, Madison, N. J., manufacturer and distributor of various food products. (4706)

**Parker-McCrory Manufacturing Co.**, 2609 Walnut St., Kansas City, Mo., maker of electric fence controllers for confining livestock, is charged, in a complaint, with misrepresentation in the sale of its products. (4707)

**Sally's Furs, Inc.**, 17 West 44th St., New York, in a complaint is charged with misrepresentation in the sale of ladies' fur coats. (4705)

## CEASE AND DESIST ORDERS

The following cease and desist orders were announced by the Commission last week:

**McK. Edwards**, a resident of Valley, Wash., has been ordered to discontinue false advertising in the sale of a treatment for skin ailments. (4317)

**Queen Ann Manufacturing Company**—An order has been issued directing Clifford S. Donnell, trading as Queen Ann Manufacturing Co., 164 West Market St., Newark, N. J., to cease and desist from misrepresentations in connection with the sale of a hair dye cosmetic variously designated as "Queen Ann Hair Dye," "Queen Ann Hair Coloring" and "Queen Ann Liquid Hair Coloring." (4652)

**Rogers Silverware Exchange** and Rogers Redemption Bureau, J. L. Ramsay, 231 Blair Ave., Newport News, Va., has been ordered to discontinue misrepresentations in the sale to merchants of silverware or sales promotion plans. (4094)

## STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Air-Seal Distributors, Inc.**—Manufacturer of a compound designed to prevent punctures in pneumatic tires, Air-Seal Distributors, Inc., 8053 Beverly Blvd., Los Angeles, stipulated to cease designating its product as being "puncture proof" or as being a "recent scientific triumph" in the elimination of tire trouble. The respondent also agrees to desist from advertising that huge profits or a permanent income may be expected by agents who sell its "Air-Seal" compound or that the salesmen are in a new business or have no competition. (3392)

**C-A Wood Preserver Co.**, 6625 Delmar Blvd., St. Louis, has entered into a stipulation to discontinue representing that its "C-A Wood Preserver" has been approved or recommended by the United States Government or any of its departments or agencies; that the product has been tested by the U. S. Forest Products Laboratory, such tests having proven the product to be the highest quality wood preserver examined; that the product or

a mixture thereof with fuel oil, petroleum distillate or used crankcase oil is superior to creosote oil as a wood preservative; and that it will prevent rot or decay or cause wood to be immune from damage by termites. (3385)

**Dixie-Portland Flour Co.**, 656 Riverside Drive, Memphis, Tenn., stipulated to cease selling or otherwise disposing of flour or other merchandise by means of a game of chance, gift enterprise or lottery scheme. The respondent agrees to desist from supplying others with pull cards, prize drawing cards or other lottery devices, either with assortments of flour or other merchandise, or separately, which devices are used or may be used in selling or distributing such flour or other merchandise to the public. The respondent also stipulates it will cease placing in the hands of others premium flour or other merchandise for use in conducting lotteries. (3391)

**Energized Electrolyte Co.**, and as R. J. B. Electrolyte Co., James B. Wood, Calvin Theater Building, Dearborn, Mich., stipulated that in the sale of a solution designated "Energized Electrolyte," for use in storage batteries, he will desist from representing that batteries treated with the product require less attention, recuperate quicker after a rapid discharge, have a higher rate of charge acceptance, and, when idle for long periods of time, depreciate less, than batteries treated with or containing electrolyte used in batteries generally; that the charging of batteries treated with the product can be adequately accomplished in from 8 to 10 minutes or in any other period of time less than that necessarily required to charge such batteries adequately; and that the product is harmless to batteries or that it is unnecessary to add water to batteries treated with such product. (3387)

**Erskine Studio**—Noel L. Erskine and Alena M. Erskine, trading as Erskine Studio and Erskine Music Studio, 2228 Rosedale Ave., Oakland, Calif., entered into a stipulation to cease and desist from representing that a course of instruction in piano playing offered by them is given free when actually the price thereof is included in the price asked and required to be paid for another course; that there is a time limit within which a prospect must avail himself of an offer or that such offer will not be repeated, when in fact the offer is not limited as to time but is available to all persons at any time; that a 12-year-old child with no previous training would have no trouble in learning to play the piano by applying the Erskine method; and that a course offered at \$3.75 is the same as one offered at \$15, when in fact the latter course includes benefits not available in the former. (3384)

**Erwin, Wasey & Co., Ltd.**, 230 North Michigan Ave., Chicago, an advertising agency, stipulated to cease representing, in behalf of The Battle Creek Food Co., Battle Creek, Mich., that the Battle Creek company's preparation "LD-Lax" will relax the colon or intestines, is a constipation remedy, or is valuable in treating stomach disorders, and that the Battle Creek company's "Lacto-Dextrin" insures or restores health, restores the intestinal system to a healthy balance, and prevents stomach misery. (02946)

**B. T. Fooks Manufacturing Company**—Benjamin Tyndale Fooks, Gulnare Estelle Fooks and Terrell Davis Fooks, trading as B. T. Fooks Manufacturing Co., Camden, Ark., stipulated that, in the sale of a syrup used in compounding a soft drink designated "Grapette," they will stop using the words "grape" or "Grapette" to represent or designate a product not composed of the juice or fruit of the grape, and also will cease placing in the hands of others labels, brands or representations containing the prohibited words. If the word "grape" or any other word of similar implication is used to describe a product composed in substantial part of the juice or fruit of the grape, then it shall be clearly indicated that the product is not made wholly of the juice or fruit of the grape, and the other ingredients therein shall

be properly and accurately revealed. The stipulation provides further that if the product is artificially or synthetically flavored, that fact shall be indicated by the word "imitation" printed in type equally as conspicuous as that in which the word "grape" appears. (3383)

**S. M. Frank & Co., Inc.**, 133 Fifth Ave., New York, entered into a stipulation to cease representing that its "Frank Medico" pipes or the filters used therein will exclude nicotine from smokers' mouths or will obviate "tongue bite" or "raw mouth"; that the pipes require no "breaking in" or that the filters are capable of "breaking in" pipes; and that the pipes require no cleaning other than changing filters. (3388)

**Ideal Water Softener Company**—E. J. Segna, 621 South Union St., Pueblo, Colo., trading as Ideal Water Softener Co., has entered into a stipulation under which he agrees to cease representing that the water softening devices he sells have been approved by the United States Government; that hard water or faucet water such as is found in the average of localities in the United States will destroy health or beauty, cause enlarged pores, blackheads and dandruff, make hair sandy and rough, and cause gallstones, kidney stones, rheumatism, or arthritis; that use of water softened by his devices will cause all vegetables to cook in less time and retain their color better than if hard water were used, and will eliminate soap irritation or chapping, or that any such injury as results to the skin is due in appreciable degree to the hardness constituents of the water and not almost entirely to the increased amount of soap which may be used. (3386)

**Lucky Gardens, R.R. 2, Knox, Ind.**, dealer in a peat product (3390), and the Lee County Peat Moss Co., Giddings, Tex., miner and producer of peat taken from a bog in Lee County, Tex. (3393), entered into stipulations to cease using the words "peat moss" as descriptive of their peat products which are sold as soil conditioners. The respondents agree to discontinue employing the designation "peat moss" in any manner implying that their products are moss peat, which consists chiefly of decomposed stems and leaves derived from species of Sphagnum mosses. The respondents' commodities are not moss peat, according to the stipulations. (3390 and 3393)

**E. E. Palmer**, 144 North Walnut St., Wooster, Ohio, engaged in the sale of an outfit containing equipment and instructions for making name plates, signs and mirrors, stipulated that he will cease and desist from representing that financial independence, huge profits, or any other exaggerated earnings may be expected by purchasers of his name plate outfit or other merchandise, or promising any returns in excess of the average earnings actually achieved by his customers under normal business conditions; and will stop representing in any manner whatsoever that any offer he makes is special or unusual so long as no price reduction or trade concession is made therewith.

The respondent also agrees to discontinue the use of a so-called "special offer coupon" which, in fact, does not entitle the holder to some special advantage in price, quality or terms, and to cease describing as "free" any sample coupon which must be accompanied with the cost, in whole or in part, of the merchandise referred to in such coupon. (3389)

**Reuter Seed Company, Inc.**—Two distributors of chicks, Reuter Seed Co., Inc., 320 North Carrollton Ave., New Orleans (3394), and Kleppisch Bros., Inc., trading as Missouri Hatchery, Bowling Green, Mo. (3395), stipulated that in the sale of chicks not properly described as "U. S. Record of Performance" chicks in accordance with the provisions of The National Poultry Improvement Plan, they will cease using the initials "R. O. P." or other similar indications implying to purchasers that their birds are U. S. Record of Performance stock. (3394 and 3395)

## War News

### REQUIREMENTS FOR OPERATORS RELAXED

The FCC, in recognition of the growing shortage of first class radiotelephone operators and upon the recommendation of the Defense Communications Board, relaxed its operator requirements to permit the operation of broadcast stations of any class by holders of radiotelegraph first or second class operator licenses or radiotelephone second class operator licenses. A broadcast station may use operators of such classes, however, only insofar as it is unable to secure a sufficient number of first class radiotelephone licensees.

Lynn Smeby, NAB Engineering Director, had discussed this problem for some months with both FCC and OCB officials.

At least one first class radiotelephone operator must be employed who will be responsible at all times for the technical operation of the station and must make all adjustments of the transmitter equipment other than minor adjustments normally needed in the daily operation of the station. Any adjustment of transmitter equipment other than a minor one must be made by a first class radiotelephone operator and until such operator is available to make the adjustment, the station shall cease operation.

The Commission in relaxing its requirements emphasizes that a station licensee is not relieved of his responsibility of operating the station in exact accordance with the rules and regulations of the Commission. The relaxation is intended solely to meet a critical shortage of technical personnel. It is expected that the relaxation will not impair technical operation of broadcast stations or lower labor standards in the industry. If it is determined that first class operators are available, the Commission will restore the higher standards.

The text of the FCC order is printed elsewhere in this issue.

### NEW CONSTRUCTION LIMITED

Donald M. Nelson, chairman of the War Production Board, announced Tuesday a plan for drastic limitations on all new construction of standard broadcast facilities in the United States. The program also limits any changes in broadcast facilities.

J. S. Knowlson, Director of Industry Operations, said that future

priorities assistance to enable builders to obtain critical materials would be in accord with the plan.

The plan was worked out on the basis of recommendations made by the Defense Communications Board. The Board's recommendations, which were approved, were:

1. No critical materials shall be allocated by the War Production Board or further authorizations issued by the Federal Communications Commission for the construction of any new standard broadcast station where all or a substantial part of the proposed primary service area is already provided with primary service from one or more standard broadcast stations.

2. No critical materials shall be allocated by the War Production Board or further authorizations issued by the Federal Communications Commission for construction in order to change the transmitting facilities of any existing standard broadcast station, unless the change will result in a substantial new primary service area no substantial part of which is already provided with primary service from one or more standard broadcast stations.

3. No critical materials shall be allocated by the War Production Board for the construction, under outstanding authorizations of the Federal Communications Commission:

(a) Of any new standard broadcast station where all or a substantial part of the proposed primary service area is already provided with primary service from one or more standard broadcast stations; or

(b) In order to change the transmitting facilities of any existing standard broadcast station unless the change will result in a substantial new primary service area no substantial part of which is already provided with primary service from one or more standard broadcast stations.

### FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D. C.

*PUBLIC NOTICE*

February 24, 1942.

In the Matter of Policy and Procedure)  
for Handling Standard Broadcast )  
Applications )

### MEMORANDUM OPINION

BY THE COMMISSION:

Because of the present war emergency, the Commission is called upon to formulate a policy and procedures for the future handling

*(Continued on page 108)*

**You Can't Afford to Miss The NAB Convention**

**May 11, 12, 13, 14**

**Statler Hotel**

**Cleveland, Ohio**

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

## WAR NEWS

(Continued from page 107)

of standard broadcast station applications. The effective conduct of the war is, of course, a paramount consideration for all of us. The requirements of the armed services have created a shortage of the critical materials and skilled personnel required for the construction, operation, and maintenance of radio broadcast stations. This must inevitably affect plans for the increase or improvement of broadcast facilities.

However, it is not clear at this time that the expansion of broadcasting should be entirely eliminated for the duration of the war. For the best war effort, it is important that there be adequate broadcast facilities throughout the nation. The three governmental agencies concerned with this problem—the Defense Communications Board, the War Production Board, and the Federal Communications Commission—are in agreement that, so far as possible, every part of the country should receive a good radio service. We have not yet reached that goal.

It follows that the scarce materials and limited personnel available to the broadcast services should be carefully conserved to meet this basic need. The public interest clearly requires such conservation and the Commission must apply the test of public interest in exercising its licensing functions. The problem as to materials is of course primarily the concern of the War Production Board. On January 30, 1942, the Commission announced in a press release that at the request of the Defense Communications Board, pending the adoption of a specific policy by that Board and the War Production Board, the Commission would make no further grants for the construction of stations or authorize changes in existing standard broadcast transmitting facilities where all or a substantial part of the proposed new primary service area already receives primary service from one or more other stations. The Defense Communications Board, on February 12, made its further specific recommendations to the Commission and to the War Production Board. Cooperating with both those Boards, the Commission has now worked out a policy and procedures for the handling of new and pending standard broadcast applications.

Under the policy adopted the Commission will grant no standard broadcast station application unless a showing is made that:

(1) Construction (if any) pursuant to the grant will not involve the use of materials of a type determined by the War Production Board to be critical; or

(2) Where the application is for a new standard broadcast station, the station will provide primary coverage of an area no substantial part of which already receives primary service<sup>1</sup> from one or more standard broadcast stations; or

(3) Where the application is for a change in the facilities of an existing standard broadcast station, the change will result in a substantial new primary service area no substantial part of which is already provided with primary service<sup>1</sup> from one or more standard broadcast stations.

The Federal Communications Commission Standards of Good Engineering Practice will be used as a guide in the determination of primary service. For the time being, requests involving essential

<sup>1</sup>As here used, "primary service" includes service to be rendered pursuant to an outstanding broadcast construction authorization.

requirements for repair or maintenance will be treated as heretofore.

Applications not heretofore acted upon which do not fall within one of the three described categories will be designated for hearing upon appropriate issues. In cases heretofore designated for hearing, where notice of issues has already been announced, specific issues appropriate to the new policy will be added. Cases which have already been heard will, when necessary to apply the new policy, be redesignated for hearing upon issues under this policy. Cases in which proposed findings have already been issued will be determined as heretofore.

Applicants who consider that their applications satisfy the new requirements may wish to support their applications by filing a proper petition supported by affidavit setting forth detailed data on this point.

In cases where an application has heretofore been granted subject to approval of a further application to be filed by the applicant, such further application will not be granted unless the proposal meets the requirements set forth above, or the applicant has, pursuant to the grant, actually commenced construction or made substantial expenditures for materials or equipment prior to the date hereof.

The Communications Act contemplates that construction permits should not be issued or allowed to remain outstanding where there is no reasonable prospect of completion of the proposed construction within a reasonable period of time. Hence, requests for extensions of completion dates under standard broadcast authorizations will not be granted by the Commission unless the applicant can by proper petition show that the proposed construction meets the requirements set forth above, or that the applicant has actually commenced construction prior to the date hereof and has available all the critical materials and equipment necessary to the completion thereof. However, requests for extension of completion dates under authorizations issued in cases where proposed findings are now outstanding will be granted if the requirements set forth above are met, or if the applicant has available all critical materials and equipment necessary for completion.

The foregoing requirements may be waived where changes in facilities are required to be made by an agency of the Federal Government.

Special policies are now being developed with respect to experimental operation, frequency modulation and television stations, facsimile, and auxiliary broadcast services, taking into account the technical experimental benefits to be gained especially insofar as they may assist the war effort. Applications involving international broadcast stations will be considered and acted upon in accordance with policies worked out in cooperation with other Governmental agencies concerned with this field.

T. J. SLOWIE,  
*Secretary,*

<sup>2</sup>Dated: February 23, 1942.

## BROADCASTERS' ADVISORY COMMITTEE MEETS OFF OFFICIALS

Plans for radio coordination of all War activities were discussed at a meeting of the OFF Broadcasters' Advisory Committee held on Friday, February 20th. The meeting was attended by William Lewis, Douglas Meservey, Phil Cohen, Frank Stanton and Clyde Vandenburg, of OFF; Bernard Schoenfeld of WPB; and members of the Advisory Committee, consisting of Neville Miller, NAB; John Shepard, III, BVC; Eugene Pulliam, NAI, John Fetzer, NAB; and James Shouse, Clear Channel Group. George Storer of the NIB was not able to be present.

Mr. Lewis discussed the origin and functions of the OFF and stated that the Committee was called to discuss with the OFF how information needs should be met most effectively on the air. Preliminary studies of the material now being received by the stations from Government agencies were discussed and plans for better coordination of all these activities were considered.

The President's recent speech was studied in which he emphasized the six themes which were to receive continuing attention, namely: Aims and Issues of This War; Work and Production; Sacrifice;

Nature of the Enemy; the United Nations and Peoples; and, the Fighting Forces. The Spring production drive was placed as the number one priority and was launched by the President's speech on February 3rd. Plans for following up this campaign were considered.

It was announced that Mr. MacLeish would make a speech to the industry on "closed circuits" of the four networks on Saturday, February 28th.

Meetings of the Committee will be held on Friday of each week.

## IDEA POOL

The OFF has plans under way to form an "Idea Pool" of unique programs and ideas used by various stations in handling the War effort story. More details of this plan will be given at a later date. However, let's start the Pool off now by sending all such programs, ideas and suggestions to NAB Headquarters now.

## STAR SPANGLED BANNER

The Office of Facts and Figures has suggested that the NAB request member stations to review their scheduling of the Star Spangled Banner.

The OFF feels that over-emphasis can take away from its effectiveness and that the anthem should be reserved for only the most important programs in addition to opening and closing a station.

## NEW INDUCTION PROCEDURE

The War Department on Tuesday advised National Headquarters, Selective Service System that all acceptable registrants will be inducted into the military forces at the time of the Army physical examination, thereby eliminating the present Army pre-induction procedure.

National Headquarters said that the War Department has given assurances that in cases where the immediate induction would cause undue hardship to the registrant he will be given an immediate furlough to adjust his civilian affairs.

Although the final physical examination by the Army will continue to be the most thorough one given to registrants, the local boards will continue to give "screening" examinations, rejecting the obviously physically unfit men.

Under the new procedure registrants will have the same rights of appeal and right of personal appearance before their local boards as they do at present.

Instead of receiving the notice to report for physical examination by the armed forces as they do now, the registrants will be given a notice of induction, National Headquarters said.

## HOW TO SIGN PD-1A

Stations cannot use form PD-1 after February 28, 1942. Beginning with March 1, 1942, form PD-1A must be used to get emergency items or material for which the industry priority, A-10, is ineffectual.

The Director of Industry Operations has issued a warning on how to sign "PD-1A." He said that applications can not be considered unless they are properly signed at the bottom of the first page of the copy marked "Duplicate" and not in the space marked "Certification" on the back of the sheet.

Some confusion may result because the general instructions which accompany the form instruct applicants to "execute the certification on the duplicate copy."

## NEW AUTOS FOR STATIONS

Recent press releases do not clearly indicate that broadcasters are entitled to be considered by local boards as eligible to take delivery of new passenger cars. That they clearly are eligible appears from "New Passenger Car Regulations.—Order No. "—A", issued by the Office of Price Administration, and effective March 2.

In summary, the Regulations provide that executives, engineers and workers needing transportation to and from communication facilities "when the work done at such places is essential, directly or indirectly, to the prosecution of the war" are eligible for consideration. It is the opinion of officials here that broadcasting executives, engineers and workers at transmitter sites and studios and on remotes are working directly or indirectly in the prosecution of the war, and that local boards will interpret the Regulations with some degree of liberality, relative, of course, to the demands of other essential people, such as firemen and policemen, for the available cars. As in the case of recapping and retreading of tires, persons classified as eligible must show that other means of transportation are unavailable, etc.

## District Meetings

### DISTRICT 4

John Kennedy, WCHS, fourth district director, has called a meeting for 10 a. m., March 7, at the Hotel Roanoke, Roanoke, Va. The schedule for other coming district meetings was included in last week's NAB REPORTS.

### DISTRICT 14

Broadcasters of Colorado, Utah, Wyoming, Montana and Idaho, making up the 14th NAB District met at Denver on Wednesday (25).

Ed Yocum, KGHL, was elected district director to succeed Gene O'Fallon, KFEL.

At an open general session which lasted from 10 in the morning to late in the afternoon problems of the industry incident to the war were thoroughly discussed. Bill Bailey, of the Radio Branch, Bureau of Public Relations, War Department; Bob Richards of the Office of Censorship; Lieut. L. L. Lovett, USNR, Assistant Public Relations Officer for the 12th Naval District; and Capt. Roberts, USMC, gave interesting and instructive talks. C. E. Arney, Jr., Assistant to the President of NAB, told of the many activities being carried on to aid the broadcasting industry to better perform its wartime services.

Luncheon guests of the Denver Broadcasters were Colonel Duncan, Commanding Officer of Lowry Field; Colonel Gimperling, Recruiting Officer; Colonel Temple, Fort Logan; Capt. Roberts, USMC; Capt. Thompson, Fort Logan; Capt. Hughes, Fort Warren; Lieut. Cookman, Lowry Field; Lieut. Griffin, Fitzsimmons Field; Mr. Cohen of the American Legion; Lieut. Lovett, USNR; Lieut. Ward, USN Recruiting Service; Bob Richards, Office of Censorship; Bill Bailey, War Department; Mr. Murray, FCC; and Carl Haverlin, BMI.

At the business session of NAB members which followed the General meeting the following resolutions were adopted:

"Broadcasters of the 14th District of the National Association of Broadcasters assembled in Denver, February 25, 1942; do hereby:

1. Express our pride and satisfaction that one of our Board of Directors, J. Harold Ryan, has been given the responsibility of assistant director of Censorship.

2. Express our thorough realization of the need for coordinated effort to achieve military victory and pledge our support not only to all governmental agencies engaged in the war effort but our particular cooperation to the Office of Censorship, the Office of Facts and Figures, Defense Communications Board and the recently formed Broadcasters Victory Council.

3. Congratulate Neville Miller, President of the National Association of Broadcasters, and those associated with him in suggesting policies to be followed by our industry, and pledge our renewed support to these efforts to achieve unity not only in the industry but in the all-out war effort being made by broadcasters everywhere.

4. Renew the pledge to government expressed by Mr. Miller on December 7th in his wire to the President and acknowledge our

obligation to the American people to make it possible for them in turn to maintain a high standard of morale; to receive as quickly and as accurately as is possible and compatible with good military practice all information in connection with the United Nations war effort.

5. Urge all broadcasters to use the greatest discrimination in the preparation of news broadcasts; that the NAB suggestions in this field be read and re-read by all responsible for news broadcasts and that wherever feasible the responsibility for the handling of news broadcasts be centralized in each station; that NAB's news Code and the revisions to it which will likely follow be made a standard of good ethics in each station.

6. We view with concern the danger open under our system of free speech, the possibility that we, as broadcasters, may innocently be the tools of cleverly executed enemy propaganda, therefore we urge all broadcasters to scan closely their news wires and other news sources for enemy propaganda, for example, the claims broadcast by Axis nations; nor would we disseminate the claims made by Axis nations in their short-wave broadcasts except insofar as admission of defeat support the claims of our government and our allies.

7. Take cognizance of the fact that in times of national emergency there will be many who will make capital of it in attempting to achieve private gain and that we urge all broadcasters to again read and re-read the NAB Code and take this occasion to congratulate one of the members from our District, Mr. Earl Glade, who has recently been made Chairman of NAB's Code Committee.

8. Again express our demand and our wish that a free and highly competitive music market be maintained; that we thank the officers and personnel of BMI for the remarkable feat which it achieved in breaking the monopoly of music available to broadcasters; that we thank the officers and personnel of SESAC for the aid and counsel which this group rendered and is continuing to render broadcasters and that to guarantee a continued competitive music market we pledge our unanimous support to Broadcast Music, Incorporated, urging all stations to immediately execute new licenses of the type of their choosing with BMI.

9. Express our appreciation for interest in industry evidenced by members of the military, civilian and private groups participating in our session and thank our Director, Gene O'Fallon and the many other broadcasters of Denver who cooperated in the arrangement and conduct of this meeting.

The Resolutions Committee consisted of Ed Yocum, KGHL, and Glenn Shaw, KSL.

The Elections Committee consisted of Rex Howell, KFXJ, Lloyd Yoder, KOA, and Frank Hurt, KFXD.

Those in attendance:

C. E. Arney, Jr., NAB; Bill Bailey, War Department-Radio Branch; Milton Blink, Standard Radio; Frank Bishop, KFEL; Stan Brown, KOA; T. C. Ekrem, KVOD; Joe Finch, KVOD; Fred D. Fleming, KLZ; Emile J. Gough, SESAC; William C. Grove, KFBC; Ralph W. Hardy, KSL; Carl Haverlin, BMI; Harold Heroux, INS; Clifford Houston, State Chairman of Civilian Morale Committee, Radio Committee, University of Colorado; Charles Howell, KFXJ; Rex Howell, KFXJ; Robert B. Hudson, Rocky Mountain Radio Council; Frank E. Hurt, KFXD; Raymond Keane, Raymond Keane Advertising Agency; Lt. L. L. Lovett, USNR; James R. MacPherson, KOA; Don McCaig, KLZ; J. H. McGill, KGHF; R. H. Owen, KOA; E. G. Pack, KSL; Francis Price, KFKA; William D. Pyle, KVOD; Robert K. Richards, Office of Censorship; Curt Ritchie, KGHF; R. F. Schuetz, NBC Radio Recording Division; Glenn Shaw, KSL; Hugh Terry, KLZ; Bud Thorpe, KLZ; Wesley O. Tomlin, KPOF; Harvey E. Wehrman, KLZ; Ralph Wentworth, Lang-Worth; Ed Yocum, KGHL; Lloyd E. Yoder, KOA; Tracy S. McCracken, KFBC; Gene O'Fallon, KFEL; Holly Moyer, KFEL, and Cecil Seavey, KFEL.

## DISTRICT 16 MEETING

Calvin Smith, KFAC, was elected district director, to succeed Harrison Hollaway, KECA-KFI, at a District 16 meeting in Los Angeles, February 23. Representatives of 26 stations in Southern California, Arizona and New Mexico, attended. Attendance totaled 60.

John Paine, ASCAP general manager, one of the speakers, asked

the indulgence of those present and made a stirring appeal for the industry's support of BMI.

"If BMI is to remain a strong competitor in the music field and preserve the gains it has accomplished for the broadcasting industry it must have additional financial support," said Mr. Paine.

"I say to you that it cannot do the kind of a job that has to be done unless it receives the backing of the industry on a liberal scale that will make it possible to pay its composers and affiliated publishers."

Mr. Paine stated that ASCAP felt a strong competitor in the music licensing field was not only desirable but was the best assurance of an adequate and competent supply of music for the broadcasting industry.

These observations by Mr. Paine were consistent with remarks made previously by Claude Mills and himself at other NAB district meetings.

Commenting, Carl Haverlin, BMI vice president, said:

"I'm glad that Mr. Paine wants competition. BMI and the broadcasting industry guarantee him he will get it."

C. E. Arney, Jr., Assistant to the President, made a comprehensive report of NAB wartime activity. Carl Haverlin, BMI Vice President, explained the contracts offered by his organization. Leonard Callahan, General Counsel of SESAC, spoke on his service.

Representatives of the various branches of the service were guest speakers. These were, Major John S. Winch, United States Marine Corps; Ensign Tom Frandsen, Public Relation department, USN., and Robert C. Coleson, Administrative Executive, Radio Branch, Bureau of Public Relations of the War Department.

Following the general meeting the NAB member stations held their Biennial meeting. The following Resolutions were unanimously adopted:

Resolved that it is the sense of the broadcasters of the 16th District assembled here that news services should refrain from releasing any information regarding the broadcasting by American prisoners of war in Japan as it is believed that such information serves to emphasize the Japanese broadcasts; tends to create greater listening to them and thus subjects an increasing number of people to the influence of Japanese and Axis propaganda which surrounds the prisoner part of these broadcasts.

Inasmuch as the National Association of Broadcasters has served as a unifying influence within the industry and without it and is at present engaged in active support of the War efforts as well as continuing to serve the industry in other matters through its regular channels—

NOW THEREFORE BE IT RESOLVED: That the broadcasters of the 16th District hereby go on record as unanimously supporting NAB and pledge their continued and loyal cooperation.

Inasmuch as the broadcasting industry recognizes that it has been benefited by sharp reductions in music performance rates as a result of the competition established by BMI.

And Whereas it is agreed that a perpetuation of these benefits must, in a major sense, depend upon the continuation of an aggressive competition by BMI and an active support of that organization by the industry.

NOW, THEREFORE, BE IT RESOLVED: That the stations of the 16th District here assembled that are now licensed by BMI agree to sign the new licenses promptly and hereby urge all stations to do likewise.

The complete attendance was as follows:

C. E. Arney, Jr., NAB; Robert Richards, Office of Censor; R. C. Coleson, Radio Branch, War Department; Ensign Tom Frandsen, U. S. Navy; C. P. MacGregor, C. P. MacGregor; Harry Engel, BMI; E. J. Gough, SESAC; Leonard D. Callahan, SESAC; Milton Harker, International News Service; Hubert Gagos, United Press; Chester G. Matson, Edward Petry & Co.; Major John S. Winch, U.S.M.C.; Carl Haverlin, BMI; Pat Campbell, World Broadcasting; Bernie Milligan, KFI; Jack Hellman, Variety; David Glickman, Broadcasting; Bud Keeler, Broadcasting; Herman Greenberg, ASCAP; Richard J. Powers, ASCAP; John G. Paine, ASCAP; Carleton E. Coveny, John Blair Co.; Ben S. McGlashan, KGFJ; Warren B. Worcester, KFMB; J. A. Reilly, KOY; L. W. McDowell, KFOX; Gerald King, Standard Radio;

Robert Reynolds, KMPC; Harry Maizlish, KFVB; E. C. Hughes, KFVB; Manning Ostroff, KFVB; Fox Case, KNX; Cleve Roberts, Blue Network; Glan Heisch, KFI-KECA; Harrison Hollway, KFI-KECA; Ernest Felix, KFI-KECA; Clyde Scott, KFI-KECA; Curtis W. Mason, KFI-KECA; Homer Griffith, KFMB; Calvin J. Smith, KFAC; Harry Witt, KNX; John Babcock, KFSD; Frank M. Kennedy, KHJ; Ernest L. Spencer, KVOE; H. Duke Hancock, KGFI; Lyman Smith, KMTR; J. C. Lee, KFXM; L. A. Schamblin, KPMC; N. Vincent Parsons, KPPC; Leon Hall, KPPC; Lee Wynne, KGER; John Austin Driscoll, KRKD; R. F. Schuetz, NBC; Jennings Pierce, NBC; Les Hacker, KVEC; Don Gilman, Blue Network; Dick Lewis, KTAR; Bernard H. Linden, FCC, Inspector in Charge; Van NewKirk, KHJ, and Richard F. Connor, So. California Broadcasters Association, Radio Co-ordinator.

## Radio Training Courses

By the middle of next week Engineering, Science and Management Defense Training of the U. S. Office of Education, Federal Security Agency, should be out from under the avalanche of proposals for radio technician courses received from colleges and universities.

Dean Seaton's office anticipates that a complete list of schools will be ready for printing in next NAB REPORTS.

### NEED FOR MEN MUSHROOMED

1—The United States Marine Corps has indicated its needs for men with fundamental radio training. Facts were made known to Arthur Stringer, secretary, NAB War Committee.

2—U. S. Army recruiting announcement of February 23 says: "the Army Signal Corps sends out an SOS for radio operators. Men with amateur commercial licenses are wanted at once! . . ."

3—Navy recruiting announcement for February 23 appeals to "radio-minded young Americans to build themselves a specialized career in the USN . . . operating high frequency equipment for locating distant ships and planes . . . holders of operating licenses are wanted." The ESMDT-NAB training courses are designed to equip men with equal basic knowledge so that they can take specialized in-service training in order to operate such equipment.

4—In this week's folio of announcements the Civil Service Commission asks for "radio mechanics and technicians for key war jobs . . . minimum requirements of one year of paid technical experience or completion of specific radio training courses".

### ADDITIONAL FUNDS

Hearings on the matter of additional funds should be under way on or after March 2. In a bulletin to ESMDT Institutional Representatives, Dean R. A. Seaton, ESMDT Director, said in part:

"Proposals for ESMDT elementary radio courses already submitted to this office involve such large commitments of funds that approval of proposals for such courses must be discontinued until further notice, except to take care of *applications from prospective trainees already received by the institutions*. This limitation is necessary in order to avoid undue restriction of other types of training needed by war industries."

### LUTHER COLLEGE

Luther College, Decorah, Iowa, owners and operators of station KWLC, have received approval for one radio technician training course. One radio course is but a small fraction of what could be accomplished at this school and it is hoped that Washington will provide funds at an early date so that schools everywhere may make the maximum contribution to the War effort.

### WASHINGTON STATE CLASSES

Robert E. Priebe, industry representative, KRSC, Seattle, Wash., said: "Seattle classes are starting at the University of Washington

tonight (Feb. 17). Classes have already been started in Bellingham, and next week classes will be started in Tacoma, Olympia and Centralia. . . ."

E. A. Loew, state coordinator, and Dean, College of Engineering, University of Washington, wrote Mr. Priebe: "We greatly appreciate your fine cooperation in getting this program under way. Your announcements are obtaining results."

### BRADLEY TECH—PEORIA

Edgar L. Bill, president, WMBD, Peoria, wrote on February 18 that Bradley Polytechnic Institute would begin a course for radio technicians early in March. The school plans to teach a minimum of 75 students selected from several times that number applying.

### UNIVERSITY OF ILLINOIS ACTIVE

According to a note from William R. Traum, director, news and promotion, WROK, Rockford, Ill., the station is taking the leadership in the establishment of radio training courses in Rockford.

H. C. Roundtree, of the University of Illinois, is setting up courses in Illinois cities outside of Chicago. Inasmuch as Illinois is such a populous state and the University of Illinois is such a progressive and capable school, it is hoped that funds which will enable this work to continue will be provided without extended delay.

### SHAWNEE, OKLA.

It is anticipated that radio technician training program will be inaugurated in Shawnee, Okla., according to Joseph W. Lee, general manager, KGFF. He said that response to announcements was much greater than anticipated and that three times as many applicants as could be accommodated were quickly received.

### STATISTICS

A station that received 614 inquiries on radio technician training reports that approximately 50 percent or 300 filled out applications, of which only 100 to 125 could be handled by the local university.

### UNIVERSITY OF ROCHESTER

The University of Rochester, which handled the responses to radio technician training announcements broadcast by WHAM, found that there were enough people with sufficient electrical knowledge for Part No. 2 of the course to be started simultaneously with Part No. 1. "Thus", said K. J. Gardner, technician supervisor, WHAM-W51R, "it is hoped to get a set of graduates in 16 weeks."

### CHEYENNE

William C. Grove, manager, KFBC, Cheyenne, Wyo., with some 18 years of engineering experience in broadcasting, is teaching the class which is to be held in the station's studio in the Plains Hotel. Seventy-four of the 150 inquirers returned the application for enrollment blank. Only 9 of these were found to be not qualified.

Mr. Grove said that the University of Wyoming, which school is sponsoring the course at KFBC, plans to make application for a second section in Cheyenne.

### TWO CLASSES IN SHENANDOAH

Two classes with 57 students are taking the radio technician training courses in Shenandoah, Iowa. The classes began February 13 using some of KMA's qualified engineers as instructors. This arrangement was completed by working through the Extension Division of Iowa State College. J. C. Rapp, KMA manager, called at NAB Headquarters earlier in the year with respect to this training program. He wrote that the station was also able to give help in filling out a radio class for Graceland College at Lamoni.

## CHARLESTON CLASS STARTED

Charleston, West Virginia's radio class started February 3, according to Odes E. Robinson, technical supervisor, WCHS. The course is held in conjunction with Morris Harvey College. One hundred six students were accepted out of 270 applicants. Mr. Robinson has been pressed into service as an instructor along with members of the college faculty.

## ALABAMA GOING STRONG

As of February 23 Howard E. Pill, president, WSFA, Montgomery, and Industry Representative for Alabama, reported that radio technician courses are operative as follows: Montgomery, 5; Birmingham, 5; Mobile, 3; Greenville, 3; Selma, 2, and one each in six smaller Alabama cities.

Processing of other radio courses in Alabama is now in progress.

## Sales

### Trade Groups Praise "Manual"

Although the NAB "Manual of Radio Advertising" is available only to, or through, member stations, by action of the Sales Managers Executive Committee a few copies were judiciously placed with several of the leading trade associations of the country, representing fields of great promise for radio advertising.

Among these were such as the National Retail Dry Goods Ass'n, The Retail Research Ass'n, the Ass'n of National Advertisers, the Financial Advertisers Ass'n, etc. Permission was given these groups to quote the Manual in releases to their membership regarding the value of radio advertising.

Comment has been uniformly enthusiastic, with evidence of considerable cooperation already given. Typical are the following:

Preston Reed, executive vice president, Financial Advertisers Ass'n: "You have done a perfectly marvelous job on the preparation of this Manual. I have carefully gone over every bit of it, and there is so much of real value to financial advertisers who might want to buy time on the air, that I am putting a paragraph in the March BULLETIN about this manual and will ask our members to contact their local radio stations for a complete copy. If I went further on this, I think the stations would be swamped with orders. . . ."

Irene Bender, Retail Research Ass'n, New York, representing 22 of the largest department stores in the nation: "We've read every page of your Manual and it has been a stimulating treat. . . . We've sent a note to our Publicity Directors urging that they, too, read this useful Manual. . . ."

From numerous other comments like these, NAB members may expect to hear from local prospects in various fields. Many stations have already anticipated this and have reviewed the Manual with local advertisers, adding their own station data. The NAB Sales Managers Committees would like to encourage this practice, because the basic purpose of the Manual is to spread the story of radio and thereby secure more business.

### Advertising Pamphlets Enclosed

Two sample pamphlets, on "American Paradox" and "Dressing on Your Salad," which should have been mailed with last week's REPORTS, were not received at press-time, so are enclosed with this issue instead.

As stated last week, these are available in any quantity from William E. Rudge's Sons, 225 Varick St., New York, at \$15 per thousand, with a charge of \$2 (regardless of quantity) for imprinting your name and address if desired.

These are the first in a series "to educate the consumer regarding the social and economic values of advertising," and the plan has the endorsement of the NAB and of other associations, ad-

vertisers and agencies. Stations may order direct, and may also request a free copy of future leaflets.

## Consumers' Information Week

March 15 to 21 has been designated as "Consumers' Information Week" throughout the nation, "so that the American consumer may better understand the functioning of our economic machinery and its importance in winning the war."

The plan, originated by the Pacific Advertising Ass'n, has been endorsed by various national associations in business and advertising. A complete outline of the plan, showing how stations may cooperate will be furnished on request by Charles W. Collier, Managing Director, Pacific Advertising Ass'n, 900 Title Guarantee Bldg., Los Angeles, Cal.

Mr. Collier states "We believe this is important because this is a war of materials, of nutrition, of conservation (of the right things) and of keeping a sound economy working so that after a victory is achieved we will return more easily to our program of free competitive enterprise."

### "Wartime Radio Advertising"

A study on the immediate business outlook for radio, titled "Wartime Radio Advertising," was released to the NAB membership last week.

A limited quantity of additional copies are available to members without charge.

### Per-Inquiry and Free Time

NAB members report that the **J. L. Stewart Agency**, Chicago, is seeking per-inquiry deals for the **American Marietta Co.**; and that **American Service Pin**, Los Angeles, seeks similar deals to sell a war-service pin.

Both have been invited by the NAB to use radio on the basis of established rates.

## Miscellaneous

### NAB BOARD MEETING

The NAB Board of Directors will meet Thursday and Friday, March 19-20, at the Roosevelt Hotel, New York, to discuss a number of matters, including developments in connection with the war, and the NAB Convention, to be held May 11-15 in Cleveland.

### COST OF LIVING

The cost of living continues to mount. The Labor Department reports an increase of 1.3 per cent from December 15 to January 15, bringing the total increase since August 15, 1939 to 13.5 per cent. Figures for individual cities are available at the NAB.

### AFA MEETS JUNE 21

The Advertising Federation of America announces that its thirty-eighth annual convention, which will be held at the Hotel Commodore, New York, June 21 to 24 inclusive, will be planned as a "National Round Table on Advertising in War Time."

Ranking officials in the various groups represented in the field of organized advertising will be asked to participate in the making of the plans for the program.

"The convention will set a new pattern in Advertising Federation of America conventions," says President J. A. Welch, Crowell-Collier vice president in releasing announcement of the date and place for the meeting.

"It will be a War-Time convention with oratory 'cut to the bone.'"



"We will have an exhibit, with the latest of War-time advertising here and in our allied countries, Canada and Great Britain.

"Time will be planned for full discussion of today's advertising and sales problems, led by top men and women in the advertising field.

"Certainly, there has never been a time when we had more vitally important problems to consider and every effort will be made to bring them out in the open.

"Committees which are now in process of formation, will be announced shortly."

## AULL TO REPRESENT NAB

James Aull, KYW, Philadelphia, will represent the NAB at the annual meeting of the American Academy of Political and Social Science, to be held April 10-11 in Philadelphia.

## STENGER'S 20 YEARS IN RADIO

One of the old timers in the broadcast business is John H. Stenger, Jr., owner of WBAX, Wilkes-Barre, Pa. May 1, 1942, marks his 20th anniversary in broadcasting. February 3 of this year was his 31st anniversary "in this wireless business." Mr. Stenger is continually impressed at the way stations have gradually evolved into vital centers of information, and also at radio's ability to gratify most of the requests for information.

As to the "reaching" ability of radio he mentions this gem:

"The Navy recruiting station requested us to announce 24 names at 11:00 o'clock in the morning—names of young men who were waiting further orders. To the surprise of the Navy men all recruits reported within 20 minutes and 24 hours later were enroute to training stations."

But most of all Mr. Stenger says that he is proud to look at the wonderful spirit of cooperation offered by all the stations everywhere.

## KIRO EDUCATIONAL AWARDS

Through radio station KIRO, Seattle, Mr. Saul Haas, the station's vice-president, has established a fund of \$500.00 to be awarded to those individuals who in the judgment of the KIRO Educational Awards Committee best complete (in not more than one hundred words) the statement . . .

"If I had a radio station *one* of the things I would do . . ."

The awards are open to members of the School Broadcast Conference, the Institute for Education by Radio, the Association for Education by Radio, and all persons interested in educational and public service radio programs.

Members of the staff of KIRO, the Executive Committee of the School Broadcast Conference, the Evaluation of School Broadcasts staff, and the Publications Committee of the Association for Education by Radio are eligible only for honorable mention citations.

The awards will be announced at the Association for Education by Radio luncheon to be held in connection with the 13th Annual Institute for Education by Radio, Columbus, Ohio, May 3-6, 1942.

## KFRU 100 PER CENT

C. L. Thomas, of KFRU, Columbia, Mo., reports that the payroll defense saving plan for the purchase of stamps and bonds is operative at KFRU—100 per cent.

## WJTN'S ANTI-HOARDING CAMPAIGN

In an effort to make civilian buyers conscious of the danger of hoarding, WJTN, Jamestown, N. Y., has launched a new type of educational campaign. The news came from A. E. Spokes, WJTN service director. He said that local reaction has been excellent. The announcements are terse, bold and patriotic. Here are a few which have been used:

"This is war! Don't be a hoarder and overstock on goods to the extent that your neighbor cannot be supplied. Do your part—don't waste—buy intelligently—and don't be a hoarder!"

"Government rationing is the result of an 'emergency'. Hoarding and 'scare buying' creates an emergency. Avoid rationing—do your part—don't waste—buy intelligently—and don't be a hoarder!"

"Hoarding brings on scarcity—which we are all trying to avoid! Millions of people cannot afford to build up reserves of supplies during wartimes. Let us all cooperate, endure mild deprivations, and do our part in winning this war. Don't hoard—be a real American!"

"Don't have the Axis pin a distinguished service medal on you! Be a real American citizen and don't try to get an edge on your neighbor by hoarding. We're all in this war together. Cooperate, don't hoard, and be a real American!"

## NETWORKS TO APPEAL

On February 20, the United States District Court for the Southern District of New York ruled against the networks in their suit against the Government. The decision was not on the merits of the case—the powers of the FCC—but on the question of the court's jurisdiction. CBS and NBC wired affiliates that they will appeal immediately to the United States Supreme Court.

A divided court, sitting as a special statutory three-judge court, dismissed the complaints of CBS, NBC, Woodmen of the World and Stromberg-Carlson for lack of jurisdiction either as a court of three judges or of one. In deciding that the "network regulations" in question are not an "order" within the meaning of Section 402(a) of the Communications Act, the majority opinion, written by Learned Hand, C. J., and in which Judge Goddard concurred, indicated that the plaintiffs' remedy should be sought on renewal of station licenses by appeal to the Court of Appeals for the District of Columbia under Section 402(b)(2) of the Act.

The majority, in holding that the network regulations have no present effect but are merely a declaration of Commission policy to be applied in the future, said in part:

"We have seen, however, that the regulations are nothing more than a declaration—or if one chooses, a threat—by the Commission that it will impose those conditions upon any renewal of a license in the future. No change is made in the status of 'affiliates' meanwhile; their existing contracts with the 'networks' remain enforceable; nor has the Commission given any evidence of an intention to use them as the basis for a revocation of existing licenses under §312 (a). On the contrary, the 'minute' we have mentioned commits it to a contrary course. Hence, if these actions well lie, the plaintiffs have succeeded in substituting a different court and a different procedure from that which Congress has prescribed for the trial of precisely the same issues. This is inexorably true because here the only question is whether the Commission has power to impose the conditions mentioned in the regulations when a 'station' applies for renewal; exactly the question which will determine the actual renewal of a license. The prescribed procedure will therefore be disregarded only because the punitive wrong is merely threatened, instead of being in the very act of commission. Whatever may ordinarily be the proper scope of the word 'order' in the Act of October 22, 1913 (38 St. L. 219), it seems to us clear that Congress could not have intended such an anomalous result as will follow upon treating these particular regulations as such 'order'."

In a strongly worded dissent, Judge Bright voiced his opinion that the regulations are a final "order", within the meaning of Section 402(a), which the court has jurisdiction to enjoin. In this connection he said:

"It is suggested that the plaintiffs must wait until the Commission has ruled upon the application of a broadcasting station for a renewal of its license. Can it be said that the Commission will change its rules, in view of the positive statement it has already made with reference thereto and above quoted? Must these networks await the idle ceremony of a denial of a license before any relief can be sought when it is perfectly obvious that no relief will be given? And what relief could they get if they did wait? The networks are not to be licensed, only the individual stations who make application. But it is said the networks could intervene and be heard. All that might be said or urged in their

behalf has doubtless been communicated to the Commission in the three years between March 18, 1938, and May 2, 1941, when the investigation was going on. Must they march up the hill and down again, with the probability of being met with the statement that the Commission has given the matter due consideration and has done what it intends to abide by, as it has definitely said in its report? It is said, however, that by a minute adopted after these actions were brought, the Commission has manifested its intention to permit the networks to intervene and be heard upon the subject of the granting or denial of the license. That minute refers obviously only to a station, and insofar as it attempts to change the nature of the order sought to be reviewed or to obviate a review would be abortive."

We print the opinion in full:

L. HAND, C.J.: These actions were brought to declare invalid and set aside certain regulations originally promulgated by the Federal Communications Commission on May 2, 1941, and amended on October 11, 1941; in their final form they appear at the end of this opinion. After the actions were filed the Commission, on October 31, 1941, promulgated a further regulation in the form of a "minute", also appearing at the end of the opinion. Preparatory to the issuance of the regulations the Commission had held hearings at which nearly 9,000 pages of testimony were taken; among others whom it had invited to attend, were the two plaintiff "networks", which accepted and took part by introducing extensive evidence. When the regulations appeared, the "networks" brought the two actions at bar under §402 (a) of Title 47, U. S. Code, to set them aside as beyond the powers of the Commission and as arbitrary, unreasonable and without basis in the evidence. Upon the complaints so filed and voluminous affidavits they then moved for a preliminary injunction against their enforcement *pendente lite*. In the action brought by the National Broadcasting Company, two "affiliated stations" have joined as parties plaintiff and the United States and the Commission were originally joined as defendants; in the action brought by the Columbia Broadcasting System it alone is plaintiff and the United States is the only defendant, but the Commission later intervened. A third "network", the Mutual Broadcasting System, intervened as a defendant in both actions. The United States and the Commission have countered the plaintiffs' motions by motions, made before answer, to dismiss the complaints for lack of jurisdiction over the subject-matter under Rule 12 (b)(1), and for summary judgment under Rule 56 (b). The Mutual Broadcasting System has answered and joined in the motions of the other defendants. All these motions having come on before Judge Goddard, he assembled a court composed of three judges, to whom the hearing was transferred in accordance with the Act of October 22, 1913 (38 St. L. 219).

Since we are deciding that the District Court for the Southern District of New York has no jurisdiction over the subject-matter of the actions either as a court of three judges or of one, it will not be necessary to consider the merits; nevertheless we must say something about the background of the regulations in order to make our discussion intelligible. The business of broadcasting depends for its support principally, if not altogether, upon advertising. The broadcasting is done by "stations", each "station" selecting programs which it thinks will be popular, either spoken, sung or instrumentally performed in its own studio, or relayed to it by a "network" as will appear. Interjected among these programs, occur those fervid importunities of advertisers, upon the results of which the "station" must depend for its revenue. A single "station" dependent upon its own programs alone would be very expensive to operate, and its income would be small; especially if, as has become customary, it were to add to its advertising programs what are called "sustaining programs", which are not paid for, but which are thought to give a general popularity to the "station". These circumstances have long since resulted in the creation of "networks" of the kind with which the actions at bar are concerned; that is to say, in a widespread system of contracts of a single company with separate "stations" scattered all over the Union and known as "affiliates". The plaintiffs, National Broadcasting Company and the Columbia Broadcasting System, are two such "networks"; they own and operate broadcasting "stations" of their own, but, although they depend in part upon these as outlets, their principal reliance is upon their "affiliates". They originate a great variety of programs—usually in a studio of one of their owned "stations"—which they transmit by telephone to the "affiliates" for broadcasting. The audience of such a "network" in this way becomes the aggregate of the audiences of its "affiliated stations", and this enables it to charge so much higher prices for advertising than the "affiliates" could charge alone, that

both they and the "network" can divide the returns to their common advantage. There are four such national "networks", two owned by the National Broadcasting Company (one of which we are told it has disposed of since these actions were begun), another by the Columbia Broadcasting System, and the fourth by the Mutual Broadcasting System, which has intervened because it feels itself aggrieved by the practices against which the regulations in suit were directed.

Every broadcasting "station" must have a license and the Federal Communications Commission alone has power to grant, refuse, revoke, renew or modify licenses. The Commission also has "authority to make special regulations applicable to radio stations engaged in chain broadcasting." §303 (i). By virtue of these powers it assumed to promulgate the regulations now challenged, all of which, it will be observed, are no more than declarations of the conditions upon which the Commission will in the future issue licenses to "stations". The defendants' motions to dismiss the complaints are based upon the theory that these regulations are not "orders" within the meaning of §402 (a), and that therefore this court has no jurisdiction over them; indeed, that they are not "orders" of any sort, but merely announcements of the course which it will pursue in the future, whenever an "affiliated station" applies for a new license, or for the renewal of an existing one. To this the "networks" reply that the regulations had an immediate effect; that they not only announced what would be the future practice of the Commission, but presently adjudicated the invalidity of the contracts between themselves and their "affiliates"; and that they have in fact already caused serious losses, because a number of "affiliates" have declared that they will be obliged to break their contracts when their licenses are renewed, and have thus made it impossible for the "networks" to accept large and valuable advertising contracts.

We do not think that we need commit ourselves generally as to what "orders" are reviewable under the Act of October 22, 1913 (38 St. L. 219), which §402 (a) of Title 47, U. S. Code, incorporated by reference as the measure of our jurisdiction. So far as we have found, the Supreme Court has never declared that that statute authorizes review of any decision of an administrative tribunal which neither directs anyone to do anything, nor finally adjudicates a fact to exist upon which some right or duty immediately depends. We agree that it is no answer that the decision challenged is "legislative" in character (The Chicago Junction Case, 264 U. S. 258, 263), and, as we have just implied, it is enough if it authoritatively determines the existence of a fact that at once sets in execution some sanction, though the decision itself be not in form a command. *United States v. Baltimore & Ohio Railroad*, 293 U. S. 454; *Powell v. United States*, 300 U. S. 276; *Rochester Telephone Corporation v. United States*, 307 U. S. 125; *American Federation of Labor v. National Labor Relations Board*, 308 U. S. 401, 408. (*Colorado v. United States*, 271 U. S. 153; *Claiborne-Annapolis Ferry Co. v. United States*, 285 U. S. 383; and *United States v. Idaho*, 298 U. S. 105, though they are of the same kind, are scarcely controlling, because they turned upon §1(20) of the Interstate Commerce Act.) But decisions which are no more than announcements of future administrative action have never, so far as we can find, been treated as within this statute. That does not necessarily imply that a person presently injured is without any remedy when the threatened action would be unlawful; the situation then may present all the elements upon which equity will intervene in ordinary course. *Shields v. Utah Idaho Central Railroad Company*, 305 U. S. 177. It may be that the plaintiffs at bar could bring such actions in equity; at least it does not appear that recourse to them is positively forbidden, as was for example the case in *Venner v. Michigan Central*, 271 U. S. 127. But even so they would not be the actions at bar, which can be brought only under the statute, since otherwise the United States cannot be sued, or the Commission sued in this district, assuming that it was in any event possible to join it at all. Such actions would have to depend jurisdictionally upon the same facts as any other action against a public officer who threatens to do an unlawful act.

We should therefore have a great deal of doubt whether the regulations could in any view be regarded as "orders" which we could review under the Act of October 22, 1913 (38 St. L. 219), if the case came to us under the statute *in vacuo*. It does not, because, although, as we have said, §402 (a) incorporates it by reference, those orders are excepted which are mentioned in the parentheses: to wit, all orders "granting or refusing an application for a construction permit for a radio station, or for a radio station license, or for renewal of an existing radio station license, or

for modification of an existing radio station license." Relief from such orders is provided in §402 (b), (c), (d), (e) and (f); it is by appeal to the Court of Appeals of the District of Columbia, and it is to be heard upon the record made at the hearing of an application by the Commission. The procedure upon such appeals is in substance the same as that which has now become standard for the review of the decisions of administrative tribunals in adversary proceedings. Consequently, if any of the "affiliates" of the plaintiff "networks" should hereafter apply for a renewal of their licenses; and if, as we assume it will, the Commission adheres to its regulations, the resulting modification of the license will be reviewable only in the Court of Appeals of the District and upon the record made at that hearing. We have seen, however, that the regulations are nothing more than a declaration—or if one chooses, a threat—by the Commission that it will impose those conditions upon any renewal of a license in the future. No change is made in the status of "affiliates" meanwhile; their existing contracts with the "networks" remain enforceable; nor has the Commission given any evidence of an intention to use them as the basis for a revocation of existing licenses under §312 (a). On the contrary, the "minute" we have mentioned commits it to a contrary course. Hence, if these actions well lie, the plaintiffs have succeeded in substituting a different court and a different procedure from that which Congress has prescribed for the trial of precisely the same issues. This is inexorably true because here the only question is whether the Commission has power to impose the conditions mentioned in the regulations when a "station" applies for renewal; exactly the question which will determine the actual renewal of a license. The prescribed procedure will therefore be disregarded only because the punitive wrong is merely threatened, instead of being in the very act of commission. Whatever may ordinarily be the proper scope of the word "order" in the Act of October 22, 1913 (38 St. L. 219), it seems to us clear that Congress could not have intended such an anomalous result as will follow upon treating these particular regulations as such "orders".

To this the plaintiffs make two answers. First, they say that the threat itself has already caused them loss, as we have said. Possibly that might support an action to compel the Commission to raise the issues immediately, as by a revocation proceeding under §312 (a); even so, it should not substitute another court for the Commission and the Court of Appeals, certainly not this court in an action against the United States and the Commission. We need not decide the point, however, because the "minute" we have quoted offers equivalent relief without risk to any "station" which may challenge the regulations. Next, the plaintiffs say that they may not be able to raise the issue in a proceeding for the renewal of a license, because the "affiliated stations" may fear to incur the Commission's displeasure. As to the National Broadcasting Company this is plainly untrue because two of its "affiliates" have joined it as plaintiffs. As to the Columbia Broadcasting System, its complaint, read most favorably, does perhaps allege that none of its "affiliates" will challenge the regulations when their licenses expire; at any rate, to avoid any doubts, we shall so assume, little as that seems likely to be the case. We may do so, because the issue is irrelevant anyway, for the plaintiff "networks" have an adequate remedy under §402 itself. They allege—and there seems to be no question about it—that their interest will be adversely affected by the enforcement of the regulations; if so, they can appeal to the Court of Appeals of the District from any order imposing unlawful conditions upon an "affiliate's" license. §402 (b) (2). It is true that the section does not in terms provide that they shall also be heard in the proceeding before the Commission under §309 (a) for the "renewal or modification of a station license;" but the Commission has itself answered that objection by §1.102 of its regulations which permits intervention. An unreasonable refusal of the privilege so offered would appear to be a good objection on appeal under §402 (b) (2); for it is not likely that the statute which grants an appeal to all interested parties, meant not to give them the opportunity to make a record on which they can succeed upon that appeal. At any rate until the Commission shows some disposition to deny them a fair hearing in a proceeding for renewal of an "affiliate's" license, we are not to assume that it will do so. And even if that should appear, the resulting right of action, if any, would not, as we have said, be in this court or against the United States. For the foregoing reasons the complaints will be dismissed for lack of jurisdiction over the subject-matter.

We do not understand that any findings of fact are proper under Rule 52(a), which provides for such findings only in

"actions tried upon the facts without a jury." It is true that the plaintiffs have moved for a preliminary injunction, and that the rule also requires findings "in granting or refusing interlocutory injunctions;" but we are not "refusing" any injunction. Once the complaints are dismissed for lack of jurisdiction, the motions become moot and we shall not pass upon them at all. We are therefore entering judgment in each action without findings.

Complaints dismissed for lack of jurisdiction.

Learned Hand  
Henry W. Goddard

BRIGHT, D.J.: As I read the opinion of my brothers, they would dismiss for want of jurisdiction because nothing reviewable has been done, and that even after a license is denied, the only review thereof would be by appeal to the Court of Appeals in the District of Columbia.

By Section 402-a of the Communications Act of 1934, we have jurisdiction to enjoin, set aside, annul or suspend an order of the Commission, except where it grants or refuses an application for a construction permit, for the granting, renewal or modification of a station license, or suspending a radio operator's license. These excepted matters can be reviewed only by appeal to the Court of Appeals aforesaid. This order, in my opinion, does not come within any of the excepted provisions. No application has been or is here made by any such relief, and the order sought to be reviewed does not arise out of any such application.

There is no question in my mind that the order sought to be reviewed is one which, under the terms of Section 402-a, we have jurisdiction to enjoin. It is designated by the defendants as a "commission order". It has the usual mandatory clauses found in orders. It was by its terms obviously entered after an investigation made upon the Commission's own motion to determine what special regulations applicable to radio stations engaged in chain or other broadcasting are required in the public interest, convenience or necessity. It promulgates certain regulations, an obvious and attempted exercise of the Commission's rule-making power. It is clearly an attempt to make rules because at the time there was nothing else before the Commission upon which it could or did act. All of these rules, or regulations as they are called in the order, relate only to standard broadcasting stations having contracts with a net work organization, except rule 3.106, which relates to a license to be granted to a net work organization having more than one station in a service area, and rule 3.107 which proscribes a broadcasting station affiliated with a net work maintaining more than one net work. These rules do not apply to stations not affiliated with any net work. They apply only to contractual relations with net works, and in addition, prohibit the ownership by a net work of more than one station in a specified service area and the ownership by any organization of more than one net work. The order fixes as immediately the time when it shall become effective. In other respects it has all the earmarks of a final order.

That it was intended to be final is further evidenced by the Commission's report. It finds that the public interest "requires" the application of the regulations to stations affiliated with regional as well as with national net works. It affirms its powers to do so under Section 303-(i) of the Communications Act, and clearly reveals that it is exercising its rule-making power when it queries whether the Commission can formulate into "general rules and regulations" the principles which it *intends* to apply in passing on individual applications. That its action is final is further emphasized by the statement, "We believe that the announcement of the principles we intend to apply in exercising our licensing power will expedite business and further the ends of justice. \* \* \* The regulations we are now adopting are nothing more than the expression of the general policy *we will apply* in exercising our licensing power. The formulation of a regulation in general terms is an important aid to *consistency and predictability* and does not prejudice any rights of the applicant."

That it is exercising this rule-making power is further emphasized by another statement in its report, that Section 303-(i) gives the Commission specific power to make special regulations applying to radio stations engaged in chain broadcasting and that "no language could more clearly cover *what we are doing here.*"

What it has done emphasizes more the finality of its order, which is an affirmative direction that thereafter no standard broadcasting station shall contract in terms prohibited, and ultimately puts an end to service by net works under contracts now existing. In fact, I think that the regulations are intended to effect existing contracts for the effective date of the order is deferred until November 15th, 1941, "with respect to existing

contracts, arrangements or understandings". This certainly is not a statement that the regulations shall not apply to existing contracts; it is merely a postponement as to when the axe will fall.

The particular agreements prohibited are presently contained in most of the affiliation contracts of the two complaining net works. They state those provisions are essential to the proper and successful conduct of their business, and in deciding the question of jurisdiction, I believe we must assume this to be true. It is also shown by them, without contradiction, that between the time the regulations were promulgated and the commencement of these actions, not less than twenty-four broadcasting stations having affiliation contracts with N.B.C. have cancelled their contracts as a result of the order in question, and not less than twenty-four others having such contracts, have served notice that they do not intend to abide by the terms of such contracts unless they are conformed to the Commission's order. Similarly, it is shown by the affidavits submitted by C.B.S. that some of the stations affiliated with it are refusing to renew their affiliation contracts, some are threatening to cancel or repudiate them, and some have already cancelled on the ground that the rules in question prohibit them. There is thus a present injury.

It is suggested that the plaintiffs must wait until the Commission has ruled upon the application of a broadcasting station for a renewal of its license. Can it be said that the Commission will change its rules, in view of the positive statement it has already made with reference thereto and above quoted? Must these net works await the idle ceremony of a denial of a license before any relief can be sought when it is perfectly obvious that no relief will be given? And what relief could they get if they did wait? The net works are not to be licensed, only the individual stations who make application. But it is said the net works could intervene and be heard. All that might be said or urged in their behalf has doubtless been communicated to the Commission in the three years between March 18, 1938, and May 2, 1941, when the investigation was going on. Must they march up the hill and down again, with the probability of being met with the statement that the Commission has given the matter due consideration and has done what it intends to abide by, as it has definitely said in its report? It is said, however, that by a minute adopted after these actions were brought, the Commission has manifested its intention to permit the net works to intervene and be heard upon the subject of the granting or denial of the license. That minute refers obviously only to a station, and insofar as it attempts to change the nature of the order sought to be reviewed or to obviate a review would be abortive. *Southern Pacific Co. v. Interstate Commerce Commission*, 219 U. S. 433-452. *Southern Pacific Terminal Co. v. Interstate Commerce Commission*, 219 U. S. 498-515.

This court has reviewed the rule-making power of this very Commission without being troubled by the question of jurisdiction. *A. T. & T. Co. v. U. S.*, 14 F. Supp. 121, affirmed 299 U. S. 232. That there can be a review of an order exercising the delegated legislative function of rate-making and rule-making is admitted in *U. S. v. Los Angeles R. R.*, 273 U. S. 299, 309. In *Interstate Commerce Commission v. Goodrich Transit Co.*, 224 U. S. 194, where bills were filed to enjoin orders prescribing methods of account, bookkeeping and reports, jurisdiction was not questioned in a court always jealous of its jurisdiction. In *Kansas City Southern Railway v. U. S.*, 231 U. S. 423, jurisdiction was again assumed of a petition to declare invalid and to enjoin regulations relative to accounting. In *Skinner & Eddy Corp. v. U. S.*, 249 U. S., 557-562, which involved a refusal of a suspension of a tariff, jurisdiction was assailed, at least until after a further remedy was sought; and it was there stated that where contention was made that the Commission had exceeded its statutory powers, courts have jurisdiction of suits to enjoin even if the plaintiff had not attempted to secure redress before the Commission. In the *Assigned Car Cases*, 274 U. S. 564, suits were brought to enjoin and annul an order which prescribed a rule governing the distribution of cars among coal mines after an investigation by the Interstate Commerce Commission of its own motion, and no question of right of review was raised. And in *A. F. of L. v. Labor Board*, 308 U. S. 401, 408, it was admitted that administrative determinations which are not commands may for all practical purposes, determine rights as effectively as the judgment of a court and may be re-examined by courts under particular statutes providing for the review of orders. In *Pierce v. Society of Sisters*, 268 U. S. 510, suit was brought by a private school to restrain the enforcement of an Oregon statute which required primary education in public schools, and jurisdiction was sustained, Mr. Justice McReynolds writing that the suits were not premature, that the injury to the plain-

tiffs was present and very real and not a mere possibility in the remote future.

Dated: February 20, 1942.

(S.) John Bright,  
U. S. D. J.

## STATE LEGISLATION

NEW YORK:

A. 984 (Ehrlich) CHILD LABOR—Prohibits employment of children under 16 years in theatrical performances, circuses, motion pictures, radio broadcast performances, except on amateur programs, without written consent of education board or officials. Referred to Committee on Education.

A. 1224 (Sullivan) KOSHER FOOD—FRAUDULENT ADVERTISING—Prohibits fraudulent advertising or sale of Kosher food and food products at retail stores or hotels and restaurants. Referred to Agricultural Committee.

S. 1034 (Mahoney) KOSHER FOOD—FRAUDULENT ADVERTISING—Prohibits fraudulent advertising or sale of Kosher food and food products at retail stores or hotels and restaurants. Referred to Committee on Agriculture.

## FEDERAL COMMUNICATIONS COMMISSION

### AMATEUR OPERATOR LICENSING

The Federal Communications Commission, at the request of the War and Navy Departments, has resumed the issuance of new amateur radio operator licenses.

The Commission is advised that the classification of men for Navy and Army radio duty is facilitated greatly if such persons who are qualified to hold a radio operator license are in a position to verify this fact by exhibiting their license.

When cessation of amateur station operators was ordered following the outbreak of the war, the Commission followed a policy of not issuing any new amateur operator licenses or amateur station licenses, although examinations for the former have continued to be conducted. As a result, there are approximately 1500 applicants who have successfully completed the examination for operator's license and have complied with the provisions of Commission Order No. 75 (proof of U. S. citizenship) and are now qualified to receive new operator licenses.

### FCC ORDER NO. 91 (Operators)

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C. on the 17th day of February, 1942;

The Commission having under consideration the request of the Defense Communications Board that the Commission consider relaxation of its rules and regulations governing the requirements for operators of broadcast stations; and

IT APPEARING that the demand of the military services for operators holding radiotelephone first class licenses has increased as a result of the war, and that such demand has decreased the number of operators qualified for operation of broadcast stations, resulting in a shortage of such operators;

IT IS ORDERED that until further order of the Commission a broadcast station of any class, which by reason of actual inability to secure the services of an operator or operators of the proper class could not otherwise be operated, may be operated by holders of radiotelegraph first or second class operator licenses, or radiotelephone second class operator licenses, notwithstanding the provisions of Section 13.61, paragraphs a, c(1) and d(1) of the Commission's Rules and Regulations Governing Commercial Radio Operators;

PROVIDED, HOWEVER, that these classes of operator licenses shall be valid for the operation of broadcast stations upon the

condition that one or more first class radiotelephone operators are employed who shall be responsible at all times for the technical operation of the station and shall make all adjustments of the transmitting equipment other than minor adjustments which normally are needed in the daily operation of the station;

PROVIDED FURTHER, that nothing contained herein shall be construed to relieve a station licensee of responsibility for operation of the station in exact accordance with the Rules and Regulations of the Commission; and

PROVIDED FURTHER, that Section 13.61 of the Commission's Rules and Regulations Governing Commercial Radio Operators shall remain in full force and effect except as modified by this Order.

BY THE COMMISSION,  
T. J. Slowie, Secretary.

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 2. They are subject to change.

#### Monday, March 2

WAPI—Voice of Alabama, Inc., Birmingham, Ala.—C. P., 1070 ke., 50 KW, unlimited, DA-night.

#### Thursday, March 5

##### Consolidated Hearing

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Modification of license, 1230 ke., 250 watts, unlimited.

NEW—Paul Forman Godley, Newark, N. J.—C. P., 1230 ke., 250 watts, unlimited.

#### Friday, March 6

##### Consolidated Hearing

NEW—Beauford H. Jester, Waco, Texas.—C. P., 1230 ke., 250 watts, unlimited.

NEW—Roy Branham Albaugh, Waco, Texas.—C. P., 1230 ke., 250 watts, unlimited.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

WSJS—Piedmont Publishing Co., Winston-Salem, N. C.—Granted petition to reconsider and grant application for modification of construction permit to increase power to 5 KW, move transmitter site, install new transmitter, and make changes in directional antenna. WSJS now operates on 600 ke., with 1 KW power.

KGKO—KGKO Broadcasting Co., Fort Worth, Texas.—Granted modification (B3-MP-1484) of construction permit (B3-P-2571) as modified, for changes in directional antenna for night use.

WLOL—Independent Merchants Broadcasting Co., Minneapolis, Minn.—Granted consent to transfer of control of station WLOL from John P. Devaney to Charles J. Winton, Jr., and David J. Winton, for a consideration of \$21,500 (B4-TC-283).

H. Ross Perkins and J. Eric Williams, d/b as The New Haven Broadcasters, New Haven, Conn.—Granted motion to dismiss petition for reconsideration directed against the Commission's action of December 23, 1941, granting the application of Arthur Faske, WCNW, Brooklyn, N. Y. (B1-P-3151), to change frequency to 1190 ke., increase power to 1 KW, and change hours of operation to limited, subject to proof of performance, and dismissed said petition.

KPMC—Pioneer Mercantile Co., Bakersfield, Calif.—Granted petition for reconsideration and grant without hearing application for construction permit insofar as authority is requested to change frequency from 1600 ke. to 1560 ke.

Amarillo Broadcasting Corp., Amarillo, Texas.—Granted construction permit (B3-PH-49) for new station to operate on 45100 ke., with a service area of 5600 square miles, on a temporary basis in accordance with Section 3.223(b).

### DESIGNATED FOR HEARING

The McKeesport Broadcasting Co., Inc., McKeesport, Pa.—Designated for hearing application (B2-P-3324) for new station to operate on 730 ke., 1 KW, daytime.

Albert S. & Robert A. Drohlich, d/b as Drohlich Bros., Jefferson City, Mo.—Designated for hearing application for construction permit (B4-P-3315) for new station to operate on 800 ke., 1 KW, daytime. Exact site to be determined, subject to Commission's approval.

W47NY—Muzak Corp. (assignor), Muzak Radio Broadcasting Stations, Inc. (assignee), New York, N. Y.—Designated for hearing application for consent of assignment of construction permit (B1-APH-2) for high frequency broadcast station W47NY, from Muzak Corp. to Muzak Radio Broadcasting Stations, Inc.

WHFC, Inc., Chicago, Ill.—Designated for hearing application for construction permit (B4-PH-36) for new station.

The American Network, Inc., New York, N. Y.—Designated for consolidated hearing (to be heard with 7 New York area applicants for new stations), application for construction permit for new station (B1-PH-124).

### ACTION ON DOCKET CASE

The Commission announced adoption of final order (B-143) granting a construction permit to Western Gateway Broadcasting Corporation for a new broadcast station at Schenectady, N. Y., to operate on 1240 kilocycles with power of 250 watts, unlimited time, and denying an application by Van Curler Broadcasting Corporation for the same facilities.

### LICENSE RENEWALS

Licenses for the following stations were renewed for the period ending April 1, 1944:

KFVD, Los Angeles, Calif.; WIBC (auxiliary), Indianapolis, Ind.; WJSV, Washington, D. C.

Licenses for the following were renewed for the period ending October 1, 1943:

KATE, Albert Lea, Minn., and WKEU, Griffin, Ga.

KVWC—Northwestern Broadcasting Co., Vernon, Texas.—Granted renewal of license for the period ending December 1, 1943.

WFTC—Jonas Weiland, Kinston, N. C.—Granted renewal of license for the period ending October 1, 1942.

WNYC—City of New York, Municipal Broadcasting System, New York, N. Y.—Granted renewal for main and auxiliary transmitter for the period ending February 1, 1944.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending April 1, 1942:

KFJB, Marshalltown, Iowa; WBRB, Red Bank, N. J.; WCBT, Roanoke Rapids, N. C.; WJMA, Covington, Va.; KXL, Portland, Ore.; KFBI, Wichita, Kans.; WHCU, Ithaca, N. Y.; WMEX, Boston, Mass.; WKBW, Buffalo; WLW, Cincinnati; WOWO, Ft. Wayne, Ind.; KBST, Big Springs, Texas; KCMC, Texarkana, Texas; KGIW, Alamosa, Colo.; KGKL, San Angelo, Texas; KPLT, Paris, Texas; KRBC, Abilene, Texas; KVAK, Atchison, Kans.; KVGB, Great Bend, Kans.; KQRS, Rock Springs, Wyo.; KWLK, Longview, Wash.; WBNY, Buffalo, N. Y.; WMFJ, Day-

tona Beach, Fla.; WRJN, Racine, Wisc.; WSPB, Sarasota, Fla.; KFGQ, Boone, Iowa; KITE, Kansas City, Mo.; WFPG, Atlantic City; WGCM, Gulfport, Miss.; WGNC, Gastonia, N. C.; WGRM, Greenwood, Miss.; WKBV, Richmond, Ind.; WMAN, Mansfield, Ohio; WMIS, Natchez, Miss.; WORK, York, Pa.; KGGF, Coffeyville, Kans.; KMPC and auxiliary, Beverly Hills, Calif.; KWKH, Shreveport, La., and WCAL, Northfield, Minn.

Licenses for the following experimental television broadcast stations were renewed for the period ending February 1, 1943:

W2XAB, New York City; W2XVT, Passaic, N. J.; W2XWV, New York City; W3XE, Philadelphia, Pa.; W9XBT, Portable-Mobile, area of Chicago; W10XKT, Portable-Mobile, area of New York City.

W3XP—Philco Radio & Television Corp., Portable-Mobile, area of Philadelphia, Pa.—Further extended upon a temporary basis only, pending determination upon application for renewal the license for experimental television broadcast station for the period ending April 1, 1942.

W9XUI—State University of Iowa, Iowa City, Iowa.—Further extended upon a temporary basis only, pending determination upon application for renewal the license for experimental television broadcast station for the period ending April 1, 1942.

Granted extension of license upon a temporary basis only, pending receipt and/or determination upon the applications for renewal of licenses, in no event later than April 1, 1942, of following:

W2XWE, Albany, N. Y.; W9XUM, Columbus, Ohio; W9XZY, St. Louis, Mo.

W9XWT—Courier-Journal and Louisville Times Co., Louisville, Ky.—Granted renewal of facsimile broadcast station license for the period March 1, 1942, to March 1, 1943.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than April 1, 1942.

W5XAU—WKY Radiophone Co., Oklahoma City, Okla.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than April 1, 1942.

#### MISCELLANEOUS

Charleston Broadcasting Co., area of Charleston, W. Va.—Granted construction permit for new relay station; **1622, 2058, 2150, 2790 ke.**, 250 watts (B2-PRY-270).

WAOB—National Broadcasting Co., Inc., Port Washington, N. Y.—Granted license to cover construction permit which authorized changes in equipment and move of transmitter of relay broadcast station (B1-LRY-252).

WLBC—Donald A. Burton, Muncie, Ind.—Granted modification of license for move of studio from 125 South Walnut St., Muncie, Ind., to new transmitter site, south of City of Muncie (B4-ML-1110).

The Associated Broadcasters, Inc., Portable-Mobile, area of San Francisco, Calif.—Granted construction permit for new relay broadcast station; **1622, 2058, 2150, 2790 ke.**, 50 watts (B5-PRY-267).

WEAU—Central Broadcasting Co., Eau Claire, Wis.—Granted license to cover construction permit which authorized installation of directional antenna for night use, change in hours of operation, change in frequency and move of transmitter (B4-L-1544); granted authority to determine operating power by direct measurement of antenna input (B4-Z-1270).

KFUN—Southwest Broadcasters, Inc., Las Vegas, N. Mex.—Granted license to cover construction permit for new station (B5-L-1598); granted authority to determine operating power by direct measurement (B5-Z-1331).

W2XMT—Metropolitan Television, Inc., New York, N. Y.—Granted modification of construction permit, as modified and which authorized new television station, for extension of commencement and completion dates only, from June 1, 1941, and January 1, 1942, to January 1, 1942, and July 1, 1942, respectively (B1-MPVB-65).

W3XAU—WCAU Broadcasting Co., Philadelphia, Pa.—Granted modification of construction permit as modified and which authorized new television station, for expansion of completion date from January 28 to March 28, 1942 (B2-MPVB-67).

WKRO—Oscar C. Hirsch, Cairo, Ill.—Granted license to cover construction permit as modified for new station (B4-L-1592); granted authority to determine operating power by direct measurement of antenna input (B4-Z-1329).

KWJJ—KWJJ Broadcast Co., Inc., Portland, Ore.—Granted license to cover construction permit for changes in equipment (B5-L-1615).

WPRP—Julio M. Conesa, Ponce, P. R.—Upon consideration of motion for continuance filed by the applicant, continued hearings until April 22, 1942, in re applications for construction permit, modification of construction permit, and renewal of license (Docket Nos. 5678, 6107 and 6105).

WOLS—Florence Broadcasting Co., Inc., Florence, S. C.—Granted construction permit to install new transmitting equipment (B3-P-3461).

WEEU—Berks Broadcasting Co., Reading, Pa.—Granted motion for leave to amend application so as to specify a new directional antenna array and to continue hearing now set for March 3, 1942, for 90 days (Docket No. 6026).

WMIN—WMIN Broadcasting Co., St. Paul, Minn.—Granted motion to take depositions in re application for construction permit to operate on **630 ke.**, 1 KW night, 5 KW day, directional antenna night and day, unlimited time (Docket 6197).

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Granted request for leave to amend application for construction permit to specify a new site and a different transmitter.

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Granted motion for 60 day continuance of hearing now scheduled for February 27, on application for construction permit to operate on **580 ke.**, 1 KW; DA-night, unlimited.

Herman Radner, Dearborn, Mich.—Granted extension to April 6, 1942, of motion to continue for 90 days the hearing now set for March 10, 1942, in re application for construction permit for new broadcast station to operate on **680 ke.**, 250 watts day, daytime (Docket No. 6220).

W2XVP—Municipal Broadcasting System, City of New York, N. Y.—At request of licensee, who has dismantled station, Commission cancelled license and deleted call signal.

Hawley Broadcasting Co., Reading, Pa.—Placed in pending files pursuant to Order No. 79 application for construction permit for new station (B2-PH-121).

Meadville Tribune Broadcasting Co., Meadville, Pa.—Placed in pending files pursuant to Order No. 79, application for new station (B2-P-3366) to operate on **1340 ke.**, 250 watts; specified hours; all hours not used by WSAJ. Exact site and antenna system to be determined subject to Commission's approval.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Denied petition for reconsideration and grant of application for modification of license (Docket 6216) to change operating assignment from **1240 to 1230 ke.**, using present power of 250 watts, unlimited time.

Paul F. Godley, Newark, N. J.—Denied petition for reconsideration and grant of application for a new station to operate on **1230 ke.** with 250 watts power, unlimited time (Docket 6217). (Applications of WFAS and Paul F. Godley now set for consolidated hearing March 5.)

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Denied petition to grant application for construction permit (B4-P-2364) to change frequency from **1380 to 680 ke.**, and increase power from 1 KW night and 5 KW day to 25 KW night and 50 KW day, and to require KFEQ, St. Joseph, Mo., to change frequency from **680 to 1380 ke.**, or some other suitable frequency.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Denied request for special permission to eliminate transcription identification, as required by Sec. 3.407(c) of the Rules and Regulations, in connection with a particular daily broadcast.

#### APPLICATIONS FILED AT FCC

##### 570 Kilocycles

KGKO—KGKO Broadcasting Co., Fort Worth, Tex.—License to cover construction permit (B3-P-2571) as modified, for changes in directional antenna for night use and increase in power.

KGKO—KGKO Broadcasting Co., Fort Worth, Tex.—Authority to determine operating power by direct method.

### 580 Kilocycles

- WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Construction permit to install a new transmitter, make changes in directional antenna system for nighttime use only, change frequency from 580 to 640 kc., increase power from 5 KW to 50 KW and move transmitter to 6 miles north of St. Albans, W. Va. Amended: re antenna.
- WIAC—Enrique Abarca Sanfeliz, San Juan, P. R.—License to cover construction permit (B-P-2136) as modified, for a new broadcast station.
- WIAC—Enrique Abarca Sanfeliz, San Juan, P. R.—Authority to determine operating power by direct measurement.

### 610 Kilocycles

- WIOD—Isle of Dreams Broadcasting Corp., Miami, Fla.—Construction permit to increase power from 5 KW to 5 KW night, 10 KW day, and make changes in directional antenna system and transmitter.

### 620 Kilocycles

- NEW—Donald Flamm, New York, N. Y.—Construction permit for a new broadcast station to be operated on 620 kc., 5 KW, unlimited time, using directional antenna day and night. Amended: to request move of transmitter site to near Moonachie, N. J.

### 630 Kilocycles

- WLAP—American Broadcasting Corporation of Kentucky, Lexington, Ky.—Construction permit to increase power from 250 watts to 1 KW, using directional antenna night; install new transmitter and directional antenna and change frequency from 1450 to 610 kc. Amended: to request 630 kc. and use directional antenna day and night.

### 710 Kilocycles

- KMPC—KMPC, The Station of the Stars, Inc., Beverly Hills, Calif.—Modification of construction permit (B5-P-2804 as modified, which authorized increase in power, move of transmitter site, install new transmitter and directional antenna system for day and night use) for change in type of proposed transmitter, change towers of proposed directional antenna from self-supporting to guyed, and extend commencement and completion dates from 11-3-41 and 5-3-42 to 60 days after grant and 180 days thereafter.

### 920 Kilocycles

- KFXJ—R. G. Howell and Charles J. Howell, d/b as Western Slope Broadcasting Co., Grand Junction, Colo.—License to cover construction permit (B5-P-3236) for increase in power, change frequency and changes in antenna and equipment.
- KFXJ—R. G. Howell and Charles J. Howell, d/b as Western Slope Broadcasting Co., Grand Junction, Colo.—Authority to determine operating power by direct method.

### 940 Kilocycles

- NEW—Jayhawker Broadcasting Co., Inc., Topeka, Kans.—Construction permit for a new broadcast station to be operated on 940 kc., 1 KW, unlimited time, using directional antenna.

### 960 Kilocycles

- KMA—May Broadcasting Co., Shenandoah, Iowa.—Construction permit to install directional antenna for night use, increase power from 1 KW night and 5 KW day to 5 KW day and night. Amended: to make changes in proposed directional antenna system.

### 980 Kilocycles

- WGBG—Greensboro Broadcasting Co., Inc., Greensboro, N. C.—License to cover construction permit (B3-P-2472) as modified, for a new broadcast station and for approval of studio site.
- WGBG—Greensboro Broadcasting Co., Inc., Greensboro, N. C.—Authority to determine operating power by direct method.

### 1030 Kilocycles

- KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Extension of Special Service Authorization to operate on 770 kc., with power of 25 KW night and 50 KW day, unlimited time, using transmitter authorized under construction permit (B5-P-2783); for period 3-10-42 to 9-10-42.

### 1110 Kilocycles

- KFAB—KFAB Broadcasting Co., Omaha, Nebr.—Construction permit to install new transmitter and directional antenna for night use, change frequency from 780 to 1110 kc., power from 10 to 50 KW, hours from simultaneous day, share WBBM night to unlimited time and move transmitter. Amended: to move studio to Omaha Natl. Bank Bldg., Omaha, move transmitter to RFD near Papillion, Nebr., changes in directional antenna and change type of transmitter proposed.
- KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—License to cover construction permit (B5-SSA-14) which authorized a new station using 5 KW.

### 1170 Kilocycles

- KVOO—Southwestern Sales Corp., Tulsa, Okla.—Extension of Special Service Authorization to operate unlimited time, with power of 25 KW night, 50 KW day, using directional antenna at night, for period ending 4-1-44.
- KVOO—Southwestern Sales Corp., Tulsa, Okla.—Modification of construction permit (B3-P-2539) which authorized increase in power, change in hours of operation, install new transmitter and directional antenna for night use, requesting extension of completion date from 4-5-42 to 10-5-42.

### 1200 Kilocycles

- NEW—H. Ross Perkins and J. Eric Williams, d/b as New Haven Broadcasters, New Haven, Conn.—Construction permit for a new broadcast station to be operated on 1200 kc., 1 KW, daytime hours. Amended: to request 1170 kc. and change type of antenna.

### 1230 Kilocycles

- WJNO—WJNO, Inc., West Palm Beach, Fla.—Construction permit to change frequency from 1230 to 1430 kc., increase power from 250 watts to 1 KW, install new transmitter and make changes in antenna. Amended: to omit request for changes in antenna.
- KXO—Valradio, Inc., El Centro, Calif.—Construction permit to change frequency from 1490 to 1230 kc., increase power from 100 to 250 watts, install new transmitter and antenna system and move transmitter and studio.
- NEW—Raymond C. Hammett, Talladega, Ala.—Construction permit for a new broadcast station to be operated on 1230 kc., 250 watts, unlimited time. Amended: re engineering data.

### 1260 Kilocycles

- KGGM—New Mexico Broadcasting Co., Inc., Albuquerque, N. Mex.—Construction permit to install new transmitter, move transmitter, change frequency from 1260 to 590 kc., increase power from 1 KW to 5 KW and install directional antenna system for night use. Amended: to reduce requested power from 5 KW to 1 KW night, 5 KW day and make changes in directional antenna system for night use.

### 1290 Kilocycles

- KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Modification of construction permit (B5-P-3100, which authorized increase in night power and installation of directional antenna system for day and night use) for extension of completion date from 3-16-42 to 5-16-42.

### 1300 Kilocycles

- KOL—Seattle Broadcasting Co., Seattle, Wash.—Modification of construction permit (B5-P-3030) as modified and which authorized installation of directional antenna system for day and night use and increase in power, for extension of completion date from 3-1-42 to 6-1-42.

### 1400 Kilocycles

WCOS—Carolina Advertising Corp., Columbia, S. C.—Voluntary assignment of license from Carolina Advertising Corporation to Carolina Broadcasting Corporation.

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Construction permit to install a new transmitter.

### 1410 Kilocycles

WEGO—Wayne M. Nelson, Concord, N. C.—Modification of construction permit (B3-P-3007) for a new station, requesting approval of antenna system, authority to install different type of frequency monitor and approval of transmitter and studio sites.

### 1430 Kilocycles

WBYN—WBYN-Brooklyn, Inc., Brooklyn, N. Y.—License to use old main transmitter as auxiliary transmitter with 500 watts power, emergency use only.

### 1490 Kilocycles

KBON—MSB Broadcast Co., Omaha, Nebr.—Modification of construction permit (B4-P-2697) as modified for a new station, requesting change in corporate name to Inland Broadcasting Company.

WWSW—Walker & Downing Radio, Pittsburgh, Pa.—Authority to determine operating power by direct measurement.

## FM APPLICATIONS

K61LA—Metro-Goldwyn-Mayer Studios, Inc., Los Angeles, Calif.—Modification of construction permit (B5-PH-90, which authorized new high frequency broadcast station) for extension of commencement and completion dates from 9-16-41 and 3-16-42 to 3-16-42 and 9-16-42.

NEW—Mercer Broadcasting Co., Trenton, N. J.—Construction permit for a new high frequency broadcast station to be operated on **44700 kc.**; population: 544,000; coverage: 3,200 square miles. Amended: to request change in requested frequency from **44700 kc.** to **49900 kc.**

## TELEVISION APPLICATION

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Modification of construction permit (B1-PCT-2) as modified, for a new commercial television broadcast station, requesting extension of completion date from 2-27-42 to 5-27-42.

## MISCELLANEOUS APPLICATIONS

WIUC—University of Illinois, S. of Champaign, Ill.—Modification of construction permit (B4-PED-21) for a new non-commercial educational broadcast station, requesting extension of completion date from 3-16-42 to 7-16-42.

NEW—The Radio Voice of New Hampshire, Inc., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190, 2830 kc.**, 15 watts, Emission A3.

WQER—Georgia School of Technology, Mobile.—License to reinstate relay broadcast station license which expired 10-1-41.

# FEDERAL TRADE COMMISSION DOCKET

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

## COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an

opportunity to show cause why cease and desist orders should not be issued against them.

**J. D. Fine Candy Company**—A complaint has been issued charging J. D. Fine, trading as J. D. Fine Candy Co., 222 Northwest Fourth St., Oklahoma City, Okla., with selling to dealers assortments of candy so packed and assembled as to involve the use of lottery schemes when sold and distributed to consumers. Alleging that the respondent's practice is contrary to Federal Government policy and the Federal Trade Commission Act, the complaint grants the respondent 20 days for filing answer. (4709)

**E. G. Hughes, Inc.**—A complaint has been issued charging E. Griffiths Hughes, Inc., 26 Forbes St., Rochester, N. Y., with misrepresentation in connection with the sale of a drug known as "Kruschen Salts." (4711)

**Nickeloid Company**—A complaint has been issued charging American Nickeloid Co., Peru, Ill., with misrepresentation in the sale of prefinished plated metals which it manufactures. The respondent's products are described in the complaint as being suitable for decorative purposes and for use by metal fabricators in the manufacture of innumerable articles. (4713)

## CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

**Battle Creek Drugs, Inc.**, Battle Creek, Mich., and Consolidated Royal Chemical Corp., 544 South Wells St., Chicago, have been ordered to cease and desist from the use of deceptive and misleading representations and advertisements in connection with the sale of "BonKora," a drug preparation advertised as a weight-reducing agent. Consolidated Royal Chemical Corp., trades as Consolidated Drug Trade Products and as BonKora Co. (4541)

**Consumers Mercantile Service**, 64 West Randolph St., Chicago, dealer in miscellaneous merchandise such as cameras, silverware, clocks, and pens, has been ordered to cease and desist from selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme. (4242)

**Hardwood Institute**—Twenty-one corporations manufacturing and producing hardwood lumber in northern Michigan and northern Wisconsin, and The Hardwood Institute of which they are members, have been ordered to cease and desist from entering into or carrying out any agreement or understanding that restricts or eliminates price competition in the sale of their products.

The order prohibits the Institute and the following respondent manufacturers from maintaining by concerted action a system of delivered prices which are made uniform through the use by the respondents of a common basing point at Wausau, Wis.:

The Antrim Iron Co., Grand Rapids, Mich.; The Bay de Noquet Co., Nahma, Mich.; The Bonifas Gorman Co., Chicago; The Brownlee Co., Detroit; The Edward Hines Lumber Co., Chicago; William Bonifas Lumber Co., Neenah, Wis.; Holt Lumber Co., Oconto, Wis.; Marathon Paper Mills Co., Wausau, Wis.; The Oconto Co., Oconto, Wis.; The Rib Lake Lumber Co., Rib Lake, Wis.; The Underwood Veneer Co., Wausau, Wis.; The Von Platen and Fox Co., Iron Mountain, Mich.; The M. J. Wallrich Land and Lumber So., Shawano, Wis.; Weidman Lumber Co., Trout Creek, Mich.; Roddis Lumber and Veneer Co., Marshfield, Wis.; Sawyer-Goodman Co., Marinette, Wis.; I. Stephenson Co., Wells, Mich.; Thunder Lake Lumber Co., Rhinelander, Wisc.; The Wisconsin Land and Lumber Co., Hermansville, Mich.; The Yawkey-Bissel Co., White Lake, Wis.; and The Yawkey-Alexander Lumber Co., Schofield, Wis.

The Commission dismissed the proceeding as to three corporations which have been dissolved, Kinzel Lumber Co., Merrill, Wis.; Menominee and Bay Shore Lumber Co., Soperton, Wis.,



and Northwestern Cooperage and Lumber Co., Gladstone, Mich., and as to A. L. Osborn, who was secretary-manager of The Hardwood Institute at Oshkosh, Wis., prior to his death in 1940. (3418)

**Pacific Fruit & Produce Company.**—Five Walla Walla, Wash., shippers of broad leaf spinach, a Minneapolis food brokerage company and its Chicago representative, and four Chicago jobbing concerns, have been ordered to cease and desist from carrying out a combination or conspiracy to eliminate competition or monopolize trade in the sale of the Walla Walla variety of broad leaf spinach, particularly that sold in the Chicago area.

The respondents are Pacific Fruit & Produce Co., Walla Walla Gardeners' Association, Mojonier & Sons, Inc., Walla Walla Produce Co., and Ewing M. Stephens and Eugene Tausich, trading as Valley Fruit Co., all of Walla Walla, shippers; C. H. Robinson Co., Minneapolis, food broker, and Robert M. Steinberg, manager of its Chicago branch; LaMantia Brothers Arrigo Co., Owen T. Hill and Robert S. Hill, trading as Mark Owen & Co., John Plennert and John Mahoney, trading as P. & M. Distributing Co., and Arthur Applebaum, trading as Applebaum-Missner Co., all of Chicago, jobbers. (4487)

**Pink Ointment Company.**—An order to cease and desist from misrepresenting the therapeutic properties of a medicinal preparation designated "Pink Ointment" has been issued against John B. Armstrong, M.D., trading as Pink Ointment Co., 521 Kansas Ave., Topeka, Kans. (4612)

**Waldburger, Grant & Co., Inc.,** 20 West 37th St., New York, engaged in the sale of textile fabrics, stipulated that it will stop representing, through use of the word "Swiss" or any other term or symbol indicative of Swiss or other foreign origin, that its organdies or any other domestic products were made in or imported from Switzerland or any other foreign country. (3403)

## STIPULATIONS

During the past week the Commission has announced the following stipulations:

**American Civil Service Institute.**—Rose L. Eberle, 1957 Eighth Ave., West, Seattle, Wash., formerly engaged in the sale of correspondence courses of instruction under the name American Civil Service Institute, has entered into a stipulation to cease using the words "Civil Service" and "Institute" as part of her trade name when actually she has had no connection with the United States Civil Service Commission and has not conducted an institute. (3396)

**American Quilt Cover Manufacturers, Inc.,** 385 Broadway, New York, stipulated that in the sale of quilt covers it will cease and desist from the use on labels of the term "80 Square" as descriptive of the fabric of which the products are made, and from the use of such term or any similar expression in any manner, the effect of which tends or may tend to convey the belief that the fabric is composed of a designated number of threads or picks to the square inch, when actually the square inch thread count is other than indicated. The respondent company also stipulated that it will discontinue use of the term "Full Size" in any way so as to imply that the quilt covers so described are of a 72 by 84 inch size, as the term "Full Size" is understood in the trade. (3401)

**Collins Durax Company.**—Engaged in the sale of granite blocks or slabs used in making monuments or memorials, Collins Durax Co., Inc., Salisbury, N. C., stipulated that it will cease and desist from representing, through use in advertising matter of the word "imperishable" or other words of similar meaning, that its products or the monuments or memorials made therefrom are everlasting or will endure forever. (3398)

**Consolidated Staple Co., Inc.,** and Champion Fastener Corp., both located at 1810 Wilson Ave., Chicago, and operated by the

same officers and directors, entered into a stipulation to discontinue certain representations in connection with the sale of staples of a design suitable for use in their stapling machines. According to the stipulation, the respondent corporations are in competition with sellers of such products as the so-called "Bostitch H2 Hammer Tacker" and "Bostitch Spring Crown Staples" for use in the Bostitch machine and known to the trade and consuming public by the identifying letters and numerals "SHCR-5019." (3406)

**Dalmo Manufacturing Co.,** 511 Harrison St., San Francisco, and Tomlinson I. Moseley, president of the corporation, have entered into a stipulation to cease representing that the "Motodent Electric Tooth Brush" device sold by them is unexcelled for cleaning plates and dentures, removes or checks tartar, whitens the teeth, and removes irritants which cause trauma. (02947)

**Farm Electric Manufacturing Co.,** R. R. 4, North Kansas City, Mo. (02950), and Guaranteed Products Corp., Wellington, Ohio (02951), engaged in the sale of electric fence controllers for confining livestock, entered into stipulations to discontinue certain representations in advertising their products. Farm Electric Manufacturing Company sells "Big Six Electric Fence Chargers" and Guaranteed Products Corporation sells electric fence controllers designated by such names as "Shox Stok," "Ever Best," "Felco" and "Tru Test." (02950-02951)

**Fur Outlet Co.,** 1012 Chestnut St., Philadelphia, entered into a stipulation to cease and desist from designating any fur or fur garment in any manner other than by use of the correct name of the fur as the last name of the description thereof; and, when any dye, blend or process is used in simulating another fur, the true name of the fur appearing as the last name of the description shall be immediately preceded, in equally conspicuous type, by the word "dyed," "blended" or "processed" compounded with the name of the simulated fur. The respondent company also agreed to cease representing as the customary prices or values of its fur garments prices or values in excess of the prices at which such merchandise is regularly offered for sale in the normal course of business and to discontinue advertising or selling any used, worn or second-hand fur garment unless in each advertisement pertaining thereto and also by means of a label securely attached thereto, the fact be clearly indicated that such garment is used, worn or second-hand. (3402)

**Gottesmen Bros. Company.**—A manufacturer of quilt covers, Samuel Gottesman, trading as Gottesman Bros. Co., 22 West 26th St., New York, stipulated to cease using the term "Eighty Square" on labels or other printed matter as descriptive of the fabric of which his quilt covers are made, and to discontinue employing that or any similar term in a manner implying that the fabric is composed of a designated number of threads or picks to the square inch, when actually the square inch thread count is other than that indicated. (3397)

**Harlic Bag Co., Inc.,** South Norwalk, Conn., manufacturer of ladies' handbags, has agreed to discontinue using the term "Nuhyd" as a trade name, brand or label for handbags not made from hide or leather and to desist from use of the letters "hyd" or other simulation of the word "hide" and of the word "leather," either alone or with other words, to imply that a product so referred to is manufactured from leather or hide, when such is not a fact. (3404)

**R. M. Hollingshead Corporation,** Camden, N. J., distributor of household products, stipulated to cease advertising that its "Whiz Self-Polishing Floor Wax" is used by the Bell Telephone System, when such is not a fact; that its "Whiz Bed Bug Destroyer" is the most effective product of its kind ever developed; and that "Whiz No. 500 Pine Oil Disinfectant," when used as a spray, will revitalize or purify the air in a room. (02948)

**J. Mackey & Son,** Wallace B. Mackey, 26 Exchange Place, Jersey City, N. J., manufacturer of sports footwear, stipulated that, in the sale of shoes designated "Espadrille," he will discontinue use of the words "Rihbed Rope" as descriptive of the soles

of the shoes, and use of the word "Rope" either alone or with the word "Ribbed" or with any other words to imply that the shoes have soles of rope or ribbed rope, when actually they are composed of other materials. (3407)

**Penn Tobacco Co.**, Wilkes-Barre, Pa., manufacturer of tobacco products, has entered into a stipulation under which it agrees to discontinue representing that its "Kentucky Club" pipe tobacco smokes 25 percent cooler than other pipe tobaccos and never bites the tongue or stings. In advertising its cigarettes sold under the brand name "Juleps," it agrees to cease using the words "forget your cough" in any manner implying that the smoking of such cigarettes is a treatment or remedy for coughs.

**Slade Gorton Co.**, 735 West Lake St., Chicago, wholesaler of frozen and smoked fish, stipulated that it will cease and desist from use of the word "perch," either alone or with the word "silversides" or "silver" in referring to fish, the effect of which tends or may tend to convey the belief that the fish so designated is perch or yellow perch. According to the stipulation, the fish advertised by the respondent as "perch" is known to the trade and consuming public as whiting. (3405)

**E. R. Squibb & Sons**, distributor of dentifrices, and Geyer, Cornell & Newell, Inc., an agency which prepares and disseminates

advertisements for Squibb products, entered into a stipulation to discontinue certain representations in connection with the sale of "Squibb Dental Cream" and "Squibb Tooth Powder." The respondent corporations, both with offices at 745 Fifth Ave., New York, agree to cease representing that use alone of the dentifrices named contributes to a material degree to the prevention of tooth decay or that the milk of magnesia in such dentifrices is concentrated. (02949)

**Whiteside Company**—A. J. Whiteside, trading as Whiteside Co., Wilmington, Ohio, dealer in medicines, has entered into a stipulation to cease representing that any of his preparations known as "Jolo," "Liverine," "Bee Bee's," and "Ru-Ma-Sol" is a new, scientific, natural, or advanced medicine; that Jolo ends many forms of health troubles, has tonic action on the liver, quiets quivering nerves and relieves the system of colds; that Liverine enables the liver to function properly, cleanses the bloodstream or overcomes skin eruptions; that Bee Bee's is a genuine or proven medicine or a new or remarkable discovery for weakened kidneys or irritated bladder; and that Ru-Ma-Sol eliminates uric acid in the system, goes to the very source of rheumatism or is a competent treatment or effective remedy for underlying conditions indicated by such symptoms as rheumatic pains; swollen and stiffened fingers, hands, arms, feet, legs or joints; neuritis, sciatica, lumbago, and stomach pains. (3400)

## WE GOT A NEW JOB

The government has just handed radio the biggest selling job it has ever tackled. Here it is:

*Sell the people the war production program.*

Sell it, and sell it hard.

Sell it morning, noon and night.

Sell it until there is "sweat and action on the production line to match the blood and action on the battle line."

---

And we're not to say "tell us what to do and we'll do it." That's out the window, like "business as usual."

The government has given us an order. It's up to us to sell the goods.

We have the facilities. We have the time and talent. And, what's more, we know how to sell. If we can make people buy anything from baby food to tombstones, we surely can figure out a way to sell them on the idea of getting to work to save their own skins.

And if we don't—well, we all know what that means.

---

Reprinted in full on page 135 is Donald Nelson's radio talk of last Monday night. Read it. Get your program and news men to read it. Then get together and start figuring out what *you* can do about it.

Do some of those paragraphs give you any new ideas about how to emphasize certain news items? How about some effective spot announcements?

How about some "Billy Sunday" speakers to preach the Nelson gospel?

Are you intrigued by the "production score board" or "competition" angles? Is there a program possibility there?

Might there be a possibility of a program, or a series of programs, from your local Chamber of Commerce, or local labor leaders?

We'll have to bear in mind censorship regulations in connection with all of this. But, remember, the government says it's up to us to do this job. Nobody's going to do it for us.

---

This new job we've been handed doesn't mean that we can now quit selling bonds, enlisting soldiers or any of the other tasks we are already doing so well for the government. That work must go on.

This is something new. It's a real challenge to all of us. Let's show them just how good radio is. And let us know what you're doing. We want to pass your ideas along to other stations.

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

## Two Morale Shows

Member stations have suggested two programs which other broadcasters may find useful in building morale. Other suggestions are invited.

### "Quizzing the Clubs"

J. B. Clark, program director, WDNC, Durham, N. C., suggests "Quizzing the Clubs", which is currently proving extremely popular over his station. Here's the format. One representative from each of eight civic clubs participate on each quiz. Questions are asked "on various and sundry topics, always working in some defense angle to reveal important facts about what we are doing in our all-out effort".

WDNC provides the prize money for each program which is converted into defense stamps. One 25¢ defense stamp is pasted in that civic club's album for each correct answer by the club's representative. If the question is answered incorrectly a 25¢ stamp is pasted in the jackpot album. When the jackpot album is filled it represents a \$25 defense bond at maturity, and is awarded to the civic club having the largest number of stamps in its album. Sometimes it requires a period of a month to complete the jackpot album and to complete that series of "Quizzing the Clubs" programs. "The program," says Mr. Clark, "generates intense interest among the clubs and stimulates much comment."

### "Meet the Soldier"

Bill Traum, director, news and promotion, WROK, Rockford, has responded to our suggestion for morale building program ideas with "Meet the Soldier". The program is not yet on the air but most of the details have been worked out. It is a 30-minute once a week evening show.

Plan is to tie up with local restaurant and theatre. Through Camp Grant officials we'd arrange for 4 or 5 soldiers to "dine out" at the restaurant, the latter, of course, supplying the dinner for the group. Program would be a remote from the cafe with the announcer interviewing each soldier at the dinner table. Soldiers with unusual or interesting civilian occupations and men who were outstanding in certain fields would be selected. At the conclusion of the program, each soldier would be given a ticket to the cooperating theater.

Program would serve to show listeners the various types of men in the Army; and we'd put in a strong appeal for local people to carry out the "hospitality" angle—to invite a soldier or two to their homes for dinner, or to a show.

## RADIO'S WAR EFFORT

The 855 commercial stations operating in December, 1941, broadcast 320,000 announcements as a contribution to the war effort of the country. These announcements were carried in behalf of the Army, Navy, Marine Corps, Coast Guard and Civil Service in

developing man-power; on behalf of the Treasury Department in soliciting war finances and in behalf of other agencies for the purpose of developing morale. This means that the average station broadcast 374 war effort announcements for the month, or better than ten announcements per day. In addition, 35,970 announcements were carried by stations for other government agencies not directly connected with war activity.

These announcements were given to the various government agencies as one of radio's many contributions to the war effort. Further contribution was given in the form of programs rendered by live talent and by transcription. Notable among these was the "Bill of Rights" broadcast December 15. This program was one hour in length, and was carried by 620 stations.

These figures are undoubtedly incomplete, since it is not supposed that they include all the announcements the commercial users of broadcast time have inserted in their advertising programs.

The above information was developed from a tabulation of the National Defense Broadcasts Reports submitted by stations to NAB for the month of December. The NAB Research Department tabulated the 455 station reports, and through scientific analysis, giving proper weights as to station classification, city size, geographic location, etc., projected totals for the industry. The complete analysis is given in the following table:

### DEFENSE BROADCAST REPORT FOR DECEMBER 1941

		No. of Broadcasts
<b>MANPOWER</b>		
<i>Army</i>		
Aviation Cadets—thru NAB—live spots		10,990
Aviation Students " " "		8,880
Enlisted Specialists " " "		7,880
Various kinds of spots		21,890
	<b>Total Spots</b>	<b>49,640</b>
15 Minutes—et—direct		2,310
15 Minutes—live		130
10 Minutes		60
5 Minutes		20
30 Minutes		30
<i>Navy</i>		
Aviation Cadets—thru NAB—live spots		6,880
General Enlistments " " "		16,940
Reserves " " "		6,400
Various kinds of spots		21,370
	<b>Total Spots</b>	<b>51,590</b>
15 Minutes—et—direct		1,210
15 Minutes—live		30
10 Minutes—et		20
30 Minutes		20
<i>Marine Corps</i>	live spots	26,680
	15 Minutes—ct	750
	15 Minutes—live	50
<i>Coast Guard</i>	spots	3,620
<i>Manpower—U. S. Civil Service—thru NAB—live spots</i>		22,800
	15 Minutes	240
	5 Minutes	130
<b>DEFENSE FINANCING</b>		
U. S. Treasury—direct—live spots		154,650
	15 Minutes—live	50
	10 Minutes	20
	30 Minutes	220
<b>MORALE</b>		
Bill of Rights Broadcast December 15—1 hour		620 stations
Civilian Defense Directive Spots to 320 stations in Coastal Areas—live spots		10,840

GOVT. AGENCY NOT DIRECTLY CONNECTED  
WITH NATIONAL DEFENSE

		No. of Broadcasts	
	live spots		29,550
	et spots		6,420
		<b>Total Spots</b>	<b>35,970</b>
30 Minutes—live	1,030	5 Minutes—live	960
30 Minutes—et	10	5 Minutes—et	220
35 Minutes—et	10	10 Minutes—live	140
45 Minutes—live	110	10 Minutes—et	10
60 Minutes—live	220	15 Minutes—live	3,190
65 Minutes—live	10	15 Minutes—et	1,690
75 Minutes—live	10	25 Minutes—et	20
		3¼ Hours	30

**STATION ADVISORY COMMITTEE MEETS  
OFF OFFICIALS**

Representatives of the Army, Navy and Treasury met with the OFF Station Advisory Committee Friday, February 27th, to consider better coordination of their radio activities. Those present were: William B. Lewis, Douglas Meservey, Philip Cohen, John Bird and John Faulk, of the OFF; Ed Kirby of the War Department; Jack Hartley, of the Navy Department; Vincent F. Callahan, of the Treasury Department; Neville Miller, NAB; John Shepard, BVC; Gene Pulliam, NAI; Edwin Spence, NIB; Edgar Bill, WMBD and William Fay, WHAM.

There was general discussion of how to increase the quality and decrease the quantity of present Government announcements. Confidence was expressed in the stations' determination to do the best job possible, one of the problems being how best to keep the objectives before the listening audience. Undoubtedly, the objectives to be stressed will be changed from time to time, and the OFF is working on plans to keep the stations advised of the objectives which should be stressed. Owing to the magnitude of the job, this "priority" schedule probably will not be completed until about April 1. At the present time, the Army is stressing the fact that the War is being carried on in all parts of the world, that we should be on our guard against foreign propaganda, that our allies are aiding us and deserve our full confidence, that it is a war of all the people, those in uniform and those on the farm and in the factories. Plans are now being worked out as to how the Army can best cooperate with advertisers.

It was announced that the Treasury Department had sold four and a half billion dollars of stamps and bonds to seven million people, and that it was hoped that thirty-three million new purchasers could be secured. In the future the emphasis will be placed on local campaigns.

General plans for coordinating the OFF's work with the stations were discussed in view of Mr. MacLeish's proposed talk. Stations are asked to report their reaction to Mr. MacLeish's talk with suggestions as to points they feel should be covered in future talks. The general question of the coordination of appeals for money was discussed and will be discussed further at future meetings.

**NEW SURVEY FOR OFF**

NAB and the Broadcasters' Victory Council are cooperating with the Office of Facts and Figures in tackling the problem of governmental use of broadcast time. In this connection, a communication was sent over the signatures of Neville Miller for NAB and John Shepard 3rd for BVC on March 4 to a scientifically selected representative sample of stations, asking cooperation in the matter of completing two questionnaires. The information sought is a complete record for the week beginning March 8 of the requests received from government agencies, quasi-government agencies and local groups in which free time is solicited for the manifest purpose of advancing our war effort. A tabulation is asked for each program or subject of each agency during the week, showing the number of broadcasts requested, the number of those broadcast during the week and also the number of broad-

casts during the week as a result of requests received prior to the week.

In the second questionnaire, the stations are asked what their experience has been in handling such requests for broadcast time and for an expression of opinion as to the effect on the general public of present day radio war activity.

NAB is glad to join with the BVC in cooperating with the Office of Facts and Figures in its job of coordinating governmental use of broadcast time. The questionnaire was produced by the NAB Research Department in consultation with the research people of the Office of Facts and Figures. It is believed the survey will develop information of great value in approaching the problem of coordinating the use of broadcast time by government agencies in the best interests of the war effort, by maintaining a proper program balance and maximum audience.

**HERE'S ONE WAY TO HELP**

The Station Advisory Committee of the OFF meets every Friday for the purpose of discussing how the broadcaster may best serve the Government in the War program. Talks similar to the one made by Mr. MacLeish on Saturday may be made in the future from time to time. It would be extremely helpful to have the stations' reaction to such talks. Did Mr. MacLeish discuss the subjects in which you were most interested? Did he cover the points sufficiently in detail? What other points would you like discussed?

Neville Miller, NAB President, is a member of the Station Advisory Committee, and would appreciate your frank expressions of views, so that your reactions may be presented to the Committee at the Friday meetings.

**Radio Training Courses**

A knowledge of the importance of radio as a contributing element in winning the war is now rapidly fanning out from the top.

Announcement of the nation's two billion dollar radio apparatus manufacturing program automatically threw the personnel program into bold relief. It's realized that it takes MEN to operate this mass of equipment. Since the supply of qualified technicians has largely been absorbed, green men must be trained for the job.

The 20,000 people who are presently to be under training are but a drop in the bucket. This is reasserted here because the broadcasting industry is the only industry which can join educators and the personnel of the fighting forces in the teaching job.

**Courses Still Being Approved**

ESMDT is still engaged in processing the applications for radio technician training courses received from colleges and universities. When ESMDT offices were visited Wednesday desks and tables of examining specialists looked like the mail room of a broadcasting station; except that the envelopes were mostly 9" x 12" and filled to capacity with papers.

Over the top of his envelopes Dean Crothers explained that courses were still being processed. He mentioned approving courses for additional institutions not listed in NAB REPORTS of February 20.

Courses at institutions listed below have been approved since then. This is not all of the institutions to be approved. It is anticipated that another list will be ready by next week.

*Alabama*

Alabama Polytechnic Institute

*California*

University of California  
University of Santa Clara  
Stanford University (additional)

## Mosby Sponsors Course

Qualified applicants for the radio technician training course in Missoula, barred from training by lack of funds, are to have their training just the same. A. J. Mosby, manager, KGVO, has written that the station is starting a school for such people to begin within the next two weeks.

## Montana State University

Montana State University's (Missoula) radio technician training course got under way February 23 with 42 students. Thirty others who applied for the course were not admitted because of lack of funds. Their training is to be provided in another course sponsored by A. J. Mosby, manager, KGVO.

J. H. Lampe, Dean of Engineering, the University of Connecticut, Storrs, State Coordinator, has submitted a summarization of radio interest and activity in the state as of February 28. "At the present time," he said, "we have a considerable number of applicants on our reserve list who are eligible for additional training when additional radio courses may be started."

## Summary of Radio Training

### Hartford:

Nine sections for 296 students started February 9.

### New London:

Section with 45 students started February 23.

### Bridgeport:

Course of two sections for not more than 70 students starts March 16.

### New Haven and Waterbury:

Course of two sections for not more than 70 students starts March 23.

Granted that Bridgeport, New Haven and Waterbury courses start with the maximum number of students permitted, there will be a total of 481 students in training on March 23.

## Marquette University

The Reverend Raphael C. McCarthy, S.J., president of Marquette University, Milwaukee, was in Washington this week. He reported that the University had arranged for ESMDT radio technician training course with 40 students and that it was planned to make use of some of the equipment owned and operated by the Milwaukee-Journal station, WTMJ.

## University of Illinois

H. C. Roundtree, supervisor of engineering extension, University of Illinois, was in Washington for consultation last week. Upon his return he informed WROK, Rockford, that the radio courses for Rockford had been approved.

## Twin Falls, Idaho

Radio technician training course with 45 qualified has been arranged for Twin Falls, Idaho, according to F. M. Gardner, manager, KTFI.

## Two Courses in Plattsburg

Plattsburg, New York, has 90 students in two Radio Technician Training Courses. One is given at the Plattsburg State Normal School and one at the Plattsburg High School. Both are in cooperation with Clarkson College of Potsdam, according to George J. Bissell, head man, WMFF, Plattsburg.

## San Bernardino

C. Lowell Smith, program director, KFNM, San Bernardino, proudly announces that "KFNM was the first radio station in Southern California to organize and get under way the govern-

### Colorado

University of Colorado

### Florida

University of Florida (additional)

### Georgia

Georgia School of Technology (additional)

### Illinois

Illinois Institute of Technology  
Northwestern University (additional)

### Indiana

Purdue University (additional)

### Louisiana

Louisiana State University

### Maine

Bates College (additional)

### Maryland

Johns Hopkins University (additional)  
University of Maryland (additional)

### Michigan

Wayne University (additional)

### Mississippi

Mississippi State College

### Montana

Montana State College

### New Mexico

University of New Mexico

### New York

Manhattan College

### Ohio

Case School of Applied Science  
Ohio Northern University  
University of Toledo (additional)  
Ohio University (additional)  
Western Reserve University

### Oklahoma

Oklahoma Agricultural and Mechanical College  
University of Oklahoma (additional)

### Oregon

Oregon State College

### Pennsylvania

University of Pennsylvania  
University of Pittsburgh (additional)  
Haverford College (additional)

### Tennessee

University of Tennessee

### Texas

Agricultural & Mechanical College of Texas (additional)  
Southern Methodist University  
Texas Technological College

### Utah

University of Utah

### Virginia

Virginia Polytechnic Institute (additional)

### Wisconsin

University of Wisconsin

### District of Columbia

George Washington University

Lack of listing in no-wise slows up the teaching job. Once a course is approved it normally begins just as quickly as the educational institution can get it under way.

A. J. Fletcher, WRAL, Raleigh, Member-in-Charge Radio Technician Training Program, reported that 231 stations had received 59,349 replies to training course recruiting announcement up to the first of March.

ment-sponsored Radio Technician Training Courses." He said that the campaign of recruiting was directed by Howard Haichly and that the course will be taught by two station engineers, Richard Sampson and George Ewing.

### Ohio Wesleyan University

Harold J. Sheridan, Dean of the College, wrote that Ohio Wesleyan University is operating one radio technician school in Marion with 34 students and a Delaware county school with an enrollment of 23. Three university professors, Messrs. Jarvis, Woodbury, Hynek, are in charge of the work.

"We are happy to be able to make this contribution," said the Dean.

### Kilgore—Texas

Sam Parker of the Department of Physics, Kilgore College, Kilgore, Texas, reports that the College is conducting two radio technician training classes, one full time days and the other at night. They are filled to capacity with 70 students.

Mr. Parker paid tribute to the assistance from radio station KOCA which "Has been the principal drawing power to our classes." In conclusion he said, "Let me assure you that we here at the College sincerely appreciate the work of the National Association of Broadcasters in this field and assure you that the fine spirit of Mr. Terry (Roy G.) and his staff is most commendable.

### Manhattan College

Brother Amandus Leo, Dean of Engineering, Manhattan College, New York City, was among the visitors at headquarters Thursday. He reports that Manhattan has 12 courses in operation, six uptown and six downtown. The Dean is prepared to handle 750 additional students when, as and if, additional courses are O.K'd.

## Sales

### INSTALLMENT SALES DECREASING

A warning to radio sales departments is contained in "Domestic Commerce" for February 26, a bulletin of the U. S. Department of Commerce.

Under the title "Installment Sales Will Slump to Vanishing Point," the bulletin declares that retail installment business is expected to be hard hit by new orders for increased production of war materials.

"Roughly 90 per cent of retail installment sales result from consumer purchases of durable goods such as automobile and household equipment like refrigerators, washing machines, and radios. . . . Production for civilians must be severely curtailed for the duration; in some instances completely eliminated. The result will be a sharp decline of installment sales and a heavy liquidation of outstanding consumer installment debts, both on retail accounts and on cash loans made to finance retail purchases," the report states.

Obviously this type of radio advertiser will suffer, and radio salesmen are advised to suggest new services to the clients affected, or to seek sources of replacement revenue.

### SALES AND COPY ANGLES

Reasons for retail advertising campaigns were offered by 11 U. S. Census Bureau statisticians before a meeting of 161 newspaper publishers held recently in Washington. Based on factors aiding local business, these were:

Laundries—shortage of washing machines and domestic help.  
Restaurants—"eating out" because of the increase in women workers.

Public conveyances—limitations on the use of private automobiles.

Seed, fertilizer, and garden tool dealers—"Victory Gardens."

Savings banks—thrift to aid the war.

Commercial banks—safety deposit vaults for Defense Bonds.

Real estate men—purchase of farms to hedge against inflation.

Cigars, cigarette, jewelry—increased luxury spending because of high wages.

### RETAIL SALES ADVANCE 16%

Sales of independent retailers were 16 per cent greater in January 1942 than during the same month of 1941, according to the U. S. Census Bureau. The record:

Kind of Business	Percent change	
	January 1942 vs.	January 1941
Food stores . . . . .	+23	
Eating and drinking places . . . . .	+18	
General stores (with foods) . . . . .	+34	
Filling stations . . . . .	+16	
Drug stores . . . . .	+12	
Department stores . . . . .	+37	
Dry goods and general merchandise . . . . .	+38	
Apparel stores . . . . .	+43	
Jewelry stores . . . . .	+28	
Motor-vehicle dealers . . . . .	-55	
Furniture stores . . . . .	+18	
Hardware stores . . . . .	+38	
Lumber-building materials dealers . . . . .	+10	

### ARMY PROGRAMS SURVEYED

A survey of local army programs now being broadcast by stations throughout the country, both sponsored and un-sponsored, is being conducted by Capt. Edwin Curtin of the Radio Branch, Bureau of Public Relations, War Department, and will be available for release soon to NAB members.

The survey will list the titles of such programs with a brief description of each, and will designate the type of sponsors. With this information, more NAB member stations should be able to originate army shows suitable for local sponsorship.

One-time programs, such as special events, will not be listed, as the survey is limited to programs regularly scheduled. The study is being conducted through the public relations officers of various army camps. To make it more complete, stations now carrying such programs are invited to send details to the NAB Department of Broadcast Advertising. Information thus received will be added to Captain Curtin's report.

### PER-INQUIRY AND FREE TIME

Howell, Soskin, Publishers, Inc., New York, seeks per-inquiry deals for its book "We Hold These Truths," a reprint of the dramatized script used in the Bill of Rights Day radio program.

A deliberate effort to promote per-inquiry deals was made last week by H. C. Morris & Co., a New York advertising agency, in a general mailing to radio stations. NAB members, commenting critically on the proposal, questioned Mr. Morris' use of such phrases as: "Recently, a few stations who have never handled per-inquiry business before asked us if it were not possible to set up a plan whereby they could replace lost billing to allow them to profitably utilize their time . . ." and ". . . if, like so many other stations you are faced with decreased billing due to wartime conditions . . ." The NAB has asked Mr. Morris to substantiate such statements, pointing out that the industry's attitude has been steadily growing more stringent against per-inquiry deals, and that all evidence to date does not point to a "decrease in billing due to wartime conditions," but rather to an increase. Mr. Morris was also told that an "alarmist attitude" is anything but constructive in view of present conditions, when it is used as a screen to break down good business practices and standards of ethics. Typical of many replies by stations to the Morris proposal was one from John Shepard 3rd, president of the Colonial and Yankee networks and chairman of the Broadcasters'

## FIRST RADIO CENSUS FIGURES AVAILABLE TO STATIONS

The U. S. Bureau of the Census last week released the first of the 1940 radio data in a second series Housing Census Bulletin for the state of Nevada. The report shows that 81.4% of the occupied dwelling units in the state were radio equipped. More specifically, the report shows that 26,200 or 81.4% of the 32,178 occupied dwelling units, for which the radio question was answered, reported having a radio. There were 1,113 units from which radio question answers were not obtained. Radio equipped units number 27,119 when the percentage is applied to all occupied dwelling units. NAB has undertaken the task of projecting total figures by county and offers them for use as official estimates. It is suggested that these be used in preference to the Census released figures which are incomplete.

The NAB Research Department consulted with Census officials on method of projecting total figures and the method employed has their approval.

As additional states' bulletins are released by the Census Bureau the NAB will publish projected figures in the "Reports".

Census officials stated this week that preliminary radio figures will be released for twenty-six states shortly. Detail of state totals of urban, rural-nonfarm and rural-farm will be given. As soon as this is available the figures will be projected and published in the "NAB Reports".

Victory Council: "... Inasmuch as you ask for our opinion of your plan, we can only say we consider it the greatest possible detriment to the radio industry as encouragement to advertisers to request business on such a basis. For ourselves, we sincerely trust that you will not find it necessary to take the step which you are contemplating. . . ."

Free-time chisels continue to plague the industry, chiefly in the form of blurbs sent to "program directors" or "women's editors." Reported by NAB members this week were such attempts by:

**Elliott & Nelson**, New York, on behalf of **Cordurex** and the **Crompton-Richmond Co., Inc.**

**Jean Talbot**, New York, on behalf of **Colonial Drapery & Curtain Corp.**, plugging a booklet "Decorative Fabrics in Your Home."

**Twentieth Century-Fox Film Corp.**, New York, on behalf of 15-minute "free" transcriptions featuring "Song of the Islands," a 20th Century-Fox film.

**Helen Golby**, New York, on behalf of **Revlon**, a cosmetic. Copy submitted in this case was so outright commercial that at first it was inconceivable that anyone would ask for its use on free time.

All have been invited by the NAB to use radio advertising on the proper basis.

### NEVADA

Number of Occupied Dwelling Units, Per Cent Radio Equipped and Number of Dwellings having Radios by County, and Cities of 2,500 or More Population—Urban, Rural-Nonfarm and Rural-farm; 1940\*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Churchill	1,562	78.0	1,218				849	77.5	658	713	78.5	560
Clark	4,829	80.1	3,871	2,563	83.5	2,141	1,975	77.9	1,538	291	65.8	192
Douglas	599	78.9	473				373	78.5	293	226	79.5	180
Elko	3,241	78.2	2,535	1,240	81.5	1,011	1,470	75.5	1,110	531	77.9	414
Esmeralda	620	65.3	405				596	65.7	392	24	54.2	13
Eureka	461	57.1	263				349	57.6	201	112	55.8	62
Humboldt	1,395	72.2	1,009				1,154	75.5	871	241	57.3	138
Lander	583	67.7	395				513	68.1	350	70	64.7	45
Lincoln	1,143	86.7	991				948	89.2	846	195	74.5	145
Lyon	1,201	78.6	944				719	79.8	574	482	76.8	370
Mineral	777	62.5	486				689	65.8	454	88	36.8	32
Nye	1,380	67.1	926				1,175	70.5	828	205	47.7	98
Ormsby	935	88.8	830				903	89.1	805	32	78.1	25
Pershing	867	70.6	612				751	70.8	532	116	69.4	80
Storey	395	87.1	344				383	86.7	332	12	100.0	12
Washoe	10,025	90.4	9,069	8,319	93.1	7,748	1,045	76.2	796	661	79.5	525
White Pine	3,278	83.8	2,748	1,162	82.5	959	1,903	86.6	1,647	213	66.7	142
State Total	33,291	81.4	27,119	13,284	89.2	11,859	15,795	77.4	12,227	4,212	72.0	3,033

#### Cities of 2,500 Or More Population

	Units	% Radio	Radio Units
Las Vegas	2,563	83.5	2,141
Elko City	1,240	81.5	1,011
Reno	6,909	92.6	6,396
Sparks	1,410	95.9	1,352
Ely	1,162	82.5	959

\*Source: Figures of the number of Occupied Dwelling Units and Per Cent Radio Equipped published by U. S. Census in the Second Series Housing Report for Nevada.

Figures of the number of Radio Equipped Occupied Dwelling Units calculated by NAB Research Department to project total figures. Census release did not include 1,113 Occupied Dwelling Units because answers to the radio question were not obtained in enumeration.



## District Meetings

### District 12

William B. Way, KVOO, Tulsa, Oklahoma, was unanimously elected NAB Director for District 12, at a meeting in Wichita, February 27.

Resolutions were adopted pledging BMI license renewal, support of NAB and cooperation with the war effort.

Those registered were:

Burt Adams, NBC; C. E. Arney, Jr., NAB; Ellis Atteberry, KCKN; Owen Balch, KSAL; Milton Blink, Standard Radio; Gustav Brandborg, KVOO; Ken Brown, KVOO; Leonard D. Callahan, SESAC; Adelaide L. Carrell, WBBZ; Frank E. Chizzini, NBC; Plez S. Clark, KFH; Edward C. Coontz, KVOO; Don Davis, WHB; Walt Dennis, KVOO; Bob Enoch, KTOK; Lt. Holman Faust, Navy Public Relations; Bill Gillespie, KTUL; Gus Hagenah, SESAC; Carl Haverlin, BMI; Herb Hollister, KANS; Leo M. Howard, KFBI; Jack Howell, KOMA; Major H. W. Kent, Radio Branch Bureau Public Relations, War Department; Ray Linton, KFBI; Ben Ludy, WIBW; Clark Luther, KFH; Frank Mathews, KFH; Clem Morgan, KVGB; M. M. Murdock, KFH; Hugh Powell, KGGF; Kay Pyle, KFBI; Vernon E. Reed, KFH; R. K. Richards, Office of Censorship; Nel-on Rupard, KTSW; John Schilling, WHB; Russell Shaffer, KANS; Larry Sims, KTSW; Harold Smith, KANS; Jack Todd, KANS; Ralph Varnum, KFBI; William B. Way, KVOO; Pierre Weis, Lang-Worth; Ralph Wentworth, Lang-Worth; and Fred Scrapper, KFH.

### District 10

John J. Gillin, Jr., WOW, was unanimously reelected to the NAB Board of Directors at a District 10 meeting March 2 in Omaha.

There was considerable discussion of the effect of the war on radio advertising. The following resolution was adopted:

"WHEREAS various advertisers are forced to terminate radio schedules because of lack of critical materials or circumstances caused by the war effort.

"RESOLVED that radio broadcasters adopt liberalized interpretation of contracts to lessen the penalties for such cancellation. The broadcaster reserves the right to revise advertising rates at any time upon 13 weeks' notice in writing and contract is accepted subject to above reservation. The advertiser may cancel without short-rate charge on the date on which the new rate may become effective."

### District 8

Broadcasters of NAB District 8 met in Kalamazoo on March 4 and reelected John E. Fetzer, WKZO, to the NAB Board.

The following resolutions were adopted:

WHEREAS, the National Association of Broadcasters has well represented the broadcasting industry through many difficult periods, including the present war emergency, and

WHEREAS, it is our profound conviction that the best interests of the industry can best be served by one strong and thoroughly united trade association, now therefore,

BE IT RESOLVED, that the broadcasters of the 8th District hereby affirm their confidence and trust in the NAB, pledge their continued support of the organization as now constituted and urge all stations to continue to lend their loyalty and support to the end that the American system of broadcasting may continue to flourish.

WHEREAS, Broadcast Music Incorporated has continued to grow and flourish and bring stability and competition into the field of copyright, and,

WHEREAS, BMI is now serving the cause of the broadcasters to their advantage in every respect,

THEREFORE BE IT RESOLVED, that the 8th District of the National Association of Broadcasters urges all members of the NAB to continue their unqualified support of BMI.

WHEREAS, in our opinion, the war time restrictions of the office of censorship has asked the industry to impose upon itself are fair

and reasonable and necessary for the safety and protection of the public at large, now therefore

BE IT RESOLVED, that the broadcasters of the 8th NAB District hereby affirm their wholehearted acceptance of the requests and suggestions that have been made of them, and urge all stations to do likewise.

WHEREAS, the radio broadcasting industry has granted a considerable amount of free time to the United States Treasury Department in its stamp and bond campaign, and

WHEREAS, the said Treasury Department has prepared for other media material useful to such media in selling bond and stamp advertisements, and

WHEREAS, the Board of Directors of the National Association of Broadcasters has adopted a policy of gratis announcements and programs for defense and war campaigns, now therefore

BE IT RESOLVED, by the 8th District Broadcasters that we heartily endorse the policy of NAB according free time for government programs but we do ask the Treasury Department to cooperate with NAB in the preparation of sales material for radio stations similar in nature to that prepared for other media.

WHEREAS, the 8th District of the National Association of Broadcasters has enjoyed the fine hospitality and splendid entertainment of Mr. John E. Fetzer and the staff of Radio Station WKZO, and

WHEREAS, the 8th District of NAB appreciates the courtesies extended by the City of Kalamazoo in the use of the facilities of the City Hall, now therefore

BE IT RESOLVED, that the 8th District of NAB extends its thanks and appreciation to all of the above.

### O'FALLON URGES UNITY

Immediately after his retirement as NAB Director for District 14, Gene O'Fallon sent the following bulletin to all broadcasters in his district:

This bulletin isn't so much a "thank you" for the generous cooperation given me during my service as your NAB District No. 14 representative, as it is a PLEA for my successor, Ed Yocum of KGHL, Billings.

You know, every man and woman in the country is fast learning the art of teamwork and its powerful value in getting things done. It is regrettable that it is taking a war to teach us its effectiveness. During my years as NAB District Director, I have had ample opportunity to see how the LACK of full cooperation in a group such as ours can hinder ALL OF US in the things we have wanted for ourselves and for our industry.

For instance, the ASCAP-BMI disturbance. All of us can see what complete unity would have done for us.

And now the all important Defense & Victory which brings up such things as Censorship, temporary Deferment of employees, Rationing, Priorities, Programming, ESMDT, NAB Department of Broadcast Advertising, labor, etc., etc.

Even from the standpoint of financial support alone, I can't understand why a few should shoulder the financial burden of the many. Whenever good has been accomplished for our industry, EVERY individual station has benefited. Yet—the brunt of the load was carried by a few.

You might be interested to know that often more NON-MEMBERS have called upon me for assistance than members, and their problems have received the same attention as the others when presented to NAB headquarters.

In other words, I am trying to point out in my humble way that now, being in a war with its disrupting and changing policies in every line of business, I hope for UNANIMOUS support for our new District Director. He will have plenty of problems, because plenty of problems are going to present themselves to broadcasters. If EVERY member station does not get completely behind him and support him in his defense of OUR mutual problems, we will ALL suffer.

Remember—IT CAN HAPPEN HERE isn't just a statement for our country as a whole. We can apply it to our industry, to our 14th District, and what is more important—to our individual stations. Unity—COMPLETE UNITY—for Ed Yocum in his new and increasingly heavy duties, is my earnest plea.

Thanks so much for the privilege you have given to me to serve during my term of office.

Cordially,

GENE O'FALLON.

# Labor

## SUPREME COURT DISCUSSES STAND-BYS

The Supreme Court has now decided that neither the anti-trust laws nor the anti-racketeering law can be used to prevent the forced employment of unnecessary labor.

In a 6 to 1 decision last Monday, the court reversed the conviction of officers of Local 807, Truck Drivers Union, for forcing trucking firms to put stand-by truck drivers on trucks entering New York City. Violence was involved.

Broadcasters will be especially interested in that section of Justice Byrnes' decision dealing with musicians:

The test must therefore be whether the particular activity was among or is akin to labor union activities with which Congress must be taken to have been familiar when this measure was enacted. Accepting payments even where services are refused is such an activity. The Circuit Court has referred to the "stand-by" orchestra device, by which a union local requires that its members be substituted for visiting musicians, or, if the producer or conductor insists upon using his own musicians, that the members of the local be paid the sums which they would have earned had they performed. That similar devices are employed in other trades is well known. It is admitted here that the stand-by musician has a "job" even though he renders no actual service. There can be no question that he demands the payment of money regardless of the management's willingness to accept his labor. If, as it is agreed, the musician would escape punishment under this Act even though he obtained his "stand-by job" by force or threats, it is certainly difficult to see how a teamster could be punished for engaging in the same practice. It is not our province either to approve or disapprove such tactics. But we do believe that they are not "the activities of predatory criminal gangs of the Kelly and Dillinger types" at which the Act was aimed, and that on the contrary they are among those practices of labor unions which were intended to remain beyond its ban.

## NEW TAX BILL

Neither broadcasting in particular nor the advertising business in general will be subject to any special federal tax this year if Congress follows the Treasury Department's recommendations.

There is some danger, however, that friends of the International Allied Printing Trades Association will revive the association's proposal to levy a special tax on radio advertising. The printers want such a tax to try to switch advertising from radio to the printed media.

If such a proposal is revived the NAB is prepared to combat it to the full extent of its ability.

On Tuesday, March 3, recommendations of the Treasury Department for tax increases designed to produce \$7,610,000,000 in additional revenue were presented to the Ways and Means Committee of the House of Representatives by Secretary Morgenthau and his tax adviser, Randolph Paul.

The recommendations include increased individual income taxes, to produce \$3,200,000,000; increased corporation income and excess profits taxes to produce \$3,060,000,000; and new and additional excise taxes to produce \$1,340,000,000. The program also includes increases in estate and gift taxes, and the closing of certain "loop-holes".

Individuals with incomes up to \$10,000 will find their taxes doubled if the Treasury recommendations are adopted. A married man with two dependents, with an income of \$3,000, will pay \$118 as against \$58; with an income of \$5,000, \$587 as against \$271; and with an income of \$8,000, \$1,472 as against \$717. No reduction of the personal exemption or credit for dependents is proposed. A married man with two dependents and an income of \$2,300 will still pay no Federal income tax.

Two significant new departures were included in the Treasury recommendations regarding individual taxes. First, legislation was asked under which the Treasury could require employers to withhold from wage and salary payments up to 10% of the

amount by which those payments exceed the employee's exemption. For a married man with one child, for example, the exemption would be about \$40.50 per week. Under the same plan corporations would be required to withhold 10% of all interest and dividend payments. Second, the Treasury proposes that husbands and wives be required to file joint returns and pay their taxes on the combined income.

With respect to corporations, the Treasury recommends that the present method of computing excess profits taxes be retained. This means that corporations will still have the option of computing their excess profits credit either upon the basis of their average 1936-1939 earnings, or upon the invested capital basis of 8% upon the first \$5,000,000 and 7% over that amount. Excess profits tax rates are increased 15% in each bracket, or from a minimum of 35% and maximum of 60%, to a minimum of 50% and maximum of 75%. It is proposed that the capital stock tax and declared value excess profits tax be repealed.

No increase is proposed in the present normal tax rates of 15-19% for corporations with incomes up to \$25,000, and 24% for corporations with incomes over \$25,000. However, it is recommended that the present 6% surtax upon corporations with incomes under \$25,000 be increased to 16%; and that the present 7% rate upon corporations with incomes over \$25,000 be increased to 31%. In the case of corporations subject to the 31% rate whose income now is less than it was in the 1936-1939 period, this surtax may be reduced somewhat by certain credits.

Under these proposals, a corporation with an income of \$100,000, of which \$50,000 is subject to excess profits taxes, will pay \$66,925 in taxes. A corporation with an income of \$50,000, none of which is subject to excess profits taxes, will pay \$27,500. A corporation with an income of \$5,000, will pay \$1,550.

The maximum rate applicable to any dollar of corporation income is 88.75%. The Treasury recommends that where the tax actually exceeds 80 cents on any dollar of income the excess should be returned to the corporation after the War, for reemployment of labor and for certain necessary capital expenditures.

Public hearings will open Monday, March 9, and are expected to continue for two or three weeks.

## BMI HAS 237 CONTRACTS

BMI reports continued 100 per cent support at all district meetings and a steady flow of executed contracts. At the present time over 237 contracts, representing over 45 per cent of the industry's dollar volume, have actually been executed by both parties. On the other hand, BMI calls attention to the fact that its present contracts, by force of the government Consent Decree, expire on March 11th. It realizes that the persons who have not signed are not "hold-outs" but only "hang-backs." BMI knows that a large amount of material was sent to the stations and that they are burdened with many problems and are finding trouble in getting to the execution of their contracts. In view of the fact that only one week remains, however, before contract expiration date, all stations are asked immediately to get to the signing of their contracts and to get them into BMI. It is obvious that stations should not let the deadline date of March 11th go by without having executed their agreements. All broadcasters are, therefore, asked to give this matter attention at once.

### District 1

WICC, WTHT, WTIC, WNBC, WELI, W-53-H, WSRR, WDRC, W-65-H, WAAB, WCOP, WEEI, WNAC, WORL, WBRK, WTAG, W-43-B, WKNE, WLNH, W-39-B, and WEAN.

### District 2

WABY, WJTN, WABC, WBNX, WOV, WHLD, WMFF, WKIP, WHAM, WSYR, WTRY, WFAS, WBYN, W-51-R, WHCU, WOKO, WGNY, WHEC, WIBX, WAGE, WKNY, WNEW, WEAJ, and WJZ.

### District 3

WCED, WJAC, WKPA, WCAU, WFIL, WPEN, and WWSW.

#### District 4

WJSV, WINX, WMAL, WRC, WBT, WHKY, WRRF, WSOC, WPTF, WFVA, WSVB, WINC, WTAR, WDBJ, WMBG, WRVA, WLOG, WBRW, WITH, WTMA, and WFBC.

#### District 5

WBRC, WCOV, WQAM, WDBO, WDLP, WTSP, WMAZ, WRGA, WRLC, and WIAC.

#### District 6

KTHS, KGHI, KLRA, KUOA, KFFA, WFOR, WJDX, WAML, WQBC, WOPI, and WSM.

#### District 7

WHOP, WAVE, WOMI, WPAD, WHLN, WSON, WGAR, WFMJ, WKBN, WFIN, and WTAM.

#### District 8

WHBU, WTRC, WEOA, WGBF, WLBC, W-45-V, WBOW, WFBM, WBCM, WJBK, WJR, WTCM, and WKZO.

#### District 9

WBBM, WCRW, WEDC, WEBQ, WJPF, WTAD, WMAQ, WENR, KFIZ, WCLO, WEMP, WTMJ, WHBF, WRJN, W-55-M, WKBH, and WOSH.

#### District 10

WOC, WHO, KDTH, WKBB, WIL, KHMO, KWOS, KMOX, WOW, and KBON.

#### District 11

WCCO, WLOL, KFAM, KFYZ, KDLR, KRMC, KELO, and KSOO.

#### District 12

KGGE, KANS, KFBI, KOCY, and KTOK.

#### District 13

KRIC, WFAA, KGKO, WBAP, KLUF, KFYO, KPDN, KIUN, KPAC, K TSA, WOAI, KTEM, KRGV, KEYS, KGBS, and KSKY.

#### District 14

KIUP, KFXJ, KOA, KRLC, KOVO, KEUB, KDFN, KWYO, KPOW, and KRJF.

#### District 15

KHSL, KMJ, KMYC, KYOS, KTRB, KDON, KVCV, KFBK, KROY, KJBS, KQW, KWG, KTKC, KFRE, KPO, KGO, and KOH.

#### District 16

KYCA, KGLU, KAVE, KICA, KGFL, KTNM, KFUN, KERN, KPMC, KNX, KVOE, KFMB, KPAS, KXO, KECA, KFI, KFSD, and KPRO.

#### District 17

KAST and KUJ.

### U. S. CHAMBER OF COMMERCE HONORS OUR WAR EFFORT

A 15-minute transcription telling what radio is doing for the war effort has just been made by Neville Miller and Hardy Burt of the Chamber of Commerce of the United States.

It will be released through local chambers of commerce, and should be a valuable addition to your public relations program.

Arrangements have already been made for its broadcast in the cities listed below. Broadcasters in other cities should contact their local chambers of commerce to obtain the transcription.

<i>Arizona</i> Yuma	<i>Connecticut</i> Greenwich New Haven New London	<i>Georgia</i> Dalton
<i>Arkansas</i> El Dorado Hot Springs	<i>District of Columbia</i> Washington	<i>Hawaii</i> Honolulu
<i>California</i> Anaheim San Francisco Santa Ana	<i>Florida</i> Miami St. Augustine Tallahassee	<i>Idaho</i> Lewiston
		<i>Indiana</i> Fort Wayne Lafayette Terre Haute

<i>Iowa</i> Clinton Dubuque	<i>Mississippi</i> Jackson	<i>Oklahoma</i> Oklahoma City Tulsa
<i>Kansas</i> Coffeyville Kansas City	<i>Missouri</i> Joplin Poplar Bluff St. Louis Sedalia	<i>Pennsylvania</i> Hazleton Lewistown
<i>Kentucky</i> Lexington	<i>Nebraska</i> Fremont Kearney Lincoln	<i>Tennessee</i> Johnson City
<i>Louisiana</i> Alexandria New Orleans	<i>Nevada</i> Las Vegas	<i>Texas</i> Galveston Harlingen Midland Paris Pecos San Antonio
<i>Maine</i> Lewiston	<i>New York</i> Batavia Elmira Olean Troy Utica Watertown	<i>Virginia</i> Fredericksburg Petersburg
<i>Maryland</i> Cumberland	<i>North Carolina</i> Burlington Gastonia Greensboro Wilmington	<i>Washington</i> Walla Walla
<i>Massachusetts</i> Hyannis (West Yarmouth) Pittsfield	<i>North Dakota</i> Jamestown Minot	<i>West Virginia</i> Fairmont Williamson
<i>Michigan</i> Muskegon		<i>Wisconsin</i> Beaver Dam La Crosse Oshkosh
<i>Minnesota</i> Albert Lea Mankato Minneapolis Rochester Winona		<i>Wyoming</i> Sheridan

### APPOINTMENTS FOR MILLER

Neville Miller this week was asked to represent the broadcasting industry at the Eighth Pan American Child Congress.

Katherine F. Lenroot, chief of the Children's Bureau, U. S. Department of Labor, also appointed Mr. Miller to represent radio on the Children's Bureau Commission on Children in War-time. The commission will meet March 16-18.

### NAB DISTRIBUTES NEW WAR DEPARTMENT BOOKLET

The NAB is mailing to all stations a booklet, "Music in the National Effort," published by the War Department. It should prove extremely helpful to program directors. Extra copies are available at the NAB.

### VACANCIES FOR OPERATORS

The Field Division of the Engineering Department of the Federal Communications Commission has openings for additional engineering personnel in connection with National Defense Operations. Interested individuals may apply to their nearest United States Civil Service Commission representative requesting announcements numbered 166 and 203 which contain full information.

### COURT STAYS NETWORK RULES

On Monday the U. S. District Court for the Southern District of New York restrained the FCC from enforcing the network regulations pending appeal by CBS and NBC to the Supreme Court. The Commission and MBS had opposed the networks' motion for a stay. The court found that the networks would be irreparably damaged if the Commission were to enforce the regulations pending the appeal and it should turn out that they were invalid and the District Court in fact had jurisdiction of the cases. The same court, Judge Bright dissenting, had previously dismissed the network suits for lack of jurisdiction (NAB REPORTS, February 27, page 113).

The findings of fact, conclusion of law, and opinion of the court are as follows:

I. That if the Federal Communications Commission, pending the plaintiff's appeal to the Supreme Court from the judgment of this court dismissing the complaint herein, enforces its regulations, issued in their amended form on October 11, 1941, and if these are invalid; and if this court—contrary to its said judgment—is in fact jurisdiction over the cause of action stated in the complaint; the plaintiff will be seriously and irreparably damaged.

II. That the said Commission has not declared that it will not enforce such regulations pending the appeal, except as to a station itself seeking to test their validity.

III. That the Commission, in the hearings leading to the said regulations and especially in its consideration of the evidence taken thereon, did not indicate that their immediate enforcement was a matter of urgent public interest.

IV. That a further delay in such enforcement of two months or until the appeal can be argued, whichever is earlier, will not, so far as can be ascertained, involve injury to the public commensurate with the injury to the plaintiff arising from enforcement, if the conditions mentioned in the First Finding exist.

### Conclusion of Law

That the plaintiff is entitled to a stay pending its appeal to the Supreme Court; said stay being an order forbidding the Federal Communications Commission from enforcing the regulations above mentioned before the argument of the appeal to the Supreme Court, or the first day of May, 1942, whichever is earlier.

### Opinion

PER CURIAM: The Commission is of course right in saying that we have decided that the plaintiffs have adequate protection outside of these actions and in spite of their dismissal; nevertheless, in deciding whether a stay should be granted pending an appeal, we must assume that we may be mistaken, certainly a not unreasonable assumption in view of Judge Bright's dissent. If so, the plaintiffs will not be adequately protected, and indeed they may not be anyway if the Commission does not withhold enforcement in all cases until the issues could be once and for all determined in a renewal proceeding. Considering on the one hand that if the regulations are enforced the networks will be obliged to revise their whole plan of operations to their great disadvantage, and on the other that the Commission itself gave no evidence before these actions were commenced that the proposed changes were of such immediately pressing importance that a further delay of two months will be a serious injury to the public, it seems to us that we should use our discretion in the plaintiffs' favor to stay enforcement of the regulations until they can argue their appeal. For these reasons we will grant such a stay until the argument of the appeal before the Supreme Court or the first day of May, 1942, whichever comes first. For any further stay the plaintiffs must apply to the Supreme Court itself, or to the Circuit Justice.

LEARNED HAND,  
U. S. C. J.

HENRY W. GODDARD,  
U. S. D. J.

JOHN BRIGHT,  
U. S. D. J.

### THIRD DRAFT LOTTERY

Radio coverage of the Third Selective Service Lottery on March 17 promises to provide one of the best radio shows of the year, according to National Headquarters of the Selective Service System.

### WQXR STAFF 100% FOR DEFENSE

The fifty-six employees of WQXR, New York City, have signed up 100 per cent on the payroll defense savings plan, according to Hugh Kendall Boice, the station's vice president in charge of sales. Mr. Boice is also chairman of the radio division of the Committee on Information for the New York State Defense Savings Bond Committee.

## Engineering

### WARTIME ENGINEERING CONFERENCE

The Fifth Annual Broadcast Engineering Conference opened on Monday, February 23, on the campus of the Ohio State University, Columbus. Howard L. Bevis, president of the University, first greeted the 175 engineers who had assembled for the Conference.

Professor W. L. Everitt, director of the Conference, devoted most of the conference periods to wartime subjects. The principal speakers on the program were Mr. E. K. Jett, chief engineer of the FCC, and Gerald C. Gross, assistant chief engineer of the FCC.

Mr. Jett's talk on the subject "Communications in National Defense" opened with the caution that we should be very careful in what we say as the enemy is always listening. He continued by describing the functional set-up of the Defense Communication Board. Mr. Jett outlined some of the accomplishments of the DCB. According to Mr. Jett the only class of radio stations now closed is the amateurs, and he said that the DCB is making a study, jointly with the OCD, to determine if and how the amateurs can be used in our civilian defense.

Another accomplishment of the DCB was arrangements for prompt use of communication facilities by the Army and Navy. The DCB has also arranged for priority of messages.

Mr. Jett stressed the importance of alternate routes and he said that a detailed study has been made of all national and international communication routes in order to ascertain where such additional facilities may be required.

The key station system for silencing radio stations was explained by Mr. Jett. He said that services other than broadcasting were tied in with this system.

According to Mr. Jett, the Board has decided that broadcasting is important to the national defense.

In continuing his comments on broadcasting he said, "The Board had considered nation-wide plans to use standard broadcast stations for communiques and announcements in the event of military emergency and has determined that broadcast stations should be used for the dissemination of news and entertainment to maintain the morale of civilian and military personnel, to educate the public in air raid plans and other civilian defense matters."

He said that protection of broadcast property and steps to insure reliability have been under study by the Board.

The Board realizes that there is a big shortage of trained operators, according to Mr. Jett. The Selective Service Commission has been asked to consider requests for temporary deferments where they are essential until replacements are available.

Mention was made of the release of Order 91 last week, which permits second class radio telephone, first telegraph, and second telegraph operators to serve at broadcast stations, provided a first class operator was in charge of making the important adjustments on the equipment.

Other matters the DCB has been concerned with, according to Mr. Jett, are the dissemination of weather reports, particularly to aircraft, priorities, the freeze order, signaling systems for the civilian defense authorities, a study to see that wire facilities are adequate, a study of Federal communication systems to ascertain their military use, a study of all alert-type receivers, and a study of the need for further legislation for control of facilities in view of defense requirements.

In commenting on the freeze order, Mr. Jett said that broadcast service is important. However, the country as a whole is pretty well served at present.

There are 91 FCC monitoring stations, according to Mr. Jett. These function under the National Defense Operations Department of the FCC. The stations were established for detecting subversive communications and for the purpose of recording foreign propaganda transmissions.

Upon being questioned about the future of television, Mr. Jett

ventured the opinion that it would probably have to get along with what equipment it has at present.

Because of the nature of his subject, details could not be given on defense plans. During the question and answer period, Mr. Jett was not able to answer some questions because of restrictions, however, the members of the Conference were given a very good insight into the scope of the work of the DCB.

## Emergency Operation

Emergency operation of broadcast transmitters was the subject of a discussion led by Mr. Orrin W. Towner, chief engineer at WHAS. He described the experiences of WHAS during the Ohio River flood of 1937. Mr. Towner drew parallels between the emergency steps they had to take during the flood and the emergency steps that stations may need to take due to wartime operation. Practically all that is needed at a studio in the line of equipment, in order to maintain service under emergency conditions, is a battery-operated amplifier, according to Mr. Towner. He suggested that permanent cords be made up to readily connect portable amplifier into the jack fields of the studio equipment.

Mr. Towner discussed the difficulties encountered in finding an emergency power supply when the regular power supply of WHAS was lost. He suggested the installation of engine-driven generators for use in case of loss of regular power supply.

To illustrate what can be done in an emergency, Mr. Towner described how they converted an amateur transmitter for use by the police after the regular police station had been flooded out.

A discussion on how operations could be carried on in the event of loss of various components in a transmitter, was led by Mr. Towner. He suggested that each engineer survey his station, keeping the following points in mind: How much can the power of the transmitter be reduced and still perform a satisfactory service; the minimum number of tubes the transmitter can operate with; how much voltage variation can be tolerated; the minimum water supply required and the minimum and maximum ambient temperature under which the transmitter would function satisfactorily.

Alternate equipment was recommended by Mr. Towner wherever possible.

## Troeglen Speaks

Engine driven emergency power plants were discussed on Tuesday morning by Mr. Karl Troeglen, chief engineer of WIBW. Mr. Troeglen described the extensive installation made at WIBW, both at the transmitter and the studio. He stressed the importance of emergency engine-driven power supplies, particularly in view of additional hazards to power plants that may be imposed due to wartime operation.

## Mobile FM

During the session entitled Mobile FM, Mr. Daniel E. Noble, research engineer of the Calvin Manufacturing Company, stressed the importance of FM in communication systems for police and armed forces. His discussion covered the design and installation of such equipment.

Tuesday and Wednesday afternoons, Mr. Charles Singer, maintenance engineer of WOR, was chairman of a panel discussing Transmitter Maintenance. The other members of the panel were Porter Houston, WCBM; Frank V. Becker, WTBO; and Floyd N. Lantzer, of WLW. The extensive maintenance routine of WOR with its accompanying manuals was described in detail by Mr. Singer. The other members of the panel discussed how these elaborate procedures could be modified for smaller operations. Mr. Singer stressed the point that repair parts are becoming difficult to obtain, and that more exacting maintenance can aid a station in maintaining reliability of operation.

Care of vacuum tubes was particularly stressed. A tube reconditioner used successfully at WOR was described. In the process of reconditioning, a gaseous tube is subjected to high voltage be-

tween the plate and filament when the filament is cold. A few minutes of this treatment clears up the gaseous condition in most cases, according to Mr. Singer.

A panel discussion on the subject Broadcast Station Operation in Wartime was held on the mornings of Wednesday, Thursday, and Friday. The panel was under the chairmanship of Mr. Lynne C. Smeby, Director of Engineering for the NAB. The other members of the panel were Mr. Andrew D. Ring, consulting engineer; Mr. J. D'Agostino, assistant operating engineer of the NBC; Mr. Raymond Guy, radio frequency facilities engineer of the NBC; Mr. Frank A. Cowan, engineer for the Bell System; and Mr. Hector Skifter, chief engineer of KSTP.

The first subject under discussion was that of priorities and material procurement. "We should do everything in our power to conserve material for the armed forces, consistent with maintaining an efficient system," were the opening remarks by your Director of Engineering. It was pointed out that broadcasting is important to our national welfare. However, the need of our armed forces should be given first consideration. The engineers were urged by your Director to give careful consideration to all priority requests, keeping in mind the great need of the armed forces. It was pointed out that a recent survey showed that our broadcast stations as a whole operate at an efficiency better than 99.98%. It was suggested that we could still do an effective national defense job with a slightly lowered efficiency.

## DCB Activity

Mr. Andrew D. Ring discussed the work of the Broadcast Committee of the DCB. He discussed in detail many of the subjects that have been under study by the committee. He pointed out that subjects such as shortage of operators, priorities, radio silencing systems, and modification of FCC rules had been considered by the committee. Mr. Ring led an extensive discussion on steps that could be taken by a broadcast station in order to assure continuity of service.

Matters such as property protection and fire fighting are often slighted by broadcast stations, according to Mr. D'Agostino. He pointed out that extensive damage could be done to broadcasting property through neglecting to take proper steps against sabotage and fires. Mr. D'Agostino said that in selecting fire extinguishers, consideration should be given to the safety of the type of extinguisher selected. Some extinguishing agents emit a poisonous gas upon striking a fire, according to Mr. D'Agostino, and this type should be avoided indoors. He also pointed out that the chemicals contained in some fire extinguishers are injurious to electrical equipment. A new type of water-spraying nozzle was described by Mr. D'Agostino. This type of nozzle can safely play a stream of water upon equipment carrying thousands of volts without injury to the firefighter. The underlying principle of the nozzle is that it breaks the water up into small globules which are in effect insulated by air from each other, and therefore there is discontinuity in the stream of water.

The importance of auxiliary antennas in maintaining continuity of service was pointed out by Mr. Guy. He described various types of low antennas, pointing out that there are two primary difficulties in using such antennas at high powers. These antennas are usually between 60 and 200 feet high and therefore the base resistance is low and the reactance is very high. This causes a very high current to flow at the base of the antenna and special consideration must be given this high current in designing the coupling system.

Mr. Guy suggested loading the antenna with an inductance and then tapping the transmission line on to the inductance at the proper point.

At powers of 5 kilowatts and over corona on the antenna becomes an important factor. Mr. Guy suggested loading at the top of the antenna, and he also suggested minimum heights for auxiliary antennas which ran between 60 to 200 feet at the two ends of the broadcast band.

We were reminded that conditions are in a constant state of flux and that we must be prepared to change plans instantly. This thought was contained in the opening remarks of Mr. Frank

How many MacArthurs does it take to make you mad? Doesn't your blood run faster as you read of the undersea raiders operating within a torpedo's length of our own shores?

If these things have left you indifferent; if these things have not brought you to your feet alert and mad, determined that they shall stop and that those who inflict this bloodshed upon us shall be destroyed, then you are not worthy to be called American.

But I know that most of you are mad. So, I ask you to put that heat and that indignation—that fight—into that job of yours, whatever the job may be. It doesn't matter whether you tend a lathe, boss a production line or manage the plant. If you, every one of you, start tomorrow putting that extra bit of drive; that extra head of steam; that extra measure of determination into the job at hand, we can win with a minimum loss of blood and treasure.

## Must Attain Goals This Year

In doing that we carry the fight into our plants. We then move faster toward our goals, by which I mean the 60,000 military planes; the 45,000 tanks, the 20,000 anti-aircraft guns and the 8,000,000 tons of merchant ships the President has said we must have this year. That is the task before us. It is the greatest production job in history. And it must be done this year—the year 1942. We have but ten months to go—304 days—in which to strengthen our striking power to a point where victory can come within our grasp.

Think for a moment of 304 days—304 days of threescore years and ten, the life of a man. In the lives of men now living, those 304 days immediately ahead can shape the whole course of history for a thousand years, and shape it to our way of life.

Is it not, then, worth while to give up all else but war and production for war during those 304 days? Could any right, privilege, profit or material possession of which we voluntarily deprive ourselves during those 304 days to gain our end compare with what we gain by so doing?

Failure to achieve that end can mean the end of freedom throughout the world for centuries to come. Can we not understand what that would mean not only to those now living but to generations yet to come? I think we can and by dedicating ourselves wholly to this task we'll make those goals—yes, and exceed them.

## Plant Committees Suggested

To help us do all this and to give us the genuine feeling of participation that we need, the President has asked us for a great production drive. I am, therefore, writing the management and workers in plants engaged in primary war production asking them to set up joint management-labor committees within each of those plants to run this drive to push production up to and beyond the President's goals.

And right here I want to say that this is no sly scheme to speed up men and machines for profits' sake. It is instead a job in which we all can take a hand, and share in its success. Out of it must come greater production per machine and much greater use of each machine now operating. We cannot always wait for new ones. We must have full, three-shift operations of those we have. We cannot be satisfied until we've come as close as possible to the limit of 168 hours of work per machine per week.

In doing that I am confident we can increase production at least 25 per cent on existing equipment. That we must do and let no man fear that by putting more steam into his effort he'll soon run out of work. It is because there is so much yet to do that we must move faster than we have thus far.

To bring the goals closer to men and management I am assigning production schedules to the primary producers. They'll get a quota for the drive. These quotas are based on what we know a plant can do to meet the President's goals. They are not, however, the most the plants can do. No man can set a limit upon our will and determination once we have resolved to do our utmost.

## Shops Can Have Score-Boards

That each man may measure his determination visually, I am asking the plants to erect a production score-board within the shops upon which each schedule can be laid out. There every man can see what lies ahead each day. In fact, the joint committee can mark each shift's progress toward the goal.

I want quotas broken down for each division within the plant so that every man working on every contract can be a member of the team. On the way he does his job depends the fate of all of us—the fate of our soldiers, sailors and airmen, of our families and friends. Upon the way that job is done rest all our hopes for future years.

We Americans love competition—the matching of wills and skills in sport and trade. Here in this plan we have in effect the greatest competition of all time in which the wills and skills of American industry—men and management—can really make freedom ring around the world.

In this production drive I am also asking the joint committees in each plant to provide machinery whereby each man may submit ideas and suggestions for doing the job better. These ideas and suggestions will be studied each week by the committees. Those found sound will be forwarded to Washington. Our engineering staff will examine them. Those proved valuable will be made available to other plants. Thus we tap a vast new reservoir of ideas, welding our productive genius into a united effort for victory.

## Merit Awards for Individuals

Our Army and Navy have systems of commending merit of high order in the line of duty. There is also merit of a high order on the production line in this war. I have therefore proposed that the production soldier shall also be recognized for meritorious service to his country. Individuals making special contributions to greater production will, upon recommendation of the local plant committees and subject to review by a national board, be given awards of merit.

As I have studied our production problems, it has seemed to me unfortunate that the men in the war plants so seldom have an opportunity to know how the plane, the tank, gun or ship they have constructed has performed. Consequently I am asking the Army and the Navy to arrange for men at sea and at the front who are using these instruments of warfare to report directly to the men who built them.

I want them to tell us how the job's been done. They are the only ones who really know. To do this we will use every possible means to extend a line of communication between the plants and the theatres of war.

Here in Washington we can but outline the basic framework of this production drive. We can give guidance and make suggestions. Success depends upon the men and women in industry—the men and women out there on the production line. The war can be lost in Washington. It cannot be won here. That can be done only on the battle lines that now extend around the world and on the production lines that extend across this nation. Those production lines will determine whether we hold the battle lines and whether ultimately we crush the enemy.

## Confident in Our Stamina

Hard months are ahead. You know that. The materials of war are for the most part materials of peace. Peace has given way to war and many of the materials which gave us those conveniences we have come to take for granted must now be devoted exclusively to war production.

In the months ahead there will be privation and there will be hard work. Yet, if I understand the temper of the American people, there will not be complaint or protest if the job is well done. But to do it well, those of us on the production line have got to get into this fight now. It's a fight in which no holds are barred. Our enemy has suspended all the rules. We can't fight by the book. For that reason nothing can be allowed to delay production.

There must be sweat and action on the production line to match the blood and action on the battle line.

We must train our sights on 168 hours per week of machine-time to match the 168 hours per week of machine-gun time.

The men of the production line dare do no less than the men of the battle line.

So, in closing, let me remind you once more that the slaves of Germany and the slaves of Japan are producing arms at a peak which we must equal and then surpass—quickly.

I therefore say to you free men and free women on the production line—to the free management of American industry—work as you've never worked before that we may defeat an enemy more ruthless, brutal and bloody than we ever faced before.

## Recording Standards

Mr. Howard Chinn, audio facilities engineer for the CBS, discussed the work of the recording and reproducing standards committee. A preliminary release of the 16 standards adopted so far was made at the conference. It was explained that these would be submitted at the next NAB Board meeting for official adoption by NAB. According to Mr. Chinn, the RRSC is proceeding with the standardization of the remaining items. However, it had been decided by the committee that as many of the items as possible would be standardized in the next two months, and then the job would be deferred for the duration of the war.

During the discussion on conservation of vacuum tubes the engineers of the conference passed a resolution requesting the FCC to modify its rule regarding transmitter output power tolerances. It was believed by the engineers that this would lead to a saving in vacuum tubes. Your Director of Engineering was requested to transmit the resolution to the FCC. Following is the resolution:

"That the Commission be petitioned to relax the rules so that stations be permitted to operate within the power limits of 5% above to 20% below the licensed power as stated in the terms of the license and further petitioned to remove the (10) day clause so that in case of equipment failure or serious damage a station may be permitted to operate with optimum power available under these conditions until repairs may be effected."

Friday morning Mr. J. H. DeWitt, chief engineer of WSM, discussed Studio Transmitter Links and High Frequency Antennas. He described the folded element antennas in use by WSM for its STL program circuit between the WSM studio in Nashville and the WSM transmitter. He also discoursed on the possibility of using such links as auxiliaries to the regular wire circuits.

The last session of the conference entitled Alert Calling System was conducted by Mr. Arthur VanDyck and Mr. Stuart Seeley of the RCA License Laboratory. Mr. VanDyck pointed out that the Alert Calling System could be used in place of wire circuits where a large mass of people would need to be given a signal. The Alert Calling System, according to Mr. VanDyck, can be operated selectively so that different groups can be called without other parties to the system receiving the signal impulses. Mr. VanDyck discussed the possible uses of the Alert Calling System in the civilian defense system.

Tuesday evening a scientific lecture was given by Dr. Phillips Thompson of the Westinghouse Electric and Manufacturing Company.

The annual conference banquet was held at the Fort Haynes hotel Tuesday evening. Over 200 attended the banquet.

In closing the conference Dr. Everitt said that it was planned that the conference would be held as usual next year.

NAB cooperated with Dr. Everitt in conducting the conference as it has done in previous years. This year for the first time the IRE was a co-sponsor.

## Nelson's Talk

Here is Donald Nelson's radio talk of last Monday night, referred to on the first page of this issue:

MY FELLOW AMERICANS:

I have come to this microphone tonight to talk about one thing, particularly to the managers and the workers of American industry. It is deadly serious. I want to ask you a question I have been asking myself:

Are you doing everything within your power today to put more weapons into the hands of our fighting men?

I emphasize today because the arms we produce tomorrow, next month or next year are not going to the men who need them today, and they need them desperately today.

Let us look at the other side of the picture for a minute. In Germany, in Japan, in the conquered countries, millions of men are bound to their tasks under threat of death, under threat of

concentration camps, under the whip and the goad of the secret police.

We are not fighting enemies whose production is free. We are fighting enemies where management is force and where labor is forced. Both, upon pain of death, must do exactly what they are told and exactly as much as they are told. They are actually slaves. That is what we are up against—a Germany and a Japan whose production is at its peak.

## Can Free Men Excel Slaves

So I ask you, all of you free men and free women, can we beat it? The answer is to be found particularly in what you men in the war production plants—management and labor—what you do about it now—today.

I have talked to men who blame labor for lack of production. I have talked to labor leaders who blame management for lack of production. I have talked to managers who blame their suppliers. I have talked to suppliers who blame scarcity of materials. And I have talked to a lot of people who blame Washington.

My answer to each of these people has been: What have YOU done about it yourself?

To the business men who blame labor, I say:

What have you done to settle the problem forthrightly instead of merely complaining? Have you really tried to remove the causes of just complaints against working conditions in your plant?

To the representatives of labor, I say:

Have you really gone to the limit to adjust your differences without stopping production?

To those who whine that Washington hasn't done enough for them, I say:

Where is your initiative? Where is your enterprise? You are always talking about preserving free enterprise. What is it? Do you usually get business by waiting for the customer to call you and ask you to take an order? Have you made a thorough study of what the customer wants? Are you prepared to convert your machinery to those needs? Can you show us what you can do? There isn't time for the Army and Navy to determine what every plant can make. There must be initiative and enterprise at the other end of the transaction.

If you can show the Army and the Navy what you can do and are prepared to do it, most of the problem is solved.

## Too Much "Passing the Buck"

Almost without exception, every one of these people I have talked to feels the urge to do more. The trouble is not with their intentions. The trouble is rather too strong a tendency to pass the buck—to blame the other fellow. Work is slowed down, production is lost and the men in the foxholes with MacArthur, the men in the Indies, our boys on land and sea and in the air are the first to suffer, and suffer death.

So I ask industry; I ask the men in the plants; I ask all of you who can contribute so much to ever greater production: Look into your hearts, look into your minds, be honest with yourselves individually and answer my question:

Are you doing today every single thing within your individual power to see that the planes, the tanks, the guns and ships, the ammunition and equipment those boys need desperately is getting into their hands faster and in ever-increasing quantity?

I'm not talking tonight merely to hear the sound of my own voice. Nor am I appealing to you. I am telling you that unless we can answer that question with a loud, positive yes, we are, in reality, helping the Axis win this war.

It is the production line that supplies the battleline. But it is on the battleline that freedom is being defended—where your right to free enterprise; your right to collective bargaining; your right to criticize; your right to worship as you please—it is on the battleline that those things you hold more precious than all else are being defended.

## "Give Them Stuff They Need"

It is on the battleline that men—fathers, sons, brothers, boys you know, have pledged their lives to this thing for their country, for you and for me. And their success in this heroic undertaking depends entirely upon what we—you and I here at home, you and I on the production line—do to give them the stuff they need to destroy the enemy.

Let's put it another way. Have you clinched your fists, impatient to get at the Japanese for what they did at Pearl Harbor?

How many MacArthurs does it take to make you mad? Doesn't your blood run faster as you read of the undersea raiders operating within a torpedo's length of our own shores?

If these things have left you indifferent; if these things have not brought you to your feet alert and mad, determined that they shall stop and that those who inflict this bloodshed upon us shall be destroyed, then you are not worthy to be called American.

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In the months ahead there will be privation and there will be hard work. Yet, if I understand the temper of the American people, there will not be complaint or protest if the job is well done. But to do it well, those of us on the production line have got to get into this fight now. It's a fight in which no holds are barred. Our enemy has suspended all the rules. We can't fight by the book. For that reason nothing can be allowed to delay production.

There must be sweat and action on the production line to match the blood and action on the battle line.

We must train our sights on 168 hours per week of machine-time to match the 168 hours per week of machine-gun time.

The men of the production line dare do no less than the men of the battle line.

So, in closing, let me remind you once more that the slaves of Germany and the slaves of Japan are producing arms at a peak which we must equal and then surpass—quickly.

I therefore say to you free men and free women on the production line—to the free management of American industry—work as you've never worked before that we may defeat an enemy more ruthless, brutal and bloody than we ever faced before.



James Lawrence Fly has addressed the following notice to all persons engaged in the wire or radio communications industry, including manufacturing:

This statement is issued in answer to various inquiries which have been received concerning the resolution of the Defense Communications Board of August 21, 1941, restricting access to the premises of communications plants and facilities other than premises necessarily open to the public.

The Board's resolution contains two provisions:

1. First, it is requested, in effect, that access to premises containing communications equipment and apparatus (except premises necessarily open to the general public) be denied to all persons who have no legitimate business on such premises. This restriction is applicable to both citizens and non-citizens. It is not intended that access be denied to (a) employees, (b) federal, state, or local officials acting in their official capacity, (c) representatives of labor organizations who visit communication companies for trade union purposes, or (d) other persons considered necessary by the management in the conduct of its business, such as purchasers and tradesmen.

2. The second part of the resolution is directed to visits by (1) aliens and (2) representatives of foreign governments or other foreign interests, whether such representatives be citizens or aliens. Such persons are to be denied entry even when on business visits unless permission is granted in accordance with the procedure outlined in the Board's public letter of December 15, 1941. A copy of this letter is attached hereto. This restriction, it should be noted, is applicable to "visitors" and not to employees.

The Board's resolution does not restrict access to "premises necessarily open to the public." In construing this phrase, it should be borne in mind that the resolution is designed to limit access to technical communication apparatus and equipment. There is no intention to impose any restrictions on visits to broadcast studios, telegraph offices, reception rooms, and other places generally used for transacting business with the public at large. On the other hand, it is intended that the restrictions apply to places where equipment is manufactured or stored, the transmitter house, or the control room of a broadcast station and the like.

The Board wishes to have it clearly understood that its resolution in no way constitutes a restriction on the employment of aliens or foreign-born citizens. According to the Attorney General, the only federal restriction on employment of aliens is that in the case of secret, confidential, or restricted government contracts, and in the case of contracts for aircraft parts or accessories, the employer must first secure permission from the head of the government department concerned for the employment of aliens. Both the Army and Navy have procedures set up for granting such permission and thousands of applications have been passed upon.

The responsibility for carrying out the Board's resolution restricting access to communication plants and stations necessarily rests primarily with the industry officials. It is expected that these officials will take all the proper precautionary measures and avoid unjust discrimination. Generally, of course, the Board expects that no individual, regardless of nationality, will be employed in or admitted to premises if there is any question as to his fidelity to the interests of the United States.

JAMES LAWRENCE FLY,  
*Chairman.*

Attachments.

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, March 9. It is subject to change.

KWFT—Wichita Broadcasting Co., Wichita Falls, Texas.—Modification of license, 620 kc., 5 KW, unlimited, DA-night and day.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted special service authorization for period not beyond December 1, 1942, to make changes in equipment and to operate on 560 kc., 500 watts night, 1 KW day (B5-SSA-26).

WKBN—W. P. Williamson, Transferor; W. P. Williamson, Jr., Transferee; Youngstown, Ohio.—Granted acquisition of control of WKBN Broadcasting Corp., licensee of station WKBN, by Warren P. Williamson, Jr., through gift of 430 shares to him by W. P. Williamson (B2-TC-282).

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted construction permit (B4-P-3467), to install a new transmitter, make changes in antenna system and move transmitter to near Itaska, Ill., 11.5 miles southwest of present site (change in transmitter site requested by Navy Department).

KWKW—Southern Calif. Broadcasting Co., Pasadena, Calif.—Granted modification (B5-MP-1425) of construction permit (B5-P-3108) to install directional antenna for daytime use, and approval of transmitter site at Duarte Road and Vista St., Pasadena.

WGPC—The Albany Broadcasting Co., Inc. (assignor); J. W. Woodruff and J. W. Woodruff, Jr., d/b as Albany Broadcasting Co. (assignee), Albany, Ga.—Granted consent to voluntary assignment of license of station WGPC (B3-AL-329), from The Albany Broadcasting Co., Inc., to J. W. Woodruff and J. W. Woodruff, Jr., d/b as Albany Broadcasting Co.

King-Trendle Broadcasting Corp., Grand Rapids, Mich.—Granted construction permit (B2-PH-93) for new station to operate on 46900 kc., with a service area of 5,300 square miles.

KWID—The Associated Broadcasters, Inc., San Francisco, Calif.—Granted modification of construction permit to substitute 15290 kc. in lieu of 15350 kc., to avoid possible interference with international broadcast station KGEI, also at San Francisco.

### DESIGNATED FOR HEARING

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit (B3-P-3189) to change frequency from 1240 to 850 kc., increase power from 250 watts to 1 KW night, 5 KW local sunset, install directional antenna for night use and move transmitter locally.

Dyke Cullum & Harry R. England, as copartners, d/b as Radio Co. of Annapolis, Annapolis, Md.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit (B1-P-3401) for new station.

W. W. McAllister & Howard W. Davis, d/b as The Walmac Co., Alice, Texas.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit (B3-P-3311) for new station.

Edward E. Reeder, Seattle, Wash.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit (B5-P-2936) for new station.

WRUF—University of Florida, Gainesville, Fla.—Designated for hearing application for construction permit (B3-P-3234) to install a directional antenna for night use and increase hours of operation from limited KOA, to unlimited time.

MISCELLANEOUS

- KDON—Monterey Peninsula Broadcasting Co., Monterey, Calif.—Granted license (B5-L-1568) to cover construction permit (B5-P-3235) for increase in power and installation of new transmitter. Also authority (B5-Z-1307) to determine operating power by direct measurement of antenna power.
- Larus & Brother Co., Inc., Richmond, Va.—Granted construction permit (B2-PRE-418) for new relay broadcast station to be used with standard station WRVA; frequencies 31630, 35260, 37340, 39630 kc., 100 watts.
- Eastern Carolina Broadcasting Co., Portable-Mobile, area of Goldsboro, N. C.—Granted construction permit (B3-PRY-269) for new relay broadcast station to be used with applicant's station WGBR; frequencies 1646, 2090, 2190, 2830 kc., 50 watts.
- W2XMC—Muzak Corp., New York City.—Granted modification (B1-MPEX-8) of construction permit (B1-PEX-36) for extension of completion date from March 1 to September 1, 1942.
- WRGB—General Electric Co., Schenectady, N. Y.—Granted license (B1-LCT-3) to cover construction permit (B1-PCT-11), authorizing new commercial television station, Channel No. 3; ESR: 3100.
- W51-NY—National Broadcasting Co., Inc., New York City.—Granted modification (B1-MPH-68) of construction permit (B1-PH-15) for new FM station, extending completion date from February 27 to March 27, 1942.
- W63C—National Broadcasting Co., Inc., Chicago.—Granted modification (B4-MPH-69) of construction permit (B4-PH-31) for new FM station, extending completion date to December 3, 1942.
- KRNT—Iowa Broadcasting Co., Des Moines, Iowa.—Granted license (B4-L-1588) to cover construction permit (B4-P-2726) to move transmitter, new directional antenna and increase in power. Also granted authority to determine operating power by direct measurement of antenna input (B4-Z-1326).
- KOA—National Broadcasting Co., Inc., Denver, Colo.—Granted license (B5-L-1609) to cover construction permit (B5-P-3250) which authorized changes in equipment.
- WBYN—WBYN-Brooklyn, Inc., Brooklyn, N. Y.—Granted license (B1-L-1577) to cover construction permit (B1-P-3247) for new transmitter and increase in power.
- KSO—Iowa Broadcasting Co., Des Moines, Iowa.—Granted license (B4-L-1587) to cover construction permit (B4-P-2727) for move of transmitter, new directional antenna and increase in power. Also authority (B4-Z-1325) to determine operating power by direct measurement of antenna input.
- WAPI—Voice of Alabama, Inc., Birmingham, Ala.—Upon its own motion the Commission supplemented notice of issues in Docket 6117, and ordered retention of present hearing date—March 2, 1942.
- Lake Shore Broadcasting Corp., Cleveland, Ohio; Cleveland Broadcasting Co., Cleveland, Ohio.—On the Commission's own motion the joint hearing on these applications now set for March 9, was continued to April 20.
- WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—On its own motion the Commission supplemented notice of issues in Docket 6216, and ordered retention of present hearing date—March 5.
- Paul F. Godley, Newark, N. J.—On its own motion the Commission supplemented notice of issues in Docket 6217, and ordered retention of present hearing date—March 5.
- W6XDU—Don Lee Broadcasting System, Portable-Mobile, area of Los Angeles.—Granted modification (B5-MPVB-74) of construction permit (B5-PVB-83) for extension of commencement and completion dates to 3-1-42 and 9-1-42, respectively.
- W59NY—Interstate Broadcasting Co., Inc., New York City.—Granted modification (B1-MPH-67) of construction permit (B1-PH-109) for new FM station authorizing extension to August 17, 1942, of completion date.
- KGA—Louis Wasmer, Spokane, Wash.—Granted modification (B5-MP-1500) of construction permit (B5-P-2602) for extension of completion date from 2-24-42 to 6-15-42.
- WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted license (B1-L-1614) to cover construction permit (B1-P-3062) for new transmitter, installation of directional antenna for day and night use, change in frequency, increase in power and move of transmitter to new location. Also granted authority (B1-Z-1347) to determine operating power by direct measurement of antenna input.
- WQER—Georgia School of Technology, Portable-Mobile, area of Atlanta, Ga.—Granted license for new relay broadcast station using formerly licensed equipment (B3-LRY-254).
- KWK—Thomas Patrick, Inc., St. Louis, Mo.—Adopted order amending notice of issues in re Docket No. 5701, present hearing date, namely, February 26, to be retained.
- WSWO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich.—Adopted order denying application for renewal of license because of applicant's failure to file a written appearance as required by Section 1.382(b) of the Commission's rules, to the Commission's notice designating for hearing and the reasons therefor, said application for renewal of license.
- Chattanooga Broadcasting Corp., Chattanooga, Tenn.—Granted petition for leave to amend application for new station so as to specify 800 kc., 1 KW, daytime only, site to be determined; denied request to retire amended application to pending files, and the Commission on its own motion continued hearing from March 12 to May 12.
- James F. Hopkins, Inc., Ann Arbor, Mich.—Granted motion for order to take depositions in re application for new station, Docket 6230.
- WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Petition for intervention in hearing on application of WFAS, White Plains, N. Y., and Paul F. Godley, Newark, N. J., Dockets No. 6216, 6217, was passed to 9:30 a. m., February 28, for personal appearance of counsel for petitioner.
- Debs Memorial Radio Fund, Inc., New York City.—Granted motion for order to take depositions (to be taken April 3) in re applications of WBXX Broadcasting Co., Inc., News Syndicate Co., Inc., FM Radio Broadcasting Co., Inc., Knickerbocker Broadcasting Co., Inc., Debs Memorial Radio Fund, Inc., Greater New York Broadcasting Corp., and American Network, applicants for new FM stations in New York City.
- Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—Granted motion for order to take depositions in re applications of James F. Hopkins, Inc., and applicant for new stations in Ann Arbor.
- WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—Granted petition for continuance of hearing now set for March 9, on application for construction permit, Docket 5963, and continued hearing to April 27.
- WJAX—City of Jacksonville, Jacksonville, Fla.—Granted petition for leave to amend application for construction permit so as to specify a new directional antenna, and removed same from hearing docket.
- Beauford H. Jester, Waco, Tex.; Roy Branham Albaugh, Waco, Tex.—Granted motion for 60-day continuance of hearing now set for March 6 on applications for new stations in Waco, and continued hearing to May 4.
- Paul Forman Godley, Newark, N. J.—Denied motion for 60-day continuance of hearing now set for March 5 on application of applicant and WFAS, White Plains, for 1230 kc., and directed that hearing be held March 5 as scheduled for the purpose of taking engineering testimony of witness not thereafter available, thereupon hearing will be continued to April 20.
- WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Granted petition to intervene in re hearing on application of Westchester Broadcasting Corp. (WFAS), White Plains, N. Y., for modification of license to operate on 1230 kc., 250 watts, unlimited time, and application of Paul Forman Godley for new station at Newark, N. J., to operate on 1230 kc., 250 watts, unlimited time.
- WALA—W. O. Pape, tr. as Pape Broadcasting Co., Mobile, Ala.—Granted license to cover construction permit (B3-MP-932, as modified) which authorized increase in power, installation of new equipment and directional antenna for night use, and move transmitter (B3-L-1539); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1265).
- WSOO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich.—Adopted order setting aside Commission's action of February 20, 1942, denying application for renewal of license; reinstated said application for renewal upon the hearing calendar subject to the filing of an appearance and notice of desire to be heard within 20 days from this date; and reinstated the temporary license heretofore issued to this applicant.

Edward J. Doyle, Rochester, N. Y.—Denied petition for grant of a construction permit for a new standard broadcast station in Rochester, to operate on **1240 kc.** with 250 watts power, unlimited time, the present operating assignment of WSAY, Rochester, which proposes to shift to **1370 kc.**

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Dismissed petition for rehearing filed October 20, 1941, by KWK, directed against the Commission's action of September 30, 1941, granting without hearing the application of KFEQ, Inc., St. Joseph, Mo., for construction permit to install a new transmitter and directional antenna, and increase power from  $2\frac{1}{2}$  KW day, 500 watts local sunset San Francisco, to 5 KW, unlimited time.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Dismissed with prejudice the amended application of KWK to change operating assignment from **1380 to 680 kc.** with power of 50 KW day, 25 KW night, using directional antenna, unlimited time.

Howard R. Imboden, Pulaski, Va.—Placed in pending files pursuant to Order 79 application for construction permit (B2-P-3346) for new station to operate on **1230 kc.**, 250 watts, unlimited time.

Granite City Radio Broadcast Co., Murray, Utah.—Ordered that the record in the matter of application for new station (B5-P-2750) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

#### APPLICATIONS FILED AT FCC

##### 560 Kilocycles

KWTO—Ozarks Broadcasting Co., Springfield, Mo.—Authority to install new automatic frequency control equipment.

##### 630 Kilocycles

KVOD—Colorado Radio Corp., Denver, Colo.—Modification of construction permit (B5-P-2663) for increase in power, installation of new transmitter and changes in directional antenna, requesting extension of completion date from 3-29-42 to 5-29-42.

##### 670 Kilocycles

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—License to cover construction permit (B4-P-3256) for changes in transmitting equipment (to cover 2nd crystal unit).

##### 710 Kilocycles

KMPC—KMPC, The Station of the Stars, Inc., Beverly Hills, Calif.—Modification of construction permit (B5-P-2804) as modified, for increase in power, move, new transmitter and directional antenna for day and night, requesting change in type of transmitter, change in directional antenna and extension of commencement and completion dates from 11-3-41 and 5-3-42 to 60 days after grant and 180 days thereafter. Amended: re changes directional antenna.

##### 780 Kilocycles

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Construction permit to install new transmitter, make changes in antenna system and move transmitter.

##### 790 Kilocycles

WMC—Memphis Publishing Co., Memphis, Tenn.—Authority to determine operating power by direct method.

##### 850 Kilocycles

WEEU—Berks Broadcasting Co., Reading, Pa.—Construction permit to install directional antenna for night use, change hours from daytime to unlimited time, power from 1 to 5 KW and install new transmitter. Amended: re changes in directional antenna.

##### 950 Kilocycles

KPRC—Houston Printing Corp., Houston, Tex.—Modification of construction permit (B3-P-2791) as modified for installa-

tion of directional antenna for night use, increase in power, requesting extension of completion date from 3-8-42 to 5-8-42.

##### 1030 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Modification of construction permit (B5-P-1528) as modified for new equipment and increase in power, requesting extension of completion date from 4-1-42 to 6-1-42.

##### 1230 Kilocycles

KFXD—Frank E. Hurt, Nampa, Idaho.—Special Service Authorization for operation on **1030 kc.**, 250 watts, unlimited, period ending 4-1-42.

KADA—C. C. Morris, Ada, Okla.—Authority to install automatic frequency control equipment.

WJOB—O. E. Richardson, Fred L. Adair and Robert C. Adair, d/b as Radio Station WJOB, Hammond, Ind.—Construction permit to increase power from 100 to 250 watts and make changes in transmitter.

##### 1240 Kilocycles

WSIX—WSIX, Inc., Nashville, Tenn.—Modification of construction permit (B3-P-3053) as modified, for change in frequency, increase in power, installation of directional antenna for night use, new transmitter and move transmitter, requesting changes in directional antenna and extension of completion date to 60 days after grant.

KVSO—The Ardmoreite Publishing Co., Inc., Ardmore, Okla.—Modification of license to move studio from Corner N. W. and Chickasaw Blvds., Ardmore, to Hotel Ardmore, Ardmore, Okla.

##### 1320 Kilocycles

KTRH—KTRH Broadcasting Co., Houston, Tex.—Modification of construction permit (B3-P-2788) as modified, for directional antenna night, increase in power, requesting extension of completion date from 3-8-42 to 9-8-42.

KTRH—KTRH Broadcasting Co., Houston, Tex.—Modification of construction permit (B3-P-3011) as modified, for new transmitter, directional antenna for day and night, increase in power, change in frequency, move transmitter, requesting extension of completion date from 3-10-42 to 7-10-42.

##### 1330 Kilocycles

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—Modification of construction permit (B1-P-2955) as modified, for installation of directional antenna for day and night use, increase in power, install new transmitter and move of transmitter, requesting extension of completion date from 2-28-42 to 4-30-42.

##### 1400 Kilocycles

KTUC—Tucson Broadcasting Co., Tucson, Ariz.—License to cover construction permit (B5-P-3284) for new transmitter and antenna and move of transmitter and studio.

KTUC—Tucson Broadcasting Co., Tucson, Ariz.—Authority to determine operating power by direct method.

##### 1450 Kilocycles

WASK—WFAM, Inc., Lafayette, Ind.—Modification of construction permit (B4-P-3146) as modified for a new station, requesting changes in equipment.

##### 1460 Kilocycles

NEW—L. J. Duncan, Leila A. Duncan, Josephine A. Keith and Effie H. Allen, d/b as Valley Broadcasting Co., Columbus, Ga.—Construction permit for a new broadcast station to be operated on **1270 kc.**, 500 watts night, 1 KW day, unlimited hours, using directional antenna day and night. Amended: to request **1460 kc.**, 5 KW, directional antenna night, change type of transmitter and specify transmitter site.

## 1470 Kilocycles

KXYZ—Harris County Broadcast Co., Houston, Tex.—Modification of construction permit (B3-P-3016) for change in frequency, increase in power, installation of directional antenna for night use, new transmitter and move transmitter, requesting extension of completion date from 3-9-42 to 9-9-42.

## 1540 Kilocycles

KXEL—Josh Higgins Broadcasting Co., Waterloo, Iowa.—Modification of construction permit (B4-P-3395) for a new station, requesting approval transmitter and studio sites and directional antenna for night use.

## 1590 Kilocycles

WAKR—Summit Radio Corp., Akron, Ohio.—Modification of construction permit (B2-P-3038) as modified, for new transmitter, changes in directional antenna for night use and increase in power, requesting further changes in directional antenna for night use, contingent on WALB's application B3-P-3383.

## FM APPLICATION

W55M—The Journal Company (The Milwaukee Journal), Milwaukee, Wisc.—License to cover construction permit (B4-PH-6) as modified, for a new high frequency broadcast station.

## TELEVISION APPLICATIONS

WNBW—National Broadcasting Co., Inc., Washington, D. C.—Modification of construction permit (B1-PCT-3) for a new commercial television broadcast station to specify commencement date as 9-1-42 and completion date to be extended from 3-1-42 to 3-1-43.

W3XPP—National Broadcasting Co., Inc., Philadelphia, Pa.—Modification of construction permit (B2-PVB-59) as modified for a new television broadcast station requesting extension of commencement and completion dates from 9-3-42 and 3-3-42 to 9-3-43 and 3-3-43, respectively.

WMJT—The Journal Co. (The Milwaukee Journal), Milwaukee, Wisc.—Modification of construction permit (B4-PCT-8) for new commercial television station, requesting extension of completion date from 4-27-42 to 10-27-42.

## MISCELLANEOUS APPLICATIONS

NEW—Queen City Broadcasting Co., Inc., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **31220, 35620, 37020, 39260 kc.**, 50 watts, A3 emission. Amended: to change frequencies to **30820, 33740, 45820, 37980 kc.**

NEW—Queen City Broadcasting Co., Inc., Portable-Mobile.—License to cover above construction permit (B5-PRE-421) as amended.

NEW—Westinghouse Radio Stations, Inc., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **156750, 158400, 159300, 161100 kc.**, 20 watts, special emission for frequency modulation.

WKRK—American Broadcasting Corp. of Ky., Portable-Mobile.—License to cover construction permit (B2-PRY-252) for a new relay broadcast station.

WCNW—Arthur Fiske, Brooklyn, N. Y.—Modification of construction permit (B1-P-3151) for new transmitter, change in frequency, increase in power and change in hours of operation, requesting authority to install new type transmitter.

# FEDERAL TRADE COMMISSION DOCKET

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

## COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**John Hanley**, 5710 Loraine Ave., Detroit, is charged in a complaint with misrepresentation in connection with the sale of a device designated "Whirlgas Supercharger," advertised as being capable of increasing the operating efficiency of gasoline motors. (4714)

**Income Audit Service Corp.**, 3407 Perry St., Mount Ranier, Md. and Frank H. Hibberd, who controls the corporation, are named respondents in a complaint charging misrepresentation in connection with the sale of a so-called "Income Audit Service." The respondents' service comprises a bookkeeping and accounting system consisting of a bound record for recording various business transactions, and includes a certificate of service under which the respondents, upon request, agree to prepare the Federal income tax return of purchasers of the service and to advise subscribers with regard to income, social security tax and other accounting questions. (4715)

**Shepherd's Tailoring Company**—Alleging the use of lottery methods in the sale of men's wearing apparel by means of a "club plan," a complaint has been issued against Shepherd's Tailoring Co., Inc., formerly known as Small's, Inc., 1102 Walnut St., Philadelphia, and Louis Small, Walter H. Hahn and William Trignani, officers and directors. (4716)

**Uniform Manufacturers Exchange, Inc.**—A combination and conspiracy to suppress, hinder and lessen competition in the manufacture and sale of uniforms is alleged in a complaint issued against Uniform Manufacturers Exchange, Inc., and its 24 member firms, all located in New York City, who manufacture uniforms, overcoats and other wearing apparel worn by policemen, firemen, doormen, bell boys, porters, chauffeurs, and others engaged in similar employment. (4712)

**Woodville Line Products Co.**, 2140 Jefferson Ave., Toledo, Ohio, is charged, in a complaint, with misrepresentation and disparagement of competitors' products in connection with the sale of fertilizer designated "4-All Farmlyme Basic Fertilizer." (4717)

## STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Carol Textile Company**—Benjamin Wolovnick and Isidore Nusblatt, trading as Carol Textile Co., 402 Broadway, New York, entered into a stipulation to cease and desist from using the term "80 Square" on labels or other printed matter as descriptive of the fabric of which their quilt covers are made, and to discontinue employing that or any similar term in a manner implying that the fabric is composed of a designated number of threads or picks to the square inch, when actually the thread count is other than indicated. The respondents also stipulate that they will cease em-

ploying the term "Full Size" as descriptive of quilt covers and will discontinue use of the term in a manner implying that the products are of a 72 inch by 84 inch size, as the term "Full Size" is understood in the trade. (3414)

**Gates Container Corporation**, 152 West 25th St., New York, stipulated that, in the sale of paper shipping containers, it will cease and desist from the use on stationery or printed matter of the word "Manufacturers" to imply that it owns and operates or absolutely controls the plant in which its products are made. The respondent also agrees to cease stamping its boxes with the purported certificate of a box maker together with such use of the corporate name "Gates Container Corporation" as may tend to create the impression that it manufactures the boxes. (3410)

**Montello Granite Co.**, Montello, Wis., entered into a stipulation to cease representing, through the use of the words "last forever" or "will never fade or bleach," or any other words of similar meaning, that the granite monuments it sells are everlasting, or will endure forever, and that it provides bonds for the performance of its guaranty agreements. (3409)

**Moray Jewelry Co.**, and as **Majestic Bead & Novelty Co.**, 307 Fifth Ave., New York, engaged in the sale of novelty jewelry, entered into a stipulation to discontinue the use in invoices, stationery, or other trade literature of the word "Importers" as descriptive of his business or to imply that he imports articles of merchandise which are not imported by him; of the word "Manufacturers" to imply that he makes the commodities sold by him; and of the word "Guarantee" in connection with any offer or agreement which is not a bona fide guarantee. (3411)

**National Peat & Humus Co.**, 60 East 42nd St., New York, entered into a stipulation to cease using the words "peat moss" as descriptive of his peat products which are sold as soil conditioners and for other purposes. The respondent also agrees to discontinue employing the designation "peat moss" in any manner implying that his product is moss peat, which consists chiefly of decomposed stems and leaves derived from species of Sphagnum moss. (3415)

**Omar, Inc.**, 1910 Harney St., Omaha, Nebr., stipulated to cease advertising that bread made with "Omar Wonder Flour" will rise quicker than bread made with any other flour, and that by using Omar Wonder Flour a person will get one-third more bread than by using other flours. (02952)

**Star Band Co., Inc.**, 440 Lafayette St., New York, stipulated that in the sale of oil skin covers designed to seal jars, pans and bottles and thus to keep any food contained therein fresh and to exclude dirt and other deleterious matter, it will stop representing that the covers are odorless when in fact they are not free from odor, and will discontinue use of pictorial or other representations on its packaged covers to imply that the package contains a number or type and size of such products in excess of the number or type and size of products actually contained therein. (3413)

**Superior Instruments Co.** and **Radio Construction Laboratories**, 227 Fulton St., New York, stipulated that in the sale of a device designated "Utility Tester" it will cease and desist from representing that the device can be depended upon accurately to measure the wattage consumption of electrical appliances, or electrical current up to 100 amperes; that the device is of any practical value in measuring or testing the higher voltage or amperage ranges heretofore designated in the respondents' advertising literature; and that the price of comparable electrical testing or measuring devices sold by competitors is any amount in excess of the actual selling price of such comparable devices. (3412)

### CEASE AND DESIST ORDERS

The following cease and desist orders have been announced by the Commission during the past week:

**Masterkraft Guild Weavers, Inc.**, and **Asia Mohi Co., Ltd.**, 295 Fifth Ave., New York, and **C. James Garofalo**, president of both concerns, have been ordered to cease and desist from misrepresentations in the sale of rugs. (4237)

**Metals and Minerals Research Bureau**, 9 Sutter St., San Francisco, publisher of *The Mining Manual*, has been ordered to cease and desist from making any false or disparaging statements with reference to the authenticity, reliability or present value of a competing publication, *The Mines Register*, published by the **Atlas Publishing Co., Inc.**, New York. (3572)

**Southern Candy Company**—Orders to cease and desist from selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme have been issued against **Hugh C. Mitchum** and **Carl B. Tucker**, trading as **Southern Candy Co.**, 219 North Graham St., Charlotte, N. C. (4266), and **Little Rock Tent & Awning Co.**, trading as **Tui-Nut Garment Manufacturing Co.**, Third and Commerce Sts., Little Rock, Ark. (4481).

**Western Chemicals, Inc.**—Dissemination of false advertisements concerning "Alcoban," a preparation sold as a treatment for alcoholism, is prohibited under an order issued against **Western Chemicals, Inc.**, **Maffett Sales Corp.**, **Bartell Drug Co.**, and **Frank L. Wilson**, **N. B. Wilson** and **Reuel K. Yount**, all of Seattle, Wash. The individuals named are officers and directors of **Western Chemicals, Inc.** and **Maffett Sales Corp.** (3735)

### FTC CASE DISMISSED

The Federal Trade Commission dismissed a complaint charging **Eugene John Francke**, trading as **Francke Co.** and as **E. J. Francke Co.**, Merriam, Kans., distributor of medicinal preparations for chickens and turkeys, with violation of the Federal Trade Commission Act in connection with the sale of his products.

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### NAB CONVENTION

Plans for handling the many details incident to the Twentieth Annual NAB Convention to be held at Cleveland, Ohio, May 11 to 14, have been completed. Ohio broadcasters making up the various local committees and the Cleveland hotel and Convention Bureau representatives met with J. Harold Ryan, Seventh District Director, and C. E. Arney, Jr., Assistant to the President, at the Hotel Statler in Cleveland last Thursday and Friday.

There is enclosed with this copy of the REPORTS a hotel reservation blank upon the back of which is listed the Cleveland hotels, together with the rates for the various types of accommodations. This will facilitate the making of reservations by those intending to attend the convention.

The Hotel Statler will be the headquarters hotel, but there are many other very fine hotels within short distances of the Statler. An early announcement of a very interesting program will be forthcoming.

Now is the time to plan to be on hand at the Twentieth Annual NAB Convention, Cleveland, Ohio, May 11 to 14, inclusive.

### RULES GOVERNING CONVENTION HOTEL RESERVATIONS

1. Requests for hotel reservations may be sent direct to the hotel at which the applicant desires accommodations or to the NAB Housing Committee, 1604 Terminal Tower, Cleveland, Ohio.

2. The request should set forth in as much detail as possible—  
 a. the type of accommodations desired, rate, single or double occupancy, double or twin beds, etc.

b. the exact date of arrival and if possible, the time; the names of all people for whom reservation is requested.

c. the length of time which the party plans to stay.

d. if the reservation is not made in a firm name or the request written on a firm letterhead, the station or other business with which the reserving parties are affiliated should be given.

3. Request for reservations sent to hotels will immediately be referred to the NAB Housing Committee for consideration. As acknowledgment to the person from whom the request comes, the hotel will write a letter and attach a printed copy of these rules.

4. The Housing Committee has a complete list of NAB member stations. Reservation requests from parties or stations whose names are on this list will be given priority and assignments made in the order of their receipt. Requests from parties or stations not appearing on the membership list will be held in abeyance until April 12, at which time rights of priority will terminate and assignments made in order of their receipt. While NAB members will be given precedence, every effort will be made to suitably and satisfactorily care for the accommodations requested by individuals, firms and radio stations not on this list.

5. If the exact type of accommodations requested are not available in the hotel specified, the NAB Housing Committee will immediately notify the individual, firm or radio station of that fact and give information as to the type of accommodation available which most nearly meets the specifications. This information will cover the accommodations in the hotel requested, as well as in other hotels. Applicants should bear in mind that no assign-

ments will be made in such cases until a confirmation is sent to the Housing Committee.

6. Reservations for delegates or persons from member radio stations planning to attend the convention should be sent in by the station itself and not by a third party. You are urgently requested not to have your station representative or anyone outside your station make a reservation for anyone from your station. This confuses handling of reservations and results in duplication. We ask your cooperation.

### ADVERTISING TREND UPWARD

The "Broadcast Advertising Record," released by NAB monthly since January, 1941, to cooperating stations, has been totaled for the year 1941 and rough projections are being calculated to approximate industry totals. Results show that the total of all station and network business for the year was 84,267,000 program units and 14,511,000 announcements. (Program unit equals one minute of program time; announcement unit equals one announcement.)

These figures are rough approximations because they are projected from a free sample. Their real value rests in the indication of trend and of seasonal activity. The following table of program and announcement units by month, September, 1940, through December, 1941, reflects seasonal activity and contributes to trend analysis with comparison of "same month of previous year."

	Program Units		Announcement Units	
	1940	1941	1940	1941
January .....		6,500,000		997,000
February .....		5,992,000		1,001,000
March .....		6,847,000		1,161,000
April .....		6,753,000		1,287,000
May .....		7,003,000		1,264,000
June .....		6,802,000		1,159,000
July .....		6,717,000		1,119,000
August .....		6,697,000		1,122,000
September .....	6,217,000	6,717,000	1,022,000	1,207,000
October .....	7,764,000	8,140,000	1,256,000	1,373,000
November .....	6,875,000	7,858,000	1,139,000	1,351,000
December .....	6,776,000	8,242,000	1,177,000	1,469,000

The above figures reflect an expanding business running comfortably ahead of the last four months of 1940. The seasonal aspect is far better than it has been reported to be in advertising circles. Possibly here is the needed sales ammunition to kill off that "summer slump" ghost.

What is the trend? The NAB Research Department believes that figures for the year ending at the close of each month give the best picture of trend. These are called "twelve-month moving totals." They follow:

Year Ending	Program Units	Announcement Units
August, 1941 .....	80,943,000	13,705,000
September, 1941 .....	81,442,000	13,889,000
October, 1941 .....	81,818,000	14,006,000
November, 1941 .....	82,801,000	14,219,000
December, 1941 .....	84,267,000	14,511,000

The change in year closings at the end of each month flags the trend. The figures properly account for seasonal factors, length  
 (Continued on page 144)

Neville Miller, *President*      C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

## ADVERTISING TREND UPWARD (Continued from page 143)

of month and are arithmetically capable of forecasting future volume.

The point is, the figures show that the pessimists are all wet as of December 31. And what's more, the industry composite of business shows no sign of weakening. Despite the crepe-hangers, the forecast is better business in 1942 than in 1941. As it looks from here, figure-wise, program units up 6 to 8 percent and announcement units up 10 to 12 percent for the year 1942.

The most widely forecast advertising loss from the automotive industry had not materialized at the close of 1941. Maybe it will show up in coming months but with the substantial gains in department store, clothing, shoe, grocery, and other classifications, such losses are not apt to reverse the trend.

The Research Department is preparing analyses of each advertiser classification patterned after the above. This will be sent to "Broadcast Advertising Record" cooperators as soon as available and summaries will be carried in the NAB REPORTS.

## PLANS TO INCREASE RADIO TECHNICIAN TRAINING STUDIED

Informal discussions this week indicate that future trainees in the radio technician training program may be largely limited to military reserves.

By having trainees enroll in the reserves the problem of their induction into Selective Service before completing courses would be eliminated.

This entire matter is still under consideration. Mention is made today only because of the great number of letters that have been received from broadcasters since recruiting for the training program was discontinued.

No action on your part is required now. When, as and if your help is needed again you will be asked. One plan for training additional radio technicians envisions:

1. Continuing present pattern of cooperation of educators and broadcasters through the ESMDT—U. S. Office of Education—Federal Security Agency.

2. Accept for instruction, from now on, men having educational requirements of the present training program; but mostly men enlisted in the Army Signal Corps Reserves, Navy Reserves or Marine Corps Reserves. Since the purpose of these courses is to give fundamental training in radio, preliminary training for all is identical. On successful completion of the course the men would receive specialized in-service training.

3. Men who enlist in the Reserves to take these courses would be permitted to keep their jobs until completion of the course when they would be subject to call.

Some such plan as this would seem to meet the requirements of the armed forces, and, at the same time, permit the utilization of the pool of capable instructors in broadcasting stations needed to supplement the teaching efforts of colleges and universities.

### Must Take Care of Civil Needs

However, the national interest demands that provision must be made to train replacements for technicians in essential communication services such as: police, fire, commercial airlines, govern-

ment limited service stations, FCC, radio receiver servicing, and radio broadcasting, both domestic and international.

The 2-billion-dollar federal radio apparatus manufacturing program will require large numbers of vocational level mechanics, "radio technicians," engineers and scientists. ESMDT-NAB program can give basic training which is preliminary to additional training for some of these "radio technicians."

Time remains the essence.

## Approve More Schools

Since last week ESMDT has cleared the following institutions for radio technician training courses. "Additional" after a name means clearance of additional sections at schools previously approved.

### California

University of California (additional)

### Illinois

University of Chicago (additional)

University of Illinois

### Indiana

University of Notre Dame

### Louisiana

Loyola University

### Maine

Bates College (additional)

### Michigan

Michigan State College

### Montana

Montana State College (additional)

### Nebraska

University of Nebraska (additional)

### New Mexico

New Mexico College of Agricultural and Mechanical Arts

### New York

Union College (additional)

### Ohio

Case School of Applied Science (additional)

Fenn College (additional)

Western Reserve University (additional)

### Pennsylvania

Temple University

### South Dakota

South Dakota State College

### Tennessee

Vanderbilt University

### Texas

University of Texas (additional)

### Washington

State College of Washington

## 1712 in Upper New York Classes

The promotion for radio technician training courses in upper New York has so far resulted in the enrollment of 1712 eligibles in 67 courses located in 29 cities.

Approval is lacking for courses in Albany, Schenectady and Troy, but 633 applications have been received. No report was received from Rochester educators.

All this is the result of the promotion beginning at the January 3 meeting of educators, called by Col. Harry C. Wilder, president, WSYR, Syracuse, industry representative.

The detailed figures listed below were prepared under the direction of Prof. A. S. Adams, of Cornell, on behalf of Dean S. C. Hollister, of Cornell, State Coordinator.



UNIVERSITY OF BUFFALO

City	Sections	Class Started
Buffalo	3	Feb. 16

CLARKSON COLLEGE

City	Sections	Class Started
Canton	2	Jan. 18
Malone	2	Feb. 23
Massena	2	Feb. 24
Ogdensburg	2	Feb. 16
Plattsburg	4	Feb. 16
Potsdam	2	Feb. 16
Saranac Lake	3	Feb. 9
Watertown	4	Feb. 16

CORNELL UNIVERSITY

City	Sections	Class Started
Auburn	1	Feb. 27
Binghamton	1	Feb. 16
Elmira	1	Feb. 24
Ithaca	2	Feb. 18

NIAGARA UNIVERSITY

City	Sections	Classes Started
Niagara Falls	5	March 2

VASSAR COLLEGE

City	Sections	Class Started
Poughkeepsie	1	Feb. 12

ALFRED UNIVERSITY

City	Sections	Classes Started
Bath	3	Feb. 2
Corning	3	Feb. 9
Jamestown	3	Feb. 2
Olean	3	Feb. 2
Salamanca	2	Feb. 9
Wellsville	2	Feb. 9

SYRACUSE UNIVERSITY

City	Sections	Classes Started
Geneva	3	Feb. 24, 25, 27
Oneonta	1	Feb. 9
Oswego	1	Feb. 16
Syracuse	8	Feb. 9, 17, 25
Utica	2	Feb. 16, 17

CANISIUS COLLEGE

City	Sections	Class Started
Buffalo	1	Awaiting Approval

RENSELAER POLYTECHNIC INSTITUTE

Albany } 633 applications received.  
 Schenectady } Courses not yet started.  
 Troy }

UNIVERSITY OF ROCHESTER

No report

866 in Iowa

Thirty-two sections of radio technician training courses with a total enrollment of 966 have been set up in Iowa. The sections listed below, Des Moines—Ames, inclusive, were reported to Professor H. O. Croft, head of the Department of Mechanical Engineering, University of Iowa, ESMDT Regional

Adviser, Region No. 16, by Professor M. S. Coover, head of the Electrical Engineering Department, Iowa State College, who is looking after the activities in a part of the state.

City	Sections
Des Moines	6
Marshalltown	2
Lamoni	2
Mason City	2
Fort Dodge	2
Sioux City	3
Shenandoah	2
Ames	2

The following eleven sections were reported to Professor Croft by Earle L. Waterman, administrative assistant, ESMDT, College of Engineering, the State University of Iowa, Iowa City:

City	Sections
Burlington	1
Cedar Rapids	2
Clinton	1
Davenport	1
Decorah	1
Dubuque	1
Iowa City	1
Rock Island, Ill.	1
Waterloo	2

580 in Indiana Courses

The status of the radio technician training program in Indiana was reported March 12 by Howard Gillispie of Purdue University, Lafayette.

There are 580 persons in training in 28 sections.

Said Mr. Gillespie: "Training under this program opened in Lafayette and Vincennes this week, with the first section in these centers starting March 2. Purdue classes will open in the other four remaining training centers in Indiana during this month.

"Ample equipment should be available for all of these classes since Purdue had anticipated, before restrictions went into effect, the opening of classes in 15 centers.

"As a result of the announcements made by cooperating radio stations, widespread interest in radio training has been aroused in this area. We have received approximately 2,000 inquiries and we know that a large number of letters are still in the hands of the broadcasters. It would seem that some of the announcements made by stations were too brief since a large number of inquiries were received from unqualified persons. This fact might be worth considering in case the training is continued later."

Courses are as follows:

City	Sections	Enrollment
Indianapolis	6	120
Fort Wayne	6	120
Jeffersonville-New Albany	6	120
Lafayette	4	90
Vincennes	4	90
Evansville	2	40

120 Train at St. Norbert

Station WTAQ and St. Norbert College, Green Bay, Wis., have three radio technician training courses in operation. There are to be approximately thirty others throughout the state of Wisconsin. Two classes are held at the Green Bay Vocational School with Father L. F. Jacobs as lecturer and the third at the college. All laboratory work is being given at St. Norbert. Assisting Father Jacobs is Wallace Stangel, transmitter engineer at WTAQ, and Bernard Jankowski, instructor at the College. One hundred twenty students in all are enrolled.

Brown University

Sixty-eight students comprise the radio technician training class which started at Brown University February 18, according to F. N. Tompkins, Brown University, Institutional Representative ESMDT. The course is being taught by Chief Engineer Tilly of station WEAN.

## RADIO'S WAR EFFORT

Analysis of stations' reports on Defense broadcasts for the month of January, shows a substantial increase in the total number of announcements broadcast in behalf of the U. S. Army, Navy, Marine Corps, Coast Guard, Civil Service and Treasury Departments over the previous month. The 852 commercial stations operating January 1, 1942 broadcast 347,640 announcements or an average of 408 per station. In addition, 61,400 announcements were broadcast for other Government agencies.

In detail, Army broadcasts dropped off; Navy showed a slight drop; while Marine Corps, Coast Guard and Treasury broadcasts increased considerably.

We are happy to report these increases in Radio's War Effort. The complete analysis for January is given in the following table:

### DEFENSE BROADCAST REPORT FOR JANUARY 1942

	No. of Broadcasts
<b>MANPOWER</b>	
<i>Army</i>	
Aviation Cadets—thru NAB—live spots	11,690
Parachutists “ “ “ “	4,150
various kinds of spots	24,760
Total Spots	40,600
15 Minutes—et—direct	1,930
15 Minutes—live	280
30 Minutes	50
<i>Navy</i>	
Aviation Cadets—thru NAB—live spots	8,580
General Enlistments “ “ “ “	8,900
Reserves “ “ “ “	7,400
Various kinds of spots	26,630
Total Spots	51,510
15 Minutes—et—direct	900
15 Minutes—live	70
30 Minutes	20
5 Minutes	10
<i>Marine Corps</i> —thru NAB—live spots	
“ “ scripts—15 Minutes	530
15 Minutes—et	700
5 Minutes	50
<i>Coast Guard</i> —thru NAB—live and recorded spots	
5 Minutes	10
<i>Manpower</i> —U. S. Civil Service—thru NAB—live spots	
	22,580

### DEFENSE FINANCING

<i>U. S. Treasury</i> —direct—live spots	182,670
15 Minutes—et	1,580

### MORALE

“You Can't Do Business with Hitler”—OEM—	
15 Minutes et	1,480

### GOVT. AGENCY NOT DIRECTLY CONNECTED WITH NATIONAL DEFENSE

Live Spots	58,340
Et “	3,060
3 Minutes—et	140
5 Minutes—et	1,200
5 Minutes—live	2,450
10 Minutes	650
15 Minutes—et	2,110
15 Minutes—live	4,760
25 Minutes	10
30 Minutes—et	100
30 Minutes—live	2,580
40 Minutes	20
45 Minutes	40
60 Minutes	20
3 Hours & 35 Minutes	10

## Sales

### Local Army Shows May Be Sponsored

As all NAB members undoubtedly know, army programs originated locally may be commercially sponsored under certain conditions, thus affording some stations an opportunity for new revenue. However, although hundreds of such programs are believed to be carried by stations throughout the country, only a few stations have availed themselves of the privilege of securing sponsors, according to a survey released to NAB REPORTS today by Captain Edwin P. Curtin, editorial director of the radio branch, Bureau of Public Relations, War Department, Washington.

Of all the locally originated programs reported thus far, only four are sponsored. According to Captain Curtin's survey, these are:

#### RANDOLPH FIELD, TEXAS

*Thursdays, 6:15-6:30 p. m., KMAC*

*“Resume of Sports Today”*

*Sponsor: C & S Sporting Goods Co., San Antonio, Texas*

*Program: Aviation cadet with athletic background interviewed on sports and flying experience by Pat O'Brien, sports commentator.*

\* \* \*

#### FORT DOUGLAS, UTAH

*Mondays, 6:30-7:00 p. m., KDYL*

*“All Out for Victory”*

*Sponsor: Eimco Corporation (iron and steel products)*

*Program: Station's house band and singers, interviews with soldiers at reception center.*

\* \* \*

*Wednesdays, 6:30-7:00 p. m., KDYL*

*“You're in the Army Now”*

*Sponsor: Eimco Corporation (iron and steel products)*

*Program: KDYL house band and singers; interviews with soldiers at reception center.*

\* \* \*

#### CAMP PERRY, OHIO

*Monday through Friday, 6:15-6:30 p. m., WTOL, Toledo*

*“Camp Perry Is on the Air”*

*Sponsor: Schiff's Shoe Stores, Toledo, Ohio*

*Program: Interviews with soldiers at reception center. Program is transcribed.*

Public relations officers at each camp are familiar with army regulations governing the sponsorship of programs, and will cooperate with stations to develop programs suitable for local sale. If you know of any additional sponsored army shows, please report the details to Captain Curtin or to the NAB Department of Broadcast Advertising.

### Station Names “Civilian Defense Week”

March 15-21 is being celebrated as “Civilian Defense Week” in Tuscaloosa, Ala., under the leadership of WJRD.

According to an announcement sent to every merchant and to civic leaders by Manager J. E. Reynolds, the week “is being devoted entirely to a better enlistment of our citizens for civilian defense.”

Mr. Reynolds explained that his station is devoting its facilities this week “to the different departments of Civilian Defense, to build up a defense force that could defend any community of this size. The Chamber of Commerce is staging a real show at the University of Alabama football stadium Sunday, March 15, with an actual demonstration of the incendiary bomb, together with other things that we will have to face in time of invasion. All programs during the week will be keyed to Civilian Defense.”

## Department Store Study Under Way

Arrangements were completed Wednesday with the National Retail Dry Goods Association for a nationwide study on the use of radio advertising by department stores.

This research project, which will require several months for completion, will analyze the subject from all angles. A complete report, analysis, and a program for future activity to be based on the findings, will be given at the NAB convention in Cleveland at a special session on department stores to be held May 12.

## Dealer-Cooperative Study Ready Soon

A report on the extent of dealer-cooperative radio advertising, based on a national NAB survey, will be released this week to NAB members who cooperated in the project. The study gives a list of manufacturers who provide funds for local radio advertising by dealers and distributors.

## Automotive Support Decreasing

Although the NAB "Broadcast Advertising Record" shows that the volume of automotive radio advertising has held up surprisingly well in the face of rationing, priorities, and conversion of some automotive plants to war production, dealer-cooperative funds are rapidly dwindling.

At the suggestion of Dietrich Dirks, KTRI, member of the NAB Sales Managers Executive Committee, the Department of Broadcast Advertising has been urging leading automobile and tire manufacturers to establish special funds for the duration to assist dealers to carry on local radio campaigns.

A report on the situation in Detroit, received today from William H. Cartwright of Edward Petry & Co., states:

"A year ago at this time the dealer-cooperative fund constituted a large advertising budget. Practically all of the automobile companies had such a fund, set up on the basis of new car sales.

"For example, Chrysler Sales Corporation built up a dealer-cooperative fund on the basis of \$15 for each car shipped into a particular territory, with \$10 of this put up by the dealer or distributor, and \$5 by Chrysler. Other companies, such as Packard, cooperated on a 50-50 basis. However, this type of cooperative advertising between dealer and factory has been eliminated, due to the lack of car production, although some of the money which was built up during productive months is still available and is now being spent.

"In your letter you mention the fact that Buick is planning a cooperative expenditure, and all indications are that it will be spent in newspapers. One reason for this is the fact that in a newspaper ad you can list as many dealers underneath the ad as desired, whereas in Spot Radio particularly, where straight spot announcements are used, it is impossible to include all the dealers in a given market, and this is one of the hurdles which we have not been able to overcome to date.

"A few markets received spring radio dealer-cooperative advertising, but this was not at all general and was governed by specific conditions in specific markets."

In line with the NAB campaign to secure special help for dealers, Mr. Cartwright reports parallel action:

"We have suggested to several of the leading automobile companies that they appropriate a national factory fund that is to be paid for entirely by the factory—as, for example, Ford—whereby they would buy radio advertising directing the listeners to Ford dealers. Frankly, we have felt we had a better chance to get an appropriation on this basis than we have for including the dealers, who, according to our information, in the majority of cases are in pretty tough circumstances. Just how this will work out cannot be said at this time.

"The facts are that automotive advertising has been slipping for the past several months, due to war conditions, and I see no immediate help as practically all advertising agencies have cut down to a minimum of personnel. For example, Ruthrauff & Ryan, who employed some 40 people, are now down to 8. J. Sterling Getchell have cut down to one man and a girl, and this is true also of Young & Rubicam and right down the line.

"But keep up the good work directed toward the automobile accounts, and even if it doesn't pay dividends at the moment,

once this thing is over, I am optimistic enough to feel that Detroit will be a 'boom' market."

Encouragement on another front, however, was received when Mr. Cartwright reported that "the over-all picture for the entire territory, however, looks quite hopeful on such accounts as Musterole, Kellogg's, Richman Brothers, National Refining, etc."

The point to be made here is that, despite present unfavorable conditions in some branches of the automotive field, by no means all automobile advertising is being lost to radio, since substantial billings remain from gas and oil accounts, garages and service stations, etc., as reported to the "Broadcast Advertising Record."

The NAB will continue its effort to have special funds set up for the assistance of local dealers. National sales representatives will continue to encourage factory funds for spot radio.

Local stations can be of great assistance by carrying on the campaign among local distributors and dealers, urging them to request such support from their factories and to make such funds available for radio advertising, rather than requiring that they be used in some other medium.

## "British Food Parcels" Is Commercial

The British Food Parcels Service Co., New York, which has been seeking percentage deals with various radio stations, has been established to be a commercial enterprise whereby the company receives orders for food packages to be sent to Britain, and ships and insures these at a profit. On that basis, there is no reason why its advertising should not be placed like that of any other client, at regular rates.

## Stations Aroused by P-I and Free Time Chisels

Mounting resentment among NAB members is noted in the nature of replies being sent to various clients and agencies who continue to seek free time for disguised commercials, or pre-inquiry deals or guaranteed returns. Stations particularly resent the "new" approach by some of these, who seek to capitalize on an alarmist attitude regarding an expected decrease in radio billings due to the war.

The general tenor of such approaches is to the effect that "you are going to lose many of your legitimate accounts because of the war, and you will have a lot of time available, so why not play along with us on a special deal?"

Stations, and the NAB, have pointed out to these people that

- 1) evidence to date does not indicate a drop in radio billings, and
- 2) even if such a drop is inevitable sometime in the future, the best interests of the industry will surely not be served by breaking down sound business practices and standards of ethics, and
- 3) such tactics, whereby chiselers would seek to capitalize on war conditions for their private gain at the expense of radio, are certainly not constructive.

The Sales Managers Division of the NAB believes that such practices should be stopped NOW, before the industry finds itself hopelessly broken down and subject to severe criticism and even desertion by its legitimate clients, who are entitled to as favorable a "deal" as any other advertiser receives.

Unless prompt and positive steps are taken by each station, it may be too late. Such action should consist of reporting all attempts to the NAB, and of answering such requests in definite and pointed terms. Most stations merely ignore such requests; the would-be chiseler, receiving only a few rebukes, gets the mistaken notion that the industry is receptive. Therefore even a form letter stating your position and your opinion, if sent to every client employing such tactics, would have a salutary effect.

Here is the week's *potpourri*, including some station comments:

**Trinity Associates, Inc., Jean Talbot**, New York, seeking free time on women's programs for scripts on "Hollywood in Your Home," and distribution of booklets advertising commercial decorative fabrics. Miss Talbot, conducting a publicity service, admitted that her scripts were "a bit too much on the commercial side," but said that only two stations had written critical letters, and added, brightly, "I hope you will accept this apology as graciously as I have your criticism and that this occasion will

not prevent you from considering scripts that I may send you in the future." The station receiving that letter replied:

"Whether or not the particular script contained more commercial material than usual, we stand by our conclusion that your material does constitute commercial advertising. Nor have you answered our question which we repeat: 'If all fabric manufacturers (all manufacturers, for that matter), were to expect free advertising, how long would it take for broadcasters to go out of business?'" And to the NAB, this station urged:

"By all means, keep everlastingly at it, for only constant dining will light the light for hundreds of broadcasters who accept such scripts and put them on the air. I often wonder whether the management of those stations realize they are handling commercials for nothing, or whether they're so hard put to fill their schedules that they grab at almost anything in the way of material. From her reply you can sense the assurance with which this lady sends this material over the country, perfectly confident that 198 stations out of 200 will put it on the air and advertise a *named brand of household decorative fabrics*. It's a sad commentary on the brains that make American broadcasting when such outfits as Trinity Associates can spend huge budgets in preparing beautifully illustrated and high priced advertising pamphlets and *know* that hundreds of broadcasters will advertise the product at no charge."

*(Again the NAB suggests that this matter be discussed with women's editors, homemakers, program directors, etc., because almost invariably such material is addressed to them, and not to the station manager or sales manager.)*

**H. C. Morris & Co.**, New York, reported here last week, still seeks per-inquiry deals, playing up the "war angle." A station writes him:

"Your letter leaves us quite cold. We are very far from agreeing with you that wartime conditions are any excuse for attempting to break down the structure of radio advertising. . . ." Another station writes:

"Cost-per-inquiry business is nothing more than a racket devised by a self-glorified sales or advertising manager who wishes to build himself up in the eyes of his boss by obtaining a lot of free advertising. We see no reason why any change should be made in our policy even though our billings do fall off a little and we hope that you will receive enough protests on the matter to withhold supporting any such plan."

**Howell, Soskin, Publishers, Inc.**, New York, reported here last week, are still seeking per-inquiry deals on a reprint of the Bill of Rights Day program, entitled "We Hold These Truths." One station comments:

"This is the most impertinent percentage deal that has ever come across my desk and I think you will want to call it to the attention of the OFF so that it officially can put a stop to this practice."

**Rogers & Smith Agency**, Dallas, previously reported here, this time seek per-inquiry deals again for Naughton Farms. Comments one station:

"For the last three years we have been sending this to NAB and for the last three years evidently Rogers & Smith are getting some place with the stations. We, of course, would not accept it and do hope that the NAB can stop this agency from such offers soon."

*(Again we point out that the NAB does all it can to persuade such agencies and clients to use radio on the basis of established rates, but no compulsion can be brought to bear, and the final answer rests with each station. Clients who want radio advertising, and who find they cannot get it on a P-I basis, generally end up by placing their orders at card rates.)*

**American Drug & Chemical Co.**, Minneapolis, seeks P-I deals for Min-A-Vite, a "vitamin for plants." The "Victory Garden"—angle is used—a variation on the wartime theme to buy advertising at less than card rates.

**American Service Pin**, Los Angeles, seeks P-I deals for a pin to be sold to families with boys in the service—another effort to capitalize on the war.

**Sunway Vitamin Co.**, although not seeking P-I deals, is sending copy to be used on 15-minute programs, but the copy does not conform to the Code. Instead of the 3 minutes 15 seconds

allowed by the Code, the copy runs approximately 6 to 7 minutes, and stations subscribing to the Code should therefore insist on new copy that would conform.

## OFF STATION ADVISORY COMMITTEE

The radio activities of the Federal Security Agency, of the OCD and of the Department of Agriculture, were discussed with the Station Advisory Committee on Friday, March 6. Sherman Mittell, of the FSA, outlined the function of the FSA's 4500 offices which today were acting as an employment agency for industry and farming. Many changes are taking place due to the conversion of factories from a peacetime to a wartime basis, evacuation of aliens from coast areas, and to secure the maximum use of man power it is necessary to coordinate the activities of those Government departments seeking labor and those Government departments having it available. Mr. Mittell also outlined the work of the FSA in the nutrition field, public health and defense training.

The work of the OCD was explained by E. A. Sheridan, who emphasized that the OCD must depend on the locality to organize and operate according to a pattern outlined by the OCD. The national office is trying to eliminate as many of the basic problems as possible, but must rely on the volunteer workers to carry the plans into action. It was suggested that it would be wise for broadcasters to serve on all local committees so as to become familiar with the local organization.

Wallace Kadderly, of the Department of Agriculture, expressed appreciation for the work which is being carried on by the 600 stations now carrying information from the Department of Agriculture on a regular schedule. The time which is now made available to the Department is being used very satisfactorily, and the problem is not to develop new facilities or time but to use the present available facilities along new directions.

Plans for the coming campaign of the USO were outlined by Jesse Butcher, Radio Director of the USO. At the same time, there was a general discussion of how best to coordinate the various campaigns for funds.

Those present at the meeting were as follows:

OFF—William Lewis, Douglas Meservey, Philip Cohen, Lee Falk; FSA—Sherman Mittell; OCD—E. A. Sheridan; Agriculture—Wallace Kadderly, John Baker; USO—Jesse Butcher; Station Advisory Committee—Neville Miller, John Shepard, James Shouse, George Storer, and O. L. Taylor.

## RUMORS

Untrue rumors can do tremendous damage these days. They are a potent weapon used by the enemy. We know that newsmen at the stations hear many which they know are untrue, and believe should be answered. Send them in to the NAB immediately so that steps to silence them may be taken before they have done irreparable damage. Your cooperation will produce results and will be greatly appreciated.

## MacLEISH TALK

Copies of speech of Archibald MacLeish, Director of OFF, made over a closed circuit on February 28, have been sent by OFF to all stations.

## SCHEDULE OF FUTURE OFF TALKS

The OFF has announced the following talks to be made over the closed circuits of the four networks:

Saturday, March 14, 1:45 to 2:00 EWT

Captain Leland Lovett, Assistant Director of Press Relations, U. S. Navy Department

Saturday, March 28, 1:45 to 2:00 EWT

Representative of Army

Invitations to listen in should be limited to broadcasters and newspaper representatives.

## NEWS SUGGESTION

C. W. Myers, KALE, has made an excellent suggestion to the news services: that they give a little more attention to news other than war news.

"Obviously our listeners want war news," he writes, "but quite as obviously they want a little something besides war news.

"If your news gatherers will keep their eyes open for this kind of news, as well as your excellent coverage of the war, I feel sure it will develop a little attention to news items of importance and semi-importance which keep our newscasts and our news services running when there is no war."

## WAR PRODUCTION PROGRAM

Joseph Lopez, supervisor of WICC, Bridgeport, Connecticut, has submitted the following description of a successful war production program:

"Let Freedom Sing" was inaugurated over WICC on Sunday, January 5, 1942, under the sponsorship of WICC and the Sunday Herald of Bridgeport. It embraced the personnel of eight leading war industries of the Bridgeport area in a gigantic morale and entertainment effort.

With more than eighty thousand defense workers in the area, the series not only helped acquaint them with Bridgeport's leading radio station and leading Sunday newspaper but it furnished them with a tangible history of the defense industry and a tradition and community appreciation of their part and value in America's war effort.

The companies represented were makers of steel, safety valves, ammunition, shell casings and covers, communications, bullets, tool machines, and airplanes, and included Bridgeport Brass, Vought-Sikorsky, Bullards, Manning Maxwell & Moore, Stanley Works, General Electric, Jenkins Valves, and Remington Arms.

Broadcasts were presented for thirty minutes at 3:00 p. m. for eight successive weeks from the auditorium of Central High School in Bridgeport before capacity audiences of friends and co-workers numbering over 1600 weekly.

"Let Freedom Sing" was presented as a variety program; each program presented a chorus composed of workers and from eight to ten employees who performed as soloists. Auditions and choral selections were held under the supervision of a company committee and performers chosen for the broadcast period by the radio station.

Each program presented a short history of the organization concerned and an inspirational message, dramatic in character, and either choral or orchestral effect.

The whole series was presented under professional guidance, with WICC's Supervisor, Joseph Lopez, as master of ceremonies.

## PROGRAM IDEA

Broadcasters desiring some material for war production programs might get some ideas from a series of bulletins on industry conversion put out by the War Production Board. They are available at the Division of Information, Office for Emergency Management, Washington, D. C.

## SAVE ANTI-FREEZE

Since the anti-freeze mixtures now in auto radiators are now strategic war materials, they may not be purchaseable this fall.

The Consumer Division of OPA has requested NAB to bring this fact to the attention of broadcasting executives with the suggestion that the information be relayed to listeners.

The government says drain anti-freeze mixture from your auto radiator and put it into bottles or cans. Then store in cool corner of the cellar or garage until needed again next fall.

This will be a big service to most of your automobile owning customers.

## RYAN PRAISES INDUSTRY

On Tuesday, J. Harold Ryan, Assistant Director of Censorship and NAB Director for the Seventh District, was the guest speaker at the Yale Club luncheon in Washington. Addressing

himself to the problems of radio censorship in time of war, Mr. Ryan said:

"I shall not soon forget the day, December 24, 1941, that Mr. Byron Price, Director of Censorship, called me from Washington at my office in Toledo, Ohio, and said, 'I want you to come down here and take over the radio section of the Office of Censorship.' It was the beginning of a new life for me, and one does not lightly assume such diverting changes at my hour and age.

"You see, for a number of years I had been in the radio broadcasting industry—an industry which as you know has grown rapidly and flourished mightily in the last 15 years. In the radio broadcasting business, we develop a talent—almost an instinct—for saying, 'yes.' It is the password, the golden byword of our business. We say 'yes' to preachers and politicians, to Masons and Indian Potentates, to the Knights of Pythias and the church sisterhoods and brotherhoods; probably we have often said 'yes' to the Yale Alumni Society. We have opened our microphones to all sorts of free radio enterprises.

"My new job in Washington demanded that I learn to say 'no.' It wasn't a cinch.

"The Office of Censorship was created by executive order of the President. That order charges Mr. Byron Price with the obligation of keeping information of value from the enemy. Information of value can be described as any information that lends aid or comfort to the enemy. With just a cursory view, I am sure you can name a dozen types of information that would aid the enemy; news of our production progress; news of our troop movements; news of our military inventions; weather reports—because from them the enemy could chart an area for military attack.

"That, then, is the function of the Office of Censorship during this war—to keep information of value from the enemy. Unlike the George Creel Committee of the last World War, we are not concerned with the creation of news nor with its dissemination. Our aim is merely to keep out of circulation that information which might serve to further the interests of those we are opposing.

"In pursuance of that function, the radio section of the Office of Censorship devised and issued to the broadcasters of America a Code of Wartime Practices.

"This Code suggested certain lines that station operators should take in controlling the dissemination of information on their media. It is important that you understand the voluntary implications of the Code; ENFORCEMENT of the suggested provisions is left to the discretion of the broadcaster. He himself is the censor. He himself is responsible to his listeners if he, through negligence, permits his station to be utilized by the enemy. Only in the United States, of all the warring nations, is the practice of censorship a VOLUNTARY matter. There is no Goebbels in America, and there will be none.

"In our Code to the broadcasters, we suggested that certain types of news, which I outlined briefly a moment ago, be kept off the air. In addition, we felt it necessary to exercise special controls over some radio programs, which, because of their availability to the general public, appeared to be dangerous. That's why you have noticed perhaps that the remote quiz program which we in the industry call the man-on-the-street program has been taken off the air. The average man-on-the-street program plays to a small audience; usually, any Joe Doaks passing by the microphone had an opportunity to participate, if he wished to do so. This, to us, meant that an agent, determined to get information to his cohorts who were listening at some outpost, could gain access to the microphone and, through coded sentences or perhaps through the mere mention of his name and address, convey intelligence to the enemy.

"Our Code suggested, too, that the handling of request programs be altered. In the past, it has been the policy of many radio stations to conduct musical programs during which listeners were invited to call in their requests to be played. It is quite apparent that this program device made radio an available tool of the enemy. An agent, calling in his name and address and asking that Flat Foot Floogie be dedicated to his Aunt Emma, could be signalling a pre-arranged listening post that this was the night for the air raid. Our Code therefore sought the elimination of such telephoned requests.

"This Code has been in the hands of broadcasters for about six weeks. Recently a member of my staff completed a tour of the country, during which he discussed censorship with many broadcasters. I was gratified, but not surprised, to learn that the nation's broadcasters have taken special pains to live up to the letter and spirit of the Code. They appreciate the inherent possibilities in their media, and are doing all in their power to thwart any efforts on the part of the enemy to exploit radio.

"I say I am not surprised that the broadcasters so accepted the Code, in many cases at considerable financial sacrifice since its observance necessitated the cancellation of some commercial programs. In America, and in America only, the radio industry is privately owned; I believe it is the finest kind of radio in the world, offering listeners the most in entertainment and service. I believe this kind of radio MUST continue as an expression of the very principles for which we are now fighting, and have fought so many times before. Broadcasters appreciate this, too. They, you may rest assured, are going to withhold any information, however trifling, it may seem, if there is a hint that it might have its origin with the enemy and be information destined for his use.

"Although this is not a part of my job, I should like to express the hope that you and I—and all of us, as individuals—take ourselves as seriously as the broadcasters and the newspaper publishers are taking their business in these times. We can serve by censoring our own conversations, by keeping to ourselves any information which might serve the enemy. And we can serve, too, in a more positive way. I say this with some hesitation, because as I stated, our function in the Office of Censorship is strictly a negative one. But I submit to you, as my personal off-the-record observation, that perhaps we have too many downtown coaches in this war—too many sideline generals whose criticism of the war effort can do much to undermine its intent. We must have faith in our armed forces, and especially in the abilities of our military commands.

"Back in 168 B. C., Lucius Amelius Paulus was charged with the responsibility of prosecuting the Roman war in Macedonia. Before he left for the front with his armies, he called the people into general assembly in the square.

"There he told them that he knew many of them would be critical of his prosecution of the war. He told them that he expected the repercussions at home to be almost as severe, when tongues started wagging, as they were at the front, when swords started flashing. Lucius Paulus said to the people, 'If you have counsel to give me in the conduct of this war, I want it. I want your help. All I ask is this: come to Macedonia with me. Come to Macedonia with me and I shall have a ready ear for your suggestions.'

"So I say to you gentlemen here: you will do much for our effort if you act, too, as self-censors—and if you will refrain from thoughtless criticism, unless you are in Macedonia with Paulus."

## WOWO FARMERS' AWARDS

WOWO, Fort Wayne, is staging its Third Annual Achievement Awards Banquet March 19. This project, originally developed by Eldon Campbell, then special events director of the stations, is rapidly becoming traditional in the WOWO area. It consists of presenting achievement award certificates to farmers and farm women pre-selected by the Purdue University Extension Division, publicizing the presentation widely both through newspaper publicity and on the air. Speeches by nation-wide household names in agriculture are broadcast from the presentation banquet by WOWO.

## SUGGESTS CHECK NEW MEN

Mill March, program director, WFPG, Atlantic City, believes that new station employees having access to the microphone should undergo close investigation.

"Hiring of radio personnel, especially those who will actually be heard on the air", says Mr. March, "should be done with the most scrutinizing type of research. References, background, experience, naturalization, etc., should be checked carefully so that any enemy agents, with an impressive and persuasive manner, may not be granted positions, which would give them a medium of transferring information to foreign sources."

While this might seem a subject for Federal Bureau of Investigation assistance, it is known that FBI is everywhere over-loaded. The next best suggestion is probably securing assistance from such people as the Hooper-Holmes Bureau and Retail Credit Company. Such agencies could supply inquirers with a standard report on the morals, living habits and integrity of prospective employees.

If sufficient interest in this subject should develop NAB will be glad to work with these companies to evolve a special broadcasting investigation form designed to develop information on loyalty to the United States government, the war effort, etc.

## VACUUM TUBE SALVAGE

It has occurred to many that the salvaging of material from worn-out vacuum tubes is a partial solution of the shortage of critical materials for manufacturing new tubes.

Manufacturers have told us that it costs several times the value of the material to salvage it from old vacuum tubes and put it in shape to be reused. So far, a general salvage plan has not been instituted by the manufacturers. It may be that the material shortage may become so acute that it will be necessary to use salvage material.

In the meantime, every broadcaster should save all of his old tubes and not throw them away. This procedure should, of course, be followed with all equipment.

## TIRE RATIONING

In any case where Local Rationing Boards refuse recaps to station executives, engineers, technicians or workers under List "B" (a) (3) of the OPA Tire Regulations issued February 19 and effective March 2 (NAB REPORTS, February 20, p. 95), the decision should be appealed to your State Rationing Administrator at your state capital. Simply write him a letter setting forth the needs for the recap, the decision of the Local Rationing Board, and referring to List "B" (a) (3) of the Tire Rationing Regulations. You are urged to keep NAB informed of any difficulties encountered in this connection, so that matters may be taken up with OPA in Washington.

## TUBE PRIORITIES

Suppliers of tubes able to make delivery on A-10 Preference Rating usually require the pin of the blown tube because of the critical shortage of copper. WPB policy is for stations to purchase tubes from any supplier able to deliver on A-10 rather than give stations any higher priority rating for use with any particular supplier unable to deliver on A-10.

## BOYS ABROAD GET FAVORITE RADIO SHOWS BY SHORTWAVE

Soldiers on duty at overseas bases and battlefronts are now getting the best there is in the way of American entertainment in "Command Performance," a series of programs just launched under the auspices of the Radio Branch of the War Department Bureau of Public Relations. Each Sunday twelve shortwave transmitters, beamed at all parts of the globe, transmit the half hour broadcasts at times when the men in different parts of the world can best hear it.

Stars of radio, stage and screen are lending their talents and the nation's broadcasters are providing the facilities to bring the boys overseas a half hour of home talent each week. The programs are not broadcast in the United States but are prepared solely for shortwave transmission.

Eddie Cantor headlined the first program on Sunday, March 8. Fred Waring and his troupe are now preparing the second, and Fred Allen will be the star of the third. In each case the star is backed up with an array of the best talent available. Sports news plays an important part.

On the inaugural broadcast, along with Cantor, were Merle Oberon, Dinah Shore, Danny Kaye, Bea Wain, Bert Gordon and Harry Von Zell. The sports feature was a ringside recording of the Joe Louis-Buddy Baer fight.

On the second program with Fred Waring will be Tallulah Bankhead, Tommy Riggs and Betty Lou, Paul Douglas, sports commentator, and Joe E. Lewis, night club comedian.

"Command Performance," which offers to fill any reasonable request sent in from the American armed forces overseas. is broadcast on a staggered schedule every Sunday over WBOS, WRUL, WRUW, WCBX, WCDA, WNBI, WRCA, WGEO, WGEA, WLWO, KGEL, and WCRC.

Radio's topnotch producers are assisting the specialists of the Radio Branch in production. Vick Knight is coordinating producer for programs recorded in New York.

## PEABODY AWARDS DINNER

All broadcasters and their friends will be invited this year to the George Foster Peabody Radio Awards Dinner, to be held Friday, April 10. at 7 p. m. on the Starlight Roof of the Waldorf-Astoria. New York.

The New York Alumni Society of the University of Georgia, sponsor of the dinner, will send out invitations next week. The dinner will be \$5 a plate.

The Advisory Board will meet in New York March 20 to pick the 1941 award winners. These will be announced at the dinner.

Broadcasters planning a trip to New York in April might well keep in mind the April 10 date. A notable gathering is expected.

## District Meetings

### District 2

Clarence Wheeler, NAB Director of the Second District, has sent out a notice to all broadcasters in New York and New Jersey calling a meeting at the Hotel Roosevelt, New York City, on Friday, April 10. Representatives of the various government war agencies have been invited to send representatives to discuss mutual problems with broadcasters.

The date coincides with the George Foster Peabody Radio Awards Dinner, which will be held on the Starlight Roof of the Waldorf at 7 p. m. These dual attractions should bring out a large representation of New York and New Jersey broadcasters. This is the last of a series of meetings in the even numbered districts and a Director's election will be held for the ensuing two-year term.

### District 4

A meeting of the broadcasters of District 4 was called to order on March 7 in Roanoke, Virginia, by John Kennedy, District Director.

Neville Miller, of the NAB, reviewed developments since the last regional meeting, reporting on the work of the OFF, the present legislative situation in Washington, and discussed industry problems.

The future plans of BMI were discussed by Carl Haverlin, and the meeting later passed a resolution pledging its support to BMI. Mr. Haverlin announced that he had received very encouraging support from all the broadcasters who had attended the various regional meetings held during the past two weeks. Leonard Callahan, of SESAC, gave a brief report on SESAC. Due to the grounding of planes, I. T. Cohen, of Atlanta, who was to represent ASCAP, was unable to reach Roanoke for the meeting.

John Shepard, III, of the BVC, addressed the meeting after lunch, and discussed the work of the BVC and industry problems. J. Harold Ryan, Assistant Director of Censorship, explained the work of the Office of Censorship, stating that it was a cooperative activity between that office and the radio stations. Radio censorship, he stated, has all the problems which face newspaper censorship, and in addition, other problems arising out of certain radio programs. He stated that the Code had been written in general terms because it was the desire of the Office of Censorship to carry out a voluntary cooperative censorship with the help of the stations. After Mr. Ryan's talk, there was a question and answer period. Mr. Ryan stated that regarding the man-on-the-street

program, it was essential that stations maintain the method of selection of persons to be interviewed and that the station should be at all times in control of what is to be said. Other problems discussed were those raised by the itinerant evangelist, weather, spot announcements, news services and launching of ships.

A closed meeting, limited to members of the District only, was held late in the afternoon. G. Richard Shafto, of WIS, Columbia, South Carolina, was elected District Director.

A resolution was passed unanimously thanking Mr. Kennedy, the retiring Director, for his valuable services rendered as a Director during the last four years.

Industry affairs, future business prospects, and War problems were discussed and a resolution was passed requesting the Board to appoint a committee to study the management structure and finances of the NAB and report to the Convention.

The delegates were entertained by Stations WDBJ and WSLJ at a cocktail party and supper at the Hotel Roanoke.

Those registered:

Burt Adams, NBC; Edward A. Allen, WLVA; Philip P. Allen, WLVA; Campbell Arnoux, WTAR; Edward E. Bishop, WGH; Walter Brown, WORD-WSPA; Leonard D. Callahan, SESAC; Howard L. Chernoff, WCHS; C. C. J. Culmer, SESAC; John H. Dodge, WRC; Edward E. Edgar, WGH; Harold Essex, WSJS and W41MM; Fred Fletcher, WRAL; Horace Fitzpatrick, WSLJ; Carl Haverlin, BMI; James L. Howe, WBTM; Walter Huffington, WPID; Fred Johnstone, WSLJ; Ray Jordan, WDBJ; A. E. Joselyn, WBT; O. J. Kelchner, WMMN; John A. Kennedy, WCHS; F. D. Kesler, WDBJ; Frank E. Koehler, WSLJ; C. T. Lucy, WRVA; John Mayo, Associated Music Publishers; Neville Miller, NAB; James H. Moore, WSLJ; John W. New, WTAR; Paul Reynolds, WDBJ; J. Harold Ryan, Office of Censorship; G. Richard Shafto, WIS; John Shepard, 3d, Yankee Network; Alex Sherwood, Standard Radio; George W. Smith, WWVA; Joe L. Smith, Jr., WJLS-WKWK; Sol Taishoff, Broadcasting Magazine; Eddie Vann, WLOG; Jack Weldon, WDBJ; Jess Willard, WJSV; W. A. Wilson, WOPI; and Jerry Winters, WGBR.

### District 8

Those registered at the recent District 8 meeting:

C. E. Arney, Jr., NAB; Hugh C. Brown, WFBM; D. A. Burton, WLBC; J. B. Conley, WOWO; Eldon Campbell, WOWO; R. R. Baker, WTRC; H. G. Wall, WIBC; F. D. Schurz, WSBT; Leo Fitzpatrick, WJR; Grant Ashbacher, WKBZ; George W. Cushing, WJR; Owen Uridge, WJR; F. A. McPhillips, WJR; Burton Adams, NBC; Hugh Feltis, NBC, Blue; John W. O'Harrow, WKZO; W. C. Wester, WKBZ; J. Harold Ryan, Office of Censorship; Forrest F. Owen, WELL; E. P. Mills, Jr., WELL; Paul H. Aurandt, WKZO; James M. Gaines, NBC; Howard Loeb, WFDF; Frank E. Chizzini, NBC Thesaurus; John E. Fetzer, WKZO; Milton Blink, Standard Radio; Lieut. Holman Faust, U. S. Navy; Edward R. Grace, Jr., Ensign, U. S. Navy Public Relations; Jack Harris, War Department; Leonard D. Callahan, SESAC; R. W. Rome, ASCAP; Carl Haverlin, BMI; Jack D. Parker, WSAM, and Milton Greenebaum, WSAM.

### District 10

The following registered at the recent District 10 meeting:

Burton Adams, NBC; C. E. Arney, Jr., NAB; Larry Andrews, KICD; Ernest F. Bader, KBON; Russ Baker, WOW; Richard W. Beckman, WOI; Sam H. Bennett, KMBC; Milton Blink, Standard Radio; Hale Bondurant, WHO; Paul O. Brawner, KFNF; Harry Burke, WOW; Leonard D. Callahan, SESAC; Frank E. Chizzini, NBC Thesaurus; Tom Curran, United Press; Major Louis W. De Young, Army Public Relations; Dietrich Dirks, KTRI; Lt. James C. Douglas, Navy Public Relations; Joe DuMond, KXEL-KBUR; Ralph Evans, WHO-WOC; F. C. Eighthmey, KGLO; Harold Fair, WHO; Jack Falvey, KBIZ; Lt. Holman Faust, Navy Public Relations; Hugh Feltis, Blue Network; Harold W. Fulton, WHO; John J. Gillin, Jr., WOW; Gus Hagenah, SESAC; Carl Haverlin, BMI; Jack Harris, War Department; Wick Heath, KMMJ; L. L. Hilliard, KGKY; Dick Hull, WOI; Bob Hurlough, Associated Press; Karl Koerper, KMBC; Craig Lawrence, KSO; W. I. LeBarron, KGNF; Mrs. W. I. LeBarron, KGNF; Edmund Linehan, KSO-KRNT; Beryl Lottridge, WOC; J. O. Maland, WHO; Bill Martin, KMMJ;

Lt. Fred W. May, Army Public Relations; Foster May, WOW; Barney Oldfield, Army; Franklin O. Pease, Video & Sound Enterprises; Howard Peterson, WOW; O. H. H. Preus, KWLC; William B. Quarton, WMT; Cy Rapp, KMA; Robert K. Richards, Office of Censorship; Glenn Rippen, KMMJ; R. H. Sawyer, KMA; Don Searle, KOIL; Jack Shelley, WHO; Erle H. Smith, KMBC; Art Thomas, WJAC; C. L. Thomas, KXOK-KFRU; Mims Thomason, United Press; R. Bruce Wallace, KOIL; Art Weaver, KOIL-KFAB-KFOR; Ralph Wentworth, Lang-Worth; Woody Woods, WHO, and Jud Woods, KFAB-KFOR.

## SANDERS BILL HEARINGS

Hearings on the Sanders Bill (H. R. 5497) to amend the Communications Act will start Tuesday, April 14, it was announced Wednesday by Chairman Lea (D-Cal) of the House Committee on Interstate and Foreign Commerce. The policy of the NAB will be considered by the Board of Directors when it meets in New York on Thursday and Friday of next week.

## WIDE SUPPORT FOR BMI

The following statement was issued by the Board of Directors of BMI after the meeting held in New York on March 5:

"The Board of Directors of BMI stated today that the signature of BMI's new eight year contracts was proceeding satisfactorily, and that contracts covering a majority of the industry's revenue had already been executed. In addition, practically all BMI licensees have pledged their continued support both at meetings and by mail. The rate at which contracts are coming in is so conclusive a demonstration of the fact that the broadcasting industry will continue to support BMI, that Columbia Broadcasting System, Inc., National Broadcasting Company, Inc., and Blue Network Company, Inc., are paying the first six month's license fees under their new contracts in advance. Although BMI's present contracts expire on March 11th, the first payment under the new contracts, due April 20th, will be for only part of the month of March, and the first full month's payment under the new agreements will become payable only on May 20th. Moreover, BMI has not only paid the 1941 installments on the contract with Edward B. Marks Music Corporation, which constitutes the company's largest single commitment, but BMI has, in addition, already accumulated and earmarked an amount sufficient to pay all of the 1942 installments. The advance payment made by the networks is intended to obviate any stringency in cash position which would otherwise be caused by these factors."

## TRANSCRIPTION FEES

AMP has retained Sydney Kaye to prosecute a test case to determine the legality, under Section 1 (e) of the Copyright Act, of recording fees for electrical transcriptions in excess of two cents per recording. If two cents is found to be the legal maximum charge it is estimated that a saving of nearly \$1,000,000 annually to the industry might result. Procedural details are still under consideration.

## COX RESOLUTION

The House Committee on Rules has scheduled an open hearing on the Cox Resolution for Friday, March 13. The resolution calls for an investigation of the FCC.

## PRIORITY PROBLEMS

There are going to be some further problems on priorities Chairman James Lawrence Fly said at his press conference on Monday. "At least I have heard some strange rumblings in the distance," he said.

Mr. Fly said that some of the rules that have been adopted for the emergency have not been strict enough. "In other words," he said, "we may in due course face a question as to even in defense functions which defense function is paramount. While there is nothing immediately pressing on us there, but from the defense people there come suggestions of an awfully strong approach."

The Chairman said that pretty soon now attention will have to be given to FM and television, and experimental stations and the like. "Those suggestions," he said, "are not quite as clear as the standard broadcast and rules have not yet been formulated. But that is something that is just around the corner."

Discussing the WPB order on radio receiving sets, Mr. Fly said that that won't have much of an impact on standard broadcast. He said that there are some 57,000,000 radio receiving sets in the country and he said that everyone who listens to the radio has at least one set and many families have more than that. He said with the new sets available and repair parts that he does not anticipate any trouble about receiving sets.

## NETWORKS' APPEAL

CBS and NBC on Monday filed appeals with the Supreme Court from the decision of the statutory three-judge court in New York dismissing their suits against the government for lack of jurisdiction. Argument probably will be heard April 27.

## NEW HAMPSHIRE AND VERMONT RADIO CENSUS FIGURES

The United States Bureau of Census released radio figures for New Hampshire and Vermont Thursday, March 12.

The NAB Research Department has projected total figures of Radio Equipped Occupied Dwelling Units, following the procedure outlined in NAB REPORTS, Page 128, March 6, 1942. The figures are as follows:

### NEW HAMPSHIRE

Number of Occupied Dwelling Units, Percent Radio Equipped and Number of Dwellings having Radios by County, and Cities of 2500 or more Population—Urban, Rural-Nonfarm and Rural-Farm: 1940\*

County	All Units		Urban Units		Rural Nonfarm Units		Rural-Farm Units	
	Units	%	Units	%	Units	%	Units	%
Belknap	6,741	88.8	5,894	93.8	3,579	84.4	1,903	79.9
Carrroll	4,443	84.5	3,754	93.8	3,357	84.9	3,103	82.5
Cheshire	9,675	88.8	8,596	93.7	3,564	86.6	3,670	83.5
Coos	9,529	89.5	8,532	92.0	4,133	89.7	3,451	79.6
Grafton	12,201	87.3	10,655	92.2	3,121	86.7	5,875	81.3
Hillsborough	39,180	92.0	36,048	93.0	28,651	89.2	5,221	86.2
Merrimack	15,861	90.1	14,290	95.3	8,092	84.8	4,473	82.3
Rockingham	16,511	89.9	14,844	93.9	6,679	87.8	5,527	85.1
Strafford	11,827	91.2	10,788	93.1	8,266	87.2	1,929	80.9
Sullivan	6,968	88.6	6,173	91.9	4,425	82.2	935	80.0
State Total	132,936	90.0	119,664	93.3	70,288	86.9	36,087	82.9



NEW HAMPSHIRE—Continued

Cities of 2500 or More Population

City	County	Units	% Radio	Radio Units
Laconia	Belknap	3,579	93.8	3,357
Keene	Cheshire	3,804	93.7	3,564
Berlin	Coos	4,490	92.0	4,133
Lebanon town	Grafton	2,121	92.6	1,964
Littleton town	"	1,265	91.4	1,157
Manchester	Hillsborough	21,038	92.3	19,421
Milford town	"	1,156	91.9	1,062
Nashua		8,606	94.9	8,168
Concord	Merrimack	6,730	95.5	6,427
Franklin	"	1,758	94.7	1,665
Derry town	Rockingham	1,579	89.4	1,411
Exeter town	"	1,538	94.0	1,445
Portsmouth	"	3,995	95.7	3,823
Dover	Strafford	3,971	94.4	3,747
Rochester	"	3,366	92.4	3,110
Somersworth	"	1,544	91.2	1,409
Claremont town	Sullivan	3,321	93.3	3,099
Newport	"	1,494	88.7	1,326

VERMONT

County	All Units		Urban Units		Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Units	% Radio	Units	% Radio	Units	% Radio	Units	
Addison	4,532	83.5	3,783		2,406	85.5	2,056	2,126	81.2	1,727
Bennington	6,138	91.0	5,584	2,182	96.7	2,109	2,903	1,053	85.6	902
Caledonia	6,566	88.1	5,784	2,119	95.9	2,032	2,464	1,983	79.6	1,578
Chittenden	12,684	92.6	11,748	8,534	95.7	8,163	2,311	1,839	84.7	1,557
Essex	1,678	82.8	1,390				1,078	600	75.8	455
Franklin	7,370	89.1	6,566	2,138	96.8	2,069	2,922	2,310	84.9	1,960
Grand Isle	931	84.9	790				421	510	85.8	437
Lamoille	2,852	84.6	2,411				1,643	1,209	78.8	953
Orange	4,470	80.7	3,607				2,169	2,301	75.4	1,735
Orleans	5,460	87.3	4,764	1,332	95.2	1,268	1,975	2,153	81.9	1,763
Rutland	11,789	89.3	10,528	4,580	95.2	4,361	5,066	2,143	79.5	1,703
Washington	10,589	89.5	9,482	5,747	94.2	5,412	2,761	2,081	79.3	1,651
Windham	7,365	88.9	6,544	3,622	95.9	3,475	2,038	1,075	80.7	1,376
Windsor	10,011	89.1	8,924	2,211	96.5	2,133	5,007	2,793	81.6	2,280
State Total	92,435	88.6	81,905	32,465	95.5	31,022	35,164	24,806	80.9	20,077

Cities of 2500 or More Population

City	County	Units	% Radio	Radio Units
Bennington Village	Bennington	2,182	96.7	2,109
St. Johnsbury Village	Caledonia	2,119	95.9	2,032
Burlington	Chittenden	7,138	96.0	6,851
Winooski	"	1,396	94.0	1,312
St. Albans	Franklin	2,138	96.8	2,069
Newport	Orleans	1,332	95.2	1,268
Rutland City	Rutland	4,580	95.2	4,361
Barre	Washington	3,058	93.2	2,850
Montpelier	"	2,204	95.6	2,107
Waterbury Village	"	485	93.8	455
Bellows Falls Village	Windham	1,174	96.9	1,138
Brattleboro Village	"	2,448	95.5	2,337
Springfield Village	Windsor	1,404	96.4	1,353
Windsor Village	"	807	96.7	780

\*Source: Figures of the number of Occupied Dwelling Units and Percent Radio Equipped published by U. S. Census in the Second Series Housing Reports for New Hampshire and Vermont.

Figures of the number of Radio Equipped Occupied Dwelling Units calculated by NAB Research Department to project total figures. Census release did not include 1,866 Occupied Dwelling Units for Vermont, and 3,178 for New Hampshire, because answers to the radio question were not obtained in enumeration.

## STATE LEGISLATION

NEW JERSEY:

S. 110 (STANGER) MUSIC COPYRIGHTS—To regulate copyrighted vocal and instrumental musical composition monopolies. Referred to Committee on Judiciary.

### SET MANUFACTURE STOPPED

The War Production Board has ordered the manufacture of radios and phonographs for civilian use to be discontinued after April 22, 1942.

The plants may complete sets on which they begin assembly work on or before April 22, 1942, under the limited production quotas provided for in the original order (L-44). They may also continue to make replacement parts.

Other than that the entire facilities of the American radio industry will be made available for war production.

The order stipulates that no manufacturer shall use more than \$500 worth of parts and materials ordered after February 11, 1942. However, it does not impose any limitation on the purchase of wooden cabinets. The \$500 ceiling on orders is to permit the purchase of a limited quantity of incidental items to complete production by April 22.

The WPB order (L-44-a) affects 55 companies manufacturing home receiving sets who in 1941 employed approximately 30,000 persons, produced more than 13,000,000 sets, and did a business of approximately \$240,000,000. In the manufacture of these more than 13,000,000 sets for civilian use the following amounts of critical materials were used: 2100 tons of aluminum, 10,500 tons of copper, 280 tons of nickel, and 70,000 tons of steel.

War equipment to be produced by the radio industry will include airplane detection equipment, to detect approaching enemy aircraft, and transmitting and receiving equipment to enable our armed forces—on land, on sea, or in the air—to communicate with each other.

Military orders already placed for war radio equipment amount to more than one billion dollars. Orders of approximately \$500,000,000 are held by the 55 companies affected by today's order; the balance are held by companies not usually engaged in the manufacture of home radio sets.

Production of home radios was originally curtailed in an order issued in January which provided that between January 23 and April 23 the large manufacturers were limited to 55 per cent of their rate of production in the first nine months of 1941, and small manufacturers were limited to 65 per cent. It is expected that under the terms of that order approximately 3,000,000 radios will be built this year before the cutoff goes into effect.

Robert Berner, Chief of the Radio Section of the War Production Board, said that the conversion will not result in unemployment for any appreciable period; in fact, employment in the radio industry will greatly increase after the switch has been made from civilian to military production. It is expected that more than 95 per cent of the conversion will be completed before June 30 of this year.

The Ordnance Branch and the Radio Section of Consumers' Durable Goods Branch of WPB, to facilitate the conversion of the smaller companies, have worked out a sub-contracting plan whereby each of the 55 companies affected by the order who is not himself a prime contractor will be assigned to a prime contractor, thus forming a series of military production "family groups." The load of producing war radio equipment will be so evenly divided that there will be work for every company, either as a prime contractor or a sub-contractor, which is capable of performing the precise operations demanded by the military. In fact, all but 13 of the 55 companies affected by the order already have military contracts of some kind. Orders for most will soon be increased and it is hoped that the 13 companies now without any military contracts will be able to obtain a part of the war business.

When the last of the 55 companies has turned out the last civilian radio, there will be in operation more than 60,000,000 radio sets in some 87 per cent of American homes.

The provision in the order for the continued manufacture of replacement parts will enable the bulk of the existing home radios to be kept in efficient operating condition during the war.

### CUBAN RULES CHANGED

Methods used by the enemies of democracy "artfully and with sinuous and tortuous machinations to divide public opinion with false statements and dark rumors spread by espionage" was said by the Cuban Government to be one of the reasons prompting the recent decree regulating commercial broadcasting stations in the Republic, according to the Department of Commerce.

New regulations prohibit the broadcasting of news from sources which cannot be verified, provide for proper identification of all persons given access to microphones, close scrutiny of a political character, and prohibition of broadcasts which clearly tend to prejudice good international relations.

Other forms of regulation provided for in the decree are designed to promote betterment of culture of the people of Cuba and prestige of the Republic.

Regulations issued in 1939 were said to be insufficient to meet the new conditions of radio broadcasting because of advanced technique and the international agreements to which the Republic of Cuba had subscribed.

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 16. They are subject to change.

#### Monday, March 16

WELL—Federated Publications, Inc., Battle Creek, Mich.—Renewal of license, 1400 kc., 250 watts, unlimited.

#### Wednesday, March 18

##### Consolidated Hearing

KVOA—Arizona Broadcasting Company, Inc., Tucson, Arizona.—C. P., 590 kc., 1 KW, unlimited, DA-day and night.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—C. P., 590 kc., 5 KW day, 1 KW night, unlimited, DA-night.

KVSF—New Mexico Broadcasting Co., Sante Fe, N. Mex.—C. P., 1260 kc., 1 KW, unlimited.

#### Thursday, March 19

##### Further Hearing

WAPI—Voice of Alabama, Inc., Birmingham, Ala.—C. P., 1070 kc., 50 KW, unlimited, DA-night.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

WAAB—The Yankee Network, Inc., Boston, Mass.—Granted construction permit (B1-P-3194), subject to approval of directional antenna design, to increase power from 1 to 5 KW, install a new transmitter and directional antenna for day and night use, and move transmitter to Holden, Mass.:

studio to Worcester, Mass. (Has on hand all necessary materials.)

WWNC—Charles A. Webb (Transferor), Common stockholders collectively of Asheville Citizens-Times Co., Inc., Asheville, N. C.—Granted consent (B3-TC-296) to relinquishment of control of Asheville Citizens-Times Co., Inc., Station WWNC, by Charles A. Webb, through payment of accrued preferred stock dividends by licensee corporation, to common stockholders collectively.

KOB—Albuquerque Broadcasting Co., Albuquerque, New Mex.—Granted extension of special service authorization (B5-SSA-28) for a period of 60 days, to May 10, 1942.

WFBM—WFBM, Inc., Indianapolis, Ind.—Granted license (B4-L-1489) to cover construction permit (B4-ML-354) to operate on **1260 kc.**, 5 KW, unlimited time, directional antenna night; also authority to determine operating power by direct method (B4-Z-1223).

WNAC—The Yankee Network, Inc., Boston, Mass.—Granted construction permit (B1-P-3445) to reinstate (B1-MP-322 as modified, which authorized increase in power to 5 KW, changes in equipment, installation of directional antenna for day and night use) and to cover changes in directional antenna for night use only. (Involves no use of new critical materials.)

WSIX—WSIX, Inc., Nashville, Tenn.—Granted modification (B3-MP-1526) of construction permit (B3-P-3053) conditional to protecting certain foreign stations from objectionable interference, to make changes in directional antenna and extend completion date to 60 days after grant.

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Granted license to operate present equipment for one year conditioned upon licensee meeting terms of construction permit within that year, and extended construction permit accordingly.

#### DESIGNATED FOR HEARING

J. C. Horton, Santa Ana, Calif.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit for new station (B5-P-3441).

Florida National Building Corp., Miami, Fla.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit for new station (B3-P-3372).

Associated Broadcasters, Inc., Indianapolis, Ind.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit (B4-P-3294) for new station; hearing to be consolidated with hearing on applications of WIRE requesting 50 KW on **1190 kc.**, WOWO for renewal of license and increase in power to 50 KW, WGL and WKBV for renewal of licenses.

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit to change frequency from **550 to 940 kc.**, increase power from 1 KW night, 5 KW LS, to 50 KW, install new transmitter and new directional antenna for night use, and move transmitter (B4-P-3208).

KROY—Royal Miller, Sacramento, Calif.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit to change frequency from **1240 to 1030 kc.**, increase power from 100 watts to 10 KW, unlimited time, move transmitter locally and install new transmitter and directional antenna for day and night use; hearing to be consolidated with hearing on applications of KFXD, Nampa, Idaho, and KRNR, Roseburg, Ore., requesting use of the same frequency.

WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—Designated for hearing application for construction permit (B1-P-3332) to make changes in directional antenna.

#### DESIGNATED FOR FURTHER HEARING

The following standard broadcast applications for construction permits, on which hearings have already been heard, were designated for further hearing upon additional issues raised by the policy with respect to new construction under the present emergency:

Park Cities Broadcasting Co., Dallas, Tex.—For a new station to operate on **710 kc.** with power of 5 KW, unlimited time (Docket 5967).

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—To change frequency from **1280 to 710 kc.** (Docket 5859). Now operates with power of 1 KW night and 5 KW day.

WHB—WHB Broadcasting Co., Kansas City, Mo.—To change frequency from 880 to **710 kc.** (Docket 6022). Now operates with 1 KW daytime.

Camden Broadcasting Co., Camden, N. J.—For new station to operate on **820 kc.** with 500 watts power, daytime (Docket 6009).

WICA—WICA, Inc., Ashtabula, Ohio.—To install new transmitter and increase power from 1 KW daytime, to 5 KW day and 1 KW night, unlimited time (Docket 6120). Operates on **970 kc.**

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—To change frequency from **1490 to 970 kc.**, and increase power from 250 watts to 5 KW, unlimited time (Docket 6121).

Scripps-Howard Radio, Inc., Houston, Tex.—For new station to operate on **1230 kc.** (Docket 6088).

Texas Star Broadcasting Co., Houston, Tex.—For new station to operate on **1230 kc.** (Docket 6089).

Greater Houston Broadcasting Co., Inc., Houston, Tex.—For new station to operate on **1230 kc.** (Docket 6096).

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—For a synchronous station at Scranton, Pa., to operate with 100 watts (Docket 6039). WBRE operates on **1340 kc.** with 250 watts, unlimited time.

Dorman Schaeffer, Klamath Falls, Ore.—For a new station to operate on **1400 kc.** with 250 watts, unlimited time (Docket 6091).

Herald Publishing Co., Klamath Falls, Ore.—For a new station to operate on **1400 kc.** with 250 watts, unlimited time (Docket 6090).

South Florida Broadcasting, Inc., Miami, Fla.—For a new station to operate on **1450 kc.**, with 250 watts, unlimited time (Docket 6153).

West Allis Broadcasting Co., West Allis, Wis.—For a new station to operate on **1480 kc.** with 250 watts, daytime (Docket 6098).

Robert V. Lee, Bradenton, Fla.—For a new station to operate on **1490 kc.** with 250 watts power (Docket 5944).

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—To change frequency from **1230 to 1440 kc.** and increase power from 250 watts to 1 KW, unlimited time (Docket 5994).

KNOE, Inc., Monroe, La.—For a new station to operate on **1450 kc.** with 250 watts, unlimited time (Docket 5995).

#### MISCELLANEOUS

The Radio Voice of New Hampshire, Inc., Portable-Mobile, area of Manchester, N. H.—Granted construction permit for new relay broadcast station; **1646, 2090, 2190, 2830 kc.**; 15 watts (B1-PRY-272).

United Broadcasting Co., Cleveland, Ohio.—Granted construction permit for new relay broadcast station; **31620, 35260, 37340, 39620 kc.**; 50 watts (B2-PRE-420).

Wichita Broadcasting Co., Portable-Mobile, area of Wichita Falls, Tex.—Granted construction permit for new relay broadcast station; **1622, 2058, 2150, 2790 kc.**; 50 watts (B3-PRY-273).

WTNK—WOAX, Inc., Portable-Mobile, area of Trenton, N. J.—Granted license for reinstatement of relay broadcast station license which expired October 1, 1941 (B1-LRY-253).

W67C—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted modification of construction permit as modified for new high frequency broadcast station, for extension of completion date only, from March 14, 1942, to September 14, 1942 (B4-MPH-72).

WCBX—Columbia Broadcasting System, Inc., Brentwood, N. Y.—Granted license to cover construction permit as modified, for increase in power, installation of new equipment, move of transmitter and change in frequencies (B1-LIB-22) (International Broadcast station).

Banks of the Wabash, Inc., Portable-Mobile, area of Terre Haute, Ind.—Granted construction permit for new relay broadcast station; **1622, 2058, 2150, 2790 kc.**; 40 watts (B4-PRY-271).

KSTP, Inc., St. Paul, Minn.—Granted construction permit for new relay broadcast station; **156750, 158400, 159300, 161100 kc.**; 50 watts (B4-PRE-419).

KEIV—Nichols and Warinner, Inc., Portable-Mobile, area of Long Beach, Calif.—Granted license for reinstatement of relay broadcast station license which expired December 1, 1941 (B5-LRE-379).

WIBA—Badger Broadcasting Co., Madison, Wis.—Granted license to cover construction permit as modified for new transmitter, changes in directional antenna system, for night use, and move of studio and transmitter (B4-L-1618); granted authority to determine operating power by direct measurement of antenna input (B4-Z-1350).

R. O. Hardin and J. C. Buchanan, d/b as Nashville Broadcasting Co., Tennessee Radio Corp. (both of Nashville, Tenn.).—Ordered that the records in the matter of applications for new stations (Docket Nos. 6191 and 6193) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

Air-Waves, Inc., Louisiana Communications, Inc. (both of Baton Rouge, La.).—Ordered that the records in the matter of applications for new stations (Docket Nos. 6155 and 6157) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

Newark Broadcasting Corp., Newark, N. J.—Ordered that the records in the matter of applications for new stations (Docket No. 6190) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

Utica Broadcasting Co., Inc., Midstate Radio Corp., Utica Observer-Dispatch, Inc. (all of Utica, N. Y.).—Ordered that the records in the matter of applications for new stations (Docket Nos. 6140, 6141 and 6043) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

Jefferson Broadcasting Corp., George Johnston, Jr., WBAM, Inc. (all of Birmingham, Ala.).—Ordered that the records in the matter of applications for new stations (Docket Nos. 6134, 6147, 6150) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

Hennessy Broadcasting Co., Barclay Craighead (both of Butte, Mont.).—Ordered that the records in the matter of applications for new stations (Docket Nos. 6131 and 6132) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

KVOA—Arizona Broadcasting Co., Inc., Tucson, Ariz.—On its own motion the Commission supplemented notice of issues in Docket 6082, and ordered retention of present hearing date—March 18, 1942.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—On its own motion the Commission supplemented notice of issues in Docket 6142, and ordered retention of present hearing date—March 18, 1942.

KVSF—New Mexico Broadcasting Co., Santa Fe, N. Mex.—On its own motion the Commission supplemented notice of issues in Docket 6143, and ordered retention of present hearing date—March 18, 1942.

W3XPP—National Broadcasting Co., Inc., Philadelphia, Pa.—Granted modification of construction permit as modified, for new television station, for extension of commencement and completion dates from September 3, 1941, and March 3, 1942, to six months from respective dates.

WNBW—National Broadcasting Co., Inc., Washington, D. C.—Granted modification of construction permit for new commercial television station for extension of commencement and completion dates for a period of six months.

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—Granted modification of construction permit (B1-P-2955, as modified) for new transmitter, installation of directional antenna for day and night use, increase in power and move, for extension of completion date from February 28 to April 30, 1942 (B1-MP-1521).

WMAS—WMAS, Inc., Springfield, Mass.—Granted motion to dismiss without prejudice application for construction permit to operate on 910 kc.; 1 KW, unlimited time; DA-day and night.

James F. Hopkins, Inc., Ann Arbor, Mich.—Granted petition for leave to amend application for new station to specify 250

watts power, site and antenna systems to be determined, and change in equipment.

KWFT—Wichita Broadcasting Co., Wichita Falls, Tex.—Granted motion for 30-day postponement of hearing now set for March 13, in re modification of license to operate on 620 kc., 5 KW, unlimited time; DA-night and day, and hearing continued to April 10.

## APPLICATIONS FILED AT FCC

### 550 Kilocycles

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Modification of construction permit (B5-P-2422) as modified for new transmitter, directional antenna, increase in power and move of transmitter, requesting extension of completion date from 4-1-42 to 6-1-42.

### 560 Kilocycles

WIS—The Liberty Life Insurance Co., Columbia, S. C.—Modification of license to change name to the Surety Life Insurance Company.

### 570 Kilocycles

KUTA—Jack Powers, David G. Smith, Frank C. Carman, and Grant R. Wrathall, d/b as Utah Broadcasting Co., Salt Lake City, Utah.—Modification of construction permit (B5-P-2342) as modified, for installation of new transmitter, directional antenna for day and night use, change in frequency, increase in power and move of transmitter, requesting extension of completion date from 3-26-42 to 5-25-42.

### 600 Kilocycles

WCAO—The Monumental Radio Co., Baltimore, Md.—Modification of construction permit (B1-P-3024) as modified, for increase in power, move of transmitter, new transmitter and installation of directional antenna, requesting extension of completion date from 4-8-42 to 8-8-42.

KROD—Dorrance D. Roderick, El Paso, Tex.—License to cover construction permit (B3-P-3275) to install new transmitter.

### 800 Kilocycles

NEW—Chattanooga Broadcasting Corp., Chattanooga, Tenn.—Construction permit for a new broadcast station to be operated on 1420 kc., 250 watts, unlimited hours. Amended: to make changes in transmitting equipment, changes in proposed antenna system, change frequency to 800 kc., 1 KW daytime and omit request for facilities of WAPO when vacated.

### 930 Kilocycles

WJAX—City of Jacksonville, Jacksonville, Fla.—Construction permit to change power from 1 KW night, 5 KW day to 5 KW, make changes in equipment and install directional antenna for night use. Amended: to make changes in proposed directional antenna.

WRRF—Tar Heel Broadcasting System, Inc., Washington, N. C.—License to cover construction permit (B3-P-3316) as modified for a new broadcast station.

WRRF—Tar Heel Broadcasting System, Inc., Washington, N. C.—Authority to determine operating power by direct method.

### 950 Kilocycles

KPRC—Houston Printing Corp., Houston, Tex.—Authority to determine operating power by direct method.

### 1060 Kilocycles

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Construction permit to change frequency from 1400 to 1060 kc., power from 250 to 500 watts night, 1 KW day, install new transmitter and antenna. Amended: to request 960 kc., 1 KW, changes in antenna and facilities KROW, contingent on KROW's change in frequency.

KROW—Educational Broadcasting Corp., Oakland, Calif.—Modification of construction permit (B5-P-2803) for increase in power, new transmitter and directional antenna for night use and move transmitter, requesting increase in power

from 5 to 50 KW, change frequency from 960 to 1060 kc., install new transmitter and directional antenna for night use and move transmitter.

#### 1190 Kilocycles

KEX—Oregonian Publishing Co., Portland, Ore.—Special service authorization to operate on 1190 kc. with power of 10 KW, new transmitter, vertical antenna period ending 1-1-43.

#### 1230 Kilocycles

KFIO—Spokane Broadcasting Corp., Spokane, Wash.—License to cover construction permit (B5-P-3144) for new transmitter, antenna, change in power and frequency and hours.

KFIO—Spokane Broadcasting Corp., Spokane, Wash.—Authority to determine operating power by direct method.

#### 1310 Kilocycles

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Modification of construction permit (B3-P-2641) as modified, for move of transmitter, increase in power and installation of directional antenna for night use, requesting extension of completion date from 3-23-42 to 6-23-42.

#### 1340 Kilocycles

NEW—Sunland Broadcasting Corp., DeLand, Fla.—Construction permit for a new broadcast station to be operated on 1340 kc., 250 watts, unlimited time.

WEIM—Ruben E. Aronheim, Fitchburg, Mass.—Authority to determine operating power by direct method. Amended: re new supplemental forms.

#### 1450 Kilocycles

WJPA—Washington Broadcasting Co., Washington, Pa.—License to cover construction permit (B2-P-3088) as modified, for a new broadcast station.

WJPA—Washington Broadcasting Co., Washington, Pa.—Authority to determine operating power by direct method.

KWBW—The Nation's Center Broadcasting Co., Inc., Hutchinson, Kans.—License to cover construction permit (B4-P-3306) for increase in power, changes in equipment.

KWBW—The Nation's Center Broadcasting Co., Inc., Hutchinson, Kans.—Authority to determine operating power by direct method.

#### 1520 Kilocycles

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Modification of construction permit (B4-P-2399) for change in hours of operation and changes in directional antenna for day and night use, requesting extension of completion date from 3-29-42 to 5-30-42.

NEW—Eastern Broadcasting Co., Patchogue, N. Y.—Construction permit for a new broadcast station to be operated on 1300 kc., 250 watts, unlimited time. Amended: to request 1520 kc., 1 KW, limited time WKBW, new transmitter, antenna changes and studio and transmitter sites to be determined, Long Island, N. Y.

#### FM APPLICATIONS

NEW—M. A. Leese Radio Corp., Washington, D. C.—Construction permit for a new high frequency broadcast station to be operated on 47100 kc.; population, 899,946; coverage, 5,600 square miles. Amended: to change name to The Evening Star Broadcasting Co.

W67NY—Columbia Broadcasting System, Inc., New York, N. Y.—Modification of construction permit (B1-PH-55) as modified, for a new high frequency broadcast station, requesting extension of completion date from 3-28-42 to 9-14-42.

W47C—WJJD, Inc., Chicago, Ill.—Modification of construction permit (B4-PH-17) as modified, for a new high frequency broadcast station, requesting extension of completion date from 4-28-42 to 7-28-42.

NEW—Eugene P. O'Fallon, Inc., Denver, Colo.—Construction permit for a new high frequency broadcast station to be operated on 46500 kc.; population, 45,797; coverage, 1403 square miles. Amended: to request coverage: 1361 square miles; population, 430,402.

W53PH—WFIL Broadcasting Co., Philadelphia, Pa.—Modification of construction permit (B2-PH-73) as modified for a new high frequency broadcast station, requesting extension of completion date from 3-10-42 to 5-10-42.

#### TELEVISION APPLICATION

NEW—General Electric Co., Portable-Mobile.—Construction permit for a new experimental television relay broadcast station to be operated on 312000-324000 kc., 25 watts (peak), emission A5 (to be used with commercial television station WRGB).

NEW—Balaban and Katz Corp., Chicago, Ill.—Construction permit for a new commercial television broadcast station to be operated on Channel No. 2, 60000-66000 kc., ESR 25.2, aural, maximum 2 KW, visual, maximum 4 KW. Amended: to change ESR to 796.

W8XCT—The Crosley Corp., Cincinnati, Ohio.—Modification of construction permit (B2-PVB-23) as modified, for a new television broadcast station, requesting extension of completion date from 4-28-42 to 10-28-42.

#### MISCELLANEOUS APPLICATIONS

NEW—Houston Printing Corp., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on 1646, 2090, 2190, 2830 kc., 100 watts, emission A3.

WIEH—Knickerbocker Broadcasting Co., Inc., Mobile.—Voluntary assignment of license to WMCA, Inc.

WEIQ—Knickerbocker Broadcasting Co., Inc., Mobile.—Voluntary assignment of license to WMCA, Inc.

### FEDERAL TRADE COMMISSION DOCKET

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

#### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Associated Merchandising Corp.**, New York, Owens Staple-Tied Brush Co., Toledo, and 21 retail department stores operating in 17 cities, are charged in a complaint with misrepresentation in connection with a plan jointly carried out in the sale of the "P & S" brand of tooth brushes. (4719)

**Associated Laboratories**—A complaint has been issued charging three individuals, trading as Associated Laboratories and having their principal place of business at 4609 Nicollet Ave., Minneapolis, with misrepresentation in the sale of "Gordon's Detoxifier," a device advertised as an irrigator designed for cleansing the bowels and intestines. (4722)

**Champion Specialty Company**—A complaint has been issued charging Mrs. Ann B. Goldstein, trading as Champion Specialty Co., 814 Central St., Kansas City, Mo., with the use of lottery methods in the sale of drug sundries, novelties and premium merchandise. (4723)

**General Motors Corp.**, Detroit, in a complaint, is charged with misrepresentation in the sale of a fog lamp for use on automobiles. (4724)

**Kimble Glass Co.**, Vineland, N. J., manufacturer of glass tubing and test and control apparatus for the dairy industry, is charged in a complaint with price discrimination in violation of the Robinson-Patman Act. (4725)

**National Progress League**, 104 South Michigan Ave., Chicago, and its officers, Frank J. Mackey and Harold C. Sherman, has been charged with deceptive use of the name "Military Order of the Purple Heart" in promoting the sale of sets of history books designated "Progress of Nations" and "Forward March." (4721)

**Whitehall Pharmacal, Inc.**—A complaint has been issued charging Whitehall Pharmacal, Incorporated, 257 Cornelison Ave., Jersey City, N. J., with misrepresentation in connection with the sale of a medicinal preparation designated "Aspertane." (4718)

## CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

**Heroline Co., Inc.**, 201 Mitchell St., S. W., Atlanta, dealer in cosmetics, medicinal preparations, "curios," and "charms," has been ordered to cease and desist from misrepresentations in the sale of its products. Bert H. Rubin, the corporation's president, also is named a respondent. (4339)

**International Parts Corp.**, 1814 South Michigan Ave., Chicago, has been ordered to cease and desist from misrepresentation in the sale of replacement mufflers for use on automobiles. (4513)

**Parfums Ronni, Inc.**, 18 West 20th St., New York, has been ordered to cease and desist from certain representations in connection with the sale of a cosmetic preparation variously designated as "Ronni Mascara," "Ronni Cream Mascara," "Mascara by Ronni" and "Mascara." (4569)

**Williams Candy Co.**, 2819 Monroe Road, Charlotte, N. C., has been ordered to discontinue selling or otherwise disposing of merchandise by means of a game of chance, gift enterprise or lottery scheme. (4232)

## STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Bureau of Credit Control, Inc.**, and its president, Louis Possenheim, Rives-Strong Building, Los Angeles, stipulated that they will cease and desist from certain representations in connection with the sale of systems of collection letters generally designated "Delinquent Account Control System." The respondents trade under such names as Bureau of Credit Control, Accounts Receivable Control Service, Delinquent Account Control System, and Credit Collection Control. (02953)

**Club Razor & Blade Manufacturing Corp.**, 36 Green St., Newark, N. J., wholesaler of "Fan" brand razor blades, has entered into a stipulation to discontinue using on the containers of its razor blades or in advertising matter any price marking or purported retail selling price which is fictitious, exaggerated or in excess of the price for which such products are customarily sold in the usual course of retail trade. (3420)

**Curtis Shoe Co., Inc.**, Marlboro, Mass., entered into a stipulation to cease and desist from use of the word "Stetson" in con-

nection with the branding, labeling or advertising of its shoes, the effect of which tends to convey to purchasers the belief that such shoes are made by or for or in accordance with the standards and specifications of the Stetson Shoe Co. Inc., of Weymouth, Mass. The respondent company also agrees to stop employing the word "Hinchley & Haig, Bootmakers, Ltd.," or "Piccadilly British," or any other words customarily identified with the British Isles, to describe or refer to its domestic shoes, the effect of which tends to convey the impression that such shoes are of British origin. (3421)

**Honoroff Laboratories, Inc.**, 2448 South Prairie Ave., Chicago, and its president, Fred A. Honoroff, stipulated that, in the sale of an analgesic preparation designated "Effervescent Seltzer," they will cease and desist from disseminating any advertisement which fails conspicuously to reveal that the preparation should not be used in excess of the dosage recommended, since such use may cause dependence upon a drug, skin eruptions, mental derangement or collapse, and that it should not be taken by or administered to children; provided, however, that the advertisement need contain only the statement "Caution: Use only as directed," if the directions for use wherever they appear in the labeling contain a caution or warning to the same effect. The respondents further agree to discontinue selling "Effervescent Seltzer" in containers which simulate in appearance the containers in which competing merchandise is sold. (3419)

**Hygeia Filter Co.**, 3422 Denton Ave., Detroit, manufacturer of a line of water filters including a stone type called "Lynn Filter," stipulated to cease representing that its filters are "absolutely germ proof," capable of rendering river water absolutely sterile, absolute proof against typhoid, diphtheria, cholera, malaria or dysentery germs, or have been approved by "leading authorities on sanitation." The respondent also agrees to cease representing that ice made from water filtered by devices such as it sells can be used without the least danger of contamination; that clothes laundered in filtered water do not require bleaching to be properly whitened or to remove stains, and that "the same water" circulated through such filters can be used in a swimming pool for a month or more with "perfect safety." (3416)

**Mellus Bros. & Co., Inc.**, 305 East Fourth St., Los Angeles, stipulated that in the sale of tents, tarpaulins or other products made of duck or canvas, it will cease designating or indicating as the weight of the fabric or material thereof any weight in excess of the weight per square yard of the original grey goods used in manufacturing the products, and will discontinue employing any figures, words or symbols in sales promotional literature or in stamps or labels which tend to create the impression that the weight per square yard of the original grey goods used is in excess of the true weight thereof. The stipulation points out that in the cotton duck or canvas products industry the weight of a duck or canvas product indicates the weight on a square yard basis of the original grey goods used in making the product. (3417)

**Mutual Welfare Correspondence Club**, San Francisco, entered into a stipulation to cease representing, in the sale of memberships in the club and lists of names purporting to be club members, that her statements relating to the financial standing, education, character, age, occupation or profession of those names which appear on such lists are other than the mere statements of those persons themselves, in the absence of some responsible investigation into the truth or falsity of such statements. (02954)

**Thermwool Products Co., Inc.**, 1261 Broadway, New York, manufacturer of rugs, carpets, ironing pads and mats, entered into a stipulation to cease and desist from use of the word "wool" with the word "Therm" as part of the corporate or trade name under which it sells products not composed of wool; and from use of the word "wool" either alone or with the word "Therm," or with other words, to imply that such products are composed of wool. (3418)

## COX RESOLUTION

The House Rules Committee now has held two open meetings, and probably will hold at least one more, on a resolution introduced by Representative Cox (D-Ga.) calling for a House investigation of the FCC.

Chairman James Lawrence Fly of the FCC and Representative Wigglesworth (R-Mass.) have participated.

The charges on which Fly said he would like to be heard included alleged mispractices in FCC administration and circumvention of the intention of Congress.

Fly was subjected to a crossfire of questions as soon as he took the stand following Representative Wigglesworth, who backed the Cox request for the inquiry.

To Wigglesworth's charges that the commission had failed to break up monopolies, Fly referred to a recent order seeking to sever the Red and Blue Networks of the National Broadcasting System and "return control of the stations to their owners."

The commission, he said, has undertaken a study of the problems involved in joint newspaper-radio ownership but has made no findings. There remained a question, he said, whether the commission had authority in this field.

Fly emphatically replied "No" when Cox asked whether Fly and other commission members had not proceeded in the case with the intention of banning joint ownership. He denied that he ever had contended the commission had authority in the matter and said "there is a serious question as to whether the commission can do anything about it," if it should develop that something should be done.

Fly was questioned sharply on failure of the commission to dismiss Goodwin Watson, chief analyst of the foreign propaganda section, after the House had refused to appropriate funds for Watson's salary.

"Aren't you concerned about the intent of Congress?" asked Representative Nichols (Democrat), of Oklahoma.

"Yes," replied Fly. "I think I'm under a duty to give to Congress all the facts bearing on the matter before a final decision is made. The commission felt the Senate committee ought to see the man and hear him."

Fly added that he held "no brief" for Watson and "frankly I don't believe in all the things he has said.

"When the House of Representatives finally acts on it, we will be inclined to obey," he added.

"We'll certainly act," commented Nichols.

Wigglesworth had told the committee it was "perfectly shocking" to keep Watson on the commission payroll in view of the House action and in view of his purported beliefs and principles.

It was at this juncture that Cox commented that if all commission employes similar to Watson were discharged, the commission staff would be virtually halved.

"There are more fellow travelers and more revolutionists" in the FCC than in any other agency, Cox added. Wigglesworth accused the commission of having failed to take proper steps to prevent monopolies. He said the three large broadcasting systems, Columbia, National and Mutual, controlled all the clear channels and that 95 per cent of the available power and 40 per cent of the time of their affiliates was controlled by the chains. From 60 to 100 per cent of the earnings of the member stations from the chain-controlled time, Wigglesworth said, went to the chains.

At his second appearance before the committee on Wednesday of this week, Mr. Fly was questioned at length about the lack of public confidence in the commission.

"Any lack of confidence must be laid to the radio trust," he said.

He denied that there had been any "dissension" within the commission since he took office, adding that there had been some "differences of opinion."

Asked whether the commission had not used its licensing power to effectuate its policies, Mr. Fly said only once, in the network "monopoly" case.

When Mr. Cox asked him about the FCC "Gestapo," Mr. Fly said such accusations were false, that the FCC had only nine investigators. Nevertheless, Mr. Cox accused the FCC of "terrorizing small operators" through the use of investigators.

Mr. Fly told the committee that the so-called "Georgia Tech" case was behind the resolution, and proceeded to describe some of the aspects of that case. Mr. Cox replied that he knew of this case only by rumor, and that "this resolution has no connection with the Tech station."

Asked whether he was in favor of a hearing on the Sanders bill, Mr. Fly said that "other things are more important" but that he would be happy to answer questions if the Interstate Commerce Committee cared to hold hearings.

Asked about the FCC's lobbying activities against the Cox resolution, Mr. Fly said he had done no lobbying.

"Do you mean to say you have no knowledge of any efforts to shut off this investigation?" Mr. Cox asked.

Mr. Fly said he did not.

Asked whether he objected to this type of an investigation, Mr. Fly said he did; that he didn't think it wise to spend time that way when there were so many important things to be done, unless there were specific charges to be investigated.

The FCC was busy with the war effort, he continued, so busy that proposed investigations of super-power and clear channels had been postponed for the duration. The newspaper hearings were nearly completed, he added, and, although the issue had not yet been determined, present newspaper owners need not worry. They were in a "cozy position," he said, because the FCC had no intention of taking away their licenses—while there now could be no new building of any sort unless it was to furnish primary coverage to an area that did not now have such.

## SAUTHOFF PROPOSES TAX ON ADVERTISING

Representative Sauthoff (P-Wis.) on Thursday proposed to the Ways and Means Committee that it impose a tax on newspaper and radio advertising. He asserted that such a tax was justified, in the case of newspapers, because they enjoy an annual subsidy of \$90,000,000 by reason of the second class mail privilege. Another source of advertising which enjoys a special privilege from the government, he stated, is radio, and he suggested that the government "exact a fee for this form of advertising." The amount of the fee he left to the "good judgment" of the Committee.

## WOULD BAN LIQUOR ADS

On Friday Representative Rankin (D-Miss.) introduced a bill (H. R. 6785) to prohibit the advertising of alcoholic beverages

(Continued on page 160)



**The NATIONAL ASSOCIATION OF BROADCASTERS**

1626 K St., N. W.

WASHINGTON

Phone NAtional 2080

Neville Miller, *President*

C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

## WOULD BAN LIQUOR ADS

*(Continued from page 159)*

over the radio. It was referred to the Committee on Interstate and Foreign Commerce. The Johnson Bill (S. 517) to the same end is pending in the Senate. NAB will oppose both measures.

The bill is as follows:

### A Bill

To amend the Communications Act of 1934, as amended, so as to prohibit the radio advertising of alcoholic beverages

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Communications Act of 1934, as amended, is amended by inserting after section 316 thereof a new section as follows:*

#### "ADVERTISING OF ALCOHOLIC BEVERAGES

"SEC. 316A. No person shall broadcast by means of any radio station for which a license is required by any law of the United States, and no person operating any such station shall knowingly permit the broadcasting of any advertisement of any alcoholic beverage. Any person violating any provision of this section shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned not more than one year, or both, for each day during which such offense occurs."

## Morale

In response to the idea that station executives exchange morale building suggestions through the medium of NAB REPORTS, permits the presentation of those below.

Morale, being an inclusive term, would necessarily be expected to produce wide interpretations, and this is the case. Other suggestions are solicited from stations because the morale situation is open to betterment.

### Suggestion from WDO D

Dorothy W. McCurdy, program manager, WDO D, Chattanooga, Tenn., says: "You requested in your letter of February 28, that we pass along to you any ideas which we might have for morale building. I believe that the best way to do this is to itemize the programs which we have going and intend to start in the near future which we believe are fair ideas.

"1. Believing that the time has come to definitely forget the talk of 'defense' and 'complacency', WDO D is beginning a new 'Civilian Offense' show. The American people have shown that they want to *do*—that they want to *help*—and that they haven't the slightest idea what or how to do.

"It is our thought to clear up this situation as soon as possible for our listeners, by working in conjunction with the War Information Center of our public library.

"This will be a series of 13 programs, 30-minutes each, weekly. This series will include programs on Health, Nutrition, Blackout

Preparations, the Farmer, Evacuation of Civilians, Defense Bonds, Victory Gardens, Rationing, et cetera. All of these shows will be presented in an entertaining yet calm pattern. The base of the shows will be dramatic.

"It is the ultimate goal of WDO D that the people of the Tennessee Valley, the non-combatants, will know how and where to hit the enemy after our Offense Show is aired.

"2. In connection with the colored alliance of our city we are airing a 15-minute weekly program, directed to the colored people of our area, informing them just what their race is doing in the war and showing them how those at home can help. We are of the firm belief that these colored people can appeal to their own people much better than we can appeal to them. They are certainly being cooperative. . . .

"3. Through the local Red Cross Chapter, we are giving a 15-minute weekly dramatic skit, using professional talent, with sound effects, all in all a real little production! In these skits are tiny First-Aid ideas. We are not endeavoring to give the First-Aid class or anything of the sort; but just tiny things that the average person doesn't know which can be of use in the home, school, sports fields, et cetera. . . .

"4. As morale builders, we have two 30-minute programs now scheduled weekly on the station which are variety programs as far as the public is concerned, but the excuse for the programs and the highlight of each program is an interview with an unusual and interesting draftee from Fort Oglethorpe on one program, and on the other an interview with a man who has just been recruited on that day by the Army, Navy, Marine, or Coast Guard.

"5. As a morale builder for the armed forces, we are beginning next week a 30-minute weekly program, given by the talent from Fort Oglethorpe. This broadcast will be by remote control so that the soldiers from the Post may see the show and be afforded some entertainment. The boys have auditioned their talent, which is good. They have an agency man who is writing the script, an announcer from Michigan, and, all in all, it seems that it is going to be an excellent program."

### Suggestions from WBIG

Major Edney Ridge, director of WBIG, Greensboro, N. C., and his staff are engaged in uplifting morale on their home front in a variety of ways. The station is putting strong promotion effort behind the Don Nelson talks. When not carried by his network, he has arranged a rebroadcast by Mayor Huger S. King.

The station has inspired personnel heads of department stores and other organizations employing large numbers of people meeting the public to cooperate in an initial morale building effort. The first piece was an article published in "Everything," station house organ, emphasizing the importance for retail to keep optimistic.

"First—let's don't be calamity howlers! Don't grumble and complain that 'I just don't know when we'll have any more of this product—the ships aren't bringing in any more.' Or, 'the Government won't let them make it.' That is a good way to break down morale. Instead, tell them, 'there is a temporary shortage, but something will be manufactured soon to replace this item'—and you may also add that 'conditions are better here than for any other people on earth.' This will be no exaggeration for there will eventually be substitutes for all restricted items—and always, as long as we are a free people under the red, white and blue, we will have more than any other people on earth."

### Music Found Important

The station is stressing the importance of music in the war effort. Margaret Banks, WBIG musical director, has distributed over 100 copies of "Music In the War Effort" (sample copy which was distributed by NAB and which is available at the Radio Branch, Bureau of Public Relations, War Department) to the public schools in the city and county and to every musical group in the area.

The Major believes that this will result in much good and that radio will receive benefit for a long time to come by this ground work.



## Suggestion from WBT

Charles H. Crutchfield, program director, WBT, Charlotte, N. C., suggests the idea of short dramatizations which show the effect of civilian discussion of military information.

"To be specific," he wrote, "why wouldn't it be advisable to transcribe a batch of one-minute transcriptions similar to those pointed out in the attached script? There are hundreds of instances which could be dramatized simply and effectively, and I think you will agree that such dramatizations could be used by all stations large and small."

Mr. Crutchfield attached a script which was written and produced at WBT and broadcast 8:00 to 8:15 p.m. This was written by one of the station engineers, Ed Stone. To illustrate a section of this script follows:

Music: (Weird chord).

Announcer Echo: Don't talk!

Music: (Up and fade to).

Sound: (Construction noises).

Jim: Hey, Hank!

Hank: (Off Mike.) Yeah?

Jim: Let's take off five minutes and get a beer!

Hank: Ok! (Pause while coming into Mike.) Say, I could go for a scuttle right now—boy, it's hot!

Jim: Yeah. Got a cigarette?

Hank: Sure. (Pause.) Now, where in the devil did I put those—aw, nuts—I left 'em in my coat pocket!

Jim: Well, never mind—I'll get some at the commissary.

Man: Pardon me, bud—have one of my smokes?

Jim: Huh? Oh—uh, thanks.

Man: How about you?

Hank: Yeah, thanks—believe I will.

Man: Quite a job going on here.

Jim: Mister, you said it! The way they're pushing it you'd think they was scared it'd get dark before they finished it!

Man: Pushing it through, eh?

Jim: I'll say!

Hank: Yeah—the way we're going we ought to beat our contract by at least four months.

Man: Hm-m-m-m! You boys *must* be hopping! Uh—I believe they're going to build tanks here, aren't they?

Hank: That's right—and armored cars.

Man: I suppose the first machinery should be coming in pretty soon, eh?

Jim: Sure—we've got the east wing ready for installations now. Some of the presses are here already.

Man: Say—that's what I call making real time! Come on, let me buy you fellows a beer—I'm getting thirsty.

Hank: Fair enough! We were just on our way to get one.

Man: Fleming is my name. (Control begin fade.)

Jim: Glad to know you. I'm Jim Arnold. This is Hank Wallace.

Man: Glad to know you.

Hank: Same here.

## Likes "You Can't Do Business"

Jack W. Hawkins, general manager, KIUM, Pecos, Texas, writes: "Just a word to let you know that YOU CAN'T DO BUSINESS WITH HITLER is our idea of the best darn defense program on the air. Keep 'em coming."

## NAB BOARD MEETS

NAB Board of Directors meets Thursday and Friday of this week in New York.

## Radio Training to Expand

Assurance that the broadcasting industry would soon be called upon again for cooperation in the nation's radio technician training program was forthcoming from official quarters late Thursday afternoon, March 19. Official military orders are now in process

of distribution throughout the United States. Though informed of the details, it is naturally politic to refrain from releasing them until the order itself has been received. At the present time, and until one or two other details are worked out, it will not be suggested to stations how they may help.

Please destroy all announcements (except office copies) in your hands having to do with the technician training program. Doing this now will eliminate the possibility of using them in error at a later time.

Since last week the following schools have been approved for either initial or additional courses:

### California

California Institute of Technology

### Georgia

Georgia School of Technology (additional)

### Illinois

Illinois Institute of Technology (additional)

### Ohio

University of Akron (additional)

University of Dayton (additional)

### Oklahoma

University of Oklahoma (additional)

### Oregon

Oregon State College (additional)

### Pennsylvania

University of Pittsburgh (additional)

### Tennessee

Vanderbilt University (additional)

### Texas

Southern Methodist University (additional)

### Wyoming

University of Wyoming (additional)

### District of Columbia

Catholic University

Howard University

## 185 in Northern California Courses

C. L. McCarthy, KQW, San Francisco, and Howard Lane, Industry Representative, have received a report on the status of radio technician training in the San Francisco area. It was provided by Eugene L. Grant, School of Engineering, Stanford University, ESMDT Institutional Representative. He reported that 100 are in training on the Stanford campus, 45 in Eureka and 40 in San Francisco.

The organization meeting of the San Francisco section was held on March 5 when 480 attended in the Pacific Gas & Electric Co. auditorium. Mr. Grant explained that they were equipped to train only 40 of the 480 at the moment and have started their training courses at the Samuel Gompers Trade School. Since that time authorization has been received to proceed with the organization of other sections in San Francisco, and it is hoped to have them under way early in April. At the present time 185 are being trained by Stanford University.

## WOR Reports 3,613 Inquiries

Jack Poppele, chief engineer, WOR, reports that WOR distributed radio technician training inquiries from 28 states. The 3,613 letters were received in approximately seven days.

## WOWO-WGL Reports Backlog

Ft. Wayne, Ind., has a big backlog of applicants for the radio technician training course. By the first of February WOWO-WGL had received over 500 inquiries and, as reported in last week's bulletin, six sections with an enrollment of 120 had been set up under Purdue University.

## 466 in Northern Ohio Courses

Prof. H. E. Nold, Ohio State University and State Coordinator, and John F. Patt, WGAR, Industry Representative, report an enrollment in radio technician training courses in northern Ohio institutions of 466, as follows:

College	Enrollment
Fenn College	302
Oberlin College	57
Wooster College	28
John Carroll	21
Baldwin-Wallace	26
Western Reserve	32
	<hr/>
	466

Case School of Applied Science, Cleveland, is active in giving radio courses on a professional level.

## HORSE RACE RESULTS

*Variety* this week noted that Pennsylvania state authorities had complained to the FCC and the Department of Justice that broadcasting of race-by-race horse race results by a Philadelphia station constituted deliberate cooperation with gambling interests. The NAB has been aware for some time that Pennsylvania and other state and city authorities were disturbed about race result broadcasting of this kind. Other complaints similar to that filed against the Philadelphia station are in the making elsewhere. It was in the light of this information that the NAB Code Compliance Committee at its last meeting suggested that the broadcasting of race-by-race horse race results was bad radio.

## SUPREME COURT GRANTS REVIEW

The Supreme Court at its session March 16 granted review of the CBS and NBC cases against the government. The lower court had held that the FCC's regulations relating to chain broadcasting are not "orders" within the meaning of Section 402 (a) of the Communications Act, which authorizes suits to set aside orders of the Commission to be brought in the federal district court in the district where the principal offices of complainant are located (NAB REPORTS, February 27, p. 113).

## SELECTIVE SERVICE

Brig. Gen. Lewis B. Hershey, Director of Selective Service, has sent the following message to all Local Boards. As an authoritative statement of the position of the Selective Service System in regard to the temporary deferment of necessary men, station operators are urged to read it with care.

### "What Is a Necessary Man?"

"The essential ingredient in our total war effort is manpower—trained manpower.

"The proper allocation of this manpower between our armed forces and the factories and farms which must produce the materials to arm, clothe, and feed our Army and Navy and to care for the needs of our civilian population is our Nation's chief problem—and it is peculiarly a problem of the Selective Service System.

"This involves the question: What is a 'necessary man'?"

"Succinctly, a 'necessary man' is a man engaged in work essential for winning this war who cannot be replaced in his civilian occupation by a man otherwise deferred from military service or by a woman.

"Men for the land and naval forces we must have. They must be procured in adequate numbers and in time to be trained. However, these men cannot carry our flag to the victories we must win on land and sea—cannot even be trained for that achievement—without guns, without munitions, without tanks, without airplanes, without ships, or without food and clothing.

"The machinery of production of supplies and war material must turn in production of these essentials as rapidly as our fighting men can be mobilized. Skilled men are required to keep

that machinery turning—not every skilled man now so engaged, for skills are needed in the Army and Navy also—but an adequate number of skilled men to keep it turning at top speed until they can train other men or women to replace them when they leave for the front.

"It is a vital part of our job—in the local boards, in the advisory boards, among the Government appeal agents, in the appeal boards, in the State Headquarters, and in the National Headquarters—to insure that 'necessary men' are left on the industrial and agricultural front. It is the job of management, of labor, and of other Government agencies to supply the data we require to properly determine what are necessary civilian activities and who are the necessary men engaged in them.

"From time to time as such pertinent facts are obtained by National Headquarters they are transmitted to the various State Headquarters, which, in turn, inform their local boards. These memorandums are for the guidance of local boards in classifying their individual registrants. They cannot be deemed to be applicable to any group or class of registrants as a whole, and I feel sure that no member of the Selective Service personnel would so construe them, for it is fundamental in the Selective Service System that each individual registrant must be classified as an individual and by the local board that represents his own community.

"Local boards make the initial classification, but advisory boards and employers make possible intelligent classification by assisting the registrant to include pertinent information in his questionnaire.

"Government appeal agents play their part by carrying to appeal boards the cases they believe susceptible to change in classification.

"It is the duty of the appeal boards to classify intelligently those cases sent to them.

"National and State Headquarters must supervise, disseminate information, educate, and, where and when necessary, take appeals.

"Thus we must answer the question 'What is a necessary man?' And it must be answered by all of us in a manner that will provide maximum strength for our armed forces and adequate production of those things that are essential to train and equip them."

## 600 BMI SUBSCRIBERS

EDITOR'S NOTE: Under the heading "Wide Support for BMI" there was published in the March 13 issue of NAB REPORTS a statement by BMI. The statement as published constituted a first draft rather than the draft that was later released to the trade press. There follows herewith the later official BMI statement.

BMI announced this week that 600 stations had already signed the new eight year contracts, and that these contracts represented approximately 80 per cent of the industry's revenue. Practically all other BMI licensees have already indicated their continuing support, both at meetings and by mail.

Although BMI's present contracts expire on March 11th, the first payment under the new contracts, due April 20th, will cover only a portion of the month of March, and the first full month's payments under the new agreements will become payable only on May 20th. The last call on current contracts was made in January. BMI has paid all instalments already due on the contract with Edward B. Marks Music Corporation, the company's largest single commitment, and BMI has, in addition, accumulated and earmarked an amount sufficient to pay all of the 1942 instalments on this contract.

These factors create a stringency in cash position which is being obviated by the payment in advance by Columbia Broadcasting System, Inc., National Broadcasting Company, Inc., Blue Network Company, Inc., and the stations controlled by other directors of BMI, of the equivalent of the first six months' license fees upon the new contract basis. The payments by the networks are advances on their eight year contracts, which are conditioned, for their full term, only upon the continued support of BMI by the industry and the assumption of their proportion of the cost of clearance at the source by affiliates.

## RED CROSS THANKS RADIO

The Red Cross, through the NAB, wishes to thank the broadcasting industry for its help during the recent war fund appeal.

"Networks, clear channel stations, smaller stations—the entire industry—accorded excellent support of the campaign with the result that the war fund was oversubscribed," G. Stewart Brown, director of the Public Information Service, said in a letter to the NAB.

## Sales

### Who's Doing the Business?

Retail trade in the U. S. was up during January of 1942 by 16 per cent over January of 1941, according to the U. S. Department of Commerce. Dollar volume of all retail stores was \$4,212,000,000.

Retailers doing that kind of business are good prospects for local radio advertising, since advertising budgets of retail stores are nearly always based on sales volume.

Radio salesmen will be interested in this Commerce Department comparative table, showing which classifications of retailers are doing the biggest volume:

Monthly Sales of all Retail Stores

Group	1942		1941	
	Jan.	Dec.	Nov.	Jan.
	(Millions of dollars)			
All retail stores.....	4,212	5,473	4,517	3,639
	(Daily average indexes, 1935-39=100)			
Unadjusted for seasonal variation				
All retail stores.....	126.8	166.0	145.2	110.2
Durable-goods stores.....	94.7	153.9	139.6	120.5
Nondurable-goods stores.....	137.2	169.9	147.0	106.9
Adjusted for seasonal variation				
All retail stores.....	149.0	138.4	139.6	130.3
Durable-goods stores.....	125.8	144.2	134.1	156.8
Nondurable-goods stores.....	156.5	136.5	141.4	121.7
Food stores.....	155.3	140.8	143.4	118.7
Eating and drinking places.....	152.4	147.8	148.7	127.7
Apparel stores.....	176.2	132.1	145.9	119.7
Filling stations.....	157.5	141.0	142.5	131.0
Building materials and hardware dealers.....	177.8	164.0	156.6	144.6
Household furnishings stores.....	168.8	138.6	149.7	137.2
Automotive stores.....	84.6	135.5	116.4	169.1
Drug stores.....	141.9	135.8	139.2	123.5
General-merchandise stores.....	149.5	123.5	130.2	113.5
Other retail stores.....	165.1	141.7	148.0	134.8

The increase in dollar volume is due almost entirely to the sharp upward trend in prices; the physical volume of goods sold in January was no greater than in the same month of last year.

Sale of durable goods was off, notably new automobiles, tires and tubes, but a large volume in used cars, parts and accessories was noted. Sales of household furnishings, building materials and hardware, and jewelry increased during the month.

Largest increases were in apparel and general merchandise stores; food stores and chain stores also recorded big increases.

The rise, general throughout the country, "reflects continued heavy consumer buying stemming from the war program, as well as stocking up in anticipation of shortages."

### Tobacco Sales Increase

Sales of cigarettes and other tobacco products were greater in 1941 than in 1940, with biggest gains noted in cigarettes and 5-cent cigars. Smoking tobacco production was off, but chewing tobacco sales increased, according to the Bureau of Internal Revenue, "as many workers have turned to chewing where smoking is forbidden

in factories." Radio salesmen, especially in industrial areas, may well turn some attention to prospective chewing tobacco accounts.

### Per-Inquiry and Free Time

**United Advertising Companies**, Chicago agency, previously reported several times in these columns, is still seeking P-I deals, this time for a telescope.

**Robert Kaln & Associates**, another Chicago agency, seeks P-I deals for a "Swiss" Weather House.

Seeking free time for publicity releases are the **Woman's Home Companion** on behalf of the Gotham Silk Hosiery Co.; the **DuPont Co.** on behalf of its automobile refinishers; and the **National Peanut Council, Inc.**, of Atlanta, Ga., on behalf of peanuts "with which to help win the war." And **Hot Springs National Park**, of Arkansas, through its Chamber of Commerce, wants free plugs on its 110th anniversary.

### Idea for "Free" Scripts

The Dallas bureau of International News Service no longer considers publicity handouts as mere wastebasket fillers. Instead, all the standard sized handouts are stacked and used for office copy paper, thereby cutting overhead. If broadcasters wish to follow that example, the scripts sent to stations for free plugs will have some value after all.

### TELEVISION CONFERENCE CALLED

The FCC will meet in informal conference with television permittees and licensees and representatives of the Radio Manufacturers Association on April 9 at 2:30 p. m. in Room 6121 of the Commission's offices to discuss war-time television problems for the purpose of determining policies that may be followed regarding television broadcasting during the duration of the emergency. Due to limited facilities, attendance at this conference will be restricted to not more than two representatives of any television station or organization.

### KVOR PROPOSED ORDER

Finding that the company interfered with self-organizational rights of its employees through anti-union statements and by unilaterally settling claims for overtime, the National Labor Relations Board on March 13 announced an order which, if made final, would direct the Out West Broadcasting Company, Colorado Springs, operator of radio station KVOR, to cease employee interference and post notices to that effect.

At the same time, the proposed order tentatively dismissed allegations of the unfair labor practice complaint against the broadcasting company that it had refused to bargain collectively in good faith with International Brotherhood of Electrical Workers, Local No. 113 (AFL), on behalf of the station's four technicians.

### FCC STATISTICS

The Federal Communications Commission publication, "Statistics of the Communications Industry in the United States" for the year ended December 31, 1940, was this week placed on sale by the Superintendent of Documents, Government Printing Office, Washington, D. C., at a price of 20 cents a copy.

The financial and operating data shown in this publication relate to common carriers and broadcast stations subject to the provisions of the Communications Act. The information was compiled from annual and monthly reports received in the Accounting, Statistical and Tariff Department of the Commission. Though the 1940 yearbook is reduced in size to meet appropriations and paper conservation requirements, it contains pertinent facts concerning individual telephone, telegraph, cable and radiotelegraph carriers and controlling companies; also, statistical summaries relative to standard broadcast stations and networks.

The first edition of this yearbook, for the calendar year 1939, was sold out within a few weeks after it was placed on sale by the

Superintendent of Documents and a second printing was necessary.

## FEDERAL LEGISLATION

H. R. 6785 (Rankin, D-Miss.) COMMUNICATIONS ACT—LIQUOR ADVERTISING—To amend the Communications Act of 1934, as amended, so as to prohibit the radio advertising of alcoholic beverages. Referred to Committee on Interstate and Foreign Commerce.

## STATE LEGISLATION

### RHODE ISLAND:

H. 854 (Scott) FOOD, DRUG AND COSMETICS ACT—To prohibit the adulteration, misbranding and false advertisement of food, drugs, devices, and cosmetics and for other purposes. A Uniform State Act to supplement Federal Food, Drug and Cosmetics Act and Federal Trade Act. Applies to goods manufactured and sold in intra-state commerce. Referred to Committee on Judiciary.

# FEDERAL COMMUNICATIONS COMMISSION DOCKET

## HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 23. They are subject to change.

**Monday, March 23**

Consolidated Hearing

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—C. P., 740 kc., 50 KW, DA-night and day, unlimited time.  
KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—C. P., 740 kc., 50 KW, DA-night and day, unlimited time.

**Tuesday, March 24**

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—C. P., 950 kc., 1 KW, DA-night, unlimited time.

**Thursday, March 26**

Consolidated Hearing

W65H—WDRC, Incorporated, Hartford, Conn.—Modification of C. P., 43590 kc., 13,944 sq. mi., unlimited time.  
NEW—The Radio Voice of New Hampshire, Inc., Manchester, N. H.—C. P., 43500 kc., 20,290 sq. mi., unlimited time.

Further Hearing

WGST—Georgia School of Technology, Atlanta, Ga.—Renewal of license (main and auxiliary), 920 kc., 1 KW night, 5 KW day, unlimited time.

# FEDERAL COMMUNICATIONS COMMISSION ACTION

## APPLICATIONS GRANTED

General Electric Co., New Scotland, N. Y.—Granted construction permit (B1-PVB-88) on an experimental basis, for a new television relay broadcast station to operate on Channel No. 8, 162000-168000 kc., 50 watts peak power and A-5 emission, for relaying programs to applicant's television Station WRGB, replacing experimental relay television Station W2XI.

WMC—Memphis Publishing Co., Memphis, Tenn.—Granted modification (B3-MP-1410) of construction permit (B3-P-2743) to make changes in directional antenna for nighttime use, subject to any action which may be taken with reference to multiple ownership.

WRDO—WRDO, Inc., Augusta, Maine.—Granted renewal of license upon a regular basis (B1-R-804).

## HEARINGS DESIGNATED

WAPO—W. A. Patterson, Chattanooga, Tenn.—Designated for hearing pursuant to policy with respect to new construction under present emergency and other considerations, application for construction permit (B3-P-3382) to make changes in directional antenna system and increase night power from 1 to 5 KW.

Kennebec Broadcasting Co., Augusta, Maine.—Designated for hearing pursuant to policy with respect to new construction under present emergency and other considerations, application for construction permit (B1-P-3274) for a new station to operate on 1400 kc., 250 watts, unlimited time. (Requests facilities of WRDO.) Exact site and antenna system to be determined subject to Commission's approval.

WLAV—Leonard A. Versluis, Grand Rapids, Mich.—Designated for hearing pursuant to policy with respect to new construction under present emergency and other considerations, application to change frequency from 1340 to 930 kc., increase power from 250 watts to 1 KW, install a new transmitter and directional antenna for night use and move transmitter locally.

## LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending August 1, 1942:

WJHL, Johnson City, Tenn.; WKY and auxiliary, Oklahoma City, Okla.; WMMN, Fairmont, W. Va.; WORL and auxiliary, Boston, Mass.; WPEN and auxiliary, Philadelphia; WWJ and auxiliary, Detroit, Mich.; KARK, Little Rock, Ark.; WTAD, Quincy, Ill.; KFPY, Spokane, Wash.; KHJ and auxiliary, Los Angeles; KRRV, Sherman, Tex.; KTKC, Visalia, Calif.; WSPA, Spartanburg, N. C.; KOMO and auxiliary, Seattle, Wash.

The following were granted renewal of licenses for the period ending June 1, 1944:

WKBN, Youngstown, Ohio; WKZO, Kalamazoo, Mich.; WMC and auxiliary, Memphis, Tenn.; WMT, Cedar Rapids, Iowa; WOW, Omaha, Nebr.; WPIC, Sharon, Pa.; WQAM and auxiliary, Miami, Fla.; WROL, Knoxville, Tenn.; WSJS, Winston-Salem, N. C.; WSUN, St. Petersburg, Fla.; WSWA, Harrisonburg, Va.; WMBS and auxiliary, Uniontown, Pa.; WREC and auxiliary, Memphis, Tenn.; KLZ, Denver; KSAC, Manhattan, Kans.; WNAX, Yankton, S. Dak.; KSD, St. Louis, Mo.; KTAR, Phoenix, Ariz.; WSYR, Syracuse, N. Y.; WTAR and auxiliary, Norfolk, Va.; WTMJ and auxiliary, Milwaukee, Wis.; KFDM, Beaumont, Tex.; KFRC and auxiliary, San Francisco; KFSD, San Diego, Calif.; KHQ, Spokane, Wash.; KOY, Phoenix, Ariz.; KECA and auxiliary, Los Angeles; KROD, El Paso, Tex.

Licenses for the following stations were extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending May 1, 1942:

KFAR, Fairbanks, Alaska; KFKA, Greeley, Colo.; KGFX, Pierre, S. Dak.; KGMB and auxiliary, Honolulu, T. H.; KGW, Portland, Ore.; KOAC, Corvallis, Ore.; KPOF, Denver; KPRC, Houston, Tex.; KSEI, Pocatello, Idaho; KSFO, San Francisco; KTSA, San Antonio, Tex.; KUTA, Salt Lake City; KVOD, Denver; WAAF, Chicago; WBAA, West Lafayette, Ind.; WCOC, Meridian, Miss.; WDEV, Waterbury, Vt.; WEAN, Providence, R. I.; WGBI and auxiliary, Scranton, Pa.; WICC, Bridgeport, Conn.; WILL, Urbana, Ill.; WIS, Columbia, S. C.; WJAG, Norfolk, Nebr.; WJAR, Providence, R. I.; WKAQ, San Juan, P. R.; WKAQ auxiliary; WKRC, Cincinnati; WLBL, Stevens Point, Wis.; WLBZ, Bangor, Maine; WPRO and auxiliary, Providence, R. I.; WQAN and auxiliary, Scranton, Pa.; WSUI, Iowa City, Iowa; WWNC, Asheville, N. C.; WTAG and auxiliary and emergency auxiliary.

The following stations were granted renewal of licenses for the period ending February 1, 1944:

KTRB, Modesto, Calif.; WCAL, Northfield, Minn.; WLB, Minneapolis, Minn.

In the following cases the licenses were extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending June 1, 1942:

KFYR, Bismarck, N. Dak.; WRNL and auxiliary, Richmond, Va.; WSAZ, Huntington, W. Va.  
WGNC—F. C. Todd, Gastonia, N. C.—Granted renewal of license for the period ending October 1, 1943.  
KGDM—E. F. Pepper, Stockton, Calif.—Granted renewal of license for the period ending April 1, 1944.

### MISCELLANEOUS

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Granted modification of construction permit (B1-PCT-2 as modified, which authorized a new television broadcast station) for extension of completion date only, from February 27, 1942, to May 27, 1942 (B1-MPCT-7).  
WFTL—Ralph A. Horton, Fort Lauderdale, Fla.—Granted modification of construction permit (B3-P-3355) only insofar as it requests approval of transmitter site at south side of The North New River Canal, 9 miles west of Ft. Lauderdale, Fla., and approval of the directional antenna system subject to installation special monitoring facilities to maintain the pattern in close adjustment and subject to special proof of performance measurements in the vertical plane demonstrating that protection is actually afforded the secondary service of Station WOR. Towers to be marked in accordance with Specifications issued pursuant to Section 303(q) of the Communications Act as amended (B3-MP-1508).  
W53PH—WFIL Broadcasting Co., Philadelphia, Pa.—Granted modification of construction permit (B2-PH-73, as modified, for new high frequency broadcast station) for extension of completion date from March 10, 1942, to May 10, 1942 (B2-MPH-76).  
Lake Shore Broadcasting Corp., Cleveland, Ohio.—Granted petition to accept amendment to application for new station, to make changes in officers and directors of applicant corporation and to correct transmitter site.  
KGGM-KVSF—New Mexico Broadcasting Co., Inc., Albuquerque, N. Mex.; Santa Fe, N. Mex.—Granted motion for continuance to May 11 of hearing now set for March 18, on application of KGGM (B5-P-2918), and applications of KVOA and KVSF to change facilities (B5-P-2906 and B5-P-2917).  
KVOA—Arizona Broadcasting Co., Inc., Tucson, Ariz.—Granted motion for leave to withdraw application (B5-P-2906) to change facilities.  
Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—Granted petition for amended order to take depositions to change the name of notary and place, and add additional names in order to take depositions in re applications of applicant and of James F. Hopkins, Inc., for a new station in Ann Arbor.  
KRBC-WQBC—Reporter Broadcasting Co., Abilene, Tex.; Delta Broadcasting Co., Inc., Vicksburg, Miss., H. C. Cockburn, tr/as San Jacinto Broadcasting Co., Houston, Tex.—On its own motion the Commission supplemented notice of issues in Docket Nos. 5968, 6166 and 6168, and ordered retention of present hearing date—April 13, 1942.  
S. Brad Hunt, Alton, Ill.—On its own motion the Commission supplemented notice of issues in Docket No. 6236, and ordered retention of present hearing date—April 6, 1942.  
James F. Hopkins, Inc., Washtenaw Broadcasting Co., Inc. (both of Ann Arbor, Mich.)—On its own motion the Commission supplemented notice of issues in Dockets Nos. 6230 and 6231, and ordered retention of present hearing date—April 1, 1942.  
WSO—Paducah Broadcasting Co., Inc., Henderson, Ky.—On its own motion the Commission supplemented notice of issues in Docket No. 6235, and ordered retention of present hearing date—April 2, 1942.  
Knickerbocker Broadcasting Co., Inc., New York City.—Granted petition to accept amendment to change name of applicant for new FM station, to WMCA, Inc.  
WLOL—Independent Merchants Broadcasting Co., Minneapolis, Minn.—Granted motion for continuance to May 20 of hearing now set for March 23, in re application of WLOL and WMIN to operate on frequency 630, 1 KW night, 5 KW day, DA-night and day, unlimited time.  
WILM—Delaware Broadcasting Co., Wilmington, Del.—Granted construction permit for move of transmitter approximately 30 feet from present location and use of south tower of WDEL's directional array (B1-P-3387).

WCLS—WCLS, Inc., Joliet, Ill.—Granted application for construction permit to move transmitter approximately 250 feet from present site (B4-P-3455).  
KBON—MSB Broadcast Co., Omaha, Nebr.—Granted modification of construction permit as modified for new station, for authority to change corporate name to Inland Broadcasting Co. (B4-MP-1517).  
WASK—WFAM, Inc., Lafayette, Ind.—Granted modification of construction permit for changes in transmitting equipment (B4-MP-1529).  
WGBG—Greensboro Broadcasting Co., Inc., Greensboro, N. C.—Granted license to cover construction permit as modified for new station, for approval of studio location (B3-L-1621); granted authority to determine operating power by direct measurement of antenna input (B3-Z-1353).  
KYOS—Merced Broadcasting Co., Merced, Calif.—Granted license to cover construction permit which authorized change in frequency and increase in hours of operation (B5-L-1610); granted authority to determine operating power by direct measurement of antenna input (B5-Z-1340).  
WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Granted license to cover construction permit for changes in transmitting equipment (B4-L-1625).  
KFJZ—Tarrant Broadcasting Co., Fort Worth, Tex.—Granted license to cover construction permit for move of old transmitter to site of new main transmitter, to be used as auxiliary transmitter with power of 1 KW, for emergency use only, using directional antenna (B3-L-1606).  
KFXJ—Western Slope Broadcasting Co., Grand Junction, Colo.—Granted license to cover construction permit for change in frequency, change in transmitter and antenna and increase in power (B5-L-1624); granted authority to determine operating power by direct measurement of antenna input (B5-Z-1356).  
WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—Granted authority to determine operating power by direct measurement of antenna input (B2-Z-1352).  
WBYN—WBYN-Brooklyn, Inc., Brooklyn, N. Y.—Granted license to use Composite transmitter as auxiliary transmitter, with power of 500 watts, for emergency use only (B1-L-1620).  
WJLD—J. Leslie Dess, Bessemer, Ala.—Granted modification of construction permit for change in type of transmitter, approval of antenna and transmitter site, and change studio location (B3-MP-1479).  
WDEL—WDEL, Inc., Wilmington, Del.—Granted modification of construction permit for change in type of transmitter (B1-MP-1496).  
Herman Radner, Dearborn, Mich.—On its own motion the Commission supplemented notice of issues in Docket No. 6220, and ordered retention of present hearing date—April 6, 1942.  
Pan American Broadcasting System, Inc., Hollywood, Florida; Seaboard Broadcasting Corp., Tampa, Fla.—Granted motions to dismiss applications for construction permits, and further ordered that said applications be dismissed with prejudice (Docket Nos. 5931 and 5935).  
WELL—Federated Publications, Inc., Battle Creek, Mich.—On the Commission's own motion continued hearing now set for March 16 until March 19, 1942, in re application for renewal of license (Docket No. 6199).  
WPRP—Julio M. Conesa, Ponce, Puerto Rico.—On its own motion the Commission supplemented notice of issues in Docket Nos. 5678 and 6107, and ordered retention of present hearing date, April 22, 1942.  
WCNW—Arthur Faske, Brooklyn, N. Y.—Granted modification of construction permit for new transmitter, change in frequency, increase in power, change in hours of operation, for authority to install new type transmitter (B1-MP-1518).  
Yankee Broadcasting Co., Inc., New York City.—Dismissed without prejudice application for construction permit for a new station to operate on 620 kc., with 1 KW power, unlimited time. Applicant requested withdrawal of application (Docket 6189).  
WOL—American Broadcasting Co., Washington, D. C.—Set aside action of the Commission of November 12, 1941, granting an application for construction permit (B1-P-3229) to make changes in its directional antenna system, and dismissed said application.  
WNAC—The Yankee Network, Inc., Boston, Mass.; WFBM—WFBM, Inc., Indianapolis, Ind.—Dismissed petition for rehearing filed by WNAC and WFBM directed against the action of the Commission November 12, 1941, granting

application to WOL to make changes in its directional antenna system. (These petitions become moot by reason of the above action on WOL.)

Edwin A. Kraft, Kodiak, Alaska.—Set aside action of February 17, 1942, granting application for a new station and designated the application (B-P-3279) for hearing.

#### APPLICATIONS FILED AT FCC

##### 580 Kilocycles

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—Authority to determine operating power by direct method on special temporary authority.

##### 660 Kilocycles

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—Construction permit to change frequency from 610 to 660 kc., increase power from 1 to 10 KW, and install new transmitter. Amended: to change type of transmitter.

##### 960 Kilocycles

WSBT—The South Bend Tribune, South Bend, Ind.—License to cover construction permit (B4-P-3330) for increase in power, change in equipment and directional antenna.

WSBT—The South Bend Tribune, South Bend, Ind.—Authority to determine operating power by direct method.

WSBT—The South Bend Tribune, South Bend, Ind.—License to cover construction permit (B4-P-3331) for changes in and move formerly licensed RCA transmitter to new site of main transmitter as auxiliary transmitter.

WSBT—The South Bend Tribune, South Bend, Ind.—Authority to determine operating power by direct method for auxiliary transmitter.

##### 980 Kilocycles

WHAL—Harold F. Gross and Edmund C. Shields, Saginaw, Mich.—Modification of construction permit (B2-P-936) as modified for a new station, requesting extension of commencement and completion dates from 10-14-41 and 4-12-42 to 10-12-42, and 180 days thereafter, respectively.

##### 1060 Kilocycles

KYW—Westinghouse Radio Stations, Inc., Philadelphia, Pa.—Modification of construction permit (B2-P-3145) for changes in directional antenna, requesting extension of completion date from 4-5-42 to 10-2-42.

##### 1190 Kilocycles

WOWO—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Construction permit to make changes in equipment, install directional antenna for day and night use, increase power from 10 to 50 KW and change hours from simultaneous day and share night with WWVA to unlimited time. Amended: re type of transmitter proposed and to move transmitter and to use directional antenna night only.

##### 1320 Kilocycles

KTRH—KTRH Broadcasting Co., Houston, Texas.—Authority to determine operating power by direct method.

##### 1340 Kilocycles

WALL—Community Broadcasting Corp., Middletown, N. Y.—Modification of construction permit (B1-P-2594) for a new station, requesting approval of transmitter and studio sites, approval of antenna and frequency monitor and change in type of transmitter.

WJMA—John and Marcia Arrington, d/b as Arrington and Arrington, Covington, Va.—Voluntary assignment of license to Earl M. Key.

##### 1390 Kilocycles

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Modification of construction permit (B4-P-3063) as modified, for new transmitter, directional antenna for day and night, increase in power, change hours and move trans-

mitter, requesting extension of completion date from 3-20-42 to 5-20-42.

##### 1450 Kilocycles

WKIP—Poughkeepsie Broadcasting Corp., Poughkeepsie, N. Y.—Authority to determine operating power by direct method.

NEW—The Fort Hamilton Broadcasting Co., Hamilton, Ohio.—Construction permit for a new broadcast station to be operated on 1450 kc., 250 watts, unlimited time.

KMYC—Marysville-Yuba City Broadcasters, Inc., Marysville, Calif.—Construction permit to move transmitter and studio.

##### 1460 Kilocycles

WHP—WHP, Inc., Harrisburg, Pa.—License to cover construction permit (B2-P-3394) to install auxiliary transmitter, power 500 watts.

##### 1480 Kilocycles

KGCC—E. E. Krebsbach, Wolf Point, Mont.—Construction permit to move studio and transmitter and changes in antenna.

##### 1490 Kilocycles

WGKV—Kanawha Valley Broadcasting Co., Charleston, W. Va.—Transfer of control of corporation from William A. Carroll to Worth Kramer, through sale of 128 shares common stock.

KBON—MSB Broadcast Co., Omaha, Nebr.—License to cover construction permit (B4-P-2697) as modified, for a new broadcast station.

KBON—MSB Broadcast Co., Omaha, Nebr.—Authority to determine operating power by direct method.

##### 1590 Kilocycles

WBRY—American Republican, Inc., Waterbury, Conn.—Special service authorization to move present 1 KW transmitter to site authorized for new 5 KW transmitter under B1-P-2756, as modified.

#### FM APPLICATIONS

NEW—The Outlet Company, Providence, R. I.—Construction permit for a new high frequency broadcast station to be operated on 48500 kc.; population, 1,556,495; coverage, 4,840. Amended: to change transmitter site, change type of transmitter and antenna system, coverage to 7,520 square miles, and population to 1,956,807.

W63NY—Marcus Loew Booking Agency, New York, N. Y.—Modification of construction permit (B1-PH-3) as modified for a new high frequency broadcast station, requesting extension of completion date from 4-11-42 to 7-10-42.

K59L—Columbia Broadcasting System, Inc., St. Louis, Mo.—Modification of construction permit (B4-PH-102) for a new high frequency broadcast station, requesting extension of completion date from 4-18-42 to 10-18-42.

W49D—John Lord Booth, Detroit, Mich.—Modification of construction permit (B2-PH-20) as modified for a new high frequency broadcast station, requesting extension of completion date from 4-11-42 to 10-11-42.

#### TELEVISION APPLICATIONS

W9XBB—Balaban and Katz Corp., Portable-Mobile.—Modification of construction permit (B4-PVB-78) as modified for a new experimental television broadcast station, requesting extension of completion date from 5-25-42 to 5-25-43.

W9XPR—Balaban and Katz Corp., Chicago, Ill.—Modification of construction permit (B4-PVB-79) as modified for a new television broadcast station, requesting extension of completion date from 5-25-42 to 5-25-43.

WTZR—Zenith Radio Corp., Chicago, Ill.—Modification of construction permit (B4-PCT-9) for a new television broadcast station, requesting extension of commencement and completion dates from 10-12-41 and 4-12-42 to 4-12-42 and 10-12-42, respectively.

#### MISCELLANEOUS APPLICATIONS

WNYE—Board of Education, City of New York, Brooklyn, N. Y.—Modification of construction permit (B1-PED-18) as modified, for change in frequency, power, emission and

equipment, requesting extension of completion date from 4-20-42 to 10-20-42.

WRCA—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of license to request the additional frequency of 15190 kc.

WNBI—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of license to request the additional frequency of 15190 kc.

WENE—WJIM, Inc., Portable-Mobile.—Construction permit to change type of transmitter and increase power from 15 to 50 watts.

W2XYP—Columbia Broadcasting System, Inc., New York, N. Y.—Modification of construction permit (B1-PRE-386) as modified for a new ST broadcast station, requesting extension of completion date from 3-22-42 to 5-22-42.

WGEO—General Electric Co., Schenectady, N. Y.—Construction permit to install new transmitter.

WLAC—J. T. Ward, tr/as WLAC Broadcasting Service, Nashville, Tenn.—Modification of construction permit (B3-P-1250) as modified for new transmitter, directional antenna for night use, increase in power and move requesting extension of completion date from 4-1-42 to 6-1-42.

## FEDERAL TRADE COMMISSION DOCKET

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

**American Button Mould Mfg. Asso., Inc.**—A complaint has been issued charging the American Button Mould Manufacturers Association, Inc., 274 Madison Ave., New York, four of its officers, and six member firms manufacturing approximately 80 percent of the button molds (button parts) and buckle molds (buckle parts) made in the United States, with a combination and conspiracy to fix prices and restrain trade. (4726)

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Cosby-Hodges Milling Co.**, 1501 First Ave., South, Birmingham, Ala., engaged in the sale and distribution of flour, stipulated to cease supplying others with prize drawing cards or other lottery devices, either with assortments of flour or other merchandise, or separately, which devices are to be or may be used in selling or distributing such flour or other merchandise to the public. (3427)

**Delaware Floor Products, Inc.**, Wilmington, Del., manufacturer of hard surface floor coverings, has entered into a stipulation that in the advertisement and sale of its product "Kolorflor" it will cease using the word "Inlaid" as descriptive of the product, or that word alone or in connection with other words, implying that the product is a floor covering manufactured by the process of inlaying, when actually it is not inlaid. (3424)

**F. W. Fitch Co.**, 304-15th St., Des Moines, Iowa, stipulated that it will cease representing that its No. 6 size bottle of "Fitch's Dandruff Remover Shampoo" is the "75¢ Size" or has a "Regular Retail Price of 75¢" or representing in any way that its various types of merchandise have regular values and customarily sell for sums in excess of the prices actually charged the public. (3423)

**Hoyt Chemical Co.**—A stipulation to discontinue certain misrepresentations in the sale of a pharmaceutical product designated "Hoyt's Compound" has been entered into by Verne N. Seeley, Herman P. Doyle and Fred D. Grantham, trading as Hoyt Chemical Co., 1042 East Colfax Ave., Denver. (3422)

**Henry J. Ludwig**, 17 West 44th St., New York, dealer in jewelry, silverware, luggage, gift ware and other merchandise, entered into a stipulation that in the sale of his products to the public, other than the retail trade dealing in such products, he will cease employing the words "list" or "discount" or representing that the prices at which he sells his merchandise constitute a discount to purchasers or are wholesale prices, when actually such prices are the usual amounts at which he sells such merchandise in the ordinary course of trade. The respondent Ludwig also stipulates that he will cease disseminating a so-called "Special Co-operative Discount Card" or any similar writing or device purporting to enable the holder to receive a "discount" or other financial advantage in the purchase of merchandise when actually the recipient does not receive a deduction based on the customary price. (3426)

**H. Wenzel Tent & Duck Co.**, 1035 Paul St., St. Louis, distributor of tents, tarpaulins and other duck or canvas products, stipulated to cease and desist from designating as the weight of the duck or fabric of such products any weight in excess of the actual weight per square yard of the original grey goods used in the making of the products. The stipulation points out that in the cotton duck or canvas products industry and trade the weight of a duck or canvas product indicates the weight on a square yard basis of the original grey goods used in its manufacture and does not include the weight of any so-called waterproof material used therein. According to the stipulation, the respondent stenciled on certain of its products the words and figures "17½ Oz. Waterproofed" and invoiced the products as "17½ oz. Waterproofed Weight," the tendency being to create the impression that the original grey goods weighed 17½ ounces per square yard, when actually the weight of the original grey goods was materially less than 17½ ounces per square yard. (3425)

### CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

**Felder Bros., Inc.**—An order to cease and desist from misrepresenting the composition of billfolds has been issued against Felder Bros., Inc., 583 Broadway, New York, and its officers, Abraham, David and Louis Felder. (4555)

**Logan-Cache Knitting Mills**, Logan, Utah, manufacturer of women's knitted wear, has been ordered to cease use of the word "Loganknits" to describe its products or otherwise represent that its products are the products of its competitor, the Logan Knitting Mills and Garment Co., also of Logan, Utah. (4075)

**Samuel Martin, Ltd.**, 600 Textile Tower, Seattle, Wash., has been ordered to cease and desist from misrepresentation in the sale of men's clothing and blankets.

Under the order the respondent is directed to cease using the word "London" with his trade name or in any manner representing that his business is an English concern, and the words "Factory, Leeds, England", to represent that he manufactures the merchandise he sells, unless he owns and operates or directly controls the factory in which such merchandise is made. (4660)

**Olando Manufacturers**, 1318 Milwaukee Ave., Chicago, has been ordered to cease and desist from representing that sweaters they manufacture are made of fibers or materials other than those of which such products are actually composed. (4664)

**Pratt Food Company**—An order has been issued directing Pratt Food Co., 124 Walnut St., Philadelphia, to cease and desist from certain representations in connection with the sale of "Pratt's Inhalant" and "Pratt's Poultry Regulator," medicinal preparations for chickens. (4599)





## Board of Directors Meeting

The NAB Board of Directors met at New York on Thursday and Friday, March 19 and 20. Three District Directors, Clarence Wheeler, District 2; John E. Fetzer, District 8; and Harrison Holliway, District 16, were prevented by illness from being present, while George W. Norton, Director-at-Large for medium stations, was absent on account of military duties. All other members of the Board were in attendance.

Sydney Kaye, Vice President and General Counsel, and Carl Haverlin, Vice President of BMI, reported that 508 stations have actually signed their renewal licenses and that 134 more had made firm pledges.

The president was authorized to appoint a music committee to assist him in the determination of policy respecting music matters.

Informed that the Committee on Interstate and Foreign Commerce of the House of Representatives have definitely scheduled the Sanders Bill for a hearing to start on April 14, the Board authorized the appointment by the President of a committee to collaborate with all elements of the industry that desired to be heard. The personnel of this committee will be announced in the near future.

Eugene Carr, WGAR, Chairman of the Sales Managers Executive Committee, and Frank Pellegrin, Director of Broadcast Advertising, reported upon the activities in the sales managers field.

William B. Lewis and Douglas Meservey of the Office of Facts and Figures were guests of the Board at the afternoon meeting and Mr. Lewis outlined the plans which are being made to coordinate the government and radio activity respecting the war effort. He stated that there were three principal phases to be considered: (1) the inspirational broadcasting; (2) the informative broadcasting; and (3) those programs having to do with war financing. He disclosed that his office will soon issue a priority schedule designed to coordinate all of the war information and to eliminate the over-emphasis of any one phase. He also revealed that agencies outside of the government, such as the Red Cross and USO, have asked to be included in this coordination.

A report was given by Mr. John Elmer, who is a member of the Advertising Council recently organized, and \$2,500.00 was appropriated in support of this Council for the year 1942.

Lengthy consideration was given to the matter of proposed By-Law amendments. At its January meeting the Board had recommended the submission of a By-Law amendment granting active membership in NAB to networks. This amendment was reconsidered by the Board and its previous action re-affirmed.

The Board also voted to submit a proposed amendment to the By-Laws granting to stations in the territories and insular possessions NAB membership during the war period on a basis of 50 per cent of the regular dues classification.

The fourth proposed amendment to the By-Laws calls for the abolition of the Executive Committee of the Board and reposes power with reference to determination of policy in the full Board of Directors.

A fifth proposed amendment would require that member stations, in order to qualify for voting, must be not more than one month in arrears in their dues payments.

All of these amendments will be published in an early issue of the REPORTS. They will be presented for official action by the membership at the Cleveland Convention.

A report on membership was submitted which showed that the NAB now has 525 members.

Pursuant to the resolution which the Board adopted at its January meeting, directing the Finance Committee to reappraise and review the activities of NAB and to submit suggestions regarding its financial outlays, and the manner in which it is cooperating in the war effort, J. Harold Ryan, WSPD, Chairman of the Finance Committee, reported. He stated that he and his associates, Howard Lane, KFBK, and Frank King, WMBR, had met for two days in Washington and made a thorough study of the organization and present activities, as well as the financial outlays of the Association. A formal report was submitted by the Committee in which, among other things, the Committee said:

"The organization of the National Association of Broadcasters is divided into seven departments, each headed by a director, as follows:

- A Department of Labor Relations
- A Department of Research
- A Department of Engineering
- A Department of Public Relations and Education
- A Department of Law
- A Department of Promotion
- A Department of Broadcast Advertising

"The first five departments were created by the broadcasting industry itself, pursuant to the plan of reorganization which was adopted in February 1938. The Department of Promotion was established by the Board of Directors, in conjunction with plans formulated with the Radio Manufacturers' Association in August 1939. The Department of Broadcast Advertising was established by the Executive Committee of the National Association of Broadcasters pursuant to requests from the Sales Managers' Committee in February 1941.

"These seven divisions constitute the framework within which the executives and employes of the National Association of Broadcasters work and have been created or approved by the entire membership of the National Association of Broadcasters. It is apparent, therefore, that if any tremendous financial savings are to be desired or effected in the operation of the Association, the membership which set up the present Association structure will have to be consulted. The work, therefore, of the Finance Committee in attempting further savings in costs of operation, is rather limited by the facts just mentioned."

The Committee proposed certain revisions to the budget as it was originally submitted and the revised appropriation for 1942 totals \$248,390.00. This, the Committee said, it felt was an economical sum upon which the Association could operate and efficiently perform the various services and functions which it has been ordered to undertake, either by the direct vote of the membership or by policies established by the Board.

With respect to the matter of what the Association is doing to promote the war effort, the Committee reported that the executives of the Association are giving generously of their time to the government. Ed Kirby, NAB Public Relations Director, is devoting 100 per cent of his time to war work, while Lynne Smeby, Engineering Director, and Arthur Stringer, Promotion and Circulation Director, and now secretary of the NAB Wartime Committee, are devoting 80 per cent of their time to the war effort.

(Continued on page 170)

Neville Miller, *President*      C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

## BOARD OF DIRECTORS MEETING

(Continued from page 169)

Other members of the staff, including Neville Miller, devote from 25 per cent to 10 per cent of their time. This, said the Committee, gives an average of 40.5 per cent of the time of all of the staff members which is being devoted to the government in the aid of the war effort.

The Committee recommended the abolition of the Executive Committee. In conclusion, the Committee's report stated:

"The Finance Committee shares with all other members of the National Association of Broadcasters a desire to see that no money of the Association is spent unwisely or unnecessarily. At the same time, it envisions an industry organization that is valuable to its membership in proportion as it is able to accomplish work that is worthwhile to its membership.

"Your Committee calls the attention of the Board to the list of 402 accomplishments of the National Association of Broadcasters, which has recently been gotten out by the Association."

The recommendations of the Finance Committee were tentatively approved and the Committee was thanked for its efforts.

At the direction of the membership in the Fourth District, John Kennedy, District Director, presented the following resolution:

"Resolved, it is the sense of the Fourth District membership assembled at Roanoke, Virginia, on March 7, 1942, that the Board of Directors of the National Association of Broadcasters immediately appoint a committee to make a study of the management, structure and finances of the National Association of Broadcasters, looking toward greater unity, economy and efficiency.

"And Be It Further Resolved, that the committee make its report setting forth its recommendations in detail to the membership at the 1942 Cleveland convention."

After a thorough discussion of the subject, the Board elected a committee consisting of Messrs. Gillin, Elias, Elmer, Lane and Klauber, with Paul Morency as an alternate. to give consideration to this Fourth District resolution and report back to the Board. This committee met in New York on Saturday, March 21, and took the action which is reflected in the following release:

"The committee appointed by the Board of Directors of the National Association of Broadcasters to consider the resolution adopted by the Fourth District meeting, calling upon the board to study a possible streamlining of the NAB organization, consisted of John Gillin, Howard Lane, John Elmer, Edward Klauber, and Don S. Elias as Chairman, with Paul Morency as an alternate for any member unable to attend.

"Following a discussion by the board itself, which culminated in the appointment of this committee, the committee met on March 21 and for several hours endeavored to explore all angles of the problem. All members of the committee were present, including Mr. Morency. The conclusion of the committee was that the NAB had suffered during the past year from the extraordinary amount of time the president had been compelled to give to the internal situation in the industry because of the launching of various dissident movements threatening the unity of the industry and even the dissolution of the NAB itself.

"The committee further found that owing to the fact that Ed Kirby, because of his duties with the War Department, had been able to render only nominal service to the NAB, the president

and the remaining members of his staff had been compelled to assume the burden of carrying on the exceedingly important public relations functions, with the result that at times sufficient energy was not available for the carrying out of other functions, and at other times it was not possible to be as effective in public relations as would have been desirable.

"The committee therefore makes the following recommendations:

"A. That the members of the board and all other broadcasters believing in the usefulness and the sincerity of the purposes of the NAB should to the utmost of their ability relieve the president of the organization of the burden of maintaining loyalty and unity within the industry; and

"B. that the NAB employ as promptly as possible a thoroughly competent director of public relations, able under the direction of the president and the board to carry out the public relations functioning efficiently and effectively both to the end of accomplishing a better public understanding of the industry, its purposes and its needs, and to the end of enabling the president to exercise directive rather than a functioning part in public relations activities.

"C. The committee recognizes that it was not possible within the time immediately available to it to exhaust all the functions suggested by its assignment. It therefore proposes a continuing effort to find ways and means to strengthen and streamline the organization. Specifically it proposes that as soon as a public relations man has been employed, further study of the administrative organization be made, in cooperation with the president, in an effort to bring about a more effective distribution of functions, and concentration upon important problems and objectives.

"In view of the shortness of time before the next annual convention of the NAB, and since no further board meeting is presently scheduled before the May convention, this committee, believing that the foregoing arrangements may prove acceptable to the board as a whole, has undertaken to try to find a qualified expert on public relations and to make a specific recommendation in this regard if it is successful in its search."

## Outstanding Army Day Celebration Planned for Denver

While it is too early to have obtained a comprehensive idea of various Army Day celebrations, we do know that Denver, Colorado, is to have one of the most outstanding parades in its history. At the request of Gene O'Fallon, KFEL, Denver, Ken C. Lightburn, coordinator, the Denver Defense Council, has supplied us with the following information concerning the "On to Victory" celebration on April 6.

This will be so tremendous, opines Mr. Lightburn, that it will furnish a pattern for morale building demonstrations in other cities in the country. The celebration has three purposes:

"Bringing the war to the people of the Rocky Mountains; showing the country what the Rocky Mountain area is contributing to the war effort; and stimulating the sale of Defense Bonds and Stamps.

"There will be in the neighborhood of 45 bands, mechanized units from the regular services and from four FOTC units in this area, marching Civilian Defense units such as helmeted Auxiliary Firemen, Auxiliary Policemen and Air Raid Wardens and nearly 50 elaborate and carefully planned floats prepared primarily by industries holding war material contracts.

"The parade will start at 2:00 p. m., Mountain Standard Time, and last in the neighborhood of four hours. Booths will be set up along the 16 blocks line of march with an army of women guarded by armed soldiers selling Defense Bonds. Sound trucks in the line of march will stimulate this activity.

"After a banquet on the evening of April 6, attended by a number of Hollywood personalities, the Governors of states adjoining Colorado and the Mayors of many Colorado cities there will be an "On to Victory" ball at the City Auditorium at which the Hollywood Stars will promote the sale of Defense Bonds."

## Colonel Gilbert to Chicago

The city of Chicago must be planning a celebration for we hear that Colonel H. N. Gilbert, chief of Army recruiting, will go to the Windy City for a talk before the Rotary Club, Sherman Hotel, on Tuesday, April 7. Besides Rotary Club members, there will be some 300 invited guests in the grand ballroom of the hotel.

## Air Corps Exhibitions

The Army advises us that the air corps plans to hold exhibitions of fighting ships at both army and municipal air fields. Stations wishing to cooperate should get in touch with their nearest army public relations officer. The public undoubtedly will be extremely interested.

## Morale Programs

**NOTE: Station executives are urged to share their good ideas with the industry. Send morale suggestions to NAB.**

Flem J. Evans, coordinator of station activities, WPAR, Parkersburg, W. Va., has "The Voice of Victory" to build morale and promote all-out war effort. It is broadcast six times weekly at 6:15-6:20 p. m. The purpose of this broadcast, says Mr. Evans, is to have a psychological effect upon the listeners with a resultant increase of offensive spirit. The script which Mr. Evans sent was accompanied by the explanation that "our idea is to play up what we are doing and what we are going to do instead of what we should do. The program has been on the air more than two weeks and comment is favorable."

Below is reproduced the opening and 100 words of copy. Prior to the close there is a second transcription.

*Taylor:* I am the "Voice of Victory"!

*Transcription:* BRING IN SPECIAL TRANSCRIPTION QUICKLY . . . FADE.

*Announcer:* This broadcast is dedicated to the enemies of the United States and her Allies, wherever they may be. Heed the "Voice of Victory".

*Taylor:* I am "The Voice of Victory"! The Yanks are coming; and they're coming to win. Our ire has been raised. We're determined that your ruthless marauding shall come to an end. We're putting the heat and indignation we feel toward you and your cohorts into arms and more arms . . . men and more men . . . ammunition and more ammunition. Daily the United States and her allies are becoming stronger. Our eyes are on the goals set by the President of the United States. Remember—Berlin, Tokyo and Rome—what those goals were? Just in case you don't, refresh your memory. By the end of 1942 the people of the United States will have produced—60,000 military planes, 45,000 tanks, 20,000 anti-aircraft guns and 8,000,000 tons of merchant ships.

## More WGAR Ideas

From Carl George, director of operations, WGAR, Cleveland, Ohio, comes a report of two brand new shows tied up with the station's war efforts.

1. This show begins Saturday night, March 28, at 7:30. It is a weekly digest of the outstanding war efforts in Cleveland during the week. The station's recording machine is taken to public meetings, into plants, into air raid warden meeting, etc. These recordings are edited and the outstanding ones put on the air. This is similar to the March of Time idea with the exception that the station presents the actual voices of the people who are making news in the war effort program. The transcription made at remote points are woven into a patriotic musical pattern so that it gives the idea of a half-hour document of Cleveland at war, in a pattern which will hold listeners.

2. Through an arrangement with the Statler Hotel, WGAR offers weekend guest privileges to fighting men in proportion to the amount of bonds purchased during a radio broadcast from

the hotel dining room. Several guests appear on the program, speaking in behalf of the bond campaign, and the station announcer gives a running story of the amount of pledges being phoned in to a battery of switchboard operators.

For every \$10,000 pledged during the program and within an hour thereafter a Soldier, Sailor or Marine is given everything from "soup to nuts" over the week-end when on furlough. USO designates the men to become recipients of the station's hospitality.

## Script from WFBC

Norvin C. Duncan, Jr., program director, WFBC, Greenville, S. C., has forwarded a script of a dramatization based on a recent editorial in the New York World Telegram. The show occupied 10 minutes over WFBC, last week. The first page of the script is reproduced below. It is entitled: "WAKE UP AMERICA . . . IT'S LATE".

*Music:* (V-FOR-VICTORY NOTES, DUBBED OFF O.E.M. TRX).

*Announcer:* Wake Up America . . . ! It's late!

*Music Up:* (FADE ON CUE).

*Youth:* Hi Jim . . . How's about a game of golf this afternoon?

*2nd Youth:* Like to, Bill, but I'm not driving my car much these days. Saving rubber, y'know. And it's five miles to the golf course.

*Youth:* Oh for heaven sake, come on! The war'll be over before your tires are worn out, and you'll get some new ones. By the way, are you still in 3-A?

*2nd Youth:* Yeah . . . but they're reclassifying 'em pretty fast these days. Probably get to me before long.

*Youth:* Ah . . . there isn't much chance they'll take you soon. I TELL you, the war's gonna be over before you know it . . . (START FADEOUT) . . . there's enough guys to win the war without you and me. Come one, let's play golf! (OUT).

*Voice:* (ECHO CHAMBER OR CARBON MIKE EFFECT).  
Headline: Japs Take Singapore! . . . Japs Take Java . . . Nipponese Head for India! . . . Germans strike new blows! . . . U-Boats take new toll of Allied shipping! . . . (START FADE).  
American production not up to schedule! . . . (OUT).

*1st Announcer:* (STRAIGHT VOICE, MARCH OF TIME STYLE): The New York World Telegram minced no words in a recent editorial, titled Wake Up America . . . It's Late!

*2nd Announcer:* (ECHO EFFECT). Wake Up America . . . it's Late . . . !

*1st Announcer:* The nation needs to awaken to the full gravity of the peril that confronts it. It needs to appreciate how badly we have been defeated in 3 months of war!

*2nd Announcer:* (ECHO EFFECT): Wake Up America . . . it's late . . . !

*1st Voice:* (FADE IN) (FRENCH ACCENT): This is a phony war, that's what it is! France has the strongest army on earth! But no matter what happens, we have the Maginot line!

*2nd Voice:* (HIGH PITCHED . . . EXCITED): General Weygand will save us! The Fall of Paris will not mean the fall of France!

## WAVE PRODUCTION PROGRAMS

Burt Blackwell, WAVE, has sent a few of that station's ideas in connection with the "Battle of Production."

"We have created a 15-minute musical program three times a week in which the continuity department is allowed to express itself concerning the urgency of production *now* with liberal quotes from Donald Nelson thrown in.

"Secondly, we have created a 5-minute program at 6:45 PM daily entitled 'Win the War', to which representatives of management and labor leaders, both of A F of L and CIO, are invited to come and express their own opinions as to how to win this production battle. Those whom we have invited have responded eagerly to the opportunity.

"Thirdly, each of our 8 daily newscasts have been scrutinized carefully for any news items on which we might editorialize, with direct quotes from Donald Nelson. I am enclosing an example.

"This is only a beginning and we expect ideas to materialize daily as soon as our staff begins fully to realize we are on our own and do not have to wait for orders. However, if you have any suggestions we will be glad to have you pass them on to us."

## ARMY DAY IN LOUISVILLE

WAVE has taken the President's suggestions of more parades and more bands to heart.

Wilson Wyatt has proclaimed April 6 as Army Day in Louisville and WAVE will broadcast the ceremonies. It will be a big day for Louisville according to the mayor's plan, beginning with a civic luncheon as the city's salute to General Devers and the Armored Force, followed by a parade in the afternoon through downtown Louisville and a public rally at night with addresses by General Devers, the mayor and probably a Hollywood star. WAVE will have completed coverage, which of course is in line with its policy to "HELP WIN THE WAR."

## WFIL ROUND TABLE

A series of programs designed to acquaint the public with the necessity for the conservation of materials vital to the conduct of the war has been broadcast over WFIL, Philadelphia, weekly since January 4. The program is in the form of panel discussion and is entitled "War Time Round Table". Each program includes two authorities on the subject selected for discussion and two members of the public to ask questions.

The programs have covered many phases of the war effort that affect consumers. The first program was broadcast coincidentally with the start of rubber rationing and was presented under the title, "Why the Rubber Shortage?" The speakers were the head of the County Commodity Board in charge of tire rationing and the head of the Lee Tire and Rubber Company. The conservation of sugar and the reasons for the sugar shortage were discussed by a sugar broker and a representative of O. P. A. The conservation of wool was handled by a wool buyer and a clothing manufacturer.

Purpose of the program has been not only to suggest methods of conservation, but to point out to the public the reasons for the shortages of various commodities. Every program has tried to give some indication of the future availability of various commodities and recommends substitutes for articles that are becoming scarce.

In addition to the discussions of commodities, other phases of the war effort have also had a place on the program. "What to do in an Air Raid" presented the heads of the local civilian defense setup with authoritative information. "Elections in War Time" took up the vital question of the effect of political activity on the war effort and presented two widely known Philadelphia citizens.

The series is arranged and conducted by Harry K. Butcher, secretary of the Committee of Seventy, a Philadelphia civic institution.

## BLUE PRINT FOR WAR NEWS FOR YOUR NEWS MEN

In a statement which emphasized that "the people of a democracy are entitled to know the facts, whether they are good or bad, cheerful or depressing," the Office of Facts and Figures announced on March 17 a policy of releasing all war information which will not give aid and comfort to the enemy.

Acting through its Committee on War Information, OFF, headed by Archibald MacLeish, said that casualty lists might henceforth be published locally but that no nation-wide summaries of casualties would be printed or announced by radio.

As a general policy, however, it was stated that "under no circumstances does the government withhold news from publication on the grounds that the news is depressing."

"It is the policy of this government," the official statement said, "to make public the maximum of information on military, naval, production and other matters concerning the war, which can be revealed without giving aid to the enemy.

"On the other hand, our people will willingly forego knowledge of those facts whose revelation will help the enemy to harm us.

"Where there is conflict between considerations of public information and of military security, every attempt is made to provide

such form of publication as will inform the public while reducing the military risk to a minimum.

"Under no circumstances does the government withhold news from the publication on the ground that the news is bad or depressing. When news is deliberately withheld, it is withheld for reasons of military security."

Today's outline represented largely a restatement of official views announced in the past, but it did broaden the government's war news policy in two respects.

It stated that from time to time the Joint Chiefs of Staff would furnish "an authoritative general review of the military situation in various theatres of war," and it ended the policy of not printing casualty lists, even by districts.

The announcement stated that in cases of action at sea, the destruction of a warship would be published only when such word was not of military value to the enemy. It said also that all announcements would be held up for forty-eight hours so as to give prior notification to the kin of all casualties. Damage to American vessels, the statement continued, would be released only when the damage occurred in the sight of the enemy.

As to the policy governing the sinking of enemy submarines, the OFF explained that these would not be announced as they occurred because to do so would give the enemy an opportunity to replace the craft and deprive the Allies of the psychological advantage of making the enemy wonder what became of their submarine crews.

Today's statement of policy governs the news to be given out by the government departments and supplements the orders issued previously by the Office of Censorship. The latter is concerned only with news that private news-gathering organizations develop on their own initiative and has nothing to do with what information is to be released by the government departments.

Here is the text of the statement issued today by the Office of Facts and Figures:

### STATEMENT OF GOVERNMENTAL WARTIME INFORMATION POLICY:

It is the policy of this government to make public the maximum of information on military, naval, production and other matters concerning the war, which can be revealed without giving aid to the enemy.

This policy is based upon the firm conviction that the people of a democracy are entitled to know the facts, whether they are good or bad, cheerful or depressing. On the other hand, our people will willingly forego knowledge of those facts whose revelation will help the enemy to harm us.

Where there is conflict between consideration of public information and of military security, every attempt is made to provide such form of publication as will inform the public while reducing the military risk to a minimum.

Under no circumstances does the government publish information which is known to be untrue. Under no circumstances does the government withhold news from publication on the ground that the news is bad or depressing. When news is deliberately withheld, it is withheld for reasons of military security.

### Policies Dated in Detail

In detail, these are the policies with respect to specific matters:

1. Action at Sea.

(a) News of the destruction and sinking of American combat vessels is published only when and if it is felt that such publication will be of no value to the enemy. Publication will be definitely delayed forty-eight hours from the time the Navy has had opportunity to start notifying next of kin of casualties.

(b) The fact of damage to an American combat vessel through enemy action is released as soon as verified information is received. If there is reason to believe that such damage has occurred in sight of the enemy, the extent of damage to a combatant vessel will probably not be released until the vessel has been repaired as this information is valuable to the enemy.

(c) News of the destination, sinking or damage to enemy surface vessels is released as soon as verified information is received.

(d) News of the sinking or the probable destruction of enemy submarines is ordinarily not released, for three reasons: (1) It is often difficult to verify the sinking of a submarine. (2) Experience has shown that the withholding of news of the sinking of submarines has an adverse psychological effect on the enemy. (3) If the enemy is informed that one of his submarines has been destroyed, he knows it is necessary for him to replace it by another.

From time to time it will be possible to give news on the sinking or probable sinking of enemy submarines over a past period.

### As to Merchant Ship Losses

(e) On merchant ship losses the following procedure is being followed: the commandant of the district in which the sinking occurs notifies the Navy Department. The Navy Department in turn notifies the Maritime Commission, which notifies the owners so that next of kin of any casualties may be notified. As soon as the next of kin have had time to receive notice, the Maritime Commission advises the Navy Department, which then releases the story of the sinking to the press and allows eyewitness accounts to be obtained from survivors. The names and precise tonnages will not ordinarily be released.

(f) It must be remembered that details of action at sea are rarely received until days or even weeks after the action has been concluded, because radio signals enable the enemy immediately to locate the position of our ships in combat areas. Full details on any significant action are released as soon as practicable, but these details are rarely available until the vessels involved have returned to port.

### Five Points on Air Action News

#### 2. Air Action.

(a) A statement of the exact number of American planes lost in action in the air is made as soon as received (provided the loss has been apparently obvious to the enemy), but no statement of the number of planes lost on the ground is made until such time as it is believed that the statement will not be of value to the enemy. The reason for this is that enemy airmen are usually unable to tell the extent of damage to aircraft attacked on the ground.

(b) An exact statement of losses of enemy aircraft, both in the air and on the ground, is made as soon as verified information is received. No claim of the destruction of an enemy plane is made unless the authorities in charge are satisfied that the information furnished by the American pilot or other observer is correct.

(c) No statement of the loss of American aircraft in transit or through accident at air fields is made since such news would be of great value to the enemy. An exception is made in the case of aircraft lost through accident in the Continental United States.

(d) News of the effect of bombing of enemy objectives is given as soon as verified information is received, in such detail as possible. This information is released only to the extent that the authorities are satisfied of the accuracy of observation by the American pilots or observers.

(e) News of the extent of damage to American objectives by enemy bombing is released as soon as verified information is received, if it is believed that such information will not be of value to the enemy. In no event is an untrue statement of the effect of enemy bombing made. Statements may, however, be incomplete for reasons given above. Such statements will be completed as soon as this can be done without aiding the enemy.

### Concerning Land Battles

#### 3. Action on Land.

Information relative to action on land is issued during the progress of such action, or as soon as practicable after its termination. This information will be given in as much detail as possible immediately upon receipt and verification. Where possible, such information will include enemy casualties, a statement as to enemy forces engaged, and as to positions won or lost. It will not ordinarily include the strength or distribution of our forces, as this would give information of value to the enemy.

#### 4. Movements of Ships and Troops.

Movements of ships and troops are among the most valuable forms of information which the enemy is constantly seeking to discover. Such information cannot possibly be published until after the movement is completed, and the enemy can no longer derive value from the knowledge of the movement. Similarly, identification of vessels or Army units in action cannot be published until it is clear that such information will not be of value to the enemy. Sailings, routes and cargoes of cargo ships are also withheld from publication.

#### 5. Prospective Action.

It is obvious that information of what the Army or Navy intend or plan to do in action cannot possibly be released by the government. There is, of course, no objection to the publication of any

private comment upon the future course of military or naval operations, but all such comments are wholly unofficial.

#### 6. Review of Military Situation.

The joint chiefs of staff will shortly begin the publication of bulletins from time to time which will furnish an authoritative general review of the military situation in various theatres of war.

#### 7. Casualties (Killed in Action).

Lists of members of the armed forces killed in action will be given out subject to the stipulation that press and radio will not publish nation-wide roundups but that newspapers and radio stations will confine themselves to the publication of casualties from their own localities.

Publication of such lists will be made subject also to the following restrictions:

A. Release will be delayed until the accuracy of the lists is well established and relatives notified, and until not giving aid or comfort to the enemy.

B. The rank and ratings of Navy officers and men will be withheld; likewise, designation of units to which Army officers and men have been assigned will be withheld.

Subject to these restrictions and to the above stipulation, the names of those killed in action will be made available with all possible speed.

### Information About Production

#### 8. Production Information.

To provide essential public information as to the progress of the production effort as a whole, the War Production Board will publish at frequent intervals a production communique, which will enable the public to judge whether the production program is progressing satisfactorily or not.

With respect to the shipbuilding program, the Maritime Commission publishes information concerning the laying of keels, launchings and deliveries.

General publication of specific information as to contract awards, site locations of war industries and military installations, estimated supplies of certain strategic and critical materials, specific production schedules and detailed progress reports have been discontinued.

General publication of such material can be most helpful to enemy spies and saboteurs. Publication of certain information of this kind is necessary to specific sections of the population, such as subcontractors, suppliers of labor, public utilities and others. Therefore, information of a non-detailed character with regard to plants and installations and the placing of large contracts is released for local publication.

Moreover, information regarding the letting of contracts, the construction of factories and cantonments, and the like which are necessary for the proper functioning of suppliers of labor, materials, facilities and other services, is given directly by appropriate agencies.

#### 9. Statistical Information.

Certain statistics formerly published by the government have been withheld from publication because they are likely to give valuable information to the enemy, as, for example, information as to the utilization of ship tonnage. Every attempt is being made to keep such restrictions to a minimum and to continue publication of all statistical information of value to business, labor, agriculture and other elements of the population.

### WATCH THAT WEATHER

J. H. Ryan, Assistant Director of Censorship, has issued the following warning:

The purpose of this communication is to call to the attention of those in authority certain program problems which might arise in applying the Code of Wartime Practices for American Broadcasters with the advent of baseball season.

Special attention of all baseball play-by-play broadcasters is called to Sub-paragraphs (1), (2) and (3) of Section I of the Code.

Sub-paragraph (1) provides that weather should not be broadcast unless officially authorized. It further suggests: "Special care should be taken against inadvertent references to weather conditions during sports broadcasts, special events, and similar projects." This means, specifically, that announcers are advised against ANY REFERENCE TO WEATHER during the broadcast.

If weather conditions cause cancellation of game, simply state the fact that the game has been cancelled without describing the cause. The unchallengeable baseball broadcast of 1942 will make NO reference to the weather conditions at the scene of play.

Sub-paragraphs (2) and (3) provide against the release of information concerning our armed forces. In each sub-paragraph, it is suggested that the movement of personnel of armed units should not be used unless appropriately authorized. It is likely that some broadcasters will want to interview former baseball players and officials who have joined the armed forces and have returned to their original environment on furlough. It is especially important that in conducting such interviews, the interviewer should not elicit from his subject the exact identity of the latter's unit (unless he is in a training camp), his destination after furlough has expired or any other information falling within the purview of Section I of the Code. Likewise, announcers should guard against stating specifically the location of former baseball notables who are now with the armed forces, again unless they are in training camps in the continental United States.

If it is the plan of any radio station to conduct informal quiz programs at locales of games, special reference should be made first to the stipulations in Sub-paragraph (b), Section II of the Code.

### —AND WATCH ENEMY PROPAGANDA

In handling news originating from enemy sources, your news men and announcers should be careful to emphasize the source of the news. Don't let your listeners mistake propaganda for fact.

In handling matter that might, or might not be true, emphasize the source and point out that the news lacks official confirmation in this country.

In handling matter that obviously is enemy propaganda, a great deal can be done by contrasting the propaganda with known facts, tone of voice, etc.

In connection with the latter, a Washington newspaper heads dispatches from Berlin and Tokyo with a picture of a snorting bull.

## Sales

### Guide for Wartime Advertising

Thirty-nine specific tasks for wartime advertising are listed by the Advertising Federation of America in a pamphlet given national distribution last week. Because they give radio salesmen the answers to many questions now being asked by clients, the list is printed here with the suggestion that it be furnished every member of your sales staff.

1. Continue all normal distribution functions that do not impede war effort.
2. Maintain channels and trade contacts for future needs of industry.
3. Preserve customer good will.
4. Keep brand names alive.
5. Prepare to build markets for post-war output of enlarged capacities.
6. Keep enterprises alive and capable of resuming full employment.
7. Preserve desire for eventual higher living standards.
8. Discourage lowering of present living standards beyond necessary restrictions of war.
9. Help maintain freedom of press, radio, and other information facilities.
10. Guide buying of consumers with newly increased purchasing power.
11. Stimulate use of products that can be supplied in plenty.
12. Educate consumers on conservation, care, and repair of articles in use.
13. Help to spread out seasonal demand, reducing peaks in transportation requirements.
14. Discourage hoarding of commodities.

15. Explain elimination of frills in merchandise and service.
16. Explain substitution of materials.
17. Inform public on reasons for product scarcities and delays.
18. Deny false rumors of scarcity and rising prices.
19. Explain industry's part in war effort.
20. Foster national unity.
21. Promote intelligent patriotism.
22. Glorify service with our fighting forces.
23. Arouse enthusiasm of workers for production achievement.
24. Educate public on nutrition and other health matters.
25. Cooperate in campaigns for avoiding waste and collecting salvage.
26. Help sell Government bonds and stamps.
27. Assist in financial campaigns of voluntary service organizations.
28. Help in organization and conduct of home defense.
29. Assist in recruiting of specialists for armed forces.
30. Aid in promoting re-allocation of skilled labor in war industries.
31. Avoid advertising devices that draw upon critical materials.
32. Avoid disclosing information useful to the enemy.
33. Avoid giving unsupported information or misleading impressions about the state of the Nation or the progress of the war.
34. Avoid mere boasting of advertiser's patriotic service or technical achievement without conveying helpful information.
35. Avoid panic advertising based on threats of higher prices and scarcities.
36. Avoid waste in advertising.
37. Continue efforts to make merchandise advertising as helpfully informative as possible.
38. Aid and encourage the movement for education of consumers toward more efficient buying for satisfaction of needs.
39. At all times, do everything possible to help preserve our American system of free competitive enterprise.

Besides these concrete suggestions, the pamphlet contains a concise statement of advertising's place in a wartime economy, and presents a four-point listing of the functions of wartime advertising.

If stations desire extra copies for mailing purposes, etc., they may be ordered from the Advertising Federation of America, 330 West 42 St., New York, N. Y., at \$2 per 100 or \$15 per 1000.

### Advertising Council Reorganized

The Advertising Council, Inc., has announced a reorganization and expansion of its elected officials. Those who will serve for the coming year are:

- Chester J. LaRoche, Chairman of the Board; Chairman of the Board of Young and Rubicam.  
Harold B. Thomas, Vice Chairman of the Board; President of The Centaur Company.  
Paul West, Secretary; President of the Association of National Advertisers.  
Frederic R. Gamble, Treasurer; Managing Director of the American Association of Advertising Agencies.

As previously announced, Dr. Miller McClintock will serve as Executive Director, in charge of operations.

In the interim, between board meetings, the affairs of the Council will be controlled by an Executive Committee, composed of the following:

- Chester J. LaRoche, Chairman of the Board, Young and Rubicam.  
James W. Young, Senior Consultant, J. Walter Thompson Co.  
Charles G. Mortimer, Vice-President, General Foods Sales Co., Inc.  
Harold B. Thomas, President, The Centaur Co.  
Paul Kesten, Vice-President, Columbia Broadcasting System, Inc.  
Wm. G. Chandler, Member of Advisory Committee, Scripps-Howard Newspapers.  
Albert E. Winger, Executive Vice-President, Crowell-Collier Publishing Company.  
Kerwin H. Fulton, President, Outdoor Advertising, Inc.

### Per-Inquiry and Free Time

**Klinger Advertising Corp.**, New York, seeks per-inquiry deals for **Unique Photo Co.**, although it also invites stations to submit

evidence of mail-pull ability for placement of advertising at regular rates.

**F. T. Brennan**, Dow City, Iowa, is attempting to promote his book on railroad employees retirement on a P-I basis.

**The American Drug & Chemical Co.**, previously reported here, is still trying to sell its **Min-A-Vite** product on a percentage deal.

**The Northern Ohio Opera Association**, sponsor of the Metropolitan Opera season in Cleveland, is reported to be purchasing newspaper space but asking for free radio time from Ohio broadcasters.

**The Christian Science Committee on Publication for Illinois** is offering scripts, "The Christian Science Monitor Views the News," asking for free time, and insisting that the scripts may not even be sponsored locally.

## JANUARY BUSINESS UP

The January "Broadcast Advertising Record" will be mailed to cooperating stations this week. It shows that there was substantial gain in broadcast advertising unit volume in January, 1942 as compared with January, 1941, and bears out the comments on trend indications appearing in the NAB REPORTS article on page 143 of the March 13, 1942, issue. The figures are as follows:

Program units for January, 1942 were 7,879,000; 21% higher than the 6,500,000 unit volume recorded in January, 1941. Announcement units for January, 1942 were 1,151,000; 15% ahead of the 997,000 unit volume in January, 1941.

The twelve-month moving total figures for the year ending at the close of each month are as follows:

<i>Year Ending</i>	<i>Program Units</i>	<i>Announcement Units</i>
August, 1941 .....	80,943,000	13,705,000
September, 1941 .....	81,442,000	13,889,000
October, 1941 .....	81,818,000	14,006,000
November, 1941 .....	82,801,000	14,219,000
December, 1941 .....	84,267,000	14,511,000
January, 1942 .....	85,646,000	14,664,000

As mentioned, January volume substantiates the rising trend of broadcast advertising. As a matter of fact, they indicate that the forecasts contained in the March 14th article were conservative, and the new trend line would fall on or above the upper limits mentioned. They were: That program units would increase six to eight percent, and announcement units would increase ten to twelve percent in the year, 1942.

The broadcast advertising gains in January assume new significance when it is realized that newspaper advertising suffered loss in that month. As reported in "Media Records", newspaper lineage in January, 1942 stands at 89,340,896, as compared with 93,171,165 in January, 1941.

The January, 1942 "Broadcast Advertising Record", which will be sent to cooperating stations this week contains an improvement designed to increase its value in selling station time. With the counsel of the NAB Research Committee and the NAB Sales Managers Executive Committee, decision was reached to simplify the advertiser classifications. This simplification was accomplished by eliminating the "Retail" and "General" major classifications in favor of separate handling of store and product advertising under each major classification.

Immediate advantage is that all advertising under any given classification will be found in one segment of a table without the need for combining from various parts of the "Record". As an example, in the old "Record", automotive advertising was listed under the sub-headings of both retail and general and was recorded as such for both local and national spot business. Thus, there were four separate figures of automotive volume to be examined on different pages. The January report contains one entry of automotive advertising under each of local and national spot, and the consolidated table contains automotive figures for regional network and national network, in addition to local and national spot.

Further improvement in the "Broadcast Advertising Record" has now been made available to cooperating stations in the form

of a complete classified report of the station's business for use in direct comparison with the station average figures presented in the "Record". Letters have been received from some of the cooperating stations to the effect that the changes constitute real improvements in simplifying cooperation and greatly increase the usefulness of the record in selling.

## Plans For Army Radio Training

All qualified 1-A draftees enrolled in any of the ESMDT-NAB radio technician training courses may now enlist in the Enlisted Reserve Corps of the Army and complete their training in accordance with the regular class routine established by the college or university giving the course. By such enlistment a man continues at his job, takes night instruction alongside non-enlisted class members. Upon completion of the course he enters the Signal Corps for intensive in-service training for specialized communication tasks.

More than a dozen 1-A men, course members, have previously been advised by NAB of the procedure prior to this industry announcement. It was stated by the Signal Corps today that all such men, as well as others, will soon be invited officially to join the Enlisted Reserve Corps.

If men are being "pushed" by local draft boards, they are herewith advised that until further notice they may enlist by writing directly to Washington. These men should apply for enlistment in the Enlisted Reserve Corps to:

Chief Signal Officer,  
Military Personnel,  
U. S. Army Signal Corps,  
Washington, D. C.

In the letter of application, the applicant should re-state his educational qualifications. It is assumed that they will coincide with the prerequisites appearing on the course outline in the hands of the educational institutions.

Earlier in the week men "in a hurry" were advised to wire Captain Richard R. Kilgore for instruction; but new advice, outlined above, takes precedence.

## Men for Industry

One of the by-products of the radio technician program should be a supply of men for industry and broadcasting, since people of various ages are enrolled.

In two large centers of instruction it is learned that local industry can absorb more men than the total under training. In these centers this is apt to precipitate an unhealthy situation for broadcasters. It must not be forgotten that the Government is depending upon broadcasting stations to keep operating even under an adverse situation so far as technical employees are concerned. When, as and if, the U. S. Office of Education is granted more funds for training technicians for industry in general, it is believed that additional courses will be set up for the benefit of the industry.

## Inspect Training Classes

Meantime, broadcast engineers are urged to visit nearest radio classes and to investigate the capability and availability of those who may not be qualified for the draft or other military service.

It is our opinion that even the 3-A classification means military service in the not too distant future. The preservation of broadcasting service in the United States demands that this view be given serious consideration in making plans for station operation.

Selective Service headquarters has given and is giving our technical personnel problems sympathetic attention; but it is not in the cards for 1-A men to be deferred beyond the time they can be replaced. In Washington they understand what the time requirements are.

## Plan for the Future

If you have an engineer whom it will be difficult or impossible to replace, file Form 42-A with his Local Board. (Get the form from any Local Board.) In filling it out, state fully the engineer's duties, hours, etc. Certify as to the difficulty or impossibility of replacing him. If the Local Board denies temporary deferment, you have ten days to appeal to the Board of Appeals. If the appeal is lost, advise NAB of the engineer's name, number and location of his Local Board, and whether he is a first or second class operator. NAB will ask for immediate investigation by Selective Service Headquarters.

Meanwhile, contact trainees for replacement. Temporary deferment is all that can be expected, and station operators must exercise their ingenuity to get replacements not subject to induction.

### Burlington, N. C., Course

Burlington, N. C. has a radio technician class of 45 very promising students, according to a letter from E. Z. Jones, manager of station WBBB. Ed Day, the station's chief engineer, is participating in the teaching job with members of North Carolina State College faculty.

### Opelika, Ala., Course

J. H. Orr, director, WJHO, Opelike, writes that a radio technician training course is now in progress in his city arranged through the cooperation of the state coordinator of the NAB-ESMDT training program.

### Louisville Courses

Louisville has six sections of the radio technician training classes in operation. Instruction is given at Radio Center, WAVE's building in Louisville.

Instructors are Orrin Towner, Technical Director of WHAS, W. Noble Smith, WHAS, L. G. Hewett, WHAS, Wm. S. Blanton, WHAS, and Bruce K. Heick, WHAS, and J. C. Gardner, WAVE. Laboratory assistance to the instructors are J. Emmett Graft, WHAS, John F. Ruffner, WAVE.

WHAS and WAVE also are furnishing instructors in Jeffersonville and New Albany, Indiana, under the ESMDT course specified by Purdue University. These instructors are Messrs. Bernard Holtman, WAVE, Joe Fox, WHAS, Quinn of WHAS, Summerford, WHAS, Boyers, WHAS. Wilbur Hudson, chief engineer of WAVE, will be a relief instructor.

Nathan Lord, manager, WAVE and industry representative for Kentucky, said that some of the courses started Monday March 16, and that all were operative during the week of March 23. He said that the six courses were arranged by Messrs. Towner and Hudson, Professor F. L. Wilkinson, Dean of Engineering at the University of Louisville, and Professor M. Houchens, institutional representative of ESMDT, University of Louisville, and Professor Samuel Fife, Speed Scientific School, University of Louisville.

### Rutgers Is Training 2,032

Eighty-four sections in the fundamentals of radio with a total enrollment of 2,032 students in 30 cities tells a part of the story of New Jersey's efforts to give basic knowledge in radio. The 84 sections are under the jurisdiction of Rutgers University, New Brunswick.

M. A. Chaffee, associate director of the Rutgers radio program, said that he was hard pressed to find enough apparatus for the 2,000 odd students, Rutgers instituted the plan of traveling laboratory instructors which has saved a great deal in equipment.

"The work is organized very well," he wrote, "and we are already making plans to start the advanced course immediately upon completion of Part I."

The organization work of the 84 sections was all accomplished between January 26 and February 25. This is evidence of what can be achieved under the stress of circumstances. At the present time Rutgers has a back log of 523 approved applicants together with approximately 1,000 additional inquiries. If enrollment had

not been discontinued because of lack of funds, Rutgers estimates that the enrollment to date would have been over 3,000. Here are today's figures:

City	Sections	Students	Began
Bayonne	1	26	Jan. 26
Red Bank (Fort Monmouth)	6	166	Jan. 26
Long Branch (Fort Monmouth)	5	124	Jan. 27
Asbury Park	6	158	Jan. 28
Elizabeth	5	112	Jan. 30
Mountain Lakes	2	43	Feb. 9
Perth Amboy	3	90	Feb. 2
Passaic	2	68	Feb. 2
Paterson	5	129	Feb. 23
Morristown	3	70	Feb. 2
Kearny	1	21	Feb. 2
Phillipsburg	1	31	Feb. 2
Atlantic City	4	94	Feb. 2
Summit	2	48	Feb. 4
Pemberton	2	39	Feb. 5
New Brunswick	5	127	Feb. 6
Jersey Homesteads	1	25	Feb. 9
Teaneck	2	57	Feb. 11
Trenton	4	83	Feb. 12
Freehold	1	21	Feb. 17
Vineland	2	48	Feb. 13
Woodbury	2	39	Feb. 16
Jersey City	6	118	Feb. 16
Newton	1	22	Feb. 17
Rutherford	1	21	Feb. 19
West New York	2	50	Feb. 19
Bridgeton	1	25	Feb. 23
East Orange	5	100	Feb. 23
Hackettstown	1	27	Feb. 25
Irvington	2	50	Feb. 25

## KEEP CHRONOMETERS

Broadcast stations are warned not to sell chronometers to companies purporting to be purchasing them for the U. S. Navy. There is no denial that the chronometers are needed but a report which has been received indicates that the procedure is not according with best practice. As soon as the matter has been investigated by the Navy finding which might change the first sentence will be printed in the NAB REPORTS.

## GEN. DENIG CREDITS RADIO

In a note to all broadcast stations, March 23, Brigadier General Robert L. Denig, U. S. Marine Corps, expressed thanks for the "splendid cooperation" that broadcasters have given the Marine Corps. He explained that in recognition of the crowded condition of the airlines the spots mailed stations covered "special groups which are definitely needed and which can be obtained only through the radio channels."

## RCA PROGRAM HELPS RECRUITING

T. J. Bernard, manager, radio programs, RCA Manufacturing Co., continues to cooperate in the recruiting effort for the armed forces. Such announcements are used with "considerable regularity" on the "Music You Want" program over 70-odd stations.

## KTUL SPEAKERS' BUREAU

A radio speakers' bureau has been set up at KTUL, Tulsa, Okla., by William C. Gillespie, general manager. In the announcement



distributed to civic groups, service groups, etc., the station explained that this was a gratuitous service. The four subjects, with speaker, now offered are "Radio a Member of Your Family," Carlyle Stevens, continuity editor; "The Size and Scope of Radio," John Esau, promotion manager; "Radio As a Public Servant," Jack Hoffman, program director; and "Your Window on the World—Radio," William C. Gillespie.

## WJSV SHOW SETS RECORD

WJSV, Washington, D. C., claims the oldest program of its kind in the world in "Labor News Revue," which had its 400th consecutive weekly broadcast over WJSV on March 14.

The program is conducted by Elbert N. Dennis and does not represent any group, faction or organization, but is presented strictly as a public service. It was started in 1934 when Harry Butcher, now CBS vice president, was general manager. "Jess" Willard, present general manager of WJSV, says the show is now a Washington institution.

## NAVAL DISTRICTS

Here are the boundaries of the naval districts referred to in last week's NAB REPORTS:

### FIRST NAVAL DISTRICT

Includes Maine, New Hampshire, Vermont, Massachusetts, Rhode Island (including Block Island) and U. S. Naval shore activities in Newfoundland.

### THIRD NAVAL DISTRICT

Includes Connecticut, New York, northern part of New Jersey (including counties of Mercer, Monmouth, and all counties north thereof), Nantucket Shoals Lightship.

### FOURTH NAVAL DISTRICT

Includes Pennsylvania, southern part of New Jersey (including counties of Burlington, Ocean, and all counties south thereof), Delaware (including Winter Quarter Shoal Light Vessel).

### FIFTH NAVAL DISTRICT

Includes Maryland; West Virginia; Virginia; northeastern North Carolina including counties of Currituck, Camden, Pasquotank, Gates, Perquimans, Chowan, Dare; Diamond Shoal Lightship; and U. S. naval shore activities at Bermuda.

### SIXTH NAVAL DISTRICT

Includes South Carolina; Georgia; North Carolina except counties of Currituck, Camden, Pasquotank, Gates, Perquimans, Chowan, Dare.

### SEVENTH NAVAL DISTRICT

Includes Florida, except counties west of Apalachicola River.

### EIGHTH NAVAL DISTRICT

Includes Florida (counties west of Apalachicola River), Alabama, Tennessee, Louisiana, Mississippi, Arkansas, Oklahoma, Texas.

### NINTH NAVAL DISTRICT

Includes Ohio, Michigan, Kentucky, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas.

### ELEVENTH NAVAL DISTRICT

Includes New Mexico, Arizona, Clark County, Nevada, California (southern part) including counties of Santa Barbara, Kern, San Bernardino, and all counties south thereof.

### TWELFTH NAVAL DISTRICT

Includes Colorado, Utah, Nevada (except Clark County), California (northern part), including California counties of San Luis Obispo, King, Tulare, Inyo and all counties north thereof.

### THIRTEENTH NAVAL DISTRICT

Includes Washington, Oregon, Idaho, Montana, Wyoming, Alaska.

## HORSE RACE RESULTS

Noting that the Code Committee has expressed its opinion that broadcasting of "race-by-race" horse race results are bad radio,

a station this week inquired of NAB as to the propriety of airing a five-minute summary of race results under sponsorship.

NAB replied that there was nothing wrong with such a sponsored broadcast but that, under the Code, any "dopester," tip-sheet or race publications should not be accepted as sponsors of any kind of program.

By "race-by-race" horse race results is meant broadcasting the entire card, giving results, prices, "off-time" etc., as soon as possible after each race. Such broadcasting facilitates bookmakers' operations, it is believed, because most bettors refuse to bet on the second race until they know how they came out on the first, and so on.

## SPEAKING OF RACES

Stiff sentences meted out to two men who resorted to illegal use of radio in an effort to broadcast "sure tips" to confederates during a horserace should deter others from trying to beat the races—at least with radio.

On March 21, in the United States District Court for the Northern District of West Virginia, Federal Judge Harry E. Watkins sentenced two such violators to prison terms. Joseph M. Wozniak received a prison term of 15 months and was fined \$600 in addition. An accomplice, William M. Brennan, was sentenced to prison for one year and a day and was fined a like amount.

As reported in a press release of December 21, 1940, these men were apprehended while using unlicensed radio equipment at the Charlestown racetrack. Wozniak operated in the grandstand. By means of a portable radio transmitter concealed about his person, he broadcast the progress of a race to Brennan, in a nearby tourist cabin. Brennan, in turn, used a more powerful transmitter to flash the expected result to confederates listening in outside places. Thus, the conspirators were enabled to place sure bets on a race before the result became known to the public.

## Labor

### Cost of Living

The U. S. Labor Department reports that the cost of living increased 0.5 per cent between January 15 and February 15. The increase during the year ended February 15 was 11.7 per cent. Since August, 1939, the increase has been 14.2 per cent. Detailed figures are available at the NAB.

### "Labor News Review"

With the 400th consecutive weekly broadcast of the "Labor News Review," over Station WJSV at 6:30 p. m., Saturday, March 14, this famous radio program achieved an unchallenged world record continuous run. It is now "The oldest program of its kind in the world."

The "Labor News Review" was founded in 1934 by Albert N. Dennis, extensively known as a writer and editor, who had been interested in radio since 1921. Mr. Dennis is commentator on labor, industry and related economics for WJSV-CBS and has been heard on the network on different occasions. He is also a news editor on general news for WJSV-CBS in Washington.

## STATE ANTI-SABOTAGE LAW

The Mississippi legislature at the session just ended enacted an anti-sabotage law, with particular reference to communications facilities. Wiley P. Harris, WJDX, NAB Legislative Contact for that state, was instrumental in securing passage of this measure, which we print below:

An Act to Prevent Intentional Injury to or Interference With Property Used in Connection With War Preparation or Communications.

Section 1. Be It Enacted by the Legislature of the State of Mississippi, That whoever intentionally destroys, impairs, injures,

## Gillingham to Army

George O. Gillingham, chief of the Public Relations Division of the FCC was granted leave this week to enter the army. He served in the army during World War No. 1. He has been with the FCC since October 1939. Gillingham has been called by Washington newspapermen one of the best information officials in the government and is universally liked.

Edgar Jones, Washington correspondent for Bill Board, has been approved by the Commission for the Public Relations Division. He was to have been assistant to Gillingham but now that the latter has resigned Jones may head the Division at least temporarily. Gillingham before going to FCC had been senior information service representative and chief of the Washington information office of the TVA.

## FCC Radio Operator Cited

For his alertness in intercepting an SOS message and his initiative in taking action which assisted in the rescue of seven men in a Navy patrol plane forced down at sea off the Galapagos Island on January 15, James F. Farrell, radio operator in the Federal Communications Commission monitoring service, has been formally cited by the Commission.

A member of the Commission's National Defense Operations Section for but eight months, Mr. Farrell was on listening-in-duty at Westchester, Pa., when he heard the plane radio its position and desperate situation. He immediately communicated this and subsequent information to the Philadelphia Navy Yard.

The Director of Naval Communications advised the Commission that Mr. Farrell was not only first to flash word of the plane's plight but also stated that his alertness in watch-standing and initiative in taking prompt action under such circumstances is considered highly commendable and worthy of recognition.

interferes or tampers with real or personal property with reasonable grounds to believe that such act will hinder, delay or interfere with the preparation of the United States or of any of the states for defense or for war, or with the prosecution of war by the United States, shall be punished by imprisonment for not more than ten years, or by a fine of not more than ten thousand dollars (\$10,000.00) or both.

Section 2. Whoever intentionally destroys, impairs, injures, or tampers or interferes with any real or personal property used or useful in the maintenance, repair or operation of any telephone or telegraph system or radio station which is subject to regulation or licensing by any agency of the United States of America or of the State of Mississippi, with reasonable grounds to believe that such act will hinder, delay or interfere with the maintenance, repair or operation of such telephone or telegraph system or radio station, on conviction shall be punished as prescribed in Section 1 hereof.

Section 3. That this Act take effect and be in force from and after its passage.

(Approved March 18, 1942.)

## STATE LEGISLATION

### NEW YORK:

S. 1659 (Buckley) RADIO CORPORATION—STOCK TRANSFER RESTRICTIONS—Permits corporation engaged in or controlling radio communication or operating broadcasting station under U. S. license to prohibit or restrict the transfer to or ownership and voting rights of capital stock by aliens. Referred to Committee on Judiciary.

## 924 STATIONS

The Federal Communications Commission issued operating licenses to three stations and granted two permits for the construction of new stations during the month of February, 1942. One station was deleted. A comparative table by months follows

	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1
Operating	836	837	836	849	854	859	859	869	877	882	887	891	893
Construction	54	54	55	48	43	44	53	44	38	37	36	32	31
	890	891	891	897	897	903	912	913	915	919	923	923	924

## FEDERAL COMMUNICATIONS COMMISSION

### Fly Press Conference

There is no overall conclusion as to FCC investigations and studies, Chairman James Lawrence Fly told a press conference early this week when he was asked if it were true that the Commission has given up the super power and clear channel investigations. He suggested this at the Capitol last week when appearing before the House Rules Committee in testifying on the Cox resolution.

Mr. Fly told the newsmen that "our policy is to try to keep to normal current problems and not waste time, funds and energy on matters which can be kept in the background, for the time being and devote all possible time and energy to defense."

Briefly discussing the television situation Mr. Fly said "the thing we must do is to keep television in vigorous condition and get all the benefit we can out of this time which is necessarily devoted to it and then be ready to shoot the well sounded industry when the letdown comes after the war. It will be a tremendous benefit not only to the industry but to the country to have such an industry that is ready to go, and of course we do expect that it will be ready to go."

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 30. They are subject to change.

Tuesday, March 31

Further Hearing

NEW—Park Cities Broadcasting Corporation, Dallas, Tex.—C. P., 710 kc., 5 KW, DA-night, unlimited time.

Further Consolidated Hearing

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—C. P., 710 kc., 10 KW, unlimited time, DA-night.

WHB—WHB Broadcasting Co., Kansas City, Mo.—C. P., 710 kc., 5 KW, unlimited time, DA-day and night.

Wednesday, April 1

Consolidated Hearing

NEW—James F. Hopkins, Inc., Ann Arbor, Mich.—C. P., 1050 kc., 1 KW day, daytime.

NEW—Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—C. P., 1050 kc., 1 KW day, daytime.

Thursday, April 2

WSO—Paducah Broadcasting Co., Inc., Henderson, Ky.—Modification of C. P., 860 kc., 500 watts day, daytime.

# FEDERAL COMMUNICATIONS COMMISSION ACTION

## APPLICATIONS GRANTED

- Allegheny Broadcasting Corp., Elkins, W. Va.—Granted construction permit (B2-P-3328) for new station to operate on **1240 kc.**, 250 watts, unlimited time; exact transmitter site and antenna system to be determined subject to Commission's approval.
- KWTO—Ozarks Broadcasting Co., Springfield, Mo.—Granted modification (B4-MP-1499) of construction permit (B4-P-2827, as modified) to make local change in proposed transmitter site, and extend commencement and completion dates.
- KFEQ—KFEQ, Inc., St. Joseph, Mo.—Granted petition to grant renewal of license on a regular basis.
- WGCM—P. K. Ewing (transferor), Hugh O. Jones and William E. Jones (transferee), Gulfport, Miss.—Granted consent to the relinquishment of control of WGCM, Inc., licensee of Station WGCM, by P. K. Ewing through the sale of all outstanding stock of licensee corporation to Hugh Jones and William Eugene Jones for a consideration of \$17,500 (B3-TC-297).
- KBWD—Wendell Mayes, Joe N. Weatherby, B. P. Bludworth, and J. S. McBeath, d/b as Brown County Broadcasting Co. (assignor), Brown County Broadcasting Co. (assignee), Brownwood, Tex.—Granted consent to assignment of license of Station KBWD from Wendell Mayes, Joe N. Weatherby, B. P. Bludworth and J. S. McBeath, d/b as Brown County Broadcasting Co. (a general partnership), to Brown County Broadcasting Co. (a corporation) (B3-AL-335).
- WTMV—William H. West, Jr. (transferor), Carlin S. French (transferee), East St. Louis, Ill.—Granted consent to the transfer of control of Mississippi Valley Broadcasting Co., Inc., licensee of Station WTMV, from William H. West, Jr., to Carlin S. French (B4-TC-284).

## DESIGNATED FOR HEARING

- WCBS—WCBS, Inc., Springfield, Ill.—Designated for hearing application for construction permit (B4-P-3141) to change frequency from **1450** to **1170 kc.**, increase power from 250 watts to 1 KW night, 5 KW day, install new transmitter and directional antenna system for day and night use and move transmitter locally.
- Sacandaga Broadcasting Corp., Gloversville, N. Y.—Designated for hearing application for construction permit (B1-P-3404) for new station to operate on **1340 kc.**, 250 watts, unlimited time.
- WSOY—Commodore Broadcasting, Inc., Decatur, Ill.—Designated for hearing application for construction permit (B4-P-3028) to change frequency from **1340** to **1560 kc.**, increase power from 250 watts to 10 KW, install new transmitter and directional antenna for night use, and move transmitter locally (Docket No. 6004).
- KITE—First National Television, Inc., Kansas City, Mo.—Designated for hearing application for renewal of license for the period ending December 1, 1942 (B4-R-1019).

## ACTION ON DOCKET CASE

The Commission has announced its proposal to deny the application of Dodge City Broadcasting Co., Inc., for modification of license of its standard broadcast station KGNO at Dodge City, Kans., to increase night power from 250 watts to 500 watts, with continuance of 1 KW daytime. In its Proposed Findings (B-150), the Commission concludes:

"The proposal of the applicant in this case contemplates an extension of the primary service of KGNO to include an additional area of 231 square miles with a population of 1,068. This additional area does not now receive primary service from any existing station. The proposed operation of KGNO will result in a reduction of the present interference-free service area of Station KGIR (Butte, Mont.), eliminating that station's present service in an area of 180 square miles with a population of 1,265, which now receives its only primary broadcast service from KGIR. Upon

these facts alone and without considering the increased interference within the present service area of KFRO (Longview, Tex.), we are constrained to find that public interest will not be served by the granting of the applicant's request for authority to increase the power of Station KGNO."

## LICENSE RENEWALS

- Granted renewal of following station licenses for the period April 1, 1942, to not later than August 1, 1942:  
WBEN and auxiliary, Buffalo, N. Y.; KFEL, Denver, Colo.; WJAX, Jacksonville, Fla.
- Granted renewal of following station licenses for the period ending in no event later than August 1, 1942:  
KLX, Oakland, Calif.; KUSD, Vermillion, S. Dak.; KVAN, Vancouver, Wash.
- Granted renewal of following station licenses for the period ending in no event later than February 1, 1944:  
KMPC and auxiliary, Beverly Hills, Calif.; WLW, Cincinnati, Ohio.
- Granted renewal of following station license for the period ending in no event later than April 1, 1944:  
KFBI, Wichita, Kans.
- Granted renewal of following station licenses for the period April 1, 1942, to not later than June 1, 1944:  
KVI, Tacoma, Wash.; WDBO and auxiliary, Orlando, Fla.; WEEL, Boston, Mass.; WHJB, Greensburg, Pa.; WMAM, Marinette, Wis.; WAGE, Syracuse, N. Y.; KMJ, Fresno, Calif.; KOH, Reno, Nev.; KWTO, Springfield, Mo.; WGAN and auxiliary, Portland, Maine; WCAO and auxiliary, Baltimore, Md.; WCHS, Charleston, W. Va.; WDAF, Kansas City, Mo.; WIBW, Topeka, Kans.; KGKO, Fort Worth, Tex.
- Granted further extension of following station licenses upon a temporary basis only, pending determination upon application for renewal of license, in no event later than May 1, 1942:  
KFJB, Marshalltown, Iowa; WBRB, Red Bank, N. J.; WCBT, Roanoke Rapids, N. C.; WJMA, Covington, Va.; KGIW, Alamosa, Colo.; KBST, Big Springs, Tex.; KCMC, Texarkana, Tex.; KGKL, San Angelo, Tex.; KPLT, Paris, Tex.; KRBC, Abilene, Tex.; KVAK, Atchison, Kans.; KVGB, Great Bend, Kans.; KQRS, Rock Springs, Wyo.; KWLK, Longview, Wash.; WBNY, Buffalo, N. Y.; WMFJ, Daytona Beach, Fla.; WSPB, Sarasota, Fla.; KWKH, Shreveport, La.; KXL, Portland, Ore.; WCAZ, Carthage, Ill.; WFMD, Frederick, Md.
- Granted further extension of following station license, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than June 1, 1942:  
KFQD, Anchorage, Alaska.
- Granted renewal of following station licenses for the period ending in no event later than June 1, 1944:  
KWFT, Wichita Falls, Tex.; KXOK, St. Louis, Mo.; KFIL and auxiliary, Philadelphia, Pa.; WIND and auxiliary, Gary, Ind.; WIOD and auxiliary, Miami, Fla.; WIP and auxiliary, Philadelphia, Pa.; WCLE, Cleveland, Ohio.
- Granted further extension upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event later than May 1, 1942, of following station licenses:  
W5XAU, Oklahoma City, Okla.; W9XLA, Denver, Colo.
- Granted further extension upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event later than May 1, 1942, of following station licenses:  
W2XWE, Albany, N. Y.; W8XUM, Columbus, Ohio; W9XZY, St. Louis, Mo.
- Granted renewal of following television broadcast station licenses for the period ending February 1, 1943:  
W3XP, portable, area of Philadelphia, Pa.; W9XUI, Iowa City, Iowa.

## MISCELLANEOUS

- WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—On its own motion the Commission supplemented notice of issues in Docket No. 5963, and ordered retention of present hearing date—April 27, 1942.
- KFRO—Voice of Longview, Longview, Tex.—On its own motion the Commission supplemented notice of issues in Docket No. 5954, with retention of present hearing date—May 18, 1942.
- Beauford H. Jester, Roy Branham Albaugh (both of Waco, Tex.). On its own motion the Commission supplemented notice of issues in Docket Nos. 6218 and 6219, with retention of present consolidated hearing date—May 4, 1942.

- Broadcasters, Inc., San Jose, Calif.; San Jose Broadcasting Co., San Jose, Calif.; Luther E. Gibson, Vallejo, Calif.—On its own motion the Commission supplemented notices of issues in Docket Nos. 6241, 6242 and 6243.
- KSAN—Golden Gate Broadcasting Corp., San Francisco, Calif.—On its own motion the Commission supplemented notice of issues in Docket No. 6200.
- KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—On its own motion the Commission supplemented notice of issues in Docket No. 6130, and ordered retention of present hearing date—April 27, 1942.
- WLW—The Crosley Corp., Cincinnati, Ohio.—Granted authority to determine operating power by direct measurement of antenna input (B2-Z-1349).
- KOL—Seattle Broadcasting Co., Seattle, Wash.—Granted modification of construction permit for increase in power and installation of directional antenna, for extension of completion date from March 1 to June 1, 1942 (B5-MP-1515).
- WRNL—Richmond Radio Corp., Richmond, Va.—Granted license to use directional antenna at night with auxiliary transmitter (B2-L-1613). Granted authority to determine operating power by direct measurement of antenna input (B2-Z-1346).
- WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Granted license to cover construction permit which authorized move of old main transmitter to site of new main transmitter and use as auxiliary transmitter with power of 5 KW for emergency use only (B1-L-1617). Granted authority to determine operating power by direct measurement of antenna power input of auxiliary transmitter (B1-Z-1345).
- WCAZ—Superior Broadcasting Service, Inc., Carthage, Ill.—Granted license to cover construction permit which authorized increase in daytime power and change in equipment (B4-L-1612).
- WGTM—WGTM, Inc., Wilson, N. C.—Granted license to cover construction permit which authorized move of studio and transmitter (B3-L-1516); granted authority to determine operating power by direct measurement of antenna input (B3-Z-1243).
- KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Granted modification of construction permit as modified, for new equipment and increase in power, for extension of completion date from April 1, 1942, to June 1, 1942 (B5-MP-1528).
- KXYZ—Harris County Broadcast Co., Houston, Tex.—Granted modification of construction permit for installation of new transmitter, directional antenna for night use, change in frequency, and increase in power and move of transmitter, for extension of completion date from March 9 to September 9, 1942 (B3-MP-1522).
- KPRC—Houston Printing Corp., Houston, Tex.—Granted modification of construction permit as modified, for installation of directional antenna for night use, and increase in power, for extension of completion date from March 8 to May 8, 1942 (B3-MP-1527).
- WEIM—Ruben E. Aronheim, Fitchburg, Mass.—Granted license to cover construction permit as modified, for new station, for approval of studio site at 717 Main St., Fitchburg, Mass. (B1-L-1535). Granted authority to determine operating power by direct measurement of antenna power (B1-Z-1262).
- KPRC—Houston Printing Corp., Houston, Tex.—Granted authority to determine operating power by direct measurement of antenna power (B3-Z-1362).
- Queen City Broadcasting Co., Inc., Portable-Mobile, area of Seattle, Wash.—Granted construction permit for new relay broadcast station; 30820, 33740, 35820, 37980 kc., 50 watts (B5-PRE-421). Granted license for same (B5-LRE-378).
- WKRB—American Broadcasting Corp. of Kentucky, Portable-Mobile, area of Lexington, Ky.—Granted license to cover construction permit for new relay broadcast station (B2-LRY-255).
- WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—Granted license to cover construction permit for changes in directional antenna, install new transmitter and increase power (B1-L-1551); granted authority to determine operating power by direct measurement of antenna input (B1-Z-1280).
- Westinghouse Radio Stations, Inc., Portable-Mobile, area of Philadelphia, Pa.—Granted construction permit for new relay broadcast station; 156750, 518400, 159300, 161100 kc., 20 watts (B2-PRE-423).
- KFAS—Midnight Sun Broadcasting Co., Portable-Mobile, area of Fairbanks, Alaska.—Granted license for reinstatement of relay broadcast station license which expired December 1, 1941 (B-LRE-377).
- W51SL—American Broadcasting Corp. of Kentucky, Lexington, Ky.—Granted modification of construction permit which authorized a new high frequency broadcast station, for extension of completion date from January 20 to April 20, 1942 (B2-MPH-59).
- W67NY—Columbia Broadcasting System, Inc.—Granted modification of construction permit as modified, which authorized a new high frequency broadcast station, for extension of completion date only, from March 28 to September 14, 1942 (B1-MPH-74).
- W75P—Westinghouse Radio Stations, Inc., Pittsburgh, Pa.—Granted modification of construction permit which authorized construction of a new high frequency broadcast station, for approval of transmitter (B2-MPH-16).
- W8XCT—The Crosley Corp., Cincinnati, Ohio.—Granted modification of construction permit as modified, which authorized new experimental television broadcast station, for extension of completion date only, from April 28 to October 28, 1942 (B2-MPV-76).
- WMJT—The Journal Company (The Milwaukee Journal), Milwaukee, Wisc.—Granted modification of construction permit, which authorized new commercial television station, for extension of completion date only, from April 27 to October 27, 1942 (B4-MPCT-8).
- WIUC—University of Illinois, Urbana, Ill.—Granted modification of construction permit, which authorized a new non-commercial educational broadcast station, for extension of completion date only, from March 16 to July 16, 1942 (B4-MPED-8).
- WIAC—Enrique Abarca Sanfeliz, San Juan, P. R.—Granted license to cover construction permit for new station (B-L-1619); granted authority to determine operating power by direct measurement of antenna input (B-Z-1351).
- A. M. Burton, Nashville, Tenn.—On its own motion the Commission supplemented notice of issues in Docket 6109.
- WCSC—The Liberty Life Insurance Co. (transferor), John M. Rivers (transferee), South Carolina Broadcasting Co., Inc., Charleston, S. C.—Adopted order making final the Proposed Findings of Fact and Conclusions denying the joint application of The Liberty Life Insurance Co., and John M. Rivers for consent to the transfer of control of the South Carolina Broadcasting Co., Inc., licensee of Station WCSC (B-146).
- Herman Radner, Dearborn, Mich.—Granted motion for continuance to May 25 of hearing now scheduled for April 6 on application for new station.
- W65H—WDRG, Inc., Hartford, Conn.; The Radio Voice of New Hampshire, Inc., Manchester, N. H.—Granted motion for continuance to May 26 of hearing now set for March 26 in re WDRG, Inc., request for modification of FM application, and application of Radio Voice of New Hampshire, Inc., for new FM station; CBS petition to intervene passed nisi.
- WDNC—Durham Radio Corp., Durham, N. C.—Denied petition to retire to the Commission's closed files petitioner's application (B3-P-3170) for construction permit, hearing on which is now set for March 30; exceptions noted by counsel for petitioners. On the Commission's own motion the hearing was continued to April 29; time for filing appeal to Commission extended to March 25; reply to appeal to be filed March 30.
- WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Denied petition to retire to the Commission's closed files petitioner's application (B4-P-3077) for construction permit, hearing on which is now set for March 24; exceptions noted by counsel for petitioners. The Commission on its own motion continued the hearing to April 23; time for filing appeal to Commission extended to March 25, reply to appeal to be filed March 30.
- WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Granted motion to take depositions in re applications for construction permit, modification of construction permit, and renewal of license of WPRP, on condition that petitioner notify the Commission within 10 days as to exact time and places of taking of depositions.
- WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Granted modification of construction permit as modified,

for new transmitter, install directional antenna for day and night use, increase power, change to NARBA frequency, change in hours of operation, and move transmitter, for extension of completion date from March 20 to May 20, 1942 (B4-MP-1540).

WSBA—Susquehanna Broadcasting Co., York, Pa.—Granted modification of construction permit for new station, for approval of antenna and approval of transmitter and studio site (B2-MP-1506).

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted modification of construction permit as modified, for move of transmitter, increase in night power and install directional antenna for night use, for extension of completion date from March 23 to June 23, 1942 (B3-MP-1532).

KVSO—Ardmoreite Publishing Co., Inc., Ardmore, Okla.—Granted modification of license to move studio to Hotel Ardmore, Mezzanine Floor, 301 West Main St., Ardmore, Oklahoma (B3-ML-1113).

South Florida Broadcasting, Inc., Miami, Fla.—Denied motion for grant of construction permit for a new station to operate on 1450 kc., with power of 250 watts, unlimited time, now subject of further hearing.

## APPLICATIONS FILED AT FCC

### 550 Kilocycles

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—License to cover construction permit (B1-P-3393) to move auxiliary transmitter to site of new main transmitter.

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Authority to determine operating power by direct method.

### 560 Kilocycles

WQAM—Miami Broadcasting Co., Miami, Fla.—Modification of construction permit (B3-P-2597) for increase in power and new equipment, requesting change in type of transmitter and approval of present transmitter site and antenna.

### 610 Kilocycles

WSGN—The Birmingham News Co., Birmingham, Ala.—Construction permit to increase power from 1 KW to 1 KW night, 5 KW day, using directional antenna night, and install new transmitter. Amended: re changes in transmitting equipment.

### 680 Kilocycles

KPO—The National Broadcasting Co., Inc., San Francisco, Calif.—License to cover construction permit (B5-P-3251) for changes in equipment.

### 850 Kilocycles

WHDH—Matheson Radio Co., Inc., Boston, Mass.—License to cover construction permit (B1-P-2201) as modified, for new equipment, directional antenna for night use, increase in power and change in hours.

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Authority to determine operating power by direct method.

### 950 Kilocycles

WSPA—Spartanburg Advertising Co., Spartanburg, S. C.—Construction permit to make changes in directional antenna and increase power from 1 KW night, 5 KW day to 5 KW. Amended: re directional antenna system.

### 1100 Kilocycles

WTAM—National Broadcasting Co., Inc., Cleveland, Ohio.—Authority to determine operating power by direct method.

### 1230 Kilocycles

WISE—Radio Station WISE, Inc., Asheville, N. C.—Authority to determine operating power by direct method.

### 1290 Kilocycles

NEW—Grand View Broadcasting Co., Peoria, Ill.—Construction permit for a new broadcast station to be operated on 1290 kc., 1 KW, unlimited time, using directional antenna.

### 1300 Kilocycles

NEW—Lake Shore Broadcasting Corp., Cleveland, Ohio.—Construction permit for a new broadcast station to be operated on 1300 kc., 5 KW, unlimited time, directional antenna day and night. Amended: re corporate structure and to correct geographic location.

KFXM—J. C. and E. W. Lee (Lee Bros. Broadcasting Co.), San Bernardino, Calif.—Construction permit to install new transmitter, directional antenna for day and night, change frequency from 1240 to 1300 kc., increase power from 250 watts to 1 KW and hours from share KPPC to unlimited hours.

### 1320 Kilocycles

KLCN—Fred O. Grimwood, Blytheville, Ark.—Modification of construction permit (B3-P-3037) as modified, to install new transmitter, changes in antenna, increase in power, change in frequency and move transmitter, requesting extension of completion date from 3-22-42 to 4-23-42.

### 1340 Kilocycles

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—License to use old main transmitter as an auxiliary transmitter.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Construction permit to install new transmitter.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—Authority to determine operating power by direct method.

### 1350 Kilocycles

WORK—York Broadcasting Co., York, Pa.—Modification of construction permit (B2-P-3205) for installation of directional antenna for night use, requesting extension of completion date from 4-5-42 to 6-30-42.

### 1440 Kilocycles

KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—Special service authorization to operate on 860 kc., with power of 500 watts night, 5 KW day, unlimited time for period ending 8-1-42.

### 1600 Kilocycles

WWRI—Long Island Broadcasting Corp., Woodside, L. I., N. Y.—Modification of construction permit (B1-P-3116) as modified, for new transmitter, new antenna system, increase in power and move transmitter, requesting extension of completion date from 4-1-42 to 8-2-42.

## FM APPLICATIONS

NEW—WMCA, Inc., New York, N. Y.—Construction permit for a new high frequency broadcast station to be operated on 48300 kc.; population: 10,817,455; coverage: 8,550 square miles. Amended: to change name from Knickerbocker Broadcasting Co., Inc., to WMCA, Inc.

W41MM—Gordon Gray, Winston-Salem, N. C.—Modification of construction permit (B3-PH-76) as modified for a new high frequency broadcast station, requesting extension of completion date from 4-14-42 to 10-14-42.

## TELEVISION APPLICATIONS

KSEE—Earle C. Anthony, Inc., Los Angeles, Calif.—Modification of construction permit (B5-PCT-10) as modified, for a new television broadcast station, requesting changes in aural transmitter, to increase ESR from 1850 to 7654, move transmitter, changes in antenna and extension of commencement and completion dates from 1-15-42 and 7-15-42 to 60 days after grant and 180 days thereafter, respectively.

W3XAU—WCAU Broadcasting Co., Philadelphia, Pa.—Modification of construction permit (B2-PVB-47) as modified, for a new television broadcast station, requesting extension of completion date from 3-28-42 to 9-28-42.

KTSL—Don Lee Broadcasting System, Hollywood, Calif.—Modification of construction permit (B5-PCT-7) for a new commercial television broadcast station, requesting extension of completion date from 4-12-42 to 10-12-42.

## MISCELLANEOUS APPLICATIONS

- WBEZ—Board of Education, City of Chicago, Chicago, Ill.—Modification of construction permit (B4-PED-22) for a new non-commercial educational broadcast station, requesting extension of completion date from 3-29-42 to 7-1-42.
- WBEE—Worcester Telegram Publishing Co., Inc., Portable-Mobile.—Modification of construction permit (B1-PRY-266) for a new relay broadcast station, requesting change in type of transmitter, decrease in power from 50 to 40 watts and extension of commencement and completion dates from 3-7-42 and 9-7-42 to 30 days after grant and 120 days thereafter, respectively.

## FEDERAL TRADE COMMISSION DOCKET

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Consumer's Research Service** and as **Consumer's Report Service**, Nathaniel Friedman, 4305 North Keeler Ave., Chicago, is charged in a complaint with misrepresentation in the sale of publications which purport to supply dealers and the public with information with respect to the relative merits of various makes of automobiles. The respondent's publications are known as "Consumer's Research Reporter, 1940 Report on Automobile Values" and "Consumer's Automobile Reporter, 1941 Report on Automobile Values." (4734)

**Freeman & Freeman**—Alleging misrepresentation of an automobile polish designated "Porcelainize," a complaint has been issued against Edwin M. Freeman, William A. Freeman, and Michael J. Freeman, trading as Freeman & Freeman, 696 South Broadway, Denver, Colo. (4735)

**Giroux Company**—A complaint has been issued charging Giroux Co., Inc., 401 West 13th St., New York, with misrepresentation in the sale of a table sauce. (4731)

**Howe & Company**—A complaint has been issued charging Phil Howe, trading as Howe & Co., 1535 11th Ave., Seattle, with misrepresentation in the sale of cosmetics. The respondent, who is a wholesaler of cosmetics, has branch offices in New York and Toronto, Canada. (4729)

**Indian River Fruit & Vegetable Distributors, Inc.**, Vero Beach, Fla., and Frank C. Spadaro, president and general manager of the corporation, are charged in a complaint with falsely representing that citrus fruit they sell is grown in the Indian River district of Florida. Spadaro also does business as F. C. Spadaro Co. (4730)

**Montgomery Ward & Co., Inc.**, Chicago, is charged in a complaint with misrepresentation in the sale of cosmetics. (4728)

**Motion Picture Advertising Service, et al.**—Charged with entering into and carrying out agreements and conspiracies to sup-

press competition and create a monopoly in the interstate sale, lease and rental of commercial motion picture films advertising the products of national advertisers, five producers and distributors of such films, and two booking agencies and a trade association which the distributors allegedly organized to further their program, are named respondents in a complaint.

Distributors named in the complaint are Motion Picture Advertising Service Co., Inc., 1032 Carondelet St., New Orleans; United Film Ad Service, Inc., 2449 Charlotte St., Kansas City, Mo.; Ray-Bell Films, Inc., 2269 Ford Parkway, St. Paul, Minn.; Alexander Film Co., Colorado Springs, Colo., and A. V. Cauger Service, Inc., 109 Winner Road, Independence, Mo.

The two respondent booking agencies, allegedly organized by the distributors to solicit national film advertising contracts from manufacturers, are Screen Broadcast Corp., 30 Rockefeller Plaza, New York, and General Screen Advertising, Inc., 400 North Michigan Ave., Chicago. The respondent trade association, alleged to have been formed by the distributors to adopt rules and regulations governing the handling of cooperative advertising films and programs, is Association of Advertising Film Companies.

Individual respondents named in the complaint are Albert E. Fair, president of Screen Broadcast Corp.; J. D. Alexander, president of Alexander Film Co., and chairman of the board of directors of General Screen Advertising, Inc., and C. J. Mabry, vice president and treasurer of Motion Picture Advertising Service Co., Inc., and secretary of the respondent trade association. (4736)

**New York Handkerchief Manufacturing Co.**, 1021 West Adams St., Chicago, in a complaint is charged with misrepresentation in the sale of handkerchiefs. (4727)

**Precision Apparatus Company**—Misrepresentation of the character, quality and performance ability of radio tube testing instruments is alleged in a complaint issued against Murray Mentzer and Solomon W. Weingast, trading as Precision Apparatus Co., 647 Kent Ave., Brooklyn. The instruments manufactured and sold by the respondents are designated "Dynamic Mutual Conductance Tube Testers." (4732)

**Vitamin Products Co.**, 2023 West Wisconsin Ave., Milwaukee, is charged in a complaint with disseminating false advertisements concerning certain medicinal preparations he sells in interstate commerce. (4733)

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Batesville Casket Co.**, Batesville, Ind., in the sale of a burial casket designated "Monoseal," stipulated to cease advertising that the product possesses air-tight and waterproof qualities and a tendency to effectively resist corrosion which will endure after its burial underground, or that the casket will remain in such condition after burial as to assure permanent protection or absolute security to the body encased therein "for centuries." (3432)

**D'Orsay Sales Corp.**, 71 Fifth Ave., New York, perfume distributor, stipulated to cease using the word "Paris" alone or in conjunction with other words of French or other foreign derivation, so as to imply that the preparations so labeled or advertised are manufactured, mixed, blended or compounded in Paris, France, and imported, as finished products, into the United States. The stipulation provides that when such products are domestically made into finished products from ingredients all or a substantial portion of which have been obtained from France, the word "Paris," if used to indicate the foreign origin of the ingredients, shall be accompanied by other words clearly indicating that the finished products are made in the United States and are not of French manufacture. The respondent also agrees to desist from using the phrase "designed by LaLique" in referring to American-made bottle containers. (3431)

**Dr. Peter Fahrney & Sons Co.**, 2501 Washington Blvd., Chicago, entered into a stipulation to cease and desist from misrepresenting

sentation in the sale of medicinal products designated "Forni's Alpenkrauter," "Forni's Magolo," and "Forni's Heil-Oel Liniment." (02959)

**Franco-Italian Packing Co., Inc.**, Terminal Island, Calif., tuna fish packer, stipulated that in the sale of domestically obtained tuna fish products it will cease using on labels affixed to containers the word "Tonno," alone or in connection with other Italian words, pictorial representations, insignia, or otherwise, so as to imply that its products are obtained from waters in or about the coasts of Italy or imported from that country. (3432)

**Goldentone Radio Co.**, 15123 Warren Ave., Dearborn, Mich., has made a supplemental stipulation in which he agrees to cease representing, in connection with the sale of "Goldentone" radios, that 50 percent or any other substantial amount of money can be saved by the purchase of his radios; that he owns or operates the factory in which his radios are made or that such radios can be purchased from him at factory prices, thereby eliminating the profit of either a dealer, jobber or salesman; that the guarantee issued to customers includes a guarantee of many years of enjoyable reception; and that a ten-day free trial or any free trial is given to a customer upon the purchase of one of his radios. (01780)

**Lewis Hotel Training Schools, Inc.**, 2301 Pennsylvania Ave., N. W., Washington, D. C., in a supplemental stipulation entered into, agrees to cease representing that its course of training for various positions in the hotel and allied fields will qualify persons without previous experience, and with only a grade school education, to fill any position at any salary which calls for educational qualifications, specialized training, or practical experience not provided by the course; that persons taking the course will be assured of security and advancement in the hotel and allied fields; and that the Lewis Hotel School graduate can qualify for any stated salary in a beginner's position greater than the average salary received in such positions by a representative number of the school's graduates upon their graduation. The stipulation is supplemental to Stipulation 01445, accepted by the Commission in 1936, which remains in effect. (02958)

**Mears Radio Hearing Device Corp.**, One West 34th St., and Charles W. Hoyt Co., 551 Fifth Ave., New York, the latter an advertising agency, have entered into a stipulation to cease certain representations in the sale of hearing-aid devices. In the sale of the Mears company's vacuum tube crystal hearing-aid device designated "Aurophone Model No. 98," the respondents agree to cease disseminating advertising matter representing that the product is better suited to supply the hearing-aid needs of persons regardless of the kind or degree of their hearing afflictions; that it will assure all deaf or partially deaf persons of clear, natural and understandable sounds or immeasurably improve hearing under all conditions; that it will retard deafness by stimulating and activating the ossicles of the middle ear, and that the device is an entirely new product or is the lightest or smallest hearing-aid instrument now on the market. (3430)

**Mid West Mills, Inc.**, 2217 Chester Ave., Cleveland, distributor of upholstery fabrics, has entered into a stipulation to cease using the word "Mills" as part of its corporate or trade name, and to discontinue use of such word or any similar word in a manner implying that the respondent manufactures the merchandise it sells or owns and operates a plant in which its products are made. (3428)

**Parker-Bouldin Co.**, 500 Robert St., St. Paul, Minn., has entered into a stipulation to cease representing that a cosmetic designated "Priscilla Parker Breath Correcting Lipstick" is effective in neutralizing offensive breath or that the product's ingredients are harmless. The respondent also agrees not to publish advertisements which fail to reveal that continued use of the lipstick over too prolonged periods of time may in certain individuals cause exfoliation of the skin; provided, however, that such advertisement need contain only the statement: "Caution, use only as di-

rected," if the directions in the labeling contain an appropriate warning. According to the stipulation, the respondent's lipstick contains the chemical resorcinol. The respondent also stipulates that he will cease employing the terms "Breath Correcting" or "Deodorizing" in the brand name of the lipstick. (02955)

**Ridge Tool Co.**, Elyria, Ohio, manufacturer of pipe tools, including pipe threading devices and chaser dies, stipulated to cease using the words "all-steel malleable-alloy" as descriptive of its pipe-threading devices and the word "steel," alone or with the word "all," so as to imply that such devices are composed of parts all of which are made of steel, when actually they are not made of that metal. The respondent further agrees to discontinue employing the words "semi-high-speed tool steel" as descriptive of its chaser dies in a manner implying that the metal of which the tools are made maintains its hardness and cutting ability practically unimpaired, as when heated to visible red temperature, when actually such tools are not metal of that type. (3429)

## CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

**Clinton Company**—An order to cease and desist from price discriminations in connection with the sale of glucose, in violation of the Robinson-Patman Act, has been issued against Clinton Co., Clinton, Iowa, manufacturer of corn products, and its subsidiary, Clinton Sales Co., Chicago. (3800)

**Corn Products Refining Co.**, and its sales subsidiary, Corn Products Sales Co., Inc., New York, has been ordered to cease and desist from discriminating in price and in services and facilities and from exclusive dealing arrangements in violation of the Robinson-Patman and Clayton Acts in connection with the sale of products resulting from the grinding and refining of corn, such as bulk glucose or corn syrup, corn starch and starch products, dextrose, and corn gluten feed and meal. (3633)

**Ingenuities Corporation of America**, 745 Fifth Ave., New York, licensor of a patent for the construction of neckties and of a trade-mark for such ties, and two of its licensees, have been ordered to cease and desist from misrepresenting the fabric composition of ties. The respondent licensees are Goldberg, Squire, Lesser and Cohen, Inc., 3 East 28th St., New York, and T. P. McCutcheon and Brother, Inc., 1216 Arch St., Philadelphia. (4593)

**Southern Rice Sales Co., Inc.**, 11 Beach St., New York, which sells "River Brand Brown Rice" and "River Brand Puffed Brown Rice," and Donahue & Coe, Inc., 1270 Sixth Ave., New York, an advertising agency disseminating advertisements of River Brand rice products, stipulated to cease representing that River Brand Brown Rice will regularly provide per ounce as many as 56.8 international units of vitamin B-1 or 25.6 micrograms of vitamin B-2, or, when eaten in quantities ordinarily consumed, will supply a child's or an adult's daily minimum nutritional requirement for vitamin B-1; that River Brand Brown Rice will keep one healthy; that River Brand Puffed Brown Rice is comparable, in its vitamin B-1 and vitamin B-2 content, to unpuffed brown rice; and that any one of the vitamins contained in River Brand Puffed Brown Rice is the health vitamin. (02956-02957)

## FTC CASE CLOSED

The Federal Trade Commission has closed its case against The Taylor School of Bio-Psychology, Inc., and others, Chattanooga, Tenn., who had been charged in a complaint with violation of the Federal Trade Commission Act in the sale of correspondence courses in psychology, philosophy, religion, and allied subjects. The case was closed without prejudice to the right of the Commission to reopen it should the facts warrant.

In closing the case the Commission stated that the public interest involved was not sufficient to justify corrective action.

