

PROGRAM TITLES—Continued

- Tots and Tunes (WNLC)
 Totten on Sports (WENR)
 Touchdown (KGO-KPO)
 Touchdown Parade (KGW)
 Tour for Talent (WMIN)
 Tour of Northern Alberta
 (CJCA)
 Tour Through Tuneland
 (WKRC)
 Tourbillon, Le (CKCV)
 Touring Downtown Tulsa
 (KTUL)
 Touring Microphone, The
 (WAPI)
 Touring the Old Dominion
 (WTAR)
 Touring Tips (WMCA)
 Tourist Adventures, The
 Conoc (NBC)*
 Tourist Interviews
 (CKLW)*
 Tourist Time, The Arrow-
 head (KDAL)
 Tourist's Guide, The
 (CHRC)
 Tournament of Torrid
 Tunes (WJBC)
 Tours in Music (WLTH)
 Tours in Tone (CBS)
 Tower Clock Program
 (WHAM)
 Tower Health Exercises
 (NBC)
 Tower Topics (KLZ)
 Tower Town Tempos
 (WBBM)
 Tower Watchman, The
 (WTIC)
 Town Crier (WCHS, KBIX,
 WMBD, WSIX, KOL,
 WKZO, CJCB, WMBD,
 WSGN)
 Town Forum (WHJB)
 Town Hall Tonight (NBC)
 Town Market Melodies
 (WDGY)
 Town Meeting of the Air,
 America's (NBC)
 Town Stories (WOR)*
 Town Talk (KQV, WGTM,
 WJBL, WXYZ, KTUL,
 WBRC, KTAT)
 Town Talk Children's Hour
 (WJAS)
 Town Talk Varieties
 (WTAG)
 Town Talker (WEBQ,
 KFH)
 Town Talkers (WQAM)
 Town Talks, The (WBRC)
 Town Tattler (KFH)
 Town Topics (KOIN,
 KERN, WGPC, KTUL,
 WFOY, WDBO, WKZO,
 CJCA)
 Townne Talks (CBS)
 Townsend Murder Mystery,
 The (WJZ)*
 Townsend Plan Talks
 (KHJ)
 Toy Band (WLW)
 Toy Symphony (KECA)
 Toyland Express, The
 (WPTF, KOIN)
- Tractor Time, The Allis-
 Chalmers (WEBQ)
 Trade-Away Program
 (KABR)
 Trade at Sikeston (KFVS)
 Trade Breezes (WJAR)
 Trade Winds (WDAE)
 Trades on Parade (WOR)*
 Trading Center (KGVO)
 Trading Post (KGAR,
 WMBD, WJW, KTAT,
 KGFF, WCBS, KMBC)
 Trading Post Floorwalker
 (WIND)
 Trading Post of the Air
 (KFEL)
 Traffic Court (KTRH,
 WTAR)
 Traffic Cop (KRBC)
 Traffic Greeter (WQAM)
 Traffic Lights (WJW)
 Traffic Safety Digest
 (KDYL)
 Traffic School of the Air
 (WGRC)
 Traffic Squad (KOIL)
 Tragedy of Man (WQXR,
 FTRD)
 Tragic Chapters of Jewish
 History (WRAX-WPEN)
 Trail Blazers, The
 (WVVA)
 Trail of Dreams (WBTM)
 Trail of Mystery (WGAL)*
 Trailer Dan (WIOD)
 Trailer Talks (WADC)
 Trailer Travels (WHA)
 Trailfinder, The (NBC)
 Trailin' Along (KGW-
 KEX, KLO)
 Trailing News Round the
 World (KWSC)
 Trailing the Stars (WFBR)
 Trails of Yankee Trade
 (KHJ)
 Train Time (WBBM,
 WMPS, WNBR)
 Train's Baby Chick
 Express (KCKN)
 Trainload of Ideas
 (WMBH)
 Tramp of Youth (NBC)
 Tramp, Tramp, Tramp
 (CBS)
 Trapper's Trio (KMA,
 WNAX)
 Travel Club, Lyman Cooley
 (WHO)
 Travel Club of the Air
 (WGAR)
 Travel Hour (WHEB)
 Travel Lady (KWJJ)
 Travel Man, The (WNEW,
 WHB)
 Travel Studies (KHSL)
 Travel Talk, Jack Robert-
 son's (WGRC)
 Travel Talks (NBC)
 Travel Talks, Malcolm
 La Prade (NBC)
 Travel with Captain Adams
 (KFYR)
 Travel With Us (CJIC)
- Travelers, The (KFUO)
 Travelers Hour, The
 (WTIC)
 Travelling Troubadours
 (WHEC)
 Travelog, The KHSL
 (KHSL)
 Travelogue (KHUB)
 Travelogue (KMOX,
 KFUO)
 Travelogues (WJAX)
 Travelogues, Cook's (NBC)
 Travelore (WBNS)
 Travels in Toyland
 (WFMD)
 Travels of Mary Ward
 (WBS)
 Travel's Radio Review
 (WMBO)
 Travelyrics (WELI)
 Treadin' the Town
 (WBNX)
 Treasure Adventures of
 Jack Masters (CBS)
 Treasure Box (WCOP)
 Treasure Chest (WDBO,
 WKZO, WBAA, KONO,
 WKRC, WIS)
 Treasure Chest of Dance
 Memories (WELI)
 Treasure Chest of Melody
 (KFRC, CJOC)
 Treasure Chest of Mem-
 ories (WATR)
 Treasure Gold (WFAA)
 Treasure House (WDRC)
 Treasure Hunt, The Cremo
 (WBAL)
 Treasure Hunt of the Air,
 WTHT (WTHT)
 Treasure in the Wind
 (KNX)
 Treasure Island (KGO-
 KPO, KFVO)
 Treasure Shelves (WRD)
 Treasure Ship, The Steffen's
 (WKY)
 Treasure Trails (NBC)
 Treasure Trove of Music
 (CJCA)
 Treasured Memories
 (KLZ)
 Treasures Next Door
 (WWSW)
 Treasures of Song (KALE)
 Treasury of Music
 (WQXR)
 Tree of Knowledge
 (KNX)*
 Tree Surgical Hour (NBC)
 Tree Talks (NBC)
 Trend of the Times
 (WHAS)
 Trends in Education
 (KGDM)
 Tri-City Employment
 Barometer (WHBF)
 Tri-City Interviews
 (WADC)
 Tri-State Farm and Home
 Hour (WVVA)

PROGRAM TITLES-- Continued

- Tri-State Farmers' Forum (WMC)
 Tri-State Salute (WWVA)
 Tri-Topics (WOWO-WGL)
 Tri-Varieties (KTUL)
 Trial by Music (WJAY)
 Trial of Delores Devine (NBC)
 Trial of Vivian Ware (KOIL)
 Triangle Club, Nick Ken-ny's (WMCA)*
 Triangle of a Successful Home, The (NBC)
 Tribe of Yessir (WOW)
 Trinity Chimes (WGRC)
 Trio, The WBZ (WBZ-A)
 Trio Celeste (KYA)
 Trio Moderne (CJRC)
 Trio Without a Name (WINS)*
 Triottes (KDKA)
 Trip Around Town (WRDW)
 Trip to Hot Town, A (KFXR)
 Triple Trios (WCCO)
 Trips to Wonderland (WCAE)
 Troopers, The (CBS)
 Tropic Serenade (WHP)
 Tropic Trails (KGW-KEX)
 Tropical Fruits and Plants Program (WFLA)
 Tropical Strings (WJNO)
 Trotter and Fitzgerald (WBIG)
 Troubadour, The (WJAY, KOIL, WAAW)
 Troubadour, The Hellman (NBC)
 Troubadour of the Moon (NBC)
 Troubadours, The (KTUL, WBZ-A)
 Trouble Ahead (WSAI)
 Trouble Chasers, The (WIBW)
 Trouble Shooters, The (WHIO, WHKC)
 Troupers, The (WWJ)*
 Trout Flashes (WFDF)
 Troy Martin and the Vir-ginians (WBTM)
 True Adventures (CBS)
 True Air Adventures (KGB)
 True Confessions (WMCA)
 True Detective Mysteries (KMOX, WLW)
 True Dog Stories (KMBC, WWJ)
 True Engineering Stories (NBC)
 True Fish Tales (WFLA)
 True Life Dramas (WNBF)
 True Life Stories (WDAF)
 True Marriage Proposals (WMCA)
 True or False (WOR)*
 True Railroad Adventures, The Lionel (NBC)
 True Stories of New York State Police (WHAM)
 True Stories of Real Scouts (KTFI)
 True Stories of the Sea (WOR)*
 True Story Court (NBC)
 True Story Court of Human Relations (NBC)
 True Story Hour (NBC)
 True Success Stories (MWR)
 True Tales of Buried Treas-ure (KHJ)
 Truly American (WLW)
 Truly Rural (WHN)
 Truth Barlow (WBS)
 Truth Behind the News, The (WMCA)
 Truth Behind the News as I See It, The (WMCA)
 Truth Hour (KFUO)
 Truth in Advertising (NBC)
 Truth Is Stranger Than Fiction (WDBO)
 Truthful Deacon Brown (KGO-KPO)
 Try and Stump Us (WSMK)
 Try 'n' Stump Us (WCLE)
 Try Our Hour (WCAU)
 Try to Stump Me (KMOX)
 Tuesday Jamboree (CBS)
 Tuesday Morning Music Club (WNOX)
 Tulsa's Future Men (KTUL)
 Tune a Day (WDZ)
 Tune-A-Minute (WSIX)
 Tune Appetizers (KMMJ)
 Tune Blenders, The Max-well House (NBC)
 Tune Corral, The (KFRU)
 Tune Detective (NBC)
 Tune Furnishers (WTMJ)
 Tune Guessing (WSJS)
 Tune Guessing Time (KFOX)
 Tune Hits of the Day (WACO)
 Tune in and Hear Yourself (WTMV)
 Tune Smiths, The (KTUL, WTMJ)
 Tune Teasers (CBL, WCFL)
 Tune Time (CBL, WSAU)
 Tune Time, The Philco (KFVS)
 Tune Tinkers (WDEL, WIL)
 Tune Topics (KFXJ, KGLO)
 Tune Toppers, The (WKRC)
 Tune Triplets (WJAY)
 Tune Tusslers, The (KFYO)
 Tune Twisters (NBC)
 Tune Types (KGO-KPO)
 Tune Up Test (WBRY)
 Tune Wranglers (KTSA, KELD)
 Tuneful Huntsman, The (KGNC)
 Tuneful Sketches (KHSL)
 Tuneful Tailors (WAAT)
 Tuneful Tid-Bits (WRGA)
 Tuneful Times (NBC)
 Tuneful Tips (KFVS)
 Tuneful Topics (KYA, WEBQ)
 Tuneful Topics of the Town (CBS)
 Tuneful Trends (WSAY)
 Tuneful Tunes (WAAW)
 Tuneful Varieties (WACO)
 Tunefully Yours (CJRC, CHML)
 Tunes and Flowers (KMMJ)
 Tunes and Topics (KAST)
 Tunes at Ten (WAAT)
 Tunes at Two (WAIM)
 Tunes for Today (KLZ)
 Tunes for Two (KNX, WNAC)
 Tunes from Bohemia (WJAY)
 Tunes from Tango Land (KRE)
 Tunes, New and Old (KALB)
 Tunes of the Day (WTJS-KONO)
 Tunes of the Times (KGO-KPO)
 Tunes of Today (WCLO)
 Tunes of Yesteryear (KLO, KVOL)
 Tunes That Hit (WGRC)
 Tunes While You Wait (WPRO)*
 Tunes You Forgot to Re-member (CFJC)
 Tunes You Remember (WEBQ)
 Tunemsmiths (KOL)
 Tunesters, The (WFAA)
 Tunetypes of Memory (KYOS)
 Turf Topics (WRR)
 Turkey in the Straw (KLPM)
 Turkey Time (WPHR)
 Turkey Trot Bill (KGCU)
 Turn Back the Clock (WLLH)
 Turn Back the Years (WTJS)
 Turn 'Em Over (KMTR)
 Turning on the Heat (WTMJ)
 Turning Over New Leaves (WIND)
 Turning Points in Famous Lives (KRKD)
 Turning the Leaves (KOMA)
 Turning the Pages (WTMV)
 Turntable Tid Bits (WCAE)
 Turquoise Bear, The (KSFO)
 Tuscarora Hillbillies (WDAS)

PROGRAM TITLES—Continued

- Tween Age Matinee (WFMD)
 1200 Luncheon Club (WEST)
 12:15, The (WJAY)
 1260 Friendly Street (KUAO)
 Twelve Crowded Months (CBS)
 Twelve o'Clock Show, The St. Paul (WTCN)*
 Twelve o'Clock Trio (NBC)
 12 to 1 Club (KIDO)
 Twentieth Century Marvels (KALE)
 20th Century Players (WJAR)*
 Twentieth Century Serenade (KLZ, WOWO)
 20th Century Styles (WLNH)
 Twenty Diligent Digits (KROY)
 Twenty Fingers (KVI, WJEJ)
 20 Fingers and 2 Grands (WHIO)
 Twenty Fingers of Harmony (WAAT)
 20 Fingers of Melody (WISN)
 Twenty Fingers of Rhythm (KTUL)
 Twenty Fingers of Sweetness (KDKA, WISN)
 Twenty-Five Years Ago (TPC)
 25 Years Ago This Week (WQXR, WKY)
 Twenty-Five Years Ago Today (TPC, KSD)
 Twenty Flying Fingers (WCCO)
 24 Hours Review (WLW)
 Twenty Minutes of Harmony (WEAF)*
 20 Radio Brain Dusters (KOY)
 Twenty Sizzling Fingers (WATL)
 Twenty Years After (KGO-KPO)
 Twenty Years Ago and Today (WOR)
 Twenty Years Ago Today (WRJN)
 20,000 Years in Sing Sing (NBC)
 Twilight Black and White (KFOR)
 Twilight Circle Within My Garden Wall (NBC)
 Twilight Concert (WSAU)
- Twilight Dance Tunes (WORL)
 Twilight Echoes (CBL, KFPY)
 Twilight Ensemble (CFCF)
 Twilight Harmoniers (WJBL)
 Twilight Hour, The (WTAD, KRE, WHB)
 Twilight Hour, The General Electric (NBC)
 Twilight Interlude (WEW)
 Twilight Lyrics (KLPM)
 Twilight Meditation (WALR, WJAY)
 Twilight Melodies (KOBH, KIDW, WJNO, WRDW, WQAM, KDKA)
 Twilight Memories (KMBC)
 Twilight Moods (KFXJ)
 Twilight Musicale (WBBM)
 Twilight Organ Melodies (WJAX)
 Twilight Reverie (WWVA)
 Twilight Reveries (KLO, KFI, WBZ-A, WGES, WHAM, WOW, WCMI, WEED, WJBC, WMBH, KGXC, KRBC, WSAU)
 Twilight Round Table (CBS)
 Twilight Serenade (CKNX, KFPY, WELL, WHEC, KIUL, WFBM, KSD)
 Twilight Shadows (KORE)
 Twilight Silhouettes (WPEN)
 Twilight Sonata (WFIL)
 Twilight Songs (WFMD)
 Twilight Sweetheart (KFJB)
 Twilight Symphonette (KTUL)
 Twilight Tales with Tinka (WRTD)
 Twilight Time (KSTP)
 Twilight Trails (WEAU)
 Twilight Trio (KTUL, WDAE)
 Twilight Troubadours (CBS)
 Twilight Vesper (WSAU)
 Twilight Vespers (WSGN)
 Twilite Favorites (WFLA)
 Twilite Melodies (WOAI)
 Twilite Reveries (KOL)
 Twilite Shadow Request Hour (KIDO)
 Twin Cantors, The (WBNX)
 Twin City Foresome (WCCO)
 Twin City Spelling Bee (KOL)
- Twin Harmony (KOVG)
 Twin Hosts, The (KTAR)
 Twin Hours of Melody (KFOR)
 Twin Pianos (WOW)
 Twin Powers—At Your Service (WHAS)
 Twin Stars (NBC)
 Twin Winners (WBBM)
 Twins, The Pesi-Cola (WGH)
 Twisting the Dial (WHB)
 Two and a Co-Ed (KYA)
 Two Around Town (WNEW)
 Two Boys and a Piano (WHB)
 2:55 Express (KALE)
 Two Gals and a Pal (WTJS)
 Two Girls and a Boy (WBZ-A)
 Two Guitars (WKY)
 Two Hearts in Three-Quarter Time (KNX)
 200 Meters and Down (WMAQ)
 Two Jacks and a Queen (WCMI)
 Two Jews from Missouri (WLTH)
 Two Keyboards and a Console (WKY)
 Two Little Girls in Blue (CKCY, WROK)
 Two Loose Nuts (WFAA)
 Two o'Clock Tunes (WHB)
 Two o'Clock Variety Show (WMCA)
 Two of a Kind (WJJD, WIND)
 Two Old Friends (WGY)*
 Two Piano Team (CFCF)
 Two Professors (KMTR)*
 Two Public Enemies (WABC)*
 Two Seats at the Opera (CKCL)
 Two Seats in the Balcony (NBC)
 Two Seats in the Orchestra (KELO)
 Two Seats on the Aisle (WIP)
 Two Smart Girls (KOL)
 Two Swell Tunes (WQAM)
 Two-Thirty Tunes (WFBM, WJMS)
 Two (Three) Consoles (CBS)
 Two Troupers (NBC)
 Two Way Harmonies (WSBT-WFAM)
 Typewriter Reflections (KSAC)
 Tyroleans (WWL)

PROGRAM TITLES—Continued

U

- U Tell Me and Children's Birthday Club (KGFV)
 Ugly Duckling Amateur Hour (WMCA)
 Ugly Duckling Club, The (WBIG)
 Ukelele Sue (WAAT)
 Ukrainian Program (WMBC)
 Umbrella Court (KSTP)*
 Unaccustomed As I Am (WABI)
 Unauthorized Versions of American History (WMBD)
 Unbelievable, The (WBS)
 Unbroken Melodies (KWTN, WLW, KABR)
 Unbroken Organ Melodies (WCAZ)
 Uncle Arnold (WBBC)
 Uncle Ben Tells a Story (KFRU)
 Uncle Ben's Club of the Air (WBEN)
 Uncle Ben's Funny Paper Hour (WKY)
 Uncle Bernie (WESG)
 Uncle Bill and His Funnies (KTUL)
 Uncle Bill and Snowball (WCAO)
 Uncle Bill and the Twins (WBZ-A)
 Uncle Bill of Sweet Meadows (WBZ-A)
 Uncle Bill Reads the Funnies (IBS)
 Uncle Bill's Gramophone (WBBF)
 Uncle Billy's Collie Club (CKCD)
 Uncle Billy's Safety Campaign (CKCD)
 Uncle Bob and His Funnies (KHSL)
 Uncle Bob and Plain Jim (WTBO)
 Uncle Bob and Scrappy (WDAF)
 Uncle Bob and the Funnypapers (KPDN)
 Uncle Bob's Funny Paper Hour (KVOR)
 Uncle Bud's Bargain Boys (KTEM)
 Uncle Charlie and Little Ann (KFEQ)
 Uncle Charlie's Book Shelf (WCAZ)
 Uncle Charlie's Pet Club (KYA)
 Uncle Charlie's Tent Show (WEAF)*
 Uncle Charley and Company (KFAB)
 Uncle David (KMTR)
 Uncle David and Abe (NBC)
 Uncle Don (WOR)
 Uncle Don Reads the Funnies (KOIL, WCHS)
 Uncle Ed and Little Willie (WRR)
 Uncle Eddy and Uncle Lee (WBRC)
 Uncle Elmer and His Song Circle (WEEI)
 Uncle Elmer's Children's Hour (WJAS)
 Uncle Elmer's Song Circle (WEEI)
 Uncle Eph and His Philosophy (SVA)
 Uncle Esso (WAIM)
 Uncle Ezra (NBC)
 Uncle Ezra's Ramblings (KMBC)
 Uncle Feeze & His Virginia Mountaineers (KWK)*
 Uncle George (KMTR)
 Uncle Gene's Funnies (KRBC)
 Uncle Harry Matinee (KYA)
 Uncle Harry Reads the Funnies (WATR)
 Uncle Henry's Harvesters (WMBC)
 Uncle Henry's Treasure Club (KTAT)
 Uncle Herman's Toy Shop (WPTF)
 Uncle Howdy's Kiddies Jamboree (WJIM)
 Uncle Jack Reads the Funnies (WPHR)
 Uncle Jack's Club (WBAL)
 Uncle Jerry (MacG)
 Uncle Jerry and Peter Rabbit (KDFN, KGVO)
 Uncle Jerry's Big Time Club (KSD)
 Uncle Jim (WFIL)
 Uncle Jim and Highpockets (WOAI)
 Uncle Jimmy's Pleasure Cruise (KMTR)*
 Uncle Joe and His Sunshine Quartet (KFVD)
 Uncle John (KROY)
 Uncle John and Aunt Minerva (KMMJ)
 Uncle John and Billy (WCAE)
 Uncle John and Pappy (KMMJ)
 Uncle John's Prophetic News Flashes (WCBF)
 Uncle Ken's Kiddie Klub (WDAY)
 Uncle Lee's Home Folks (WRR)
 Uncle Leo (WKY)
 Uncle Leo at the Zoo (WKY)
 Uncle Luke's Old Home Town (WNBX)
 Uncle Mack (WQAM)
 Uncle Mel (CHNS)
 Uncle Mose (KGHI)
 Uncle Nate's Kiddies Revue (WALR)
 Uncle Neal's WFAS Kiddie League (WFAS)
 Uncle Ned (NBC)
 Uncle Ned's Variety Show (WORL)
 Uncle Nick's Children's Parade (WMCA)
 Uncle Olie and His Gang (CBS)
 Uncle Pete and Louise (WNEW)
 Uncle Peter (CKY)
 Uncle Peters and the Peterskin Club (CKY)
 Uncle Pete's Kiddy Revue (WCOL)
 Uncle Phil (WHB)
 Uncle Quin's Scalawags (WGN)
 Uncle Red's ABC Club (WEAN)
 Uncle Remus (WGN)*
 Uncle Sam at Work (WSB)
 Uncle Sam's G-Men (WSGN)
 Uncle Tobe (WBT)*
 Uncle Tom and the Sunday Funnies (KSL)
 Uncle Tom's Play House (WOW)
 Uncle Verne (WCOA)
 Uncle Walt and His Pop-eye Club (WJTN)
 Uncle Weisenheimer (KFIZ)
 Uncle WIP (WIP)
 Uncle Wip's Hall of Fame (WIP)
 Uncle Wip's Round Table (WIP)
 Uncle Wonderland (KFOX)
 Uncle Zeb (KDYL)
 Under an Argentine Moon (KOY)
 Under Castillian Skies (KYOS)

PROGRAM TITLES—Continued

Under God the People Rule (KOBH)	Universal Fun and Frolic (WWVA)	Unsolved Mysteries, The Ken-Rad (WLW)
Under Italian Skies (WOL)	Universal Milling Review (WEBC)	Unspoken Inspiration (KOBH)
Under the Baton (CJRC)	Universal Rhythm (NBC)	Unsung Heroes (KTUL)
Under the Capitol Dome (KFOR-UP)	University Bible Class (WRUF)	Untold Jewish Legends (WRAX-WPEN)
Under the Circus Bigtop (WJAY)	University Club Party (WCOL)	Untold Tales of Our National Parks (WSB)
Under the Jolly Roger (NBC)	University Club Round Table (WIBA)	Unusual Interviews (WTOC)
Under the Marquee (WCBS)	University Clubmen (WRUF)	Unusual Jury Trials (WHIO)
Under the Western Skies (KDKA)	University Doings (WCCO)*	Unusual Lawsuits (WCPO)
Undercurrents of the News (WEVD)	University Explorer (KGO-KPO-KHJ)	Unusual People (WMCA)
Understanding Music (CBS)	University International Club (WIBA)	Up and at 'Em (CJOC)
Understanding Opera (CBS)	University Music Hour (CJRC)	Up-to-the-Minute (CKCK)
Unecda Car Boys (KPDN)	University of New Mexico Spelling Bee (KOB)	Upright and Grand (WSJS)
Unemployment Forum (KTRH)	University of the Air (KRBC, KUOA, WOW)	Ups and Downs of the Waistline (WEAF)*
Unforgotten Melodies (CFRN)	University of the Air, The WEVD (WEVD)	Upstarts, The (WKRC)
Unhitchin' Time (KFRU)	University of the Air, Creighton (WOW)	Upstaters (WGY)
Union Assembly The (WEVD)	University School for Workers (WIBA)	Uptown Community Daily (KONO)
Union Family Gathering (WMBC)	University Series (KGVO)	Uptown-Downtown (WMCA)
Union Station (KWK)	Unmasking the Rackets (KHJ)	Uptowners, The (WOWO)*
Union University Educational Series (WTJS)	Unorganized Cheerful Givers, The (WSB)	Uptowner's Quartet (WORL)
United Choral Singers (CBS)	Unsolved Mysteries (KWTN)	Us on a Bus (KVOX, WMBH)
United Salon Orchestra (CBS)		Used Car Race (WHB)
United States Cabinet Series (CBS)		Utah Slim and His Sunset Riders (KDKA)

V

V-8 Revue, The Ford (WBS)	Vagabond Pianist, The (WDRG)	Valley Events (CHWK)
Vac Caps, The (WBZ-A)	Vagabond Quartet (KGO-KPO)	Valley Hour (WBOW)
Vacation Days (KRE)	Vagabond Singers (WHB)	Valley Radio Chapel (KRGV)
Vacation Guide, The (NCBS)	Vagabond Strings (WCCO)	Valleyford Hillbillies (KFIO)
Vacation Roads (CBS)	Vagabond Tour (CJCA)	Vallis Trio (WOAI)
Vacation Vagaries (WHK)	Vagabond Verse (KFBL)	Value Varieties, The (KYOS)
Vacation Varieties (KLZ, WCCO, WGY)	Vagabonds (WGY)	Van Teeters, The (RRI)
Vacationeers (NBC)	Vagabonds Napolitains, Les (CKCV)	Vanilla and Chocolate Drop (WTJS)
Vacationists, The (CBS)	Vagabonds of the Prairies (TPC)	Vanished Voices (CBS)
Vagabond Adventures (WOR)*	Val and Ed (WTJS)	Vanishing New Yorkers (WMCA)
Vagabond Dreamer (KOIL)	Val Morse and His Singing Guitar (WTJS)	Vanities of the Air (WHB)
Vagabond Mike (WIOD)	Valencia (WAPI)	Vanity Box (WHKC)
Vagabond of Song (KMBC)	Valley Echo Program (CJRM)	Vanity Fair (NBC)
Vagabond of the Air, The (WSPR)		

PROGRAM TITLES—Continued

- Variations in Rhythm (WROK)
 Varied Voices (WMCA)
 Varieties (KFIZ, WCAO, WOMET)
 Varieties, Carrier's (IBS)
 Varieties, The WBIG (WBIG)
 Varieties, The Colorado College (KVOR)
 Varieties, The RCA Radio-tron (NBC)
 Varieties, Westinghouse (KIEM)
 Varieties Revue (KSLM)
 Variety Brevities (KIUP)
 Variety Features (KSD)
 Variety Headlines (KEHE)*
 Variety Half Hour (WOPI)
 Variety Hour (WAPI, WHO, KFUE, WSPA, KFNF, WOR)
 Variety Hour, The Palladium (WEAF)*
 Variety Hour, The WFLA (WFLA)
 Variety Matinee (KOIN)
 Variety Musical Parade (WRUF)
 Variety Night (KTUL)
 Variety Parade (WCLO)
 Variety Revue (WHB)
 Variety Shop—Judy Jene (KFPW)
 Variety Show (CFCY, CHAB, CJAT, KRNR, WHB, WOW)
 Variety Show, Harry Musgrave's (KTFI)
 Variety Show, WHBB's (WHBB)
 Variety Show of the Air (KRNR)
 Variety Time (KFJB, KFXR)
 Variety Times (WRUF, WLW)
 Variety Trio, The (CKWX)
 Variety with Vares (WEDC)
 Variety Workshop (CBS)
 Varioteers (WNOX)
 Varneys, The (WCAO)
 Varsiteer's Quartet (KDKA)
 Varsity Hour (WRUF)
 Varsity Show, The Pontiac (NBC)
 Varsity Varieties (CRS)
 Varsity Vespers (WDAS)
 Vass Family (WMAQ)
 Vassar Chocolates Girl (KOA)
 Vaudeville of the Air (WRJN)
 Vaudeville Theatre, The (WAAF)
 Vaudeville Varieties (CFCN)
 Vaughn de Leath (NBC)
 Vedettes de la Chanson Francaise (CBM)
 Velvet Tones (WBOW)
 Velvet Varieties (KMOX)
 Velvet Violins (KLZ)
 Velvet Voice, The (WSJS)
 Velvet Voices (NBC)
 Velvetveers (WTAM)
 Velvo Melodies (WBZ-A)
 Vender o' Poems (KOY)
 Venetian Vagabond (KMPC)
 Venetians (WTAM)
 Venida Program, The (NBC)
 Vermont Lumber Jacks (NBC)
 Vermont Symphony Orchestra (WSYB)
 Versatillians (KFAB)
 Verse-Speaking Chorus (WJZ)*
 Verse, Violin and Voice (WSPA)
 Very Truly Yours (KSRO)
 Vesper Chorale (WICC)
 Vesper Hour (KRE, WCBS, KANS)
 Vesper Meditation (WKZO)
 Vesper Melodies (KLZ)
 Vesper Psalmist, The (KFVD)
 Vesper Reveries (KGNF)
 Vesper Service for Dutch Listeners (WAWZ)
 Vesper Service from Hollywood (CBS)
 Vesper Services (WCHV)
 Vesper Singers, The (WCMI)
 Vesper Voices (KLZ)
 Vespers (KHSL)
 Vespers, Vickland's (WMBD)
 Vespertide (KOL)
 Vest Pocket Varieties (KGO-KPO)
 Vestradramas (WCAM)
 Veterans Campfire (WNEW)
 Veterans' Forum (WHO)
 Veteran's Jubilee (KGW-KEX)
 Vi 'n' Tony (CKOC)
 Vibraphobia (KONO)
 Vibraphone Melodies (CFCN)
 Vic and Sade (NBC)
 Victor Herbert Opera Series (NBC)
 Victorian Ensemble (WTMJ)
 Vie Francais, Le (KFJZ)
 Vienna Dreams (WTMV)
 Viennese (WSYR)
 Viennese Echoes (KGO-KPO)
 Viennese Ensemble (WENR, WTAM)
 Viennese Melody (KOL)
 Viennese Sextet (CBL)
 Views and Interviews (CBS)
 Views and Reviews from the Bookshelf (WCAAX)
 Views of the News (WMCA)
 Views on the News (KMOX)
 Vigilantes Ride Again, The (KGIR)
 Vignettes of Romance (WQAM)
 Village Boys, The (CHRC)
 Village Choir (KFRU, WSYR, KMBC)
 Village Crier (WWNC)
 Village Green, On the (CBS)
 Village Nutsmith, The (WBZ-A)
 Village Parson, The (WBIG)
 Village Pastor (CKAC)
 Village Strollers (WSAY)
 Village Vignettes (WFIL)
 Villeros Allegros (KRQA)
 Vince "Blue" Mondl—One-Man Band (WINS)
 Vindicators (WENR)*
 Viocellano (KTUL)
 Violin Encores (WQXR)
 Violin in the Night (WTAM)
 Violin Miniatures (WILL)
 Violin Reveries (CBO)
 Violin Virtuoso, The (WPHR)
 Virginia Aces, The (WRVA)
 Virginia Dare Hour Party (WHO)
 Virginia Farm and Home Hour (WRVA)
 Virginia in the Arts (WRVA)
 Virginia Lee and Sunshine (NBC)
 Virginia Legislative Forum (WRVA)
 Virginia Players (WCHV)
 Virginia Vagabonds, The (WPHR)
 Virginians, The (WSAI, WLW)
 Visibility Unlimited (MWR)
 Visions of Italy (WHOM)
 Visit to Aunt Kate's Cottage, A (WFOY)
 Visit to Poland (WFBL)
 Visiting Microphone (CKY)
 Visiting the In-Laws (WNYC)
 Visiting with Captain Dobbs (KGO-KPO)
 Visiting with the Famous (WMAL)
 Visiting with Uncle Bill (WAAW)
 Visitor Looks at America (CBS)
 Vita Gold Gang, The (KNOW)
 Vital Statistics (KWTO)
 Vital Vegetables (CBS)
 Vitality (WABC)*
 Vitamin Varieties (CFAC, CJCA)

PROGRAM TITLES--Continued

Viva Juvenile Parade (WCOP)
 Vivian Vorden's All-Girl Orch. (KONO)
 Vocal Art Trio (CBS)
 Vocal Contrasts (CJCA)
 Vocal Gems (WTAG, KHSL)
 Vocal Harmonies (KALB)
 Vocal Parade (WVFW)
 Vocal Symphonies (WHB)
 Vocal Symphony (KARK)
 Vocal Variations (WCAX, WTHT)
 Vocal Varieties (CJCA, KCRJ, WLW, KIDW, WVFW, WMBO, KWTO, WHB, WLW)
 Vocal Vignettes (CKBI)
 Vocal Visions of Yesterday (KYOS)
 Vocaleers (KRBC)
 Vocelettes (WKBW)
 Vocalites (CRCY, KFYO)
 Vocalizations (WTJS)
 Vocally Speaking (CFAC)
 Vocational Agriculture (KGO-KPO)
 Vocational Guidance (KMBC)
 Vocational Guidance Series (WOI)
 Vocational Opportunities (NBC)
 Vocational Problems (KFDY)
 Voce Italica, La (WEDC)
 Vogues and Vagaries (WGH)
 Vogues in Vocalisms (WFAA)
 Voice and a Violin, A (CJRM)
 Voice and the Organ, The (KMA)
 Voice Behind the Mike (KHQ)
 Voice in the Old Village Choir, The (WABI)
 Voice in the Wilderness (WPHR)
 Voice of American Women (KWJJ)
 Voice of Ann Hoyes, The (KCMO)
 Voice of Columbia (CBS)
 Voice of Carelessness (WBBM, WBS, WMAQ, WWJ)
 Voice of Cookery (WCFL)
 Voice of Experience (NBC)
 Voice of Firestone (NBC)
 Voice of Gold (KFOR)
 Voice of Government (KRKD)
 Voice of Greece, The (WORL)
 Voice of Health (WIP)
 Voice of Heart (WMBC)
 Voice of Hollywood, The (KNX)
 Voice of India, The (KTUL)
 Voice of Inspiration, The (CKY)
 Voice of Iowa, The (WMT)
 Voice of Jerusalem (WMCA)
 Voice of Jewish Knowledge, The (WRAX-WPEN)
 Voice of Kansas City (WHB)
 Voice of Labor (KWJJ)
 Voice of Love (WBBM)*
 Voice of Masonry (WSOC)
 Voice of Methodism (WTCN)
 Voice of Montecatini (WOV)
 Voice of Motordom (KFI)
 Voice of Music (CJRC)
 Voice of Ohio (WGAR)
 Voice of Opportunity (KFVD)
 Voice of Organized Labor (KIEM)
 Voice of Pan (KGO-KPO)
 Voice of Pimlico (WFBR)
 Voice of Public Opinion, The (KVOD)
 Voices of Praise (WDEL)
 Voice of Progress (WGRC)
 Voice of Romance (WAIM, JVG)
 Voice of St. Louis, The (KMOX)
 Voice of Safety (WHB)
 Voice of Santa Anita (KFWB)
 Voice of Scriptures (WOL)
 Voice of Stamps (KSFO)
 Voice of the Apothecary (WNAC)
 Voice of the C.C.C., The (WPHR)
 Voice of the City (WHN)
 Voice of the Community, The (WNAC, WCOP)
 Voice of the Consumer (WDRC)
 Voice of the Crusader (CBS)
 Voice of the Exposition (KSFO)
 Voice of the Feedlot (WLS)
 Voice of the Future (WFMD)
 Voice of the Heart, The (WHOM)
 Voice of the Kitchen, The (KFEQ)
 Voice of the Legion (WSYR)
 Voice of the Library (WFBL)
 Voice of the Market Place (CJIC)
 Voice of the Motor City (WJR)
 Voice of the Motorist (WHP)
 Voice of the News (KLZ)
 Voice of the Night (WEOA, KYW)
 Voice of the North Iowa Press (KGLO)
 Voice of the Organ (WBZ-A)
 Voice of the People (WRR, KWTN)
 Voice of the Public Schools (KFRO, KRBC)
 Voice of the Soul, The (WRAX-WPEN)
 Voice of the Southland (WRR)
 Voice of the Stars, The (WJBC)
 Voice of the Street (WJAG)
 Voice of the Strings (WSPA)
 Voice of 1,000 Shades (CBS)
 Voice of the Trapline (KMMJ)
 Voice of the Trumpet (WHEB)
 Voice of the Violin (WCHV)
 Voice of Today, The (KTSM, WEAU)
 Voice of Wisconsin (WHA)
 Voice of Wisdom, The (KMPC)
 Voice of Yesterday (KFPY)
 Voice of Your Advisor (WFAS)
 Voice of Youth (WCBA-WSAN)
 Voices (NBC)
 Voices from Other Lands (WNEW)
 Voices of Hot Springs (KTHS)
 Voices of the Past (WQXR)
 Voices of the Street (WLTH)
 Voices Out of the Sky (WHN)
 Voices You Know (CHML)
 Volunteer Organist (WMCA)
 Voters' Service (NBC)
 Vox Etheria (WSB)
 Vox Pop (KTRH)
 Vox Pop, The Detroit (WJBK)*
 Vox Pop Junior (WGAR)

PROGRAM TITLES—Continued

W

- WBNY's Kiddies' Carnival (WBNY)
 WCLO Rhythm Review (WCLO)
 WDAE's Church of the Air (WDAE)
 WEEI Goes to a Party (WEEI)
 WELI Does the Town (WELI)
 WFDF Blues Chasers (WFDF)
 WFDF Musical Clock (WFDF)
 WGST Tea Party, The (WGST)
 WHAM and Egg Club (WHAM)
 WHAM Billies (WHAM)
 WHAM Light Opera Company (WHAM)
 WHB Better Housing Programs (WHB)
 WHB Musical Clock (WHB)
 WHB Sunrise Show (WHB)
 WHEC Presents (WHEC)
 WIP Homemakers' Club (WIP)
 WJR Presents (WJR)
 WLW Mail Bag (WLW)
 WMFG Stock Company (WMFG)
 WRJN Presents (WRJN)
 WSAI Openers (WSAI)
 WSAI Revue (WSAI)
 WSB on Wheels (WSB)
 Wadsworth Program (NBC)
 Wagon Wheels (CJCA)
 Wagons West! (KFAC)
 Waikiki Islanders (WCAX)
 Waikiki Swing, Don Carr's (WSPR)
 Wake Up (KOA)
 Wake Up and Laugh (WSAY)
 Wake Up and Listen (KABR, KDON, WKBZ, WDOO)
 Wake Up and Live (WORL, WTRC)
 Wake Up and Live Broadcast (WTMV)
 Wake Up and Shine (WTBO)
 Wake Up and Sing (WSAY, CFJC, CKCL, CKX, KVOO, WCAX, WJR, WTAM)
 Wake Up and Sing Club (WMCA)
 Wake Up and Smile (WCAU)
 Wake Up and Swing (WCLE, WHB, WCAZ)
 Wake-Up Melodies (KVOR)
 Wake-Uppers, The (KMOX)
 Waker-Upper Program (KGGM)
 Waker Uppers (KFJZ, KPDN)
 Walberg Brown String Quartet (NBC)
 Walk of Life (WBIG)
 Walker Family, The (IBS)
 Walker-Over Cavaliers (WDAF)
 Walkover Girl (WFLA)
 Walks and Talks with Masters of Music (KQW)*
 Wallace Silversmiths (NBC)
 Wallen Players, The (WDAS)
 Walter B. Pitkin Interview (WINS)
 Walter Dawley's Organ Melodies (WTIC)
 Walter Kimble at the Console (WDBO)
 Walter Logan's Musicale (WTAM)
 Walter Winchell (NBC)
 Walther League Forum (KFUO)
 Walther League Messenger Pre-view (KFUO)
 Walther League News Review (KFUO)
 Waltz! (WLNH)
 Waltz Album, The (WCAZ)
 Waltz Awhile (WTJS)
 Waltz Dreams (CBS)
 Waltz Favorites (NBC)
 Waltz in Springtime (KDYL)
 Waltz in Swingtime (KMTR)
 Waltz Interlude (KGO)
 Waltz Is On, The (WGY)
 Waltz Serenade (WTIC)
 Waltz Time (KGO-KPO, WDGY, KABC, WPHR, KHSL, WFIL, WMFD, WISN, WHB, KFXJ, WEAN, KGVO, KLZ, WSAU, KOL)
 Waltz Troubadours (WFAA)
 Waltzers, The (WIL)
 Waltzes from the Past (KRE)
 Waltzes from Vienna (WRUF)
 Waltzes of the World (CBS)
 Waltzing Strings (WDBO)
 Waltzing with Wayne (CKCL)
 Wanderer, The (KIRO, WOW, KOIN, KFWB, WGBI, WVFW)
 Wanderers, The (WBZ-A)
 Wandering Around Little Old Broadway (NBC)
 Wandering Bard, The (NBC)
 Wandering Boy (CBS)
 Wandering Cowboy (KVI)
 Wandering Gypsy, The (WORL)
 Wandering Melody Man (WHEB)
 Wandering Microphone (KFNF)
 Wandering Minstrel, The (WBAL, WWVA, WCCO, KGO-KPO)
 Wandering Minstrel, The Windex (WCCO)
 Wandering Troubador (KPND)
 Wandering Troubadour (WBRB)
 Wandering Vagabond, The (WELL)
 Wandering Vagabonds, The (WXYZ)
 Wanna Club (WSAZ)
 Want a Job? (WSAU)
 Want Ad Sketch (WWJ)
 Want Ad Spotlight (IBS)
 Wanta Write a Play? (KVOD)
 Wanted—A Job (KDYL)
 War Games Series (NBC)
 War Propaganda Exposed (IBS)
 Ward's Native Hawaiians (WTJS)
 Ward's Popular Serenaders (WTJS)
 Warning Signals (WMCA)*
 Washboard Band (KMPC)
 Washington Letter (WJAG)
 Washington Merry-go-round (WOR)*
 Washington Speaks (WOL)
 Washington Speaks (Man on Street) (WOL)
 Washington Woman's Radio Hour (KOL)
 Waste of Time, The (WBRY)
 Wastebasket, The (WJAS)
 Watch the Clock (KTOK)
 Watch the Fun Go By (CBS)

PROGRAM TITLES—Continued

- Watch Tower Service, The (CKMO)
 Watch Your Time (KLZ)
 Watching the Clock (WHBB)
 Watching the World (WMCA)*
 Waterfront Reporter (KGB)
 Waterfront Wayside (WLW)
 Watson Sewing Circle (WMBH)
 Wattle, the Magnificent (WHN)
 Watt's the Answer? (WMMN)
 Waves of Melody (NBC)
 Waves of Romance (NBC)
 Way Back When (KGO-KPO, KVOR)
 Way Down East (WBS)
 Way Down Home (NBC)
 Way of Living, A (WATR)
 Way of Things (WHN)
 Way Out West (KONO)
 Way to a Man's Heart, The (NBC)
 Wayfaring Men (WABC)*
 Ways with Webster (KAST)
 Wayside Chapel (WMBD)
 Wayside Cottage (CBS)
 Wayside Inn (NBC)
 Wayside Theatre, The (WWSW)
 We Americans (CBS)
 We and Our Government (WEVD)
 We Are Four (WGN)
 We Are in the Money (KFRO)
 We Can Prove It (KMOX)
 We Heard (KGAR)
 We Like Mountain Music (WDOD)
 We Live Again (WLW)
 We Live to Learn (KTUL)
 We Old-Timers (WWJ)
 We Play 'Em, You Guess 'Em (WMBC)
 We Present Another (WCKY)
 We Salute You (KFVS)
 We, the Kids, Derby (KTSA)
 We, the People (NBC)
 We, the Students (KAND)
 We, the Women (KFAB)
 We Three (KFEQ, WOWO-WGL)
 Wealth of Harmony (CJOC)
 Weather Eye, The (WINS)*
 Weather Man Speaks, The (KONO)
 Weather Master, The (WTCN)
 Weather Prophet, The (KSL)
 Weatherman (WHB)
 Weaver of Dreams (KFAC, KMPC, WTMJ)
 Weaver of Tales (WHN)*
 Weavers of Melody (KOA)
 Web of Dreams (KCKN)
 Weber and Fields—Webster Program (NBC)
 Wedding Anniversary Program (WDAF)
 Wedding Bells (WHB)
 Wedding Bells and Blessed Events (WSYR)
 Wednesday Matinee, The (WPEN)
 Wednesday Midnighter (WSM)
 Wednesday Night at Ten (KGMB)
 Week in Review, The (CKSO, WAPI, WBAL, WSAI, WKY)
 Week in Reviews (KPDN)
 Week in the Theatre, The (WQXR)
 Weekend Dancing Party (KGB)
 Week-End Frolics (WMCA)
 Weekend News Review with Gabriel Heater (NBC)
 Weekend News Reviews (UP)
 Weekend Potpourri (WBBM)
 Weekend Review, El Toro (NBC)
 Weekend Revue (WBTM, WENR)
 Week-End Serenade (KLZ)
 Weekend Special (CBS)
 Weekenders (CBS)
 Weekly 4-H Club Review (KFDY)
 Weekly News Digest, The Rhodes (WHO)
 Weekly Newspaper for Boys and Girls, The (KFYR (KFYR))
 Weekly Reviewing Stand (WBRY)
 Weekly Song Sheet (CBM)
 Weekly Sports Review (CFCY)
 Week's News in Review, The (WBT)
 Weibels Health Club (KCRK)
 Weinie Schnitzel and His Pretzel Benders (CKNX)
 Welcome Lewis (WABC)*
 Welcome, Neighbor (WSAU)
 Welcome Singer, The (WORLD)
 Welcome, Stranger (KAWN, WBT, WMBG, WMBD, WMT)
 Welcome Sunday (WKRC)
 Welcome to Anderson (WAIM)
 Welcome to Tulsa (KTUL)
 Welfare Reporter (WINS)
 Well Babies and Children (CBS)
 Well Dressed Woman (KGO-KPO)
 Well Groomed Men (NBC)
 Wells of Music (KOA)
 Wenda Ware (WPHR)
 Wendall Hall, the Red-Headed Music Maker (NBC)
 We're Glad You're Here! (WSPA)
 Werewolf (WMCA)
 Wesley Pruden's Little Country Church (KGHI)
 West String Ensemble (KOIL)
 West Virginia Mountain Boy (WHJB)
 Westchester Remembers When (WFAS)
 Western Agriculture (KGO-KPO)
 Western Artist Series (KGO-KPO)
 Western Drifters (KWBG)
 Western Education Forum (KGO)
 Western Farm and Home Hour (KGO-KPO)
 Western Frontiers (KRE)
 Western Music (KHSL)
 Western Ramblers (WGRC)
 WESTERN Round-Up (WEST)
 Western Singers (WGR)
 Western Wizards (WSPA)
 Western You (WORLD)
 Westernaires, The (KOA)
 Westerner, The (KUNO)
 Westerners, The (KMBC)
 Westinghouse Salute (NBC)
 Westward Ho! (KFOR, KLO, KFAC)
 We've a Date for... (CFRN)
 We've Got Your Number (WHBC)
 What Are You Reading? (WELI)
 What Can You Do? (WSAL)
 What Congress Did Today (CBS)
 What Do You Know? (WIRE)
 What Do You Think? (WOAL, WGAR, WABI, KFEQ, WMFJ, WBBM)
 What Do You Want to Know? (NBC)
 What Does Your Hand Say? (KHJ)
 What Every Woman Wants to Know (WSB)
 What Happened at the State House Today (WHDH)*
 What Happened Where and When with William Ware (WCAU)
 What I Am Trying to Do (CBS)

PROGRAM TITLES—Continued

- What I Would Do with the World (NBC)
 What Is This Thing Called Love? (WFBL)
 What Is Truth? (WSPA)
 What Lane County Thinks (KORE)
 What Next? (WGAR, WSAI)
 What? No Santa Claus (WICC)
 What Price Government (WWSW)
 What Price Loyalty (CKOC)
 What Radio Needs (WNEW)
 What the Books Say (WDAF)
 What the Credit Men Say (WGRC)
 What the Sponsor Thinks (KFSS)
 What the Stars Are Wearing This Week (WMCA)
 What They Think (NBC)*
 What to Do Tonight (CJRM)
 What Was That You Said? (WATR)
 What Would You Do? (MacG, WCAU, WCFL)
 What Would You Say? (KFUO, WRC, KXBY)
 What You Should Know (KASA)
 What's Happening in Southern Oklahoma (KVSO)
 What's in a Name? (MWB)
 What's in the H (air) (WGRC)
 What's in the Paper (KTUL)
 What's in Your Name? (CBS)
 What's New? (WEEL, CKCL, WSAU, KGO-KPO, WJAY, KVI)
 What's New in Fort Smith—Judy Jene (KFPW)
 What's New in Milwaukee (WTMJ)
 What's New in Music (KFRO)
 What's New in Radio (NBC)
 What's New in Science (WPHR)
 What's New in the World (KSAC)
 What's New in the World News (KELD)
 What's New Today (WFAA)
 What's Next? (CJIC)
 What's on the Air (WTJS)
 What's on the Air Tonight? (WRVA)
 What's on Your Mind? (WJSV)
 What's That? (KELD)
 What's the Answer? (WMMN, WGAR)
 What's the Big Idea? (WLW)
 What's the Name of That Song? (KBST, WDNC, WFAA, CJRC)
 What's the Name of the Song? (WDNC)
 What's the News? (WENR)*
 What's the Odds? (WBIG)
 What's What in Feminine Circles (KSL)
 What's Wrong with You? (KGMB)
 What's Your Hobby? (KDYL)
 What's Your Name? (WSAZ)
 What's Your Number? (WELI)
 What's Your Opinion? (CJCS)
 Wheat Capital Sidelights (KCRC)
 Wheatonville (NBC)
 Wheatworth Program (NBC)
 Wheel of Chance (CKLW)
 Wheeler Family (CHAB)
 Wheels of Justice (WBNX)
 When Day Is Done (KMOX, WGY, WHB, WSYR)
 When Horses Meet (CBS)
 When I Grow Up (WMTV)
 When Justice Dreams (WHN)
 When Lights Are Low (WAPI)
 When NBC Goes on a Jam-boree (KGU)
 When Song Is Sweet (CFCF)
 When There's a Moon (WHN)
 When Twilight Comes (WJR)
 Whence Came the Red Man? (KMBC)
 Where My Caravan Has Rested (WWSW)
 Where Old Friends Meet (KGO-KPO)
 Where Strangers Meet (KFEQ)
 Where the Fun Begins (KTAT)
 Where to Go (KLZ)
 Where to Go and What to Do (WMBD)
 Where to Go This Week (WVVA)
 Where to Go to Church (WVVA)
 Where to Go Tonight (KSD, KMAC, WELL)
 Whiddon's Choristers (WJAX)
 While the City Sleeps (NBC)
 While the Horses Rest (WROK)
 While the Kettle Boils (WAAT)
 Whims (KGO-KPO)
 Whipple Barracks Request Program (KCRJ)
 Whirl Around Town, The (WCAU)
 Whirl Around the Town—with Powers Gouraud (WCAU)
 Whirl of the Waltz, The (CJRC)
 Whirligig (NBC)
 Whirly Gigs, The (KYA)
 Whispering Guitars (WKOK)
 Whispering Jack Smith (NBC)
 Whispering Pianist, The (WOAI)
 Whispering Reeds (KFUO)
 Whispering Song Stylist—Ida Belle Earp (WBTM)
 Whispering Strings (WDRC, MacG)
 Whispers in the Dark (CJRC)
 Whistler and His Dog (WDOD)
 Whistling Joe (WCHV)
 Whistling Salesman, The (KGNC)
 Whistling Tenor (KHQ)
 Whistling with Painter (WBRB)
 White Eagle (KLO)
 White Eagle Braves (WDAF)
 White Fires (KNX)
 White Heat (KXBY)
 White Mountaineers (WHEB)
 White Rolls Music Box (WRVA)
 White Spot Wranglers (KORE)
 Whiteman's Pontiac Chieftains (NBC)
 Whiteman's Protoges (WHB)
 Whither Britain (CBS)
 Whither Music (NBC)
 Whitie and Rye (WJAS)
 Whitney Ensemble (NBC)
 Whittall Stradivarius Series (NBC)
 Who? (KFWB)*
 Who Am I? (KGVO, KGO-KPO, KFJZ)
 Who and What in Radio (CJIC)
 Who Cares Hour (KOL, KGU)
 Who's Behind the Name, by Edwin Alger (NBC)
 Who's News Today (WAPI, WGAR)
 Who's There (WKZO)
 Who's Who (WSAY)
 Who's Who and What's What in Radio (WDAY)

PROGRAM TITLES—Continued

- Who's Who in Kansas City (KMBC)
 Who's Who in Queens (WWRL)
 Who's Who in Racing (WCKY)*
 Who's Who in Radio (WRR)
 Who's Who in Sports (WCKY)
 Who's Who in the News (CBS)
 Who's Who in the Zoo (KTAT)
 Who's Who in Your Family (WBLK)
 Who's Zoo in Africa (NBC)
 Whoa Bill Club (KFAC)
 Whoa Pincus (KMOX)
 Whole Town's Talking, The (WBS)
 Whole Truth, The (KSAL)
 Whoopee, Les Malloy's (KGGC)
 Whoopers (WEBC)
 Whoops Sisters, The (CBS)
 WHoot Owls (WHO)
 Whopper Club, The (WHBF)
 Why Crime Does Not Pay (WMBR)
 Widow and Angel (WJZ)*
 Widow's Sons, The (NBC)
 Wife vs. Secretary (WBS)
 Wife Saver—Alan Prescott (NBC)
 Wig Wagging with Ralph Wagner (WOW)
 Wilbur and Ezra (WLS)*
 Wilbur Coon Players (NBC)
 Wild Life Series (NBC)
 Wild West Revue (KSFO)
 Wilderness Road (WGRC)
 Wilderness Stone (NBC)
 Will-o-the-Wisp (WOWO-WGL)
 Will Rushing, Builder of Harmony (WBRC)
 Will Warren Mystery Dramas (WGY)*
 Will You Live Again? (KROY)
 William H. McMasters Talks It Over (WORL)
 William Primrose—Viola Virtuoso (NBC)
 Williams Oil-O-Matics (NBC)
 Willowdale Quartet (WKY)
 Wimbrow Presents (WXYZ)
 Win or Lose (WADC, WBNS)
 Wind Up Your Gramophone (CHAB)
 Window Shopper (WMBD, KFIO)
 Window Shoppers, The (KBIX, KMOX)
 Window Shopping (KFOX, WCCO)
 Window Shopping with the Sunshine Girl (WOPI)
 Wine and the Perfect Host (WTCN)
 Wings of Fortune (WMIN)
 Wings of the Dragoon (RRI)
 Wings Over America (KGB)
 Wings Over Jordan (WGAR)
 Winnie-the-Pooh (NBC)
 Winning the West (KGO-KPO)
 Winter Serenade (WSGN)
 Winter Wonderland (WINS, WMBH)
 Winthrop College Program (WBT)
 Wisconsin College of the Air (WHA)
 Wisconsin Legislative Series (WHA)
 Wisconsin Political Forum (WHA)
 Wisconsin School of the Air (WHA)
 Wisconsin Taxpayers' Alliance (KFIZ)
 Wisconsin Territorial Days (WHA)
 Wisdom and Song (CKMO)
 Wisdom of the Ages (NBC)
 Wise Crackers (WBS)
 Wise Man, The (NBC)
 Wishing Hour, The (WRVA)
 Wishing Ring (WXYZ)*
 Wishing Well, The (WRVA)
 Witch Woman, Kykunkor (NBC)
 Witches and Goblins (WFAA)
 Witching Hour (KGO-KPO, WKRC, KXBY, WBS, WIBM, CBM, KILZ)
 Witch's Tale, The (WOR)
 Witch's Tales (KHJ)
 With a Senator's Wife in Washington (NBC)
 With Canada's Mounted (NBC)
 With Local Poets (WHBF)
 With My Guitar and You (CKBI)
 With Other People's Money (WBBM)
 With Our Public (WWSW)
 With the Astronomer (WATR)
 With the Classics (WBBM)
 With the Great Masters (CHRC)
 With the Masters (CJCA, WHP, WHLB)
 With the Muses (WBAX)
 With the Poets (WCBM, WDAF)
 With the Shut-ins (WBZ-A)
 With Them It's Different (KIRO)
 With Your County Agent (KDLR, KGEZ)
 Within the Pages (KTBS)
 Without a Name (WDRC)
 Without Further Comment (CHWK)
 Wizard of Oz (NBC)
 Wolf Point Herald of the Air (KGCX)
 Woman in the Store (KMBC)
 Woman in White, The (WMAQ)*
 Woman Looks at the News, A (KGU, KYW)
 Woman of Tomorrow, The (NBC)
 Woman of Tomorrow—Presented by Elizabeth Hart (WORL)
 Woman on the Train, The (WDZ)
 Woman Reporter, The (KYW)
 Woman Speaks, The (WEEL, WPRO, WTIC)
 Woman Views the News, A (WKRC)
 Woman's Calendar (WCCO)
 Woman's Club (WJAG)
 Woman's Forum (WBRB)
 Woman's Home Companion Shopper (WEEL)
 Woman's Hour (KFUO, KGDE, CHSJ)
 Woman's Hour, with Mary Landis (WBAL)
 Woman's Magazine of the Air (WPTF)
 Woman's Matinee (WWNC)
 Woman's Outlook (WMIN)
 Woman's Page (CKLW, KVI)
 Woman's Page—Ruth Paige (WGR)
 Woman's Page of the Air (WDAS, KGLO, KSFO)
 Woman's Place (CBS)
 Woman's Quarter Hour (WCHV)
 Woman's Radio Bazaar (WTIC)
 Woman's Radio Hour, The (CHNS)
 Woman's Radio Review (NBC)
 Woman's Radio Roundtable (KTAT)
 Woman's Side of the News, A (WTMV, WJSV)
 Woman's Tiffin Hour (KDYL)
 Woman's Viewpoint, A (KGVO)
 Woman's Viewpoint of the News (KTAT)
 Woman's Way, The (WLAW)
 Woman's World (CBO, WWNC, KPQ)

PROGRAM TITLES—Continued

- Woman's World Review (WQXR)
 Women and News (NBC)
 Women at Home Hour (CFCY)
 Women in the Headlines (KDYL, WBBM)
 Women in the News (KSL, KTUL, WMBC, WSAU, WHN, WXZY, KDFN, KOIL, UP, WDAY, WHO, WIBX)
 Women in Today's News (KPMC)
 Women in Washington (WMCA)
 Women Make News (WBT)
 Women of Central Illinois (WMBD)
 Women of the Hour (WROK)
 Women of the New Age (WFOY)
 Women of the World (KHJ, WTAD)
 Women of Today (WMBD)
 Women Only (KYA, WHAM, WDAY)
 Women to Women Hour (NBC)
 Women's Aviation Hour (CBS)
 Women's Club Forum (WGAR)
 Women's Club of the Air (WMBO, WCAE)
 Women's Club Reporter (KLO)
 Women's Column of the Air (WEW)
 Women's Corner, The (KTKC)
 Women's Federated Club Program (WOI)
 Women's Hour, The (CHNC, WHN, CKPR)
 Women's Magazine of the Air (KGO-KPO)
 Women's News Parade (KHJ)
 Women's News Review (UP, WBY, WJAX)
 Women's Newspaper of the Air (WFBL)*
 Women's Page (CBS)
 Women's Press Association, The New England (WORL)
 Women's Radio Bazaar, The (WTIC) (WTIC)
 Women's Radio Edition (KFRU)
 Women's Varieties (WTAD)
 Women's Variety Revue (WKZO)
 Women's World (KSOO)
 Wonder Children, The (WLTH)
 Wonder Dog, The (NBC)
 Wonder Kitchen, The (WSAI) (WSAI)
- Wonder Waltz (KWTN)
 Wonder-Waltz Program (KWTN)
 Wonderful Women of the World (KMPC)
 Wonderland of Music (WELI)
 Wonders of Nature (KFUO)
 Wonders of the Earth (KGO-KPO)
 Wonders of the Heavens (WBBM)
 Wonders of the Sky (KGO-KPO)
 Woodland Echoes (CJCA)
 Woodsman, The (KGO-KPO)
 Woody and Lefty Lou (KFVD)
 Word a Day (WJAG)
 Word and Song (KFUO)
 Word Bout, The (KGVO)
 Word Clinic (KTAR)
 Word for Rhythm (KSFO)
 Word King, The (WOW)
 Word Man, The (CKWX, WFBR, KDYL, KSL, WFAS)
 Word of Truth, The (WCBD)
 Word to the Wives, A (KFOX, IBS)
 Wordology (WMBR)
 Words About Words (KHSL)
 Words and Music (CKX, WAYZ, WSAU, WSVA, KFPY, WCAU, WTBO, WSBT, WFAM)
 Words and Music for Women (KTUL)
 Words of Life (WBIG)
 Work of Great Composers (NBC)
 Work Pays America (WMBC)
 Workers' Changing World, The (WHA)
 Works of the Masters (WFTC)
 Workshop (CBS)
 World Adventures with Floyd Gibbons (NBC)
 World Affairs (KHJ)
 World Affairs Forum (WIP)
 World at Large, The (WFLA)
 World at Work—The World at Play, The (CFCF)
 World at Work and World at Play (CKCO)
 World Book Man (WOPI)
 World Bookman, The (KGEZ)
 World Business Clinic (NBC)
 World Dances (WBS, WSUN)
 World Entertains (WBS)
- World Events in Review (WRR)
 World Goes By, The (KGW)
 World Headlines (WGAR)
 World in Music, The (NBC)
 World in Review, The (KONO, WINS, WATR)
 World International Program (WINS)
 World Is Yours, The (FTRD)
 World Matinee (CKWX)
 World News, The (WGRC) (WGRC)
 World News About Women (NBC)
 World News Parade (KSOO)
 World of Fashion (WHB)
 World of Missions (WMCA)
 World of Science (NBC)
 World of Sport (WBIL)
 World Radio Congregation (WOW)
 World Spotlight (WDZ)
 World Through a Windshield, The (NBC)
 World Today (WOW, WJAY, WHK, KGDM)
 World Varieties (WBS)
 World-Wide Facts (KSLM)
 World's Business (CBS)
 World's Going On, The (NBC)
 World's Great Music, The (WTHT)
 World's Greatest Artists (WOI)
 World's Largest Chorus (KMBC)
 Worry Clinic (CBS)
 Would You Believe It (KYA)
 Wozzeck (NBC)
 Wrangling with Words (WWNC)
 Wrestling Interview (CJOR, KGHI)
 Wrightville Clarion, The (WTIC)
 Write Your Name on the Air (WIOD)
 Writers and Readers (KVOO)
 Wyoming Ranch Life (NBC)
 Wythe Williams' Foreign News Forum (WMCA)

X

- X Bar Ranch (KFJZ)
 Xmas Shopper, Ann Sterling, The (WDZ)
 Xmas Shopping Lady (WHB)
 Xylophone Capers (CFCN)
 Xylophonics (KRGV)

PROGRAM TITLES—Continued

Y

- YMCA Boys' Hobbies Talks (CBS)
 YMCA Devotional Hour (WINS)
 YMCA Open House (WHIO)
 Ya Gotta Get Up (WCFL)
 Yacht Club, The (WBRC)
 Yankee Minute Men (WNAC)
 Yankee Philharmonic Chorus (WNAC)
 Yankee Singers (WNAC)
 Yankee Singing Strings (WNAC)
 Yankee Yarns (WNAC)*
 Yarn Spinner (KFOR)*
 Yarnspinner (WOL)
 Yawn Patrol (WMBD, WNLC)
 Yawns and Stretches (CFAC)
 Ye Merry Minstrels of Olde (WWJ)
 Ye Old Song Shoppe (KIUL)
 Ye Old Town Crier (WBNY)
 Ye Olde English Tea Shoppe (WBZ-A)
 Ye Olde Music Room (WRVA)
 Ye Olde Nitte Witte (WHBQ)
 Ye Olde Time Music (WOAI)
 Year Ago Today, A (KOY)
 Year Gone By, A (WGY)
 Yellow Blank Salute (WHAS)
 Yellow Cab Welcome (WNBR)
 Yellow Fang, The (WTAD)
 Yellow Jackets (WAAT)
 Yes and No (WGRC)
 Yes or No (WIRE)
 Yesterday and Today (WHIO)
 Yesterday Meets Today (KGB)
 Yesterday-Today (KNX)
 Yesterday's Favorites (KRE)
 Yesterday's Front Page (WDAF)
 Yesterday's Games (WTCN)
 Yesterday's Headlines (WHAM)
 Yesterday's Hit Parade (CHAB, KDYL)
 Yesterday's Hit Tunes (KLO)
 Yesterday's Music (KGO-KPO)
 Yesterday's Songs Today (WVFW)
 Yesterthoughts (WHAM)*
 Yesteryear's Big Time (KONO)
 Yiddish Bais-Din Hasholom (WBBC)
 Yodelers, The Dixie (WFTC)
 Yodelers, The Overall (WFTC)
 Yodeling Cowboy (KHQ, WORL)
 Yodeling Cowgirl—Georgia May (WORL)
 Yodeling Sweetheart, The (WJBL)
 Yodeling Trail Rider—Tex Cochrane (CFCY)
 Yogi Yorgesson (RRI)
 You and Your City (NBC)
 You and Your County Government (KGIR)
 You and Your Child (WBAA)
 You and Your Garden (WSPR)
 You and Your Government (KGO-KPO)
 You and Your Happiness (CBS)
 You and Your Lawyer (WAAT)
 You and Your Money (KGNC)
 You and Your Radio (WFBR)
 You and Your State Government (KGIR)
 You Asked for It (KTSM)
 You Be the Judge (NCBC)
 You Can Have Music (WWSW)
 You Can't Stump Clarence (WBT)
 You Don't Say (WMCA)
 You Guess the Tunes (WCOP)
 You, I, and the Other Fellow (KROC)
 You Name It! (KARK, KGHF, KLO, KGO-KPO)
 You Name It Party (WFAS)
 You Name the Tune (WOWO-WGL)
 You Shall Have Music (WACO)
 You Shall Have Rhythm (WACO)
 You Tell Me (KGFV)
 You'll Want to Dance (KALE)
 You're in the Money (KTUL)
 You're Next (WMAL)
 You're Singing, Neighbor (KMOX)
 You're Telling Me! (CJCA, WMIN)
 You're Welcome (WBIG)
 You've Got Something There (WBEN)
 You've Never Kept a Budget! (WATR)
 Your Adventure with Floyd Gibbons (CBS)
 Your Album and Mine (KWBG)
 Your Announcer Presents (WMMN)
 Your Baby (WABI)
 Your Bible and You (WMCA)
 Your Birthday Party (WSAZ)
 Your Boy's Future (KGO-KPO)
 Your Branch Library (WJAY)
 Your Brother's Safety Club (KOMA)
 Your Building Dollar (WRJN)
 Your Child (NBC)
 Your Children and Mine (KDAL)
 Your Church and Mine (WAGM)
 Your City and Mine (KSL)
 Your City Government (WPHR)
 Your Civic Affairs (WHDL)
 Your Coffee Maker (WGY)
 Your Community (WEBR)
 Your Confidential Counselor (WMCA)
 Your Congressman Says (KFOR)
 Your Constitution (WBT)
 Your Dance Parade (KFRO)
 Your Dance Time (WACO)
 Your Danceland Ballroom (WELI)
 Your Devotional Hour (WACO)
 Your Diet (CBS)
 Your Dinner Table (WSAU)
 Your Dog and Mine (KTSA)

PROGRAM TITLES--Continued

Your Electric Servant (KRBC)
 Your English (WFBR)
 Your Eyes (NBC)
 Your Family Counselor (WQAM)
 Your Favorite Songstress (KOB)
 Your Favorites (WAML)
 Your Fellow Man's Opinion (KHJ)*
 Your Foods and You (CBS)
 Your Friend (WDNC)
 Your Friend and Mine (KPLT)
 Your Friend, the Philosopher (WCOP)
 Your Friendly Advisor (KFUO)
 Your Friendly Counselor (KHJ)
 Your Friends, Two Pianos (CKCH)
 Your Garden (WHEB)
 Your Garden and Mine (KYW)
 Your Garden of Memories (WHEB)
 Your Girl Friend at the Movies (WMCA)
 Your Good Health (WBAL, WINS)
 Your Good Neighbor (KGU)
 Your Government at Your Service (KGO-KPO)
 Your Government Speaks (CJRM)
 Your Guide (WGAR)
 Your Handwriting Is You (WFAS)
 Your Health (WHA, WISN, WFAS, WSGN)
 Your Health Advisor (WCOP)
 Your Hollywood Reporter (KROC)
 Your Hollywood Parade (NBC)
 Your Home (WHBF, WBS)
 Your Home and Mine (KYOS, WEAU, WEBC)
 Your Home and You (WSAR)
 Your Home Beautiful (WHO)
 Your Home Program (WQDM)
 Your Horoscope (WSAZ)
 Your Host Is Buffalo (WBEN)
 Your Hostess (CBS)
 Your Hut (KDFN)
 Your Hymns & Mine (CHNS, RRI)
 Your Ideal Race (WQAM)
 Your Invention (WMCA)
 Your Inventions (WHN)
 Your Invisible Host (WBNX)
 Your Job (WIP)
 Your Job and Mine (WDWS)

Your Kitchen Reporter (WCAX)
 Your Land and My Land (WIBG)
 Your Legislators (WFBL)
 Your Library (WATR)
 Your Los Angeles (KFWB)
 Your Lover (WBS)
 Your Lucky Number (WSAR)
 Your Market Basket (WWVA)
 Your Matinee (WKRC)
 Your Melody Hostess (WDEV)
 Your Melody Man (KQV)
 Your Money Talks (WJJD)
 Your Morning Air Mail (WFBR)
 Your Morning Bulletin Board (WTJS)
 Your Morning Minstrel (WTIC)
 Your Morning Paper (WHDL)
 Your Morning Reporter (WBBM)
 Your Morning Show (KONO)
 Your Mother and Mine (KOIN)*
 Your Music (WMC)
 Your Musical Doctor (WCAX)
 Your Name (WCOP)
 Your Neck o' the Woods (CBS)
 Your Negro Neighbors (KLZ)
 Your Neighborhood Choir (KTAT)
 Your Neighborhood Reporter (KCKN)
 Your Neighbors (KGNC, WJAY)
 Your News Courier (WBIG)
 Your Next Door Neighbor (WAIM, KBIX)
 Your Next Door Neighbors (WIS)
 Your O G & E Program (WKY)
 Your Old New Yorker (WQXR)
 Your Organization (WBBC)
 Your Parlor Playhouse (WGN)*
 Your Personal Shopper (KBIX, WQAM, KLZ)
 Your Poetry and Mine (WIP, FTRD)
 Your Problem and Mine (KXBY)
 Your Problems and Mine (WAAT)
 Your Program (KGO-KPO, KVOR)
 Your Pronouncer (KFWB)
 Your Public Schools (WCAO)
 Your Radio (WSOC)
 Your Radio Dial (WFBC)
 Your Radio Pastor (KRE)

Your Radio Reporter (WHAM)
 Your Radio Review (KGW-KEX)
 Your Radio Sportsgraph (KERN)
 Your Request Program (WHDL)
 Your Romance (KMTR)
 Your Safety Friend (WACO)
 Your Say-So (KWTO)
 Your School Parade (WSVA)
 Your Showtime Topics (WTJS)
 Your Silent Partner (WAPI)
 Your Six Servants (WNOX)
 Your Social Calendar (CFCN)
 Your Social Secretary (WTMJ)
 Your Song for the Day (KROC)
 Your Song Stylist (KDBO)
 Your Songs (CHNS)
 Your Songs and Mine (KFJB)
 Your Sports Review (WWNC)
 Your Star Reporter (WMFJ)
 Your State Library (KOL)
 Your Stroller on the Street of Dreams (WTJS)
 Your Sunday Serenade (WKY)
 Your Swing Session (WCAX)
 Your Telephone Reporter (WRVA)
 Your Timekeeper (WRC)
 Your Town (WGAR)
 Your True Adventures (CBS)
 Your Unseen Friend (CBS)
 Your Voice (WCOP)
 Your Wisconsin (WHA)
 Your Witness (KNX)
 Your World and Mine (KMPC)
 Yours for the Asking (KYOS)
 Yours Fraternaly (WBBC)
 Yours Sincerely (KNX)
 Yours Truly, Mr. Dooley (WOW, WHB)
 Young America (WCAU, WJW)
 Young America Sings (WQXR)
 Young Americans on the Air (WBT)*
 Young Artists' Club (WHK)
 Young Artists' Light Opera Series (NBC)
 Young Artists' Series (WDGY)
 Young Artists' Trio (NBC)
 Young Cincinnatus at School (WSAI)

PROGRAM TITLES—Continued

Young Folks Program (WDRC)	Young People's Program (KFUO)	Youth Forum (WBRB)
Young Forty-Niners (WENR)*	Young Rochester (WSAY)	Youth Hour (WRDW)
Young Hickory (NBC)	Young Stars of Tomorrow (WCHS)	Youth Looks Ahead (WHA)
Young Ideas (WCLE, WDGY)	Young Thespians, The (WDAF)	Youth in the Modern World (KLZ)
Young Man's Fancy, A (CBL)	Young Washington (WOL)	Youth Intervenes (CRCY)
Young Men's Section (CJRC)	Young Widder Jones (WBS)	Youth of the World (NBC)
Young Mother, The (CBS)	Youngbloods of Beaver Bend (CKY)	Youth on Wings of Song, Rochester (WHAM)
Young New Yorkers, The (NBC)	Younger Generation (WLTH)	Youth Parade (WGY)*
Young People's Church of the Air (WMCA)	Youngster Speaks, The (WFAS)	Youth 'Round the World (WCFL)
Young People's Concert (WQXR)	Youngsters, The (WFAA)	Youth Sketches (KFUO)
Young People's Conference (WMCA)	Youth and Crime (WMCA)	Youth Speaks (WJR)
Young People's Hour (CKTB)	Youth and Experience (WTAM)	Youths' Opportunity Pro- gram (WEAN)
	Youth Bible Forum (WKBO)	Youth's Round Table of Current Events (KTFI)
	Youth Court of Character (WBRY)	Youth's Science Parade (WBNS)
		Yvonne and the Off Beats (WBNS)

Z

Zac and Zeb (KROC)	Zeke Manners' Gang (WMCA)	Zig and Zag (KOL)
Zada—Pet's Brown Mule (WOPI)	Zeke Smart (WJAY)	Zion Four (KRBC)
Zampecini Concerta (WDEV)	Zeke's Gazette (WJAY)	Zionist Program (WINS)
Zarephath Bible Seminary Chorus (WAWZ)	Zephyrs (CBS)	Zip and Old Timer (KTUL)
Zeb Turner's Mountain Men (WJIM)	Zero Hour, The (IBS, WPG)	Zip Bentley's Zippers (WDRC)
Zeke and Zeb (WJRD)	Ziegfeld Follies of the Air (CBS)*	Zither Tunes (WJAX)
		Zollie Gand (KSLM)

V

125 MOST-USED KEY TITLE WORDS

In the program titles culled prior to May, 1937, one hundred twenty-five words are used more frequently than any others. (It has not been possible to count titles subsequent to May, 1937, into this breakdown, because the new list was in a state of flux until press time, receiving continual additions and revisions.)

Of the 125 words, 19 tower above their companions. In order of importance they are:

- | | | | |
|-----------|-------------------|------------|-------------|
| 1. Music. | 5. Melody. | 10. Three. | 12. Voice. |
| 2. Old. | 6. You (or your). | Uncle. | Singing. |
| 3. Radio. | 7. Rhythm. | 11. News. | 13. Sunday. |
| 4. Songs. | 8. Home. | Happy. | 14. Little. |
| | 9. Morning. | Sports. | 15. Piano. |

Words, in order to classify for this list, were counted only if they were "key" words—i. e., if they started the title, or were the most prominent word in it:

<p>A</p> <p>Adventure. Amateur. American.</p> <p>B</p> <p>Big. Blue.</p> <p>C</p> <p>Child (children). Concert. Court.</p> <p>D</p> <p>Dance (dancing, etc.). Dinner. Dixie. Doc (doctor). Down. Drama (dramatic, etc.). Dream (dreamer, etc.).</p> <p>E</p> <p>Early. Echoes. Evening. Every (everyday, etc.).</p> <p>F</p> <p>Family. Famous. Farm (farmer, etc.). Fire (fireside, etc.). Five. For. Four. Friend (friendly, etc.).</p> <p>G</p> <p>Girl. Gold. Great. Gypsy.</p> <p>H</p> <p>Happy (happiness, etc.). Harmony. Hawaiian. Headlines. High (highway, etc.). Hill (hillbilly, etc.). Hit. Hollywood.</p>	<p>Home. Hour. House (housewife, etc.).</p> <p>I</p> <p>In.</p> <p>J</p> <p>Junior. Just.</p> <p>K</p> <p>Kids.</p> <p>L</p> <p>Lady. Let's. Little. Lone (lonesome, etc.). Love (lovely, etc.).</p> <p>M</p> <p>Magic (magical, etc.). Man. Master. Melody. Memory. Merry. Midnight. Mr. (or Mrs.). Modern. Mood. Moon (moonlight, etc.). Morning. Movie. Musical. Mystery (mysterious, etc.).</p> <p>N</p> <p>National. New. News. Night. Noon (noontime, etc.).</p> <p>O</p> <p>Old. One. On. Organ. Our.</p> <p>P</p> <p>Parade. Piano. Poet (poetry).</p>	<p>R</p> <p>Radio. Reading. Red. Rhythm. Road (roadway, etc.). Romance.</p> <p>S</p> <p>Safety. Saturday. Shopping. Silver. Singing. Songs. South (southland, etc.). Sports (sportsman, etc.). Star (stardust, etc.). Story. Strings. Sunday. Sunrise. Sunset. Sunshine. Sweetheart. Swing (swinging, etc.). Symphony (symphonic, etc.)</p> <p>T</p> <p>Tales. Tea. Theatre. Three. Today. Top. Travel. True (truthful, etc.). Tune (tuneful, etc.). Twilight. Two.</p> <p>U</p> <p>Uncle.</p> <p>V</p> <p>Variety. Voice.</p> <p>W</p> <p>What (what's). Who (who's). Women. World.</p> <p>Y</p> <p>You (your). Young (youth).</p>
--	--	--

LAW

RADIO ARTISTS AND SOCIAL SECURITY TAXES

By ISAAC WATLINGTON DIGGES

Of the New York and Virginia Bars

Editor's note: Significantly no clear-cut explanation or solution of the Social Security tax problem, as it affects radio artists, has heretofore been put in the hands of the people who must deal with the matter. There has been many a hejira to Washington, many a legal consultation, and many a plea for clarification; but the problem is such that its ramifications conjure up a host of specters not pleasant to deal with. And so the situation has largely remained what it started out to be—a problem.

In the ensuing article, Isaac Watlington Digges has assembled more than a year's research into compact form. So far as is known, this is the first complete digest of the radio artists social security situation.

As was repeatedly stated in Vol. I of the VARIETY RADIO DIRECTORY, articles dealing with law in these pages cannot presume to equip the reader with enough legal formulæ to step into court and defend himself. What they can do, however, is disclose certain broad concepts, in lay form, as tools in a field in which all members of the broadcasting industry are concerned.

ISAAC WATLINGTON DIGGES is a member of the New York and Virginia Bars, head of his own law firm, and author of "The Law in Regard to Defamation, Lotteries, and 'Property Rights in News'" (VARIETY RADIO DIRECTORY, Vol. I). During the past year he has made a special study of social security tax legislation for his clients, most of whom are intimately concerned in the matter, one way or another.

I

The Problem

Taxes are uninteresting but important. Social security taxes are particularly uninteresting but of great importance. The application of social security taxes to the structure of advertising may mildly be described as a *tour de force*, the most nerve-wracking aspect of which is determining the question as to who is obligated to pay the tax on radio artists performing on sponsored programs. That question is an eminently practical one, which cannot be treated with academic aloofness. Provided the artist is an employee and not an independent contractor, some one *must* pay the tax; some one *must* collect the employee's share thereof.

Any approach to a solution necessarily involves four groups: program directors*, broadcasting instrumentalities, advertising agents, and advertisers (both local and national). Each of the groups affected, most naturally, is anxious to know where responsibility for the tax lies, and it is not surprising that confusion a-plenty is the disorder of the day.

The purpose of this article is an attempt to set forth the governing criteria as distinguished from the fictional concepts. This is important for reasons that go

* Note: As used in this article, the term "program director" means the person who exercises immediate control over the personnel and performance of a broadcast, whether he be performing star, band or choir leader, etc., or a professional hired producer who puts the entertainment together. It is not intended to mean the person in an advertising agency who is in charge of a radio program which the agency handles.

ARTISTS' SOCIAL SECURITY TAXES—Continued

beyond the mere incidence of taxes under social security legislation. Two such reasons are paramount:

(1) If A pays a tax which is the proper responsibility of B, B cannot excuse himself by pleading A's payment. B, in that case, will in all likelihood be advised by the tax collector that over-payment by A does not inure to B's benefit in regard to his obligation under the law.

(2) Determination of who is the employer in a given situation, resolves the question of liability for the salaries of the various persons connected with the production of a broadcast, and liability for libel, literary piracy, violation of the right of privacy, and other liabilities arising out of the broadcast and the relationships of the various parties connected therewith.

II

Application of the Statute

As the tax base is the employer-employee relationship, the basic test to be applied in determining the incidence of the tax is whether the performing artist is an independent contractor or an employee; and if the latter, which of the persons falling within one of the four groups before mentioned is the employer.

Regulations of the Bureau of Internal Revenue define an independent contractor in these words:

"In general, if an individual is subject to the control or direction of another *merely as to the result* to be accomplished by the work and not as to the means and methods for accomplishing the result, he is an independent contractor. An individual performing services as an independent contractor is not as to such services an employee." (Italics by author.)

The general test of the employee relationship is described by the Treasury Department as follows:

"Generally such relationship exists when the person for whom services are performed has the right to *control* and *direct* the individual who performs the services, *not only as to the result* to be accomplished by the work *but also as to the details and means* by which that result is to be accomplished. That is an employee is subject to the will and control of the employer not only as to *what* shall be done but *how* it shall be done." (Italics by author.)

These definitions seem clear until we realize that the broadcasting station, program director, advertising agency and sponsor may all have some control over the *results, details* and *means*. The question, therefore, is *how much* control is necessary to constitute one of them the employer in a given situation.

Factors taken into consideration in determining whether there is an employer-employee or independent contractor relationship, are:

1. Terms of payment (whether by the hour, piece or job);
2. Furnishing of supplies, materials, tools;
3. Right to hire and fire;
4. Right to control time and place of work;
5. Providing of place to work;
6. Right to hire assistants, and responsibility for their payment;
7. Whether the work is part of the usual course of business of the person for whom service is performed;
8. Whether the person performing is customarily engaged in an independently established trade or business doing this type of work.

ARTISTS' SOCIAL SECURITY TAXES—Continued

None of these tests taken singly is determinative of the problem in a given situation; nor is the result reached by weighing the control actually exercised, as it is the right to control, not its exercise, which is decisive.

A clear illustration of an employee would be a person who, at the advertiser's place of business, and subject to his instructions, produces script, "copy," or programs for the promotion of the advertiser's business, and is paid on the basis of time expended. Such a person is an employee of the advertiser, whether he works full or part time, and whether he hires an assistant or not.

Who is an employer?

As is set forth in the legislation, he is any one who employs the services of employees in an employment within the United States. This definition encompasses those engaged in intrastate as well as those engaged in interstate commerce, those in the professions as well as those in the trades and crafts. An employer may be an individual, partnership, corporation, trust or estate, joint stock company, incorporated association, syndicate, group, pool, joint venture, or unincorporated association. An employer likewise may be a person acting in a fiduciary capacity, or in behalf of another, such as a guardian, trustee, committee, executor or administrator, trustee in bankruptcy, assignee for the benefit of creditors, or conservator.

Let us examine a few typical cases of relationships in radio advertising, applying the criteria given above to determine where control lies for the purpose of determining liability for social security taxes.

Under the terms of the contract with his sponsor, a program director is given a certain sum for, say, twenty-six programs. Out of this he must pay all artists and script writers, and buy all materials. He must also provide a place to rehearse, hire assistants, and be responsible for arranging the program. So far he would seem to be an independent contractor. He has sole and complete control. He is not engaged in the business of the sponsor, and it can be said he is following his own independent trade of contracting to deliver a certain entertainment result. But now let us add that in the contract there is a provision that any script must be approved by the sponsor before broadcast. Some control of the details is now in the sponsor, although it may not yet be enough to make the sponsor an employer. Now suppose, additionally, that not only the script, but the program as presented, must be approved by the advertiser, with the collateral right to require rehearsals and to change the program until it is satisfactory to him. By these changes so much control is vested in the sponsor, that even if in fact no interference was actually undertaken, the sponsor clearly would be the employer.

Let us take another example. A sponsor acquires a former sustaining program, consisting of a five piece "hill billy" band. All arrangements are made between the station and the advertiser, and they are to the effect that the station undertakes to prepare and broadcast a complete program of "hill billy" music, to conduct the rehearsals, tend to all details and pay the entertainers. The station is to receive, in return, a lump sum. This is frequently referred to by the trade as a "complete package program." No change results in the payment, rehearsals or other elements of the work of the artists, nor is any right to change them given to the sponsor. In such a case it is clear that the station remains the employer of the performers. The advertiser has contracted only for a complete program, a result. If the station has also agreed that the band

ARTISTS' SOCIAL SECURITY TAXES—Continued

will sing a commercial tune twice in the half hour, as submitted by the advertiser, the latter has a very small amount of control over the details of the program, but this would not appear to be sufficient to make him the employer.

The many programs which consist of only one or two persons, such as news commentators, singers, or comedians, present a difficult problem. Some of these programs are conceived by the performer, without supervision. If a news commentator prepares his own script, and is subject to no restriction or censorship, it would seem that he is an independent contractor. The sponsor has only a right to so many minutes of comment. But if the advertising agency or sponsor has a staff which writes the substance of the program, and the commentator must read this prepared material, he would seem to be an employee, since the sponsor has control over the details of the program.

Another illustration of an independent contractor relationship would be that between a sponsor and the leader of an orchestra with a famous name, the latter contracting to furnish the musicians, conduct rehearsals, arrange the score, and to pay all costs (except station cost) out of the gross sum received by him—in other words, to deliver a result for a stated sum. In such a case the Bureau of Internal Revenue has held that the sponsor is not concerned with social security taxes, as the leader is not an employee but an independent contractor, and since the leader has complete control over the musicians, they are his employees and he must collect and pay the taxes due on their salaries.

The mere adoption of a name will not place an orchestra under the "name" rule. The Bureau of Internal Revenue has indicated that the permanency of the organization, fixity of personnel, liability of the leader for salaries, and his control of hiring and firing are each important factors. However, whether or not an orchestra is fixed in its personnel, or organization, does not appear to be the correct criterion in determining liability for social security taxes. Permanency has no bearing on control, except perhaps as evidence of what the underlying relationship may be. It is common procedure for an agency, acting for a sponsor, to engage an orchestra leader at a flat sum. The leader secures musicians through a so-called "contractor," who hires the musicians through the union at fixed wages, and often plays himself. A musician so employed may play on several of such programs. The Bureau of Internal Revenue has held that in such a situation the sponsor is the employer of the leader, musicians and contractor. The apparent reason is that no evidence of lack of control was submitted, hence it probably appeared that either the advertiser or the agency had potential control. It appeared that the leader and "contractor" acted as agents of the sponsor, and though they hired, fired and paid the personnel, they did so in behalf of the sponsor or agency, where the ultimate control resided. If, however, there was in fact no control over such a program in the sponsor or agency, no distinction could be made between this relation and that of other independent contractors.

Definitions in contracts must conform to the facts, for it is the legal relation to which the act applies, not to what the parties choose to call themselves. The nominal designation of a person as a partner, agent, or independent contractor is immaterial, if the employer-employee relation actually exists. Responsibility for the collection of social security taxes must be determined by the facts in each case.

A basic social security tax is due the Federal Government by every employer for every employee. An additional assessment (which the employer alone pays)

ARTISTS' SOCIAL SECURITY TAXES—Continued

is due the Federal Government only if the employer employs eight or more, but against this a 90% credit is allowed him for taxes paid into a state unemployment fund. It is, therefore, important that the correct State be paid. Tests relied on by the Social Security Board are: the place of employment; the base of operations; or if they are not applicable, the office from which the employee is controlled; and if none of those is applicable, the employee's residence. Some States have adopted these tests by statute, and the trend toward uniformity is strong. Provisions are made in many States for reciprocal agreements to determine the place of employment.

An employer should take an interest not only in the payment of the tax, but in the method and manner of the payment of benefits under the acts. These are usually paid only in proportion to the wages earned in a specified period of time prior to unemployment. There now exists in some States, and in other States plans have been projected for, large reductions to the employer on the basis of benefit experience.

III

General Considerations

Although it cannot be too strongly urged that each case involving responsibility for the collection or payment of the social security taxes must be determined on its own particular facts, the following general considerations are pertinent to many sponsored programs.

The program director, be he the performing star, the orchestra leader, or the off-stage manager, has a large degree of control over the actual delivery of the finished program.

The instrumentality of broadcast, i.e., the broadcast station, exercises a control over the editorial or artistic content of the program. That control, in the first instance, is required of it by law, for it is a condition of its Federal license that the station shall operate in the "public interest, convenience and necessity," which of course implies a control over the text or sounds emitted from the station. The second phase of its control may be said to be an aspect of self-government. The station exercises the right to refuse to broadcast words or sounds which are at war with its internally established policies. The type of control here exercised by the station is not of *persons* but of *context*. The broadcast station may be an independent contractor with the advertiser or agency, and an employer of the persons connected with the program, if it contracts to furnish a complete program for a sponsor, since in such instances it has the largest degree of control.

The advertising agency often exercises an actual or potential control of the means and method of the broadcast, as well as the result. Its power to control, however, concerns itself more with the effectiveness of the program as an advertising vehicle than it does with the personality or identity of the actors.

In many cases, the advertiser possesses the same character of actual or potential control as does the advertising agent, except that, in respect of means and method, the advertiser's control is more remote, but in respect of the resulting sale of the products advertised his interest is real and tangible. If the relationship of an advertising agency to its client is that of an independent contractor, then the sponsor will not be the employer of the personnel producing a radio

program.* The agency in such a case would be the employer if it exercised sufficient control over the means or method. When the agency acts merely as an intermediary for the advertiser, all control in the agency is potential control in the advertiser, so that a decision as to whether or not in such a situation the sponsor is an employer rests on the sum total of the control of client and agency.

In brief, the advertiser has a commodity to sell, the agency and artist sell services, the broadcast station sells time, and each in self protection may wish to exercise some control over the program.

IV

Conclusions

The first conclusion is an obvious one. Contracts calling for the services of radio artists should not be made without providing for obligations under the social security acts, either in express words or by clear implication. *All such contracts should be in writing, and should include the entire agreement between the parties.* This consideration is important because a written agreement is the best evidence of what the parties have agreed to do. Likewise, in the event of a court test, the written instrument is *prima facie* evidence of the relationship between the parties, and the burden of proving that some other relationship exists is upon the Government.

Second, each such contract should expressly define by its terms the exact understanding as to control over means and methods, degree and extent of control, and the persons who are to exercise such control as to means and methods. It may well be, in this connection, that prevailing practices in the advertising process should be slightly modified, in order to make for certainty in the resulting legal relation.

Third, an effort should be made by the interested groups, particularly broadcasting chains, advertising agents, and advertisers, to agree upon a standard form of contract, or a series of standard forms, which would simplify current practices and relieve the instant uncertainty.

Fourth, persons desiring departmental interpretations should not submit their questions without full knowledge of prior rulings. Their requests should be framed in such a way that the officials of the Government clearly understand the processes peculiar to the profession of advertising, and thus avoid the possibility of adverse rulings which might affect detrimentally the entire advertising structure.

The essential elements which must be covered in a contract for a complete package program might be treated as follows:†

* Note: There is in some States a provision which makes an employer liable for the social security taxes of employees of a sub-contractor, when the latter is engaged in work which is part of the employer's usual trade or business. While advertising is essential to the widespread sale of a product or service, it is not part of the usual trade, and hence such a provision does not render a sponsor liable for social security taxes of persons engaged in advertising its products, in the absence of potential or actual control over their work.

† Note: The sample provisions of the three agreements following are skeletonized, and many provisions necessary for a complete understanding between the parties are omitted, because not pertinent to the immediate problem. The contracts should include such points as liability for libel and literary piracy, (continued at foot of next page)

ARTISTS' SOCIAL SECURITY TAXES—Continued

As to Broadcaster

1. Broadcaster agrees to furnish and broadcast a program conforming to an annexed written description, at stated times, over specified stations.

2. Broadcaster agrees to assume full control over all facilities and persons necessary to the preparation, production, rehearsing, performance and broadcast of the said program.

3. Broadcaster agrees to cause the broadcast of commercial announcements of Advertiser's product as furnished by Advertiser, not to exceed _____ minutes per program.

As to Agency

4. Agency agrees to pay Broadcaster a total sum for the program, in full payment of all charges relating to the said radio advertising program, and the broadcast thereof, including compensation of all persons employed by broadcaster and all literary and other materials and facilities used in the preparation, production and broadcast of same.

5. Agency agrees that neither it nor advertiser will interfere with the preparation, production or broadcast of the program.

As to Both Parties

6. It is agreed that Advertiser and Agency are purchasers of the services of an independent contractor, and are to have no actual or potential control over the preparation, production or broadcast of the program.

7. Broadcaster accepts exclusive responsibility for the collection and payment of all employer and employee contributions and taxes under Federal and State Social Security Laws, with regard to all persons employed in the performance by it of the contract.

The essential elements to be included in establishing an independent contractor relationship between a sponsor or its advertising agency, and a program director (whether performing himself or not), might be treated somewhat as follows:

As to Program Director

1. Program Director agrees to prepare and perform for broadcast a program conforming to an annexed written description, at certain stated times.

2. Program Director agrees to accept sole responsibility for the planning, preparation, production and broadcast of the said program, including the employment at Program Director's expense of all persons to appear thereon or rendering any services in connec-

(continued from preceding page) cancellation privilege on notice, title to subject matter of broadcast, waiver of right of privacy in use of names and pictures of performers, rights in case of elimination of broadcast by station, artist or sponsor. Provisions for such matters are included in complete contracts, but vary in content with the particular situation.

ARTISTS' SOCIAL SECURITY TAXES—Continued

tion therewith, as well as the procurement of all literary property and copyright privileges, at no additional cost to Agency or Advertiser.

3. Program Director will broadcast commercial announcements during the program as approved or furnished by Advertiser.

4. Agency agrees to pay Program Director a certain sum in full for all charges relating to the said radio program, including compensation of all persons, and expenses of all equipment, script, and rehearsals, except the cost of the broadcast facilities.

5. Agency agrees that neither it nor Advertiser will interfere with the preparation, production, rehearsal or broadcast of the program.

6. Agency agrees that Program Director shall have sole decision as to persons and number of persons used in connection with the program; and Program Director agrees to pay all salaries and other charges for the services of such persons.

7. In construing this contract, it is agreed that Advertiser and Agency are purchasers of the services of an independent contractor, and have no actual or potential control over the production of the program.

8. Program Director accepts exclusive responsibility for the collection and payment of all employer and employee contributions and taxes under Federal and State Social Security Laws, with regard to all persons selected by him in the performance of the contract.

If the Advertiser or Agency wish to control the program, an employee type of contract should be entered into, and such control provided for. In such cases the employer-employee relationship should be clearly recognized, and full use made of its advantages. Sample provisions to define the relation clearly might be as follows:

1. Agency hereby engages the services of Artist to appear in a radio broadcast program, to be broadcast from _____, over a period of _____ weeks, on _____ of each week, at _____ each broadcast to last _____ minutes, over _____ stations.

2. Agency agrees to pay Artist \$_____ per week for his services.

3. Artist agrees to appear on the said program and to perform such services in connection therewith as may be required of him by Advertiser or Agency and in accordance with their directions.

4. Artist agrees to attend all rehearsals deemed advisable by Agency, but in no event shall be required to attend rehearsals of more than _____ hours per week.

Advertisers and advertising agents have a common interest in the problem. Broadly speaking, it is to their interest that all mediums of advertising expression be equally competitive on a common footing, and that the medium of radio not be handicapped because of an impediment that has nothing to do with its merits as an instrumentality for profitable publicity. The broadcast chains, by the same token, do not wish to have the merits of their service as an advertising medium confused by extraneous considerations.

DEVELOPMENTS IN FEDERAL REGULATION OF BROADCASTING

By LOUIS G. CALDWELL

Member of the District of Columbia and Illinois Bars

Editor's Note: For Vol. I of the VARIETY RADIO DIRECTORY (see pages 269-303) Louis G. Caldwell undertook an extensive survey of "Regulation of Broadcasting by the Federal Government." His new writing, presented herewith, largely carries on where the forerunner left off.

It should be noted that the final sections—dealing with inter-continental and world-wide radio communications regulations—are much more extensively treated than previously. This is directly in line with recent attempts at creating wave-band order out of virtual chaos. While this section is both important enough and new enough to warrant segregation into a separate article, it is hereby left intact as part of the major thesis because the author's bridge from U. S. regulations to international regulations was too subtle to be disturbed.

Of his writing the author says: "The study, as was that of last year, is offered with the hope that the reader will pursue it further by recourse directly to the statute, the court decisions and the Federal Communications Commission's publications, pronouncements, and regulations."

LOUIS GOLDSBOROUGH CALDWELL is a member of the District of Columbia and State of Illinois Bars. He was the first president of the Federal Communications Bar Association. His past writings and achievements are too numerous (and well-known) to require any further mention.

At this time, however, VARIETY RADIO DIRECTORY should like to point out to readers one of the author's most recent tracts, deemed by the editors as worthy of extended perusal. This writing is: "Legal Restrictions on the Contents of Broadcast Programs in the United States"—a report to the Second International Congress on Comparative Law (The Hague, August 4-10, 1937). This writing is deemed to merit this (somewhat extraordinary) mention because: (a) the description of Federal powers such as enjoyed by the FCC is clearly outlined; and (b) because it is one of the very few documents that to date has attempted to broach a philosophy of law as regards radio regulation.

In my article written for the VARIETY RADIO DIRECTORY last year I attempted to summarize the law bearing on Federal regulation of broadcasting. This article will be devoted to a discussion of important developments during the past year, omitting sub-headings which do not require further comment, but following as closely as practicable the same order of treatment.

I. CHANGES IN ORGANIZATION OF THE COMMISSION

The Commission has undergone extensive changes in its internal organization during the past year, following the appointment of Frank R. McNinch as Chairman to succeed Anning S. Prall, who died July 23, 1937, and Lt. Commdr. T. A. M. Craven, Chief Engineer of the Commission, as a member to succeed Dr. Irvin Stewart, who declined reappointment.

Effective November 15, 1937, the three-fold division of the Commission into Broadcast, Telegraph and Telephone Divisions was abolished, all business thereafter to be handled by the full Commission. This entailed considerable reorganization of the Commission's subordinate bureaus which theretofore had largely been subdivided in a manner corresponding to the three divisions, and a certain amount of revision of the Commission's procedural regulations.

On December 1, an entirely new procedure of rotation of duties among

FEDERAL RADIO REGULATION—Continued

the Commissioners was inaugurated. Routine and non-policy-making activities were divided into six classes and each of these classes was henceforth assigned to individual Commissioners for a month at a time. Certain miscellaneous matters were delegated to the Secretary and the Chief Engineer on a permanent basis. The Secretary was authorized to act upon all applications for operators' licenses and for amateur and ship stations. The Chief Engineer was authorized to determine a number of matters of a technical character, having principally to do with transmitter equipment and its operation. The purpose of the new procedure was to promote prompt and efficient action upon matters of a routine, engineering or emergency character.

II. REVISION OF RULES AND REGULATIONS

As pointed out in last year's article, the Commission has exceedingly broad legislative powers, that is, powers to promulgate rules and regulations having the force and effect of law. While no developments of importance have occurred so far this past year, events are at present (May, 1938) rapidly moving forward to the most thorough-going revision of the Commission's Broadcasting regulations that has occurred since 1928, when the existing scheme of allocation was established.

Since the revision is subject to hearing and, in all probability, will not become effective until some time after this article has been published, it is impossible to describe with certainty the regulations that will be in force during the coming year. Yet the subject matter of the revision is so important, and the probability that most of its important features will be adopted is so great, that an account of its present status and a summary of the major proposed changes are hereby included.

TECHNICAL AND ALLOCATION REGULATIONS. Early in July, 1936 the Commission gave general notice that beginning October 5, 1936 it would hold an informal hearing

“for the purpose of determining what principles should guide the Commission in matters relating to or affecting the allocation of frequencies and the prevention of interference in the band 500-1600 kc., and, in particular, what changes, if any, should be made in the Commission's existing regulations or in the standards heretofore applied by it and its Engineering Department in order to give effect to those principles.”

The notice expressed a desire

“to obtain the most complete information available with respect to this broad subject of allocation, not only in its engineering, but also in its corollary social and economic phases.”

It invited proposals and evidence for or against such proposals on a wide variety of subjects.

An extended hearing was held during a period of over two weeks, in the course of which all important elements in the industry appeared, made proposals, and gave testimony. While a number of controversial issues developed, those which emerged as of major significance had to do with:

1. In general, whether and to what extent the channels in the broadcast band (now assumed to be 550-1600 kc.) should be reclassified, and in particular, whether and to what extent the number of clear channels should be reduced from the total of 40 designated in the Com-

FEDERAL RADIO REGULATION—Continued

mission's Regulations to a smaller number and the remainder to be subject to nighttime duplication, and

2. Whether and to what extent the maximum power requirement on clear channels should be increased or removed.

There was fairly general agreement that the maximum power requirements as to all other classes of stations should be increased (from 1 kw. to 5 kw. in the case of regional stations, and from 100 watts to 250 watts in the case of local stations) but the proposal that the maximum power limitation on clear channel stations (now 50 kw.) should be increased to 500 kw. or removed entirely met with vigorous opposition from groups composed of regional and local stations. This opposition was based principally on apprehension of economic injury which might result to smaller stations if their audiences should be diverted by satisfactory reception from more distant clear channel stations.

On January 11, 1937, Commander T. A. M. Craven, then Chief Engineer of the Commission, made a preliminary engineering report to the Commission in which he recommended reclassification of broadcast stations into six classes (instead of four as at present). One of these, Class A, was to correspond to the present conception of a clear channel station, that is, only one such station is to use the channel after sunset, with substantial power, in order to afford reception to rural and sparsely settled areas and to small towns and cities having no stations of their own. It was recommended that there be not less than 25 channels assigned to Class A stations, such stations to have night power of "not less than 50 kw." The remainder of the present 40 clear channels were recommended for duplicated use with power not to exceed 50 kw. The night power on 30 of the present 40 regional channels was to be increased to 5 kw. and the remainder to be limited to 1 kw. The night power of local stations was to be increased to 250 watts. Other details may be passed over.

The report qualified its recommendations as to Class A stations, however, by stating:

"While we believe that powers in excess of 50 kw. on clear channels are technically sound and are in accord with scientific progress, we recognize that social and economic factors involved in the use of 500 kw. may outweigh in importance engineering considerations, and request instructions from the Division as to its desires with respect to regulations on the question of super-power. We feel that, in the matter of super-power, the Commission should give full consideration to our report summarizing the economic testimony in the October 5 hearing prior to making a decision."

At the time this preliminary report was made, it was expected that a report having to do with social and economic factors would shortly be called for and accepted by the Broadcast Division; that thereafter the Broadcast Division would instruct the Engineering Department to prepare regulations; and that such new regulations, after being approved

FEDERAL RADIO REGULATION—Continued

by the Broadcast Division, would be issued tentatively sometime in the early spring of 1937, subject to hearing of objections by parties adversely affected. A number of events intervened to delay this program, with the result that regulations pursuant to or resulting from the Engineering Department's recommendations were not promulgated until early in May, 1938, and then only in tentative form, subject to a hearing to be held June 6, 1938. Among other factors causing delay was the preliminary conference held at Havana in March, 1937 and the final conference held beginning November 1, 1937, resulting in the North American Regional Broadcasting Agreement (hereinafter summarized) signed December 13, 1937.

On July 1, 1937 the Engineering Department submitted its "Report on Social and Economic Data," a bulky document comprising 132 pages of text and several hundred pages of appendices. This report was not released, however, until January 24, 1938. Limitations of space make it impracticable to discuss the document in detail. On the whole it is a thoughtful and well-considered contribution to the subject. On one of the two principal controversial questions, the number of clear channels, the report justified its recommendations that there should be at least 25 clear channel stations, properly distributed throughout the nation, as "the minimum which is capable of rendering service to remote areas, if these remote areas are to be adequate program service at night" and that such stations should employ power of at least 50 kw. On the other issue, the use of power above 50 kw. on clear channels, the report stated that the Engineering Department saw

"no logical reason for an arbitrary defensive regulation which would prevent the future use of power in excess of 50 kw. in the event that evidence and data should show conclusively that such power in certain individual cases is in the interests of the public."

It recommended that the Commission should consider each individual application on the basis of the evidence presented and should proceed with caution to the end that the broad social and economic effects might be taken into account.

In the meantime, the Engineering Department had completed a thorough-going revision of the technical and allocation regulations to conform both with its conclusions resulting from the October 5, 1936 hearing and with the provisions of the North American Regional Broadcasting Agreement. This revision was submitted to the Commission in the early winter of 1938, in the hope that it might be tentatively promulgated by March 1st and that shortly thereafter there might be a hearing for the purpose of passing on objections so that the new regulations might finally become effective before the summer of 1938. This plan, however, became entangled with the obstacles encountered by the Havana Agreement and with growing signs of controversy over the issue of power in excess of 50 kw. on clear channels.

On February 28, 1938, Chairman McNinch announced that a hearing would be held on May 16th to determine whether or not the Commission's Rule 117 (which provides for minimum power of 5 kw. and max-

FEDERAL RADIO REGULATION—Continued

imum power of 50 kw. on clear channels) should be amended and, in particular, to determine what limit, if any, should be placed upon the power; and that at the same hearing all pending applications for power increases in excess of 50 kw. would be heard. There were, at the time, some 16 applications coming within this description, all of them being for power of 500 kw. (three of which have since been withdrawn). On April 4th the Commission sent out notices of hearing both on the general issue of amendment of the rule and on the particular applications. These notices specified a large number of questions on which evidence was to be presented and findings to be made, including the need for the increased service, possible interference to other stations, economic and social effects upon other stations and the public, geographical distribution of service, alleged duplication of network programs, and the like. A committee consisting of three members of the Commission was designated to conduct these hearings and appointed its own chairman, the Commission chairman to sit as an *ex officio* member of the committee.

In preparation for this hearing the Commission, by order of March 23, 1938, issued a requirement that each licensee of a broadcast station file with the Commission by April 25th information as to earnings and other data as provided in an elaborate questionnaire, to cover the year 1937. This was followed by questionnaire calling for data on employment and programs. The information thus provided is expected to assist in determining the economic and social effects which increase of power of clear channel stations may have on the earnings of other stations, as well as information pertinent to other subjects of interest to the Commission in the exercise of its regulatory powers. At first there was some thought of requiring all stations to adopt a uniform system of accounts but this was abandoned as too likely to savor of laying a basis for rate-regulation of broadcasting. Even the questionnaires have aroused widespread apprehension as indicating a conscious or unconscious trend in this direction. At present writing the Commission's staff is busily engaged in summarizing and analyzing the data thus received for use at the impending hearing.

Having become apparent that the hearing could not be held on the date originally scheduled (May 16th) because of lack of time for preparation, the Commission granted the petition of one of the groups of stations affected, and postponed the general hearing on Rule 117 until June 6th. It also postponed hearings on all the individual applications for 500 kw. (except one that involved merely an extension of an authorization to use this power experimentally) indefinitely until the question of amendment of the rule should be determined. In the meantime, it was seen that the Engineering Department's revision of the regulations was closely related to the issues raised by Rule 117. Consequently, on the same date (April 27th) the Commission decided to broaden the scope of the June 6th hearing to include the entire revision and to permit all parties having objections to any provision therein to be heard. The proposed revision was mimeographed and circulated to the entire industry on May 3rd. This was followed by circulation of a further document entitled "Standards of Good Engineering Practice Concerning Standard Broadcast Stations (550-1600 kc.)." Both documents are exceedingly bulky affairs. It is practi-

FEDERAL RADIO REGULATION—Continued

cable only to summarize the outstanding features of the proposed new regulations.

CLASSIFICATION OF CHANNELS AND STATIONS. Existing regulations divide channels in the broadcast band into four classes: clear, high-power regional, regional, and local. The proposed revision substitutes a three-fold classification of clear, regional and local, the high-power regional group having been absorbed into the clear channel class.

Generally speaking, the existing classification of stations follows the classification of channels. This is also true of the revision. Stations are divided into four classes.

A Class I station is "a dominant station operating on a clear channel and designed to render primary and secondary service over an extended area and at relatively long distances." This class is sub-divided into Class I-A and Class I-B stations. For a complete explanation of the distinction between the two sub-classes, recourse to the "Standards of Good Engineering Practice," accompanied by considerable technical details, is necessary. For practical purposes, however, the distinction is that a Class I-A station is to have exclusive use of a clear channel after sunset, while two or more Class I-B stations may operate simultaneously full time on the same channel. Under the proposed regulations, a Class I-A station is to have power of 50 kw. (the question of power in excess of this amount being as yet undetermined) while a Class I-B station is to have power from 10 kw. to 50 kw. Under the Havana Agreement, this distinction is carried out internationally so that a Class I-A station is, in a measure, protected throughout the whole country, while a Class I-B station is protected only over the area in which it delivers a signal of a specified strength.

A Class II station is described as "a secondary station which operates on a clear channel." When operating on a channel occupied by a Class I-A station, a Class II station may operate only until sunset or during hours not used by the dominant Class I-A station. If the channel is occupied by a Class I-B station, the Class II station may operate full time, provided it takes measures to protect the Class I-B station or stations on the same channel from interference.

Class III stations correspond to what are now known as regional stations. Such a station is described as one "which operates on a regional channel and is designed to render service primarily to a metropolitan district and the rural area contiguous thereto." This class is divided into two sub-classes, Class III-A and Class III-B. The distinctions between the two sub-classes are that the former may have power as high as 5 kw. at night with a higher degree of protection against interference, while the latter's power is limited to 1 kw. at night, with an inferior degree of protection. Both may operate with 5 kw. in the daytime. Any regional channel may be occupied by stations of either or both sub-classes. The principal change which would be effected by the proposed revision is the permission to Class III-A stations to use power in excess of 1 kw. at night.

A Class IV station corresponds to what is now known as a local station, being defined as one "operating on a local channel and designed to

FEDERAL RADIO REGULATION—Continued

render service primarily to a city or town and the suburban or rural areas contiguous thereto." Its nighttime power may be as high as 250 w. and it has a relatively inferior degree of protection against interference, corresponding generally to that accorded to a Class III-B station. The principal change effected by the proposed revision is the increase of maximum nighttime power from 100 to 250 w.

Of the available frequencies, the proposed revision will designate 25 for Class I-A stations, 19 (including the existing 4 high-power regional channels) for Class I-B stations, 42 for Class III-A and Class III-B stations, and 6 for Class IV stations. Only two frequencies in the band 1510-1600 kc. are designated at all, the rest of this band being reserved in order to comply with the requirements of the Havana Agreement.

SPECIAL EXPERIMENTAL AUTHORIZATIONS. The proposed revision, if adopted, will bring about a drastic change in the attitude of the Commission toward what have been called "special experimental authorizations." Heretofore the term has been used partly to describe licenses for *bona fide* experimental work involving a program of research, but just as often such authorizations have been employed as a cover for departures from the letter of the Commission's regulations. For example, stations have been licensed to use power in excess of the maximum specified by the regulations for the type of channel on which the station is operated. Others have been authorized to operate simultaneously at night on clear channels, whereas the regulations contemplate exclusive use of a clear channel by only one station at night. Stations enjoying these "experimental" privileges have been permitted to operate in the same fashion as if regularly authorized, and to reap full commercial advantage therefrom. Under the revision, such authorizations are, in general, to be limited to applicants who have a genuine program of experimentation, and the deriving of commercial profit from such privileges is to be prohibited.

SHOWING TO BE MADE IN SUPPORT OF APPLICATIONS. The portion of the revision coming within this description is only partly technical. In order, however, to avoid piece-meal treatment, it will be summarized at this juncture. It specifies that an authorization for a new station, or for an increase in the facilities of an existing station (which would include increase in power, increase in hours of operation, improvement in frequency, etc.) will be issued only after a satisfactory showing has been made in regard to eight enumerated matters. The first is of such significance that it is quoted *verbatim*:

"(1) That the proposed programs are of such standard as to provide a meritorious service, *including such cultural programs as may be required*, to the listening public; that there is a need for such service; and that the necessary program material is available to provide such service." (Italics supplied.)

By the foregoing, the Commission has for the first time indicated its intention to invade the field of program censorship by *formal regulation* although, as pointed out in last year's article, it has been arriving at the same result in applying the standard of "public interest, convenience or necessity" to the granting or denying of applications.

The other seven requirements are that the proposed assignment will

FEDERAL RADIO REGULATION—Continued

tend to effect a fair, efficient and equitable distribution of radio service; that objectionable interference will not be caused to existing stations or to the proposed station; that the applicant is financially qualified and that there will be adequate support for the station; that the applicant is legally and otherwise qualified; that the technical features of the application are satisfactory; that the facilities sought are subject to assignment as requested under existing international agreements and the Commission's regulations; and that public interest, convenience and necessity will be served.

The detailed language in which these requirements are phrased contains formal expression of three principles which the Commission has recognized from time to time in its decisions on particular applications, although not with any great amount of uniformity. The first of these is that objectionable interference will be tolerated in a particular case if "the need for the proposed service outweighs the need for the service which will be lost by reason of such interference." Such a principle, of course, leaves open the door for disregard of the Engineering Department's "Standard of Good Engineering Practice." A second principle is that where the station is to be supported by sponsored programs, a showing must be made "that adequate commercial support is available for the station" whereas, if the station is to be supported in other manner, it must be shown that "adequate finances are available to support such service." The third principle applies solely to Class IV stations and is to the effect that the applicant (or the persons in control of an applicant corporation) must be "a resident in, and familiar with the needs of, the community to be served."

Opposition to several of the provisions described under this sub-heading has already developed, particularly with regard to the censorship provisions and the limitations placed on applicants for Class IV stations, and it may be that these provisions will be eliminated from the regulations as finally adopted.

MISCELLANEOUS. The revision includes many other provisions of an important character but, for the most part, technical in nature. No attempt will be made to summarize them. They include greatly improved definitions, and requirements as to location of studios, license periods, technical characteristics and operation of equipment, limitation on hours of operation, maintenance of program and operating logs, the use of licensed operators, identification announcements, the announcements of mechanical records, reproductions, and other matters. Perhaps the most important feature of the revision is that it continues the present practice of limiting broadcast licenses to six months, although the Communications Act of 1934 authorizes the Commission to grant broadcast licenses for a period as long as three years.

STANDARDS OF GOOD ENGINEERING PRACTICE. Even the most thorough knowledge of the Commission's formal regulations has not heretofore been sufficient to afford an understanding of the principles actually applied by the Commission in granting or denying applications. On the technical side this has been primarily because most of the important principles applied have been in the form of "standards" or "recommendations" of the Commission's Engineering Department. These have

FEDERAL RADIO REGULATION—Continued

been regularly testified to in practically every hearing and are to be found scattered through annual reports of the present Commission and of its predecessor, the Federal Radio Commission, and in miscellaneous mimeographed releases. The fault has not been with the standards or requirements for, in general, they have been sound, practical and susceptible of uniform application with satisfactory results. The trouble has been that the Commission has at times followed them and almost as often has not, so that it has been impossible to foresee whether or not they would be applied in any particular case.

Under the proposed revision it seems to be contemplated that this situation will continue to obtain, although perhaps not to so great a degree. One distinct improvement is that the standards are now, for the first time, published (in tentative form) in one document. This has the advantage not only of greater accessibility and more orderly arrangement, but also of many improvements in detail. A description of its contents would be beyond the proper scope of this article. Like the proposed revision of the regulations, the proposed standards are subject to the June 6th hearing.

SPECIAL REGULATIONS ON CHAIN BROADCASTING. Section 303 (i) of the Communications Act of 1934 confers authority upon the Commission "to make special regulations applicable to radio stations engaged in chain broadcasting." The Radio Act of 1927 contained an identical provision. No use has yet been made of this authority by either the Federal Radio Commission or the Federal Communications Commission, but current developments suggest that regulations of this character may be adopted in the near future.

On September 8, 1928 the Federal Radio Commission adopted an order to the effect that, in general, clear channel stations might not duplicate programs if separated from each other by a distance of 300 miles or less. This order was adopted in connection with, and to accompany, an order which established the allocation which went into effect November 11, 1928 in which, for the first time, provision was made for 40 clear channels. The order with respect to duplicating of programs, however, never became effective, having been postponed from time to time until repealed on December 20, 1929.

Agitation for the adoption of regulations governing network broadcasting never died down entirely and, during 1936 and 1937, broke out with renewed vigor, particularly in both Houses of Congress, where the Commission's failure to adopt such regulations was frequently urged as a reason for investigation of both the Commission and the industry. The subject was specifically mentioned in a resolution which was reported favorably by the Senate Committee on August 11, 1937 and which narrowly escaped being passed. The basis for the agitation included not only so-called duplication of network programs, but also alleged undesirable features of contracts between network companies and affiliated stations, alleged excessive acquisition of ownership of control of stations by network companies, and other features. It was to be expected, therefore, that the reorganized Commission would regard the subject as one calling for its attention.

Nothing, however, occurred until March 18, 1938, when the Commis-

FEDERAL RADIO REGULATION—Continued

sion adopted an order for the immediate undertaking of an investigation to determine what special regulations should be adopted applicable to radio stations engaged in chain or other broadcasting, the investigation to cover 13 specific matters, including contracts between networks and their affiliates, the nature and extent of network program duplication by stations serving the same area, program policies of networks, competitive practices, and the extent and effects of concentration of control of stations in the same, or affiliated, interests. The order further provided that hearings be held in connection with the investigation. On April 6th the Commission created a committee consisting of three of its members, the Chairman of the Commission to serve *ex officio*.

The first steps taken on this investigation have been the sending out of questionnaires to all networks, calling for a report in detail on a variety of subjects, including financial operations during the year 1937, and the giving of directions to the Commission's staff to study, analyze and summarize information in the Commission's files bearing on network broadcasting, and particularly contracts between networks and affiliated stations. The questionnaire sent out to all stations, mentioned under the previous heading, also requires information pertinent to this investigation. There have been indefinite indications that there may be a hearing about the middle of June, but at present writing, no hearing date has been scheduled, and probably the matter will go over until fall.

ALLOCATION OF ULTRA-HIGH FREQUENCIES. Frequencies above 30,000 kc. are commonly referred to as the "ultra-high frequencies." They have a tendency to be limited in range by the horizon, somewhat (but not entirely) after the manner of light rays, although freak performances at great distances have occasionally been observed. Use of these frequencies has just been emerging from the laboratory during the past few years. They have shown themselves likely to be extremely useful for service over limited areas. In June, 1936, the Commission held an extensive hearing to determine, among other things, how these frequencies should be allocated to services.

On October 18, 1937, after more than a year of study and analysis, the Commission announced its regulations covering this allocation and staked off the range from 30,000 kc. to 300,000 kc. for particular types of operation. Included in the allocations were a total of 19 channels, each 6,000 kc. in width, reserved for television, together with accompanying channels for sound broadcasting. Another 75 channels were allocated for sound broadcasting. If use of these frequencies in practice measures up to what is expected of them, they may make possible the licensing of hundreds of local broadcast stations, each to serve a relatively small area.

In addition to these allocations, the regulations in question made provision for various other types of fixed and mobile services, including a large allotment for military and other needs of the United States Government.

A number of protests were filed, however, and a hearing is to be held on June 20, 1938, to determine whether or not these regulations should be modified or revised. Until this hearing is held and determined, the regulations cannot be said to represent an accomplished fact.

FEDERAL RADIO REGULATION—Continued

FACSIMILE. Another development of importance during the past year has been in the use of facsimile. Provision was made for the use of facsimile by regular broadcast stations by order of the Commission on September 7, 1937. A broadcast station may install apparatus for the transmission of facsimile and may use its regular channel for this purpose between the hours when its sound broadcasting signs off at night and the hour when it is resumed in the morning. So far, a total of 12 broadcast stations have been authorized to install such apparatus and several applications for similar privileges are pending. Those who are more optimistic over facsimile foresee the distribution of daily newspapers by radio to the "listening public."

III. THE COMMISSION'S JUDICIAL POWERS—PUBLIC INTEREST, CONVENIENCE AND NECESSITY

ELIGIBILITY FOR A LICENSE. In last year's article two matters relating to the subject of eligibility for a license were mentioned as having taken on substantial importance but not having been the subject of definite decision or other pronouncement by the Commission. One had to do with the acquisition of stations by persons already having one or more existing stations. The other had to do with the acquisition of stations by newspaper publishers. During the past year fairly definite decisions have been announced by the Commission on both subjects.

On the first subject the Commission, in a decision rendered January 12, 1938, denying an application for a second station in New Orleans by a corporation which already had a station in that city, said:

"The available frequencies in the broadcast band are limited and the Commission is loath to grant facilities for an additional broadcast station to one who already holds a license for a station in the same community unless it is clearly shown that the public convenience, interest, or necessity would be served thereby. Other things being equal, it would appear that if there were a need for an additional local broadcast station in a community and if there were a frequency available for this service, the facilities should be granted to someone who does not already hold a broadcast license for an unlimited time station in that community."

Since then it has rendered other decisions following the same principle. How far it means to carry it is as yet uncertain. There are many instances of ownership of two stations in the same community by the same person or corporation, including cases where two large clear channel stations are owned by the same network company in the same city. There has not yet been any indication that the Commission means to apply the principle retroactively. Whether it intends to formulate an analagous principle against ownership of two or more stations in different communities also remains to be seen. The further acquisition of stations by network companies, whether by purchase or lease, is one of the issues covered in the pending investigation of networks.

On the other subject, ownership of stations by newspaper publishers, there has been an equally definite pronouncement. In a decision rendered

FEDERAL RADIO REGULATION—Continued

March 16, 1938, the United States Court of Appeals for the District of Columbia said, by way of dictum:

“We know of no provision of statute or rule of law, and are cited to none, which forbids broadcasting by the owner of a newspaper.”

Shortly thereafter, on March 30th, the issue was settled by the Commission in a case in which it approved the transfer and sale of a broadcast station to a corporation which was a subsidiary of a newspaper publishing company in Canton, Ohio, although the station is the only broadcasting station in the community and the publishing corporation publishes the only daily newspaper there. These facts constitute the most extreme case of newspaper ownership from the point of view of alleged monopoly by means of mass communication. It therefore seems unlikely that henceforth newspaper publishers will be considered at any disadvantage in applying for or acquiring broadcast stations, although it is possible that Congress will interest itself in the question.

On a third subject, so-called absentee ownership, the Commission's point of view has been uncertain and vacillating throughout the year. It has rendered decisions containing a strong implication that local ownership and management better serve public interest, convenience or necessity and absentee ownership or control is implied to be a disadvantage, if not a disqualification. In the main, such pronouncements have been made on applications for the smaller classes of stations. Contrasted with these implications have been the many existing instances of complete absentee ownership, the principal illustrations of which have been stations owned by the large network companies. As already pointed out, the proposed revision of the Commission's Regulations would apply the principle solely to Class IV (local) stations, but there is evidence of strong opposition in the industry to this provision. In a decision rendered by the Court of Appeals (on May 9, 1938) the Court said:

“This particular ground of refusal has never been presented to us before, but we know from the published reports of the Commission's decisions that on the question of the propriety of confining grants of a local nature to local people the Commission has not given any indication of the adoption of a fixed and definite policy. If the contrary of this were true, we should be slow to say that the establishment of such a policy would be either arbitrary or capricious. But the policy should be applied with substantial uniformity, and the lack of that uniformity in the past convinces us that the Commission has not sought to lay down a hard and fast rule.**** If the Commission should be of opinion, upon reconsideration, that the application ought not to be granted because a stranger to Pottsville has the controlling financial interest in the applicant corporation, and should announce a policy with relation to the grant of local station licenses, confining them to local people, we should not suggest the substitution of another view. But in saying this we are not unmindful of the obvious fact that such a rule might seriously hamper the development of backward and outlying areas.”

The matter of financial responsibility of applicants has received increasing attention due to the fact that it has been the subject of close scrutiny

FEDERAL RADIO REGULATION—Continued

by the United States Court of Appeals in reviewing decisions of the Commission. In one of these cases the Court, in holding that the finding was not supported by the evidence, stated that lack of financial qualification is not shown merely by the fact that the applicant proposes to use borrowed money for the purpose of construction and operation, even though the loan is not covered by sufficient collateral or other security to insure the station against lien, foreclosure or seizure. The Court said:

“In answering this question we look first for some measure of financial qualification to guide us. We are referred to no rule or regulation of the Commission suggesting such a rigid standard. On such an important question we think the public is entitled to have the statute implemented by a regulation setting out clearly and concisely just what the Commission regards as a minimum standard of financial responsibility. Evidently Congress had the same intent.***”

NEED FOR SERVICE AND GEOGRAPHICAL DISTRIBUTION OF STATIONS. Repeatedly over the years the Commission's examiners have made recommendations, and the Commission has made decisions, granting or denying an application, based in part or in whole upon findings as to whether a need for the proposed service existed. A reading of the Examiner's reports and Commission decisions indicates that the word “need” has been used in a variety of senses. Sometimes it has referred to the lack of sufficient broadcasting service in a physical sense, that is, in terms of number of stations delivering a satisfactory signal strength to the community. Sometimes it has been in a relative sense, depending on comparison of the community with others of like population or wealth. On still other occasions the word “need” has seemed to depend on a variety of other factors, including whether or not there exists sufficient advertising support or commercial demand for the station, whether the civic, philanthropic, educational and other institutions of the community have had their needs and demands sufficiently met by existing stations whether the existing stations adequately respond to the program needs of the community with respect either to network programs, local programs, educational programs or other types of program, and whether the proposed new station will offer some program service not already available. There has been a tendency to base a denial of an application for a new station on a finding that the applicant does not propose a program service different from the sort already provided the community by existing stations. Just what this means is impossible to say since nearly all stations follow somewhat the same pattern of program service and there are cities in which 12, 15 or 18 stations are now in licensed operation, most of them differing only in details rather than in the general character of service. The reports and decisions may be searched in vain for any indication of rules or principles susceptible of uniform application. Page after page is devoted to an unadorned recital of facts shown by the record, without any attempt to interpret or to measure the facts by any standard or criterion. No effort has been made, for example, to determine what is an adequate or reasonable choice of programs to provide for the listening public, either generally or in proportion to population density or any other factor. Since the repeal of the Davis Amendment in 1936 there have been no rules fol-

FEDERAL RADIO REGULATION—Continued

lowed by the Commission for the purpose of providing the "fair, efficient and equitable distribution" of broadcast facilities required by the statute.

The subject of need for service is one which calls for implementation by regulations to which applicants and existing stations may refer as a guide in determining whether there is a reasonable prospect of success in making or opposing an application, either for a new station or an improvement in the facilities of an existing station.

ECONOMIC CONSIDERATIONS. Economic considerations have become of constantly increasing importance in Commission decisions although there are still no standards or criteria to govern their significance in a particular case.

In a decision rendered December 6, 1937, the Court of Appeals said:

" . . . We are by no means in agreement with the contention frequently urged upon us that evidence showing economic injury to an existing station through the establishment of an additional station is too vague and uncertain a subject to furnish proper grounds of contest. On the contrary, we think it is a necessary part of the problem submitted to the Commission in the application for broadcasting facilities. In any case were it is shown that the effect of granting a new license will be to defeat the ability of the holder of the old license to carry on in the public interest, the application should be denied unless there are overweighing reasons of a public nature for granting it. And it is obviously a stronger case where neither licensee will be financially able to render adequate service . . . "

The attention which the Commission is paying to economic considerations needs no more convincing demonstration than the issues which it has set for itself to determine in connection with the use of power greater than 50 kw. on clear channels (already discussed under a previous heading). A further demonstration is afforded by the provision in the proposed revision of the Commission's Regulations specifying the showing that must be made in support of an application.

The development is a curious one. When the Radio Act of 1927 was enacted and the phrase "public interest, convenience or necessity" first became the standard to govern the licensing of broadcast stations, broadcasting was not yet on a widespread commercial basis and few persons foresaw the extent of its future development in this direction. There is virtually nothing in the legislative history of the Act to indicate that Congress meant to give the Commission any authority over the economic aspects of broadcasting. As late as 1934, when the Communications Act was enacted, Congress took care to state expressly that a broadcast station is not to be considered a common carrier and, therefore, not subject to rate-regulation and the other types of economic regulation which the Commission is authorized to exercise over wire and wireless, telegraph and telephone companies. Nevertheless, the present regulation of these economic aspects of broadcasting is playing a role in the Commission's deliberations fully as important as, and frequently more important than, its technical regulation.

The subject of "economic considerations," if it is to be taken into account by the Commission, is, like "need for service," deplorably in need of

FEDERAL RADIO REGULATION—Continued

clarification by definite and detailed regulations instead of being left to a hit-or-miss process of hearings built on undigested accumulations of arid statistics and meaningless conjectures.

PROGRAM SERVICE. No development in the regulation of broadcasting is of greater portent than the seemingly increasing tendency on the part of the Commission, directly or indirectly, to regulate the contents of broadcast programs. The extent to which it has already gone is astounding in view of the express provision in the statute forbidding it to exercise censorship, and the fact that the original sponsor of the legislation in the Senate said:

“The bill does not give to the Commission the power to censor programs, but instead there is a provision in the bill which specifically prohibits the Commission from censoring programs in any way,”

while the sponsor of the bill in the House said that the bill gave the licensing authority “no power at all” of interfering with freedom of speech in any degree in considering a license or the revocation of a license. Nevertheless, elaborate showings of past program service by existing stations and of proposed program service by applicants for new stations continue to constitute a large part of the hearings held on applications, and to play a large role in the reports of Examiners and decisions of the Commission on these applications. A number of general words and phrases are used to commend, or comment adversely on, past or future program services. A program service is said to be “well-balanced,” “diversified,” “meritorious,” or their opposites. No standards or criteria have been established to give any meaning to any of these terms, which are simply applied to aggregations of facts which happen to be shown by the evidence. As already pointed out, the proposed revision of the Commission’s regulations, if adopted, will give formal expression to the same conception of power over programs.

An outstanding example of the tendency toward censorship was furnished by the now widely publicized Mae West incident. On December 12, 1937, Mae West performed a skit over a large national network of some 60 stations. The Commission received a certain number of complaints against the alleged indecent character of the broadcast and, on December 18th, the Chairman of the Commission wrote to the President of the network company, directing him to furnish an exact copy of the feature, and the names and locations of the stations which carried the program feature. Later, on January 14, 1938, the Chairman wrote the network executive, stating that the Commission had carefully considered the transcript and, among other things, said the following:

“ . . . It is our considered opinion that both of these features were far below even the minimum standards which should control in the selection and production of broadcast programs.

* * *

“In our present system and the statute under which the Federal Communications Commission functions, the Commission has no power of censorship but this power and responsibility rests squarely and unavoidably upon the licensee. The right to continue operation under a license can be justified only so long as public convenience and necessity

FEDERAL RADIO REGULATION—Continued

are served through programs broadcast to the listeners. Licenses are granted without any compensation by the licensee to the Government and solely for the purpose of serving the public interest and, hence, the broadcaster must accept, along with the privilege granted, a definite inescapable and high public trust in the use of the facilities licensed.

* * *

“The Commission notes that, while the features above referred to were originated by your company, these features were broadcast over fifty-nine stations over your network, and, while the primary responsibility for this program rests with your company, the stations that carried it cannot be excused for carrying this program on the ground that such program was received over the network under a contract for program service. Each licensee carries his own definite responsibility for the character of programs broadcast and he must be and will be held to account regardless of the origin of the program. All who are interested should, therefore, take notice that trespasses against the public interest will be charged against every station engaging in such trespass.

“In view of your recognition of the objectionable character of the program in question and of your assurance that greater care and caution will be exercised in the future, the Commission has decided to take no further action at this time than the writing of this letter in condemnation of the program. However, upon application for renewal of the licenses of the stations carrying this broadcast, the Commission will take under consideration this incident along with all other evidence tending to show whether or not a particular licensee has conducted his station in the public interest.”

In other words, even the stations merely affiliated with the network, the owners of which had no opportunity to examine or pass upon the skit in advance, are threatened with possible refusal to renew their licenses, if the Commission chooses, at the end of their present license periods. Other illustrations of the same attitude on the part of the Commission, less striking perhaps, but no less significant, might be cited.

If this is not censorship of the most effective and dangerous sort, it is difficult to know what the word means. Whether Mae West's particular skit was broadcast is not very important. It certainly provoked considerable criticism. But what is important is the extent of the power of censorship claimed and exercised by a Federal government agency over one of the most important means of mass communication, a power which on other occasions might easily lend itself to abuses which interfere with the cornerstone of American Constitutional guarantees, namely, liberty of expression. The Commission, both directly and through its law department, has frequently conceded that the prohibition against censorship prevents it from adopting *regulations* as to what programs may or may not contain. Yet it claims and exercises the vastly more dangerous power of *ex post facto* regulation of programs, thus depriving licensees of any opportunity to know in advance what rules they are expected to follow.

Another alarming development has been in the handling of complaints against station programs. This subject is not new. On the contrary, it has had a constantly recurring importance for years.

FEDERAL RADIO REGULATION—Continued

Practically ever since the establishment of the Federal Radio Commission in 1927, complaints have been received in increasing volume but, as is natural, the bulk of them proceed from irresponsible persons and frequently from cranks. For a considerable period prior to the early part of 1938, no steps were taken pursuant to the complaints until they had been investigated. The Commission, however, suddenly departed from this procedure and began informing each station of every complaint against a particular program or action of the station, placing it on notice that further action might be taken against the station at the time it applied for renewal of license. In many instances a copy of the continuity complained of was requested.

During recent weeks, a number of stations have, without warning, been given only temporary license renewals as a result of these complaints. Some of the complaints have involved palmistry, astrological and fortune-telling programs; others have been received from C.I.O. locals because of refusal of stations to allot them commercial time; still others have been against stations which carried the series of talks by a Rev. Gerald L. K. Smith, who undertook to form a "Committee of One Million."

On March 9, 1938, the Commission appointed a committee to study procedure on complaints filed in the future, and an improved procedure is indicated.

SALE AND LEASE OF BROADCAST STATIONS. A large number of cases are pending before the Commission involving applications for the Commission's approval of the sale (or lease) and transfer of licenses of a broadcast station from one person to another, or the sale of a controlling interest in the stock of a licensee corporation. Beginning in November, these cases were argued in increasing quantity before the Commission, one after another, and a veritable library of briefs has been filed. The principal questions remain as indicated in last year's article. Does the Commission have power to base approval or disapproval of such an application upon its views as to the propriety of the purchase price? If it has such power, what should be the test? Should the price be limited to the value of the physical assets? May it be based on a capitalization of expected earnings? May an allowance be made for going-concern value or good will, or may past pioneering and development expenses be taken into consideration? These questions are all unanswered. It is said that there are at least three different points of view held by different members of the Commission. In the meantime, action on applications which have been pending for many months has been delayed.

On April 13, 1938, the Commission did, however, render a decision approving an application for authority to transfer control of a station at Fort Worth, Texas, to Mrs. Elliott Roosevelt. The Commission's statement is completely silent with respect to the principles under which the transfer was approved, although it is clear from the facts that the purchase price was substantially in excess of the value of the physical assets and that recourse had to be had to intangible "assets" such as money which had been invested in building the station to a going concern and another large item representing the estimated value of contracts which had been procured for the sale of time on the station. Another recent

FEDERAL RADIO REGULATION—Continued

case in which the Commission approved a transfer is that already mentioned where the transferee is a subsidiary of a newspaper publisher in Canton, Ohio. Here, again, no principles were announced to explain the Commission's approval so far as the price was concerned. Further recent decisions have approved transfers at prices greatly in excess of tangible values without any disclosure of the Commission's policy, while a number of cases remain undecided.

The most complicated and difficult situation arises out of the practice, followed on a number of occasions by licensees of stations, of "leasing" a station to another for an extended period of time in return for payment of a rental. These leases have been for periods as long as five or ten years, sometimes accompanied by an option to renew for a further period, or to purchase. The annual rental has frequently been as much as, or more than, the value of the physical assets constituting the property leased. In some instances the physical property has not been used at all by the lessee, who has replaced it with improved equipment.

A case involving such a situation has been pending before the Commission for many months undecided, on the report of an Examiner recommending that the application for approval of the arrangement be denied. The questions presented are intriguing. Manifestly, the lessor expects the return of the license to him at the end of the period which may be, and usually is, many times as long as the period of the six months' license. The lessee is obviously paying a large portion, if not all, of the rental for the license and not for the property. Just what the lessor has during the period of the lease (beyond the ownership of whatever tangible property may be involved) is difficult to express in words. In a recent case, the lessor of a station at Washington, D. C. was a corporation and the owners of all the stock in the corporation desired to sell the stock to a newspaper in that city during the period of a lease. The price to be paid was many times the value of the physical assets. On April 20, 1938, the Commission held that it had no jurisdiction over this transaction but indicated at the same time that the lessor had no right to have the license or any rights therein revert to it at the expiration of the lease. If the Commission really carries out the principle indicated in this pronouncement, it will badly upset the expectations of a number of lessors of existing stations looking to reacquisition of the stations (or further leasing of them) when their respective leases terminate.

IV. THE COMMISSION'S PRACTICE AND PROCEDURE

Revised regulations governing the Commission's practice and procedure have been under consideration for months but, with the exception of regulations necessitated by changes in the Commission's internal organization, no revision has appeared. There are a number of respects in which the existing procedural regulations are unnecessarily harsh and impracticable and bring about inequitable results and useless expense. Some of these have been called to the Commission's attention by the Federal Communications Bar Association. A particularly controversial subject is involved in the Commission's present regulation which forbids any of the attorneys in its employ to practice before it for a period of two years after leaving the employ.

FEDERAL RADIO REGULATION—Continued

V. APPEALS FROM THE COMMISSION'S DECISIONS

During the past year (*) there have been nine (†) opinions handed down by the United States Court of Appeals for the District of Columbia on appeals from decisions of the Federal Communications Commission on broadcast applications. These opinions reveal a far-reaching change in attitude on the part of the Court. Whereas, until the past year, the Commission had been rarely reversed by the Court, and since 1930 there had been no tendency to question any findings of the Commission, the Court reversed the Commission outright in four of the nine cases, held it had acted erroneously in a fifth case but not to an extent justifying reversal, and in a sixth case affirmed the Commission's decision with one of the Justices vigorously dissenting. In several of the opinions trenchant criticism of the Commission's practices and findings was expressed.

In so far as these opinions have to do with substantive principles of law, sufficient reference to them has already been made in the discussion of the Commission's judicial powers. Under this heading I shall confine myself largely to what may be described as procedural questions.

Several important points which had been the subject of controversy and uncertainty for years were decided. The most important had to do with the obligation of the Commission to make findings of fact to accompany and support its decisions in granting or refusing applications. The Communications Act is not any too clear upon this point and required interpretation. The Commission's position was that in making a decision it need recite only that "public interest, convenience or necessity" would be served by granting or denying an application and that it need not make any statement of the facts or of the grounds for its decision, unless an appeal were taken, and even then not until sixty days after the aggrieved party had taken the appeal. In actual practice the Commission had not usually gone to this extreme length. What usually happened was that the Commission (or, in those days, the Broadcast Division, acting for the Commission) would decide in executive session to grant or deny an application and would announce this decision publicly, specifying some future date several weeks off as "the effective date" of the decision. It would then

*To May 9, 1938.

†Eastland Company v. Federal Communications Commission, decided June 28, 1937, 92 F (2d) 467; Missouri Broadcasting Corporation v. Federal Communications Commission, decided December 6, 1937, 94 F (2d) 623; Pulitzer Publishing Company v. Federal Communications Commission, decided December 6, 1937, 94 F (2d) 249; Great Western Broadcasting Association, Inc. v. Federal Communications Commission, decided December 6, 1937, 94 F (2d) 244; Heitmeyer v. Federal Communications Commission, decided December 27, 1937, 95 F (2d) 91; Saginaw Broadcasting Company v. Federal Communications Commission, decided March 16, 1938, — F (2d) —; Tri-State Broadcasting Company, Inc. v. Federal Communications Commission, decided March 16, 1938, — F (2d) —; petition for rehearing denied April 7, 1938, — F (2d) —; Red River Broadcasting Co., Inc. v. Federal Communications Commission, decided May 2, 1938, — F (2d) —; and Pottsville Broadcasting Company v. Federal Communications Commission, decided May 9, 1938, — F (2d) —. There was a tenth opinion rendered on an appeal of Mackay Radio & Telegraph Company, Inc. from a decision denying its application for radiotelegraph licenses in point-to-point service in which the decision of the Commission was affirmed. Since the case does not have to do with broadcasting, consideration of it has been omitted.

FEDERAL RADIO REGULATION—Continued

instruct its Law Department to prepare a statement of facts and grounds for decision. This statement, when prepared, would be submitted to the Commission and after being approved or modified would be issued as the Commission's statement, usually on or just before the "effective date" of the decision. In one case which was appealed to the Court, however, the Commission had gone further and had not adopted or published its statement until after the effective date.

The Court held that the Commission's interpretation of the statute was erroneous and "manifestly unfair" and that it must include in its original order

"a succinct statement of facts and grounds therefor, since necessarily in every case the Commission will know why it is deciding as it is."

In other cases the Court took the Commission to task for making findings not supported by substantial evidence or contrary to the evidence, and for failing to make findings of basic facts in support of general findings. In one of these cases the finding criticized had to do with the financial ability of the applicant to construct and operate a station, the Commission having found that the applicant had not made sufficient showing, presumably because he had arranged for a loan for the purpose. In another case, the finding criticized was a general conclusion that "the needs of the area" were such as to require the granting of a certain application, without setting forth the facts from which the Commission drew this inference. In a third case a similar finding "that there is a public need for said proposed station" was found insufficient in the absence of any indication of the basic facts upon which the conclusion rested.

Another point of importance had to do with the right of an applicant or other interested party before the Commission *both* to a rehearing and to an appeal, without having to choose between them. Because of certain ambiguous language in the statute, the Commission took the position that a party dissatisfied with a decision of the Commission (or one of its divisions) had to choose between these remedies and could not have both; that is, he must petition the Commission for rehearing within twenty days of the effective date of the decision complained of, or he must take an appeal within the same period. This interpretation left all parties in a perplexing dilemma. For example, an applicant whose application had been denied by the Broadcast Division would file a petition for rehearing within twenty days as permitted by the statute. The Commission would fail to act upon the petition during this period and the applicant, in order not to hazard the loss of the right to appeal, would file his appeal by the 20th day, whereupon the Commission held that it had no further jurisdiction over the petition for rehearing and dismissed it. Or, if the applicant chose the other course, and waited until the petition for rehearing was acted upon before taking an appeal, the Commission would move to dismiss the appeal on the ground that it had not been taken within the twenty-day period required by statute. Again the Court held that the Commission's interpretation was erroneous and that the filing of a petition for rehearing automatically suspended the running of the appeal period. The Court now has pending before it the question whether, if the party has petitioned the

FEDERAL RADIO REGULATION—Continued

Commission for rehearing and has appealed before the Commission has acted on the petition, the Court has any jurisdiction to entertain the appeal at all, although it has previously exercised jurisdiction in several such cases.

In another case there had been a hearing before the Broadcast Division of the Commission, consisting of three members, one of whom resigned shortly afterwards and another of whom was later assigned to the Telegraph Division, both being replaced by other Commissioners. The decision of the Commission, rendered over 18 months later, was attacked on the ground that the parties were entitled to have their case passed upon by the identical members of the Commission who sat at the presentation of the evidence, whereas two of the members who joined in the decision had not heard the evidence. Four members of the Court held that this shift in personnel did not invalidate the Commission's decision, but one of the Justices rendered a dissenting opinion expressing the contrary view in forceful language.

The nine cases contain further holdings on miscellaneous points, only a few of which need be mentioned. The Court apparently held that where there are two competing applicants for a facility in a given community, one of the applicants being a newcomer and the other applicant being the licensee of an existing station with an established record of service, seeking to improve its assignment, the Commission need not give any weight to the factor of established service and, therefore, need not apply the rule which is usually given effect in public utility legislation. In another case the Court also ruled upon a practice which had theretofore been fairly generally followed in hearings before the Commission and its Examiners, of permitting applicants to testify as to the results of investigation conducted with third parties as to the need for a station in the community. The Court held the testimony incompetent as being clearly "hearsay." In a third case it held that a party not notified by the Commission of a pending application and of a hearing thereon but having actual knowledge of the decision in time to permit a petition for rehearing has no standing to appeal, because of failure "to exhaust all its remedies before the Commission." In a fourth case, the Court refused to reverse a Commission decision on the ground that the Commission had received and considered confidential memoranda from its subordinate bureaus, because of a positive assurance given it by the Commission that such memoranda and not been considered in connection with the application.

Other important questions are now pending before the Court for decision. The question whether the Commission's practice of receiving confidential memoranda from its Engineering, Law and Examining Departments with regard to a case pending before it, and to take such memoranda into consideration in arriving at its decision, is pending in other cases. The immediate future gives promise of a number of further appeals because of the likelihood that, as a result of the pending and proposed hearings, investigations and revision of regulations, a number of licensees will consider themselves adversely affected and will have recourse to the Court. It is expected that the Court's decisions on these appeals will further clarify obscure points in the law and doubtful questions as to the Commission's powers.

VI. INTERNATIONAL RADIO REGULATIONS

The past year has been an unusually eventful period in the field of international radio regulation, with regard not only to broadcasting but to other communications services. There has just been concluded the International Telecommunications Conference, which began at Cairo, February 1, 1938. It was called for the purpose of discussing and revising the various sets of international regulations having to do with radio, telegraph and telephone which are annexed to the International Telecommunications Convention signed at Madrid, December 9, 1932. The Convention itself was not subject to revision at this conference but, since most matters of importance are covered in the Regulations, this does not detract from the importance of the conference. The next such conference is to be held at Rome in 1943.

Of even greater importance to the United States, and particularly to broadcasting, was a conference held at Havana beginning November 1, 1937, and adjourning December 13, 1937, resulting in three agreements and a number of resolutions. Two of the agreements apply to all the nations in the Western Hemisphere, and one is a North American Regional Broadcasting Agreement between the United States, Canada, Newfoundland, Mexico, Cuba, Haiti and the Dominican Republic. This conference was held as sequel of a preliminary conference held in March, 1937, at Havana, in which the North American nations participated, the South American nations having previously held a conference of their own.

An attempt will be made briefly to summarize the accomplishments and results of these conferences.

A. THE INTERNATIONAL TELECOMMUNICATIONS CONFERENCE AT CAIRO

Some 73 nations signed the International Telecommunications Convention at Madrid in 1932. The signing of at least one of the three principal sets of regulations was made obligatory by the Convention. The United States signed both the Convention and the Radio Regulations and the Senate thereafter duly ratified both. Canada, Cuba and Mexico have also ratified these documents. Some of the nations which signed did not, however, ratify and claim not to be bound by the obligations which are imposed by these documents.

Much that is contained in the Convention and the Regulations is not of direct importance or interest to broadcasting. The principal and all-important feature of the Radio Regulations is the division of the frequency spectrum (the total band of wave-lengths used for radiocommunication) into smaller bands and the allocation of these bands to different sorts and types of radio service, including point-to-point radio telegraph and radiotelephony, services in connection with ships at sea and aircraft, amateurs, broadcasting, and others.

Since 1927, the band 550 kc. to 1500 kc. has been allocated to broadcasting all over the world. Under the Regulations annexed to the Convention which was signed at Washington that year, however, European nations

FEDERAL RADIO REGULATION—Continued

also obtained for broadcasting the use of a very substantial band in the lower frequencies, 160 kc. to 224 kc. These frequencies are capable of much greater coverage for a given amount of power than are the frequencies in the regular broadcast band, particularly in countries in the temperate and northern zones, and are highly prized by those countries which have obtained their use. The prevailing voice which Army and Navy officials have heretofore regularly had in the councils of the United States were chiefly responsible for preventing North America and countries elsewhere in the world from gaining similar privileges for broadcasting.

Between 1927 and 1932 the increased needs of broadcasting in Europe led to rather widespread disregard of the limitations of the Washington Regulations, so that by the time the Madrid Conference convened there was an urgent demand for a larger allocation of lower frequencies to broadcasting. This was successful to the extent that broadcasting was given the use of the band 160 kc. to 265 kc. in Europe, Australia, and New Zealand and special concessions were made to certain countries, particularly Russia, in the band between 285 kc. and 420 kc. An attempt to obtain an extension of the broadcast band into the lower frequencies for North America was made by Canada, Cuba and Mexico and was favored by the American delegates individually, but was blocked by the United States Government Departments, principally the Army and Navy in Washington. Even the enlarged band available in Europe did not prove sufficient and there were frequent departures from the letter of the Regulations in the period following 1932. At Cairo a further enlargement of the low frequency allocations to broadcasting was urged, but unsuccessfully.

In the meantime, an extension of broadcasting into other bands of frequencies became increasingly important. The Madrid Radio Regulations had assigned certain bands of high frequencies to broadcasting, namely, 6,000-6,150 kc., 9,500-9,600 kc., 11,700-11,900 kc., 15,100-15,350 kc., 17,750-17,800 kc., 21,450-21,550 kc., and 25,600-26,600 kc. These are in the range known as "high frequencies" and, except for the two higher bands, are useful for communication over tremendous distances. They are not useful for communication to the particular area in which the transmitter is located since they exhibit a phenomenon known as "skip-distance," which renders the signal imperceptible or unintelligible over an intervening area varying in width. This type of frequency is used in international broadcasting, a service that is now familiar to all owners of short wave (high frequency) sets.

During the period following 1932 these bands became deplorably insufficient to accommodate the many new stations established and operated in increasing numbers all over the world. Because of the distant range of these frequencies, generally speaking, only one station may operate at a time on any one of them anywhere in the world. Their use cannot be safely crowded together more closely than on a separation of 10 kc. and even that is a considerable compromise with good reception, particularly in the higher frequencies. There were two factors making for their increased use. One factor was the pressure for use in international broadcasting, that is, the attempt by a station in one country to reach listeners in other countries, particularly those in other continents. Another factor was pressure for use of these same frequencies in tropical countries where, because of the heavy natural static, frequencies in the broadcast band were not regarded as satis-

FEDERAL RADIO REGULATION—Continued

factory, the higher frequencies being much less susceptible to this sort of interference. Frequencies in the band 1,500-6,000 kc., and particularly in the upper portion of this band, would have served almost equally well to meet this second factor, but the Madrid Regulations had not made any provision for broadcasting in this band. Consequently, far too many stations crowded their way into the ether and not only filled the assigned bands beyond their capacity but trespassed and overflowed into bands assigned to other services. This was particularly true of stations in the tropical portions of Central and South America and the West Indies.

At Cairo the most important and most difficult radio problem was to meet the pressure for the allocation of new bands of frequencies to broadcasting in the range below 6,000 kc. and to enlarge the bands above 6,000 kc. In the meantime, other services were making increased demands, particularly aviation. The result reached at Cairo cannot be regarded as final or conclusive. No bands were assigned to broadcasting below 6,000 kc. (except for the band 1,500-1,600 kc.) and, while there were four enlargements of the bands above 6,000 kc. (6,000-6,200 kc., 9,500-9,700 kc., 17,750-17,850 kc., and 21,450-21,850 kc.), the enlargements are obviously not enough to meet present emergent needs of stations actually in operation throughout the world. It seems safe to prophesy that the resulting Regulations will be honored more in the breach than in the observance.

Neither the International Telecommunications Convention nor the Radio Regulations annexed thereto attempt to allocate frequencies or channels to particular countries or stations. They seem to recognize priority of service. For example, Article 35 of the Convention provides, in part, that

“all stations, regardless of their purpose, must, so far as possible, be established and operated in such a manner as not to interfere with the radio services or communications of either the other contracting governments or the private operating agencies recognized by these contracting governments or of other duly authorized operating agencies which carry on radio-communication service.”

The precise boundaries of this obligation have not been determined but, in general, it may be construed as obliging each country not to establish, or allow to be established, any new station which operates in such manner as to interfere with the service carried on by an existing station in another country.

Even this obligation is of no avail against countries which have not ratified the Convention, and little or no regard has been had for it by some countries that have ratified, notably Mexico and Cuba.

B. THE HAVANA CONFERENCE AND THE NORTH AMERICAN REGIONAL BROADCASTING AGREEMENT

Until recently there has been, in the files of the Department of State, a North American Regional Broadcasting Agreement, signed at Havana by the United States, Canada, Mexico, Cuba, Haiti and the Dominican Republic.*

*The Agreement extends to and includes Newfoundland which, however, did not become a formal party because it does not have the status of an independent state in international law. Article VII of the Agreement provides that it “shall be open to adherence in the name of Newfoundland.”

FEDERAL RADIO REGULATION—Continued

The Agreement was submitted to the United States Senate for ratification on May 13, 1938. This is necessary before it becomes binding upon the United States and, because of a combination of political factors in which the Agreement seems to have become enmeshed and because of probable adjournment of Congress in June, it may not be acted upon for some time to come.

In order to appreciate the significance of its provisions, the accomplishments which it represents, and the importance of its eventual ratification, we must review briefly its historical background.

Until the signing of the Havana Agreement, there had never been a treaty among the North American nations covering their respective rights in use of the standard broadcast band, 550-1500 kc. There had been informal agreements between the United States and Canada which, in general, were respected by both countries, but there had been no understanding between either country and any of the others except such as is implied from the general obligations of the Madrid Convention.

Broadcasting was established earlier, and moved forward at a much more rapid pace, in the United States, than in the rest of North America, with the result that by 1923 the United States had allocated to its own stations practically every frequency then open for broadcasting. So far as Canada was concerned, this unsatisfactory state of affairs was relieved in October, 1924, when the United States Department of Commerce (then the radio licensing authority) agreed to regard six frequencies as assigned exclusively to Canada and certain other frequencies as subject to shared use in Canada. This arrangement was never reduced to writing, although later attempts were made from time to time, and particularly in 1927, to arrive at a more definite arrangement. Finally, on May 5, 1932, an informal agreement was negotiated between the two countries in the form of an exchange of letters between the Canadian Minister in Washington and the Acting Secretary of State. This agreement has been subject to varying interpretations. Without pausing to resolve some of its ambiguous features, we may say that generally it recognized Canada's right to frequencies sufficient to accommodate nine 50 kw. stations, including exclusive use of the six frequencies which it already enjoyed, the shared use of two other frequencies which had theretofore been clear channels in the United States, and to 540 kc., just below the lower limit of the broadcast band. It also recognized Canada's right to the shared use of certain other frequencies with stations of smaller power. Except in minor respects, the provisions of this informal agreement were faithfully adhered to by both countries and would have satisfactorily resolved all difficulties between them had it not been for developments to the south.

In Mexico and Cuba the development of radio had been tardy and by the time it had progressed to the point where stations of substantial power were contemplated, all frequencies in the broadcast band were in use in the United States and Canada. What happened, under the circumstances, was only what was to have been expected. First Mexico, and then Cuba, proceeded to establish stations of substantial power either on the same frequencies as those used by their northern neighbors or so close to them as to cause disastrous interference. A complicating factor was the inauguration of the so-called border stations in Mexico, stations operated just

FEDERAL RADIO REGULATION—Continued

across the boundary of Texas and California, and designed not to serve Mexicans, but residents of the United States. Eleven such stations are now in operation, including several of power higher than is used by any but one station in the United States. Citizens of this country who had previously been deprived of licenses to operate stations in the United States by the Federal Radio Commission because of misconduct of their stations are identified or connected with some of the more powerful of these stations.

Development in Cuba was even tardier, but no less disastrous. At the last count some 33 stations are operating in Havana alone, a city having a population comparable to that of Washington, D. C., where only four stations are permitted to operate. The Havana stations are undergoing rapid and substantial increases of power, encouraged by the Cuban Government.

In choosing the frequencies on which to operate, the Mexican and Cuban broadcasters have naturally attempted to select those on which the least interference will be caused to their own stations. They have squatted on the Canadian exclusive frequencies and, since on the whole Canada has not made very adequate use of her exclusive channels and is still using them for stations of inadequate power and efficiency, the Canadian stations have suffered widespread interference as a result. In addition, Mexican and Cuban stations have been placed on every type of channel used by stations in the United States, clear, regional and local. The recent tendency has been to place the high power stations on frequencies used by regional and local stations in the United States since the latter, having less power, will cause correspondingly less interference to the Mexican and Cuban stations. Clear channels, however, have not escaped, and several of the important 50 kw. stations in the United States have suffered, and are suffering, interference up to within a few miles of their transmitters, with the result that their large rural audiences have been partly or wholly cut off from reception.

An attempt to bring order out of the impending chaos was made at a conference held at Mexico City in the summer of 1933. It completely failed, largely because of the demands made by Mexico to accommodate its border stations. No further efforts of substantial character were made to solve the problem until 1937, with the calling of the first Havana Conference in March.

No agreement of a formal character resulted from this first Havana Conference but progress beyond all expectation was made in reaching a tentative understanding as to technical and allocation principles. It was still believed impossible, however, that a formal agreement could be negotiated.

Nevertheless, at the final Havana Conference commencing November 1, 1937, after over six weeks of continuous discussion and debate, during which a successful result seemed hopeless on many occasions, the unexpected was accomplished and the delegates emerged with an agreement actually signed by all the North American nations. Credit for this accomplishment is generally agreed to belong chiefly to the head of the American Delegation, Lt. Commdr. T. A. M. Craven, a member of the Federal Com-

FEDERAL RADIO REGULATION—Continued

munications Commission, whose tireless efforts and able diplomacy made the result possible.

The provisions of the Agreement may be summarized only briefly. We must pass over very important and extensive provisions having to do with technical engineering standards to which the countries agreed for the purpose of avoiding interference and insuring effective operation of their stations and confine ourselves to the provisions having to do with allocation of facilities between the nations.

The battle ground centered almost entirely on the allocation of clear channels, that is, channels used by stations of substantial power and cleared of objectionable interference so as to permit those stations to give service over wide areas. Generally speaking, there is no other means of affording broadcast service to small cities and towns and rural or sparsely-settled areas not in the immediate vicinity of a broadcast station.

The demands made by the several nations at the start of the Conference gave little promise or hope of a satisfactory agreement. It was apparent that at the most there were only 59 channels which could be used or called clear channels, even though the upper end of the broadcast band be extended from 1,500 to 1,600 kc. (the nations having agreed to this extension). On these 59 clear channels, approximately 105 full time stations had to be accommodated, many of them being of such power and at such locations that no other country in North America could use the same channel at night. For example, Mexico wanted positions for 15 stations of substantial power, 7 of which were to have power in excess of 50 kw. up to as high as 500 kw. and Canada's claim was substantially the same. At the start even Cuba asked for positions for at least 10 stations of substantial power. The United States was already using 44 of these channels and, on about 31 of them, had only one station operating at night.

The result was a compromise reached by sub-classifying clear channel stations broadly into two classes. The first, known as Class I-A, would have virtually exclusive use of a frequency at night and would be authorized to use power of 50 kw. or more. The other, Class I-B, would be subject to duplication under conditions designed to avoid interference, with power of from 10 kw. to 50 kw. Mexico was given the right to establish Class I-A stations on 6 specified frequencies, Canada on 6 and Cuba on 1. The United States was given the right to determine what use it would make of 32 frequencies and its right to assign Class I-A stations to at least 25 of them was expressly recognized. The remaining "clear channels" were assigned for use by Class I-B stations, each in two or more of the countries.

Of the remaining channels, 41 were designed as regional channels, to be used by stations with a maximum power of 5 kw., and 6 as local channels, to be used by stations with a maximum power of 250 watts. The right of each country to use any of these regional and local channels was recognized, so long as certain distance separations and other precautions to avoid interference are observed. The numbers of these two classes of channels correspond, in general, with what has already been in effect in the United States since the Federal Radio Commission's allocation of November 11, 1928, with minor modifications which may be passed over.

To accommodate the Class I-A stations which the other countries are

FEDERAL RADIO REGULATION—Continued

given the right to establish, necessitated certain adjustments in the existing allocation in the United States. Wherever a channel is assigned to use by a Class I-A station in Mexico, for example, all stations now using frequencies above that channel are to be required to shift frequency by a corresponding amount of 10 kc. The net effect of the agreement is that all existing stations in the United States, beginning with the stations on 740 kc., must shift their frequencies upward 10, 20 or 30 kc., depending on their position in the band. There are a few instances of shifts as much as 40 kc. In general, however, the burden of bearing the sacrifice necessary to make the agreement successful was distributed as evenly as humanly possible over the broadcasting industry in the United States, including clear channel, regional and local stations. The only stations escaping any shift under the Treaty are the regional stations now assigned to the frequencies from 550 to 630 kc. and the clear channel stations assigned to frequencies from 640 kc. to 720 kc. In return for the comparatively slight sacrifice involved, all stations are to be freed of the menace of interference from stations in other countries. What is even more remarkable is that the Mexican border station problem completely disappears since the locations of Mexico's clear channel stations are all specified.

To be valid, the Agreement must be ratified by Canada, Cuba, Mexico and the United States (although there is provision for the situation arising if three of them ratify and the fourth signifies its readiness to do so). The Agreement does not become effective until one year after it has been ratified by the fourth of these governments. Cuba ratified shortly after the signing of the Agreement. Under Mexico's Constitution, it cannot ratify until December, 1938, or later. There is every indication that Canada will ratify. Unfortunately, in the United States the Agreement is meeting with a number of obstacles, due chiefly to a misconception of its provisions. It is being said that the Agreement calls upon or permits the United States to establish at least 25 stations with power of 50 kw. or more. This is inexact. Without the Agreement there is no limit whatsoever to the number or power of the stations which the United States may establish on *any* of the channels which it is now using. The Treaty does not grant a *privilege* in this respect; it imposes a *limitation*. It recognizes that the United States may establish stations of power of 50 kw. or more on at least 25 of 32 specified frequencies. Most of these frequencies are already used by stations of 50 kw. in the United States and one by a station of 500 kw. The United States remains perfectly free, as it already is, to increase or reduce the power of these stations; there is no obligation under the Agreement which restricts its action in this respect. Until May 13 the Department of State withheld submission of the Agreement to the Senate for reasons that have not been made public.

Other important agreements were negotiated at Havana, one of them being a Treaty between all the American nations on certain general aspects of communications and another being an administrative agreement bearing on technical radio matters other than broadcasting. Probably the most interesting feature from the point of view of broadcasting is that under the Treaty the Western Hemisphere is divided into three zones for the purpose of regional agreements on such matters as broadcast

FEDERAL RADIO REGULATION—Continued

allocation. The Northern Zone extends to the southern boundary of Mexico and includes Haiti and the Dominican Republic. The Central Zone extends from the southern boundary of Mexico 5 degrees south latitude, cutting across Brazil and Peru. The Southern Zone includes the rest of South America south of this latitude. It was felt unnecessary and, in any event, impracticable to attempt to reach an agreement on allocation of the broadcast band between all the countries in all three zones. In general, there are no serious interference problems in use of the standard broadcast band between North America and South America, both because of the distances involved and because of the fact that South America lies almost entirely to the east of North America and therefore in entirely different time zones. The tendency in the Central Zone, which is of a tropical character, is to use higher frequencies because of static.

COPYRIGHT LAW BIBLIOGRAPHY

The following books are a bibliography published by the American Society of Composers, Authors and Publishers as an aid to participants in the Nathan Burkan Memorial Competition. The list was prepared by Herman Finkelstein, member of the New York Bar.

- BIRRELL, A.—Law and History of Copyright (1899).....G. P. Putnam's Sons
(New York)
- COPINGER—The Law of Copyright (7th Ed.—1936).....Sweet & Maxwell, Ltd.
(London)
- CURTIS, G. T.—Law of Copyright (1847)
- DE WOLF—An Outline of Copyright Law.....John W. Luce & Co.
(Boston)
- DRONE, E. S.—A Treatise on the Law of Property in Intellectual
Productions (1879).....Little, Brown & Co.
(Boston)
- FROHLICH & SCHWARTZ—The Law of Motion Pictures and the
Theatre Baker, Voorhis & Co.
(New York)
- HALE, W. B.—Copyright and Literary Property, 13 Corpus Juris.
936 (1917)..... American Law Book Co.
(New York)
- ISAACS—The Law Relating to Theatres, Music-Halls, and Other
Public Entertainments (1927).....Stevens & Sons (London)
- MacGILLIVRAY—A Treatise Upon the Law of Copyright (1902).....E. P. Dutton & Co.
(New York)
- MORGAN—Law of Literature (1875)..... (New York)
- OLDFIELD—The law of Copyright (2d Ed.).....Butterworth & Co.
(London)
- PUTNAM, G. H.—The Question of Copyright (1891).....G. P. Putnam's Sons
(New York)
- RICHARDSON—The Law of Copyright (1913).....Jordan & Sons (London)
- SCRUTTON—The Law of Copyright (1903).....Wm. Clowes & Son, Ltd.
(London)
- SHAFTER—Musical Copyright (1932).....Callaghan & Co. (Chicago)
- STRONG—Dramatic and Musical Law (3d Ed. 1909).....Era Publishing Office
(London)
- TALFOURD, T. N.—Three Speeches on Extension of Copyright (1840) .Edward Maxon (London)
- WEIL—American Copyright Law (1917).....Callaghan & Co. (Chicago)

THE "WARING CASE"

Questions of Property Rights in Phonograph Recordings of Artistic Performances Considered. Is the Use of a Phonograph Recording for Broadcast Purposes an Invasion of the Right of Privacy?

By FRANCIS GILBERT

Member of the Bar of the State of New York

Editor's Note: One of the most important legal cases, as regards intellectual properties, is the recent Fred Waring vs. WDAS litigation. In this case the orchestra leader obtained an injunction against the broadcasting company restraining the defendant from playing records of his musical renditions over the air. Three points of law were enunciated by the judges of the Pennsylvania Supreme Court: (1) the "interpretive" right of the artist; (2) the right of privacy, and (3) unfair competition.

Subsequently a great flurry of speculation has arisen in view of the vast implications of the Pennsylvania decision. In this article Francis Gilbert threads through these implications and comments on the decision.

Possibly the reader would do well to read the last chapter of Mr. Gilbert's article first. It is to be emphatically impressed on the reader that this writing holds no brief for any parties interested in the fray. It is solely intended by the author and by the VARIETY RADIO DIRECTORY as a survey of the terrain and an analysis of the points of law involved.

FRANCIS GILBERT is a member of the Bar of the State of New York and a principal in the law firm of Gilbert & Gilbert. Over a period of years he has been in intimate contact with all legal phases of intellectual property and has figured prominently in numerous court cases in this domain. He is the author of "Copyright: A Panorama of the Law" (VARIETY RADIO DIRECTORY, Vol. I, pages 304-314).

All human institutions are subject to growth, change and decay. This is particularly true of the complicated structure of laws, regulations and ordinances which govern and control every action of our daily lives. Since the dawn of history an incessant war has been waged for the better protection of those who labor with their minds rather than with their hands. One of the great battles in this war is now being waged. In a general way the combatants may be described as:

- (1) The proprietors of copyrights affecting musical compositions;
- (2) The manufacturers of phonograph records, upon which copyrighted compositions are recorded, and by means of which they may be reproduced;
- (3) The artists who are engaged to perform the copyrighted musical compositions for the purpose of making the phonograph records; and finally
- (4) The broadcasting companies and stations which find it convenient to use the phonograph records in giving public performances for profit of the musical works recorded thereon.

Although the copyright proprietors, the manufacturers of phonograph records and the interpretive artists are not allies waging the war for their common benefit against the broadcasters, nonetheless they each have the same objective, namely, to establish a property right in the phonograph recording which may be

THE WARING CASE—Continued

enforced against the purchaser of such recording (the broadcasting station) by preventing the use of such recording for the purpose of a public performance for profit.

The first skirmish in what would appear to be a long drawn out war has been fought. This skirmish took the form of a litigation instituted by Fred Waring, the nationally known musical director, against WDAS Broadcasting Station, Inc. The action was commenced in the courts of Pennsylvania, and in October of last year the Supreme Court of the State of Pennsylvania (the court of last appeal) rendered its decision in favor of Mr. Waring.

The novelty of the doctrine announced by this decision has aroused considerable interest, not only among those who are directly affected, but also among all students of the law. Particularly in the broadcasting field has this decision been productive of much discussion. It accordingly justifies a careful examination of the philosophy and reasoning thereof.

Facts in the Waring Case

The facts of the case were simple. The plaintiff, Fred Waring, was the owner of substantially all of the shares of the stock of a corporation known as Fred Waring's Pennsylvanians, Inc., through the medium of which he commercialized the performances of his orchestra. Pursuant to contract with the Victor Talking Machine Company, the orchestra made phonograph records of two songs. These songs were protected by United States copyrights, and the copyright proprietors had licensed the manufacture by the Victor Talking Machine Company of said phonograph records. Before Mr. Waring consented to the performance by his orchestra essential to the recording, he agreed with the phonograph company that a label should be placed upon the records reading "Not licensed for radio broadcast." The records thus made and bearing such label were sold in the ordinary course of business, and one of such records was purchased by the defendant broadcasting station. The broadcasting station had been licensed by the American Society of Composers, Authors and Publishers to give public performances of the songs thus recorded. The defendant broadcasting station used one of the said records as part of its sustaining program. The playing of the record was accompanied by the customary announcement over the radio that the performance was given by means of a mechanical reproduction of the orchestra's rendition. The questions involved in the action were stated by the Court as follows:

1. Have performers—in this case an orchestra—any enforceable property rights in their artistic interpretation of the work of a composer?
2. If so, to what extent can such rights be reserved at the time of, what the law designates as, "publication"?
3. As ancillary to such rights, under what circumstances can performers be afforded equitable relief on the ground of unfair competition?

Decision in the Waring Case

Three judges heard the case. Judge Stern, who wrote the principal opinion for the Court, answered the three questions in favor of Mr. Waring's contentions. In other words, he held that the interpretive artist had an enforceable property right in his artistic interpretation of the work of a composer; that such right with respect to a phonograph recording can be reserved by affixing a label

THE WARING CASE—Continued

to the phonograph record stating "Not licensed for radio broadcast." He also held that the interpretive artist is entitled to an injunction restraining a broadcasting station from using a phonograph recording of the artist's performance upon the ground that such use was a form of unfair competition.

Judge Maxey, who wrote a separate opinion, expressed emphatic disagreement with Judge Stern's reasoning, but stated that he would vote to support Judge Stern's conclusion, that the artist was entitled to the Court's injunction restraining the use of the record by the broadcasting station.

Judge Maxey insisted, however, that the principles of law discussed by Judge Stern in arriving at his conclusion had no application to the facts. He contended that the only principle of law that could be applied to the situation was the so-called "right of privacy."

The purpose of this article is an attempt to present not only a close-up view of the first skirmish, which calls for a detailed study of the reasoning employed by both Justices Stern and Maxey, but also to present a panoramic view of the larger war area.

At the outset it is to be noted that both Judges agree that neither the copyright law nor any statute law of either the United States or of the State of Pennsylvania has any application to the dispute. In referring to the copyright law, Judge Stern states that this law does not recognize any right of a performing artist "in his interpretive rendition of a musical composition or in the acting of a play composed by another." He therefore has recourse to the common law in his endeavor to find a principle of jurisprudence which might be applied for protecting the plaintiff's claim of property right.

Before presenting our analysis of the opinions, it is well to consider the territorial area in which the court's opinion is effective.

Territorial Area of the Common Law

The highest court of each state has the exclusive power to declare the common law of that state. Therefore, although the Supreme Court of Pennsylvania may have found that Mr. Waring was entitled to protection under the common law of the State of Pennsylvania, it does not necessarily follow that the courts of other states will arrive at the same decision. While, to be sure, a decision of the highest court of one state is considered with great respect by the courts of a sister state, nevertheless, there is no compulsion so to do. As a matter of fact, there is hardly a question of law concerning which a sharp division of opinion does not exist, with the courts of one group of states taking one view and the courts of another group of states taking another view.

Indeed, at the time this article is in preparation, cases involving the same questions are awaiting the consideration of the courts of the State of New York, and speculation is rife as to whether or not the courts of New York will follow the decision of the Pennsylvania Court.

Finally, it is to be remembered that not all of the states have incorporated into their basic law the common law of England. Some of the states, namely those which, prior to their entrance into the Union were not subject to the laws of England, do not follow the common law; as for example, the States of Louisiana, Florida and Texas, whose jurisprudence was founded upon and derived from a system entirely different from that of the original thirteen states.

The courts of such states may or may not follow the lead of Pennsylvania, but if they do, they will have to justify their conclusions by reasoning entirely different from that heretofore employed.

Conflicting Opinions on Interpretive Rights

The first of Judge Stern's legal conclusions is, that by the common law the interpretive artist is a creator and, by reason thereof, he is entitled to the protection of the law with respect to that which he created. He states:

"A musical composition in itself is an incomplete work; the written page evidences only one of the creative acts which are necessary for its enjoyment; it is the performer who must consummate the work by transforming it into sound. If, in so doing, he contributes by his interpretation *something of novel, intellectual or artistic value*, he has undoubtedly participated in the creation of a product in which he is entitled to a right of property, which in no way overlaps or duplicates that of the author in the musical composition."

Judge Maxey emphatically disagrees. He states:

"The majority opinion's purport is that plaintiff's interpretation of musical compositions constitutes 'a product of such novel and artistic creation as to invest him with property right therein' and that since 'ordinary musicians' do 'nothing more than render articulate the silent composition of the author' they do not have a property right in their interpretations and therefore would not be entitled to such relief as the plaintiff herein sought."

He continues:

"I do not agree that a plaintiff's right to such protection in a court of equity depends on whether his production constitutes 'a novel and artistic creation' which 'elevates interpretations to the realm of independent works of art.'"

In substance, Judge Maxey states that if a property right is to be given to the interpretation of a musical composition, then the property right should be given irrespective of the quality or artistic value of the interpretation; or rather he contends that if a property right cannot be recognized in a commonplace interpretation, it cannot be recognized in one no matter how great its artistic value.

We repeat Judge Stern's statement:

"A musical composition in itself is an incomplete work; the written page evidences only one of the creative acts which are necessary for its enjoyment; it is the performer who must consummate the work by transforming it into sound."

Authors and composers will certainly express affirmative objection to this statement. Can it be said that the immortal works of Brahms, Beethoven, Mozart and Wagner are all incomplete and require the addition of the artistry of an orchestra leader before such works can be considered an entirety? We make this observation not by way of gentle irony, but because the decision in this case will necessarily open up a vast field of litigation and it is essential in considering the enunciation of a new principle of law to take into account the effect which will necessarily follow.

Speculative Implications of the Decision

If Judge Stern is correct in his statement that a musical composition is incomplete until it is transformed into sound by the interpretive artist, would it not necessarily follow that the same principle must apply to the case of a book or a play or a poem. Many people cannot enjoy or fully comprehend the impli-

THE WARING CASE—Continued

cations intended by the author of a play, by reading the play—they must see and hear it performed on the stage. The same is true, possibly to a lesser extent, with respect to books and poems. Psychologists tell us that many people find it difficult to fully comprehend the written page. This is particularly true of young people to whom stories must be read. It is also true of many adults who read aloud for their own edification and for their better understanding. In other words, their minds function better through the sense of hearing than through the sense of sight.

Is the Court then prepared to hold as matter of law that in every instance where it is necessary, or convenient, or advantageous, to transform the written page into sound, that the one who does so is entitled to a property right in his rendition?

Moreover, it must be remembered that many of our competent musicians can read a musical score with the same facility as the ordinary person can read the written page. The competent musician does not require a musical composition to be played by an interpretive artist in order to “hear it.” He hears it with the aid of his mental processes, similar to those employed when he reads a book or a play.

While the reaction of a court to a given state of facts is always a subject concerning which it is dangerous to speculate, nevertheless, we feel justified in expressing doubt that the courts of any other state will accept the foregoing statement of Judge Stern.

Unfair Competition Point

The next important point made by Judge Stern is with respect to the application of the principle of unfair competition to the facts as presented to him. He states:

“It remains to point out an additional ground upon which defendant may rely for the protection of such rights against invasion and abuse by defendant, namely, that of ‘unfair competition.’”

Judge Stern cites as the principal support for his argument the decision of the United States Supreme Court in *Associated Press vs. International News Service*, 248 U. S. 215. As to this statement, Judge Maxey expresses emphatic dissent. He states:

“I do not accept the reasoning of the majority opinion on the subject of ‘unfair competition’ and I do not think the case at bar is ruled by the cited case of *International News Service vs. The Associated Press*.”

Judge Maxey presented a careful analysis of the decision in the Associated Press case and pointed out that the respective parties in that case were “competitors in business,” while in this case the plaintiff was described as an “orchestra conductor” and the defendant was described as the “owner of a radio station.” Judge Maxey emphasizes that the essential element in unfair competition was deception, and that there was no element of deception presented in the case. He states:

“One can conceive of a situation where a broadcaster of phonograph disks might conduct his business in such a manner that there would be either an express or implied representation to the public that it was listening to a broadcast not of a disk but of the talent which made the disk, and thus

THE WARING CASE—Continued

be guilty of unfair competition, but the record before us does not in its present state present any such case.”

“Right of Privacy”

Finally, Judge Maxey having disagreed with Judge Stern on the two fundamental principles urged by him, offers his own solution to the problem. Judge Maxey states:

“I think plaintiff’s right which was invaded by the defendant was his right to privacy and this is a broader right than a mere right of property. A man may object to *any* invasion of his right to privacy or to an *unlimited* invasion of that right. He may choose to render interpretations to an audience of one person in a private home or to an audience in a great amphitheatre.* * *

“It requires but little argument to show that since a man has a right to withhold from *all dissemination*, his thoughts, sentiments and emotions, no matter what their media of expression, he has a right to restrict or limit this dissemination.”

He considers the action of the broadcaster in using the phonograph recording of an artist without the artist’s consent, to be a form of “eavesdropping” or a form of illicit tapping of telephone wires for the purpose of “listening in.” By applying the rules of the common law which condemn such invasions of the privacy of the individual, he approves of the granting of the injunction for the protection of Mr. Waring, because his right of privacy has been invaded.

To the layman there can be no comparison between the act of the eavesdropper or one who taps a telephone wire, and the action of a broadcasting station which attempts to publicly use a phonograph record which it has purchased. How the right of privacy can be found to exist with respect to an article which is publicly offered for sale, presents a problem rather difficult for the layman and for most lawyers to comprehend. In any event, however, it appears that Judge Maxey’s opinion was not accepted by Judge Stern or by Judge Linn, the third member of the Court. They refused to accept his reasoning just as Judge Maxey refused to accept theirs.

In the face of this conflict of opinion, it would not be surprising, to say the least, to find that the courts of other states decline to accept either line of reasoning.

The attitude which the Court of Appeals of the State of New York took in a similar, though not identical, situation may indicate the probability of its attitude if the situation now under discussion is presented to it.

The Robinson Case

Thirty-five years ago, the Court of Appeals of the State of New York was called upon to consider the complaint of a young lady whose photograph had been used by a manufacturer of flour by affixing copies of the photograph to the packages containing flour sold by it. Over the portrait there were printed the words “Flour of the Family.” This case is well known to lawyers as the Roberson case.

The plaintiff in that case asked that the defendant be enjoined from making, printing, publishing, circulating or using in any manner any likeness of the plaintiff in any form whatever. The plaintiff had not consented to any publication of her photograph, not even to a restricted publication, as appears to have been the case with respect to the phonograph record involved in the Waring case. The lower court sustained the plaintiff’s claim and held that the publication of

THE WARING CASE—Continued

the photograph without her consent was an invasion of her "right of privacy"—an invasion of her "right to be let alone."

Although it denied relief, nevertheless the Court of Appeals in its opinion of reversal recognized the justice of the plaintiff's claim and sympathized with the declared object of the litigation stating:

"The so-called right of privacy is, as the phrase suggests, founded upon the claim that a man has the right to pass through this world, if he wills, without having his picture published, his business enterprises discussed, his successful experiments written up for the benefit of others, or his eccentricities commented upon either in handbills, circulars, catalogs, periodicals or newspapers, and, necessarily, that the things which may not be written and published of him must not be spoken of him by his neighbors, whether the comment be favorable or otherwise."

The decision is not only one of historical importance, but is one of vital interest to lawyers and laymen alike, because of the nature of the dispute involved, the human approach of the Court to the problem, and the wisdom of the juridical philosophy announced.

After pointing out the principle of law sought to be established, the Court stated:

"If such a principle be incorporated into the body of the law through the instrumentality of a court of equity, the attempts to logically apply the principle will necessarily result, not only in a vast amount of litigation, but in litigation bordering upon the absurd, for the right of privacy, once established as a legal doctrine, cannot be confined to the restraint of the publication of a likeness but must necessarily embrace as well the publication of a word-picture, a comment upon one's looks, conduct, domestic relations or habits."

It may be said with equal force, that if the principle contended for by the interpretive artist and sustained by the Pennsylvania court be followed in all of the other states of the United States, a vast amount of litigation will follow, a substantial amount of which will be bordering upon the absurd. As Judge Maxey pointed out, if an interpretive artist is entitled to a property right in his artistic creation, then an ordinary musician is also entitled to a property in his interpretation though not artistic. Each individual in the orchestra might be entitled to a property right in his contribution to the artistic rendition of the ensemble. The most humble member of the cast of a successful motion picture production may claim to be entitled to a property right in his interpretive rendition of the part assigned to him. Illustrations are readily at hand to justify the prediction of the possibility of endless litigation resulting from such finding. And, for example, to whom would the property right belong in the case of the rendition of a violin concerto by Beethoven performed by Fritz Kreisler, as soloist, accompanied by the Philadelphia Symphony Orchestra under the direction of Leopold Stokowski?

Moreover, although it is to be noted that Justices Stern and Maxey base their arguments upon the common law, nevertheless, in neither opinion can be found any reference of any case decided by any Court declaring that the common law specifically recognized the right sought to be made the subject of the protection of the Court's injunction.

THE WARING CASE—Continued

Courts Not Legislative Bodies

In the Roberson case the Court of Appeals commented with respect to such a situation. It was recognized that in the early days of the chancery jurisdiction in England

“the chancellors were accustomed to deliver their judgments without regard to principles or procedure and in that way the process of building up the system of equity went on.”

* * *

“In their work the chancellors were guided not only by what they regarded as the eternal principles of absolute right, but also by their individual consciences.”

The Court emphasized, however, that when this period of infancy was passed, an orderly system of principles, doctrines and rules was developed and that today the courts of equity no longer follow their individual consciences, but feel bound by the rules and principles long since established. The Court stated:

“The importance of observing the spirit of this rule cannot be over-estimated, for, while justice in a given case may be worked out by a decision of the court according to the notions of right which govern the individual judge or body of judges comprising the court, the mischief which will finally result may be almost incalculable under our system which makes a decision in one case a precedent for decisions in all future cases which are akin to it in the essential facts.”

It would appear that these observations apply with equal force to every aspect of the Waring case, and accordingly, notwithstanding the sense of justice of the individual judge, the opinion of the court must be predicated not upon such individual opinions, but upon a principle of law or equity established and recognized by the law: or as the Court in the Roberson case expressed it,

“in a case like the one before us, which is concededly new to this court, it is important that the Court should have in mind the effect upon future litigation and upon the development of the law which would necessarily result from a step so far outside of the beaten paths of both common law and equity,”

We wish to emphasize that we refer to the Roberson case not only insofar as it discusses the right of privacy but for the purpose of showing the hesitancy of the courts to ingraft upon the jurisprudence of the community a new principle of law which cannot find a real and substantial foundation in the past.

The courts invariably state that the enunciation of such a new rule is within the power of the Legislature and that an aggrieved person must resort to the Legislative Department of the Government for protection and not to the Judicial Department. As the court expressed it:

“An examination of the authorities leads us to the conclusion that the so-called ‘right of privacy,’ has not as yet found an abiding place in our jurisprudence, and, as we view it, the doctrine cannot now be incorporated without doing violence to settled principles of law by which the profession and the public have long been guided.”

As a result of this decision, the Legislature of the State of New York at its next session adopted an amendment to the Civil Rights Law which thereafter

THE WARING CASE—Continued

gave to individuals the so-called "right of privacy" and provided remedies for any invasion thereof.

The situation presented by the Waring case is substantially identical with that presented by the Roberson case insofar as the discussion of legal principles is concerned. We point therefore to the possibility that the Court of Appeals of the State of New York may say with respect to the Waring case, if it ever reaches that court, what it said with respect to the Roberson case, namely:

"We do not wish to be understood as belittling the complaint. We have no reason to doubt the feeling of annoyance alleged. Indeed, we sympathize with it, and marvel at the impertinence which does not respect it. We can only say that it is one of the ills that under the law cannot be redressed."

It may be that, under the provisions of the New York State Civil Rights Act, the interpretive artist may be able to enjoin a broadcasting station from announcing his name in connection with the broadcast of a record made by him. This question, however, was not presented to the court in the Waring case.

The Approaching Conflict

Nothing but rumblings of the approaching conflict have as yet been heard from the manufacturers of the phonograph records and from the copyright proprietors of the musical works involved. In due course, the assertion of their demands will probably develop into open hostilities. All that we can do at this time is to briefly outline their respective positions.

Positions of Conflicting Parties

The phonograph record manufacturer claims that the phonograph record manufactured by him embodies a high degree of skill and labor and is a unique combination of artistic and of scientific and mechanical expertness, which makes the phonograph record of such peculiar value as to entitle the manufacturer to protection against any unauthorized use thereof. The phonograph manufacturer recognizes that his device is not protected by the copyright law, but he urges that in some of its features, it is protected by the patent law. He refers to the cases already decided by our Federal courts which hold that a phonograph record or a player piano roll may not be copied even though they are not protected by copyright. He also refers to the cases decided under the patent laws to the effect that a patented article may be burdened with a limitation as to its use which binds a purchaser of the article, irrespective of whether the purchase was made with or without knowledge of the limitation. The manufacturer of the phonograph record may urge, therefore, if he has not already done so, that he has the legal right to sell phonograph records for private use only, and that if he does so, a record thus sold may not be used by a broadcasting station for public performance for profit without his consent.

The copyright proprietor stands in the offing with his arguments all marshalled for the fray. He takes the position that no one but the creator is entitled to the protection of the law. He cites many cases which hold that so far as the Federal jurisdiction is concerned, Congress is without power to grant protection of the kind now under discussion other than to an inventor with respect to his inventions and to an author with respect to his *writings*. Congress has frequently been urged to extend the protection of the copyright law to phonograph records, but on each occasion has refused to do so pointing to the provision of the constitution which limits the power of Congress to grant protection only with respect to the *writings* of an author. The sound track on a phonograph record has never been deemed to be a writing. In fact, the United States Supreme Court refused

THE WARING CASE—Continued

to hold that the phonograph record or the player roll record is a copy of the musical work which it is designed to reproduce. The court held that phonograph records and player piano rolls

“are parts of a machine which, when duly applied and properly operated in connection with the mechanism to which they are adapted, produce musical tones in harmonious combination. But we cannot think that they are copies within the meaning of the copyright act.”

The copyright proprietor urges that the composition, is the writing, which is entitled to the protection of the law, and contends that irrespective of whatever the interpretive artist does in connection with performing the composition for recording, and irrespective of whatever the phonograph record manufacturer does in making the record, their rights if any there be, must all be subordinated to the superior rights of the copyright proprietor. The copyright proprietor also points to the copyright statute as proof of his authority to limit the use of phonograph records which serve to reproduce his recorded works. He refers particularly to Section 1 of the United States copyright act which provides for the automatic licensing of the manufacture of phonograph recordings of copyrighted works and particularly to that portion which, after providing for the royalty to be paid, states :

“The payment of the royalty provided for by this section shall free the articles or devices for which such royalty has been paid from further contribution to the copyright *except in case of public performance for profit.*”

He further points out the absurdity of the conclusion which would follow were the contentions of the interpretive artist and the phonograph record manufacturer to be sustained; because as he points out the copyrighted work can be performed by the recording artist and a record of that performance can be manufactured under the compulsory license provisions of the copyright act, without his affirmative consent. Although the interpretive artist has thus utilized the copyrighted work for his own financial profit and without the consent of the copyright proprietor, he now urges that by so doing he has acquired a property right in the recording, pursuant to which he can prevent that recording from being used for public performance even though the copyright proprietor is willing that it should be so used.

Finally, the copyright proprietor states that by reason of his copyright, he is the owner of the exclusive right to “arrange” the composition. He claims that in the popular field, the directors of the deservedly popular orchestras have each sought to create an individuality with respect to their renditions, and that this uniqueness has been accomplished in substantial part by having the copyrighted work arranged for the particular tonal effect sought to be achieved. He admits that the personality of the director does have something to do with the performance, but with respect to the performances given of the so-called popular songs he claims that the uniqueness or individuality of the performance depends in major part upon the arrangement which is an aspect of, or one of the rights comprised in the copyright, and therefore that phonograph records of such arrangements should be subject only to his control.

Conclusion

This article is not intended to indicate the writer's advocacy of one or another of the views expressed. As we have stated, the purpose of the article is to present a panorama of the conflict in the hope that all of the contending parties

THE WARING CASE—Continued

may, by a fuller appreciation of the principles of law involved, more rapidly approach a solution which will be satisfactory to all and which will be beneficial to the entire industry. History has shown that it is out of such travail that principles of law emerge which bring to future generations ever more adequate and complete protection to their creations.

It is undoubtedly because of the incentive which Congress gives to creators and inventors by means of the protection afforded by our Copyright and Patent laws that the United States is more prolific with respect to inventions and literary and musical creations than is any other country in the world. Every extension of property right and of the legal protection thereof, if based upon sound principles of law and of justice can only redound to the greater prosperity of the country; and so may it be in the present case.

V
R D

FEDERAL COMMUNICATIONS COMMISSION

COMMISSIONERS

McNINCH, FRANK R. Nominated chairman of the FCC (to fill the unexpired term of the late Anning S. Prall) August 17, 1937. **Political party:** Democrat. **Length of appointment:** to July 1, 1942. **Previously:** lawyer; member, North Carolina House of Representatives, 1905; mayor and commissioner of finance of Charlotte, N. C., 1917 to 1921; member, Federal Power Commission, 1930 to 1933; chairman, Federal Power Commission, 1933 to 1937. **Born:** April 27, 1873, in Charlotte, N. C.

CRAVEN, COMMANDER T. A. M. Became member of the FCC in August, 1937. **Political party:** Democrat. **Length of appointment:** to July 1, 1944. **Previously:** radio officer on USS Delaware, 1913 to 1915; fleet radio officer, U. S. Asiatic Fleet, 1915 to 1917; in charge U. S. Naval Coastal and Transoceanic Operations, 1917 to 1920; battleship force radio officer, 1921; fleet radio officer, U. S. Atlantic fleet, 1921 to 1922; fleet radio officer, United States fleet, 1922 to 1923; in charge of radio research and design section, Bureau of Engineering, 1923 to 1926; private consulting radio engineer, 1930 to 1935; appointed chief engineer to the FCC on Nov. 20, 1935. **Born:** Jan. 31, 1893, in Philadelphia, Pa.

PAYNE, GEORGE HENRY. Became FCC member July 11, 1934. **Political party:** Republican. **Length of appointment:** to July 1, 1943. **Previously:** exchange editor and editorial writer, *Commercial Advertiser*, 1895 to 1896; associate editor, *Criterion Magazine*, 1896 to 1899; musical and dramatic critic, *New York Evening Telegram*, 1903 to 1907; member, New York County Republican Committee, 1906 to 1907; candidate for Assembly, 1908; political writer, *New York Evening Post*, 1909 to 1912; manager literary bureau for Henry L. Stimson, Republican candidate for governor, 1910; one of the New York campaign managers during presidential campaign of Theodore Roosevelt, 1912; manager, campaign for George McAneny, president Board of Aldermen, 1913; lecturer on history and development of American journalism, Cooper Union, 1915; delegate, Republican National Convention (floor manager for General Wood) in Chicago, 1920; candidate for U. S. Senator, 1920; one-time tax commissioner,

New York City; one-time president Bronx National Bank; author, playwright. **Born:** Aug. 13, 1876, in New York City.

SYKES, JUDGE EUGENE OCTAVE. Became member of the Federal Radio Commission in March, 1927. **Political party:** Democrat. **Length of appointment:** to July 1, 1941. **Previously:** lawyer; Democratic presidential elector-at-large from Mississippi, 1904; Justice of the Supreme Court of Mississippi, 1916 to 1925 (when he voluntarily retired); resumed law practice until March, 1927, when he was named vice-chairman of the Federal Radio Commission; elected chairman of the Federal Radio Commission March, 1933, retaining this position until the FCC was created. **Born:** July 16, 1876, in Aberdeen, Miss.

BROWN, COLONEL THAD H. Became member of the Federal Radio Commission March 28, 1932. **Political party:** Republican. **Length of appointment:** to July 1, 1940. **Previously:** school teacher; admitted to law practice, 1912; served in the World War as Captain and later Major; appointed member of State Civil Service Commission of Ohio in 1920; Secretary of State of Ohio, 1923 to 1927; president Cleveland Radio Broadcasting Corp. (manager, WJAY), 1927 to 1928; chief counsel, Federal Power Commission, 1929; general counsel, Federal Radio Commission, 1929 to 1932; became Federal Radio Commission member in 1932 and vice-chairman in April, 1933; active in the American Legion in Ohio. **Born:** Jan. 10, 1887, in Lincoln Township, Morrow County, Ohio.

WALKER, PAUL ATLEE. Appointed to the FCC July 11, 1934. **Political party:** Democrat. **Length of appointment:** to July 1, 1939. **Previously:** lawyer; one time high school principal, Shawnee, Okla.; one time instructor, University of Oklahoma; counsel and commissioner of the State Corporation Commission of Oklahoma for 15 years; referee for the Supreme Court of Oklahoma, 1919 to 1921; chairman, Committee on Cooperation with the Interstate Commerce Commission in the National Association of Railroad Utilities Commissioners, 1925 to 1934. **Born:** January 11, 1881, in Washington, Pa.

F. C. C. COMMISSIONERS—Continued

CASE, NORMAN STANLEY. Appointed to the FCC in July, 1934. **Political party:** Republican. **Length of appointment:** to July 1, 1938. **Previously:** lawyer; Providence, R. I., City Council member, 1914 to 1918; General Staff Officer during World War; member of the Soldiers Bonus Board of Rhode Island, 1920 to

1922; U. S. Attorney for the District of Rhode Island, 1921 to 1926; elected lieutenant governor of Rhode Island in 1926, succeeding to the governorship in 1928 on the death of Governor Pothier; elected governor in 1928, and again in 1930. **Born:** October 11, 1888, in Providence, R. I.

F. C. C. EXECUTIVE PERSONNEL

SECRETARY

Slowie, Thomas J.

ASSISTANT SECRETARY

Reynolds, John B.

GENERAL COUNSEL

Gary, Hampson.

ASSISTANT GENERAL COUNSELS

Porter, George B. (Radio Division; applications, complaints, hearings, etc.).

Kennedy, James A. (Common Carrier Division; telephone and telegraph).

Bauer, William H. (Radio Division; research, opinions, court appeals).

CHIEF ENGINEER

Jett, Ewell K.

ASSISTANT CHIEF ENGINEERS

Ring, A. D.

Cruse, Andrew.

CHIEF EXAMINER

Arnold, Davis C.

CHIEF ACCOUNTANT

Norfleet, William J.

CHIEF, INTERNATIONAL SECTION, ENGINEERING DEPARTMENT

Gross, Gerald C.

CHIEF, FIELD SECTION, ENGINEERING DEPARTMENT

Terrell, W. D.

CHIEF, TECHNICAL INFORMATION SECTION, ENGINEERING DE- PARTMENT

Wheeler, Lynde P.

CHIEF, LICENSE BUREAU

Massing, Wm. P.

CHIEF, AUDITS AND ACCOUNTS

Corridon, L. A.

CHIEF, PRESS SECTION

Wisner, G. F.

CHIEF, DOCKET, MAIL AND FILES

Pierson, W. Theodore.

CHIEF, SUPPLIES

Cureton, Nicholas F.

CHIEF, DUPLICATING

Sheehy, Paul H.

EXAMINERS

Berry, Tyler.

Bramhall, John P.

Dalberg, Melvin H.

Hill, George H.

Hyde, Rosel H.

Irwin, Robert L.

Seward, P. W.

MEMBERS OF THE FEDERAL COMMUNICATIONS BAR ASSOCIATION

Albertson, Fred W.
Munsey Bldg.
Washington, D. C.

Arnold, Carl F.
Federal Comm. Comm.
Washington, D. C.

Ashby, Aubrey Leonard
30 Rockefeller Plaza
New York City, N. Y.

Bailey, Clyde S.
806 Earle Bldg.
Washington, D. C.

Barney, Robert C.
231 South La Salle St.
Chicago, Ill.

Bastian, Walter M.
Nat'l. Press Bldg.
Washington, D. C.

BAR ASSOCIATION—Continued

- Beattie, Edward W.**
140 West St.
New York City, N. Y.
- Bechhoefer, Bernard G.**
1126 Pioneer Bldg.
St. Paul, Minn.
- Beebe, Raymond N.**
815 Fifteenth St., N. W.
Washington, D. C.
- Beelar, Donald C.**
914 National Press Bldg.
Washington, D. C.
- Benton, John E.**
806 Earle Bldg.
Washington, D. C.
- Binder, Abraham**
60 East 42nd St.
New York City, N. Y.
- Bingham, Herbert M.**
921 Tower Bldg.
Washington, D. C.
- Blanchard, Herbert H.**
Savings Bank Block
Springfield, Vt.
- Blanton, Mathews**
604 Earle Bldg.
Washington, D. C.
- Boyd, Edwin R.**
1021 Tower Bldg.
Washington, D. C.
- Bracclen, Charles M.**
195 Broadway
New York City, N. Y.
- Bradley, Fontaine C.**
Union Trust Bldg.
Washington, D. C.
- Brady, John B.**
600 Barrister Bldg.
Washington, D. C.
- Briggs, Frankland**
540 Broad St.
Newark, N. J.
- Burr, Karl E.**
33 North High St.
Columbus, Ohio
- Busby, Jeff**
1019 Investment Bldg.
Washington, D. C.
- Bush, A. G.**
708 Kahl Bldg.
Davenport, Iowa
- Byrne, Joseph S.**
215 Montague St.
Brooklyn, N. Y.
- Caldin, Reuben**
1450 Broadway
New York City, N. Y.
- Caldwell, Louis G.**
914 National Press Bldg.
Washington, D. C.
- Callister, Reed E.**
650 South Spring St.
Los Angeles, Calif.
- Cannon, David H.**
650 South Spring St.
Los Angeles, Calif.
- Carson, Byron G.**
1010 Vermont Ave.
Washington, D. C.
- Chopnik, Max**
9 E. 46th St.
New York City
- Clary, William W.**
433 South Spring St.
Los Angeles, Calif.
- Cohen, Lester**
Colorado Bldg.
Washington, D. C.
- Colin, Ralph F.**
165 Broadway
New York City, N. Y.
- Colladay, Edw. F.**
1331 G St., N. W.
Washington, D. C.
- Cook, Arthur E.**
327 Southern Bldg.
Washington, D. C.
- Curtis, James Robert**
117 N. Fredonia St.
Longview, Texas
- Dalberg, Melvin H.**
Federal Comm. Comm.
Washington, D. C.
- Daniels, Richard D.**
603 Southern Bldg.
Washington, D. C.
- David, Alan B.**
903 National Press Bldg.
Washington, D. C.
- Davis, Herbert L.**
1118 Woodward Bldg.
Washington, D. C.
- Davis, John Morgan**
1324 Lincoln-Liberty Bldg.
Philadelphia, Pa.
- Davis, Manton**
30 Rockefeller Plaza
New York City, N. Y.
- Denslow, L. Alton**
Colorado Bldg.
Washington, D. C.
- Derlg, Will M.**
Dept. of Public Service
Olympia, Wash.
- Dill, Clarence C.**
817 Bowen Bldg.
Washington, D. C.
- Drain, Dale D.**
1422 F St., N. W.
Washington, D. C.
- Dunn, H. Arthur, Jr.**
311 California St.
San Francisco, Calif.
- Elsasser, Frederick R.**
32 Sixth Ave.
New York City, N. Y.
- Emison, John Rabb**
712 Electric Bldg.
Indianapolis, Ind.
- Faegre, J. B.**
1260 Northwestern Bank Bldg.
Minneapolis, Minn.
- Fisher, Ben S.**
501 Southern Bldg.
Washington, D. C.
- Foe, Glen H.**
712 Stuart Bldg.
Lincoln, Neb.
- Fleming, Noel W.**
32 Sixth Ave.
New York City
- Francis, John J.**
60 Park Place
Newark, N. J.
- Gardner, Addison L., Jr.**
231 South La Salle St.
Chicago, Ill.
- Geiger, Alfred L.**
1117 Natl. Press Bldg.
Washington, D. C.
- George, Arthur T.**
140 New Montgomery St.
San Francisco, Calif.
- Gerber, Gustave A.**
120 West 42nd St.
New York City, N. Y.
- Gerrity, Harry J.**
1001 Hill Bldg.
Washington, D. C.
- Goodrich, Pierre F.**
712 Electric Bldg.
Indianapolis, Ind.

BAR ASSOCIATION—Continued

Goodwin, Bernard
1501 Broadway
New York City

Gordon, Spencer
Union Trust Bldg.
Washington, D. C.

Grimshaw, Ira L.
30 Rockefeller Plaza
New York City, N. Y.

Guider, John W.
810 Colorado Bldg.
Washington, D. C.

Gum, James W.
815 Fifteenth St., N. W.
Washington, D. C.

Hanley, James H.
1201 Tower Bldg.
Washington, D. C.

Hannon, William A.
21 W. 10th St.
Kansas City, Mo.

Hanson, Elisha
729 Fifteenth St., N. W.
Washington, D. C.

Harry, Lawrence W.
2800 Terminal Tower
Cleveland, Ohio

Hausman, Albert E.
910 Wainwright Bldg.
St. Louis, Mo.

Hayden, James J.
737 Woodward Bldg.
Washington, D. C.

Hennessey, Philip J., Jr.
Translux Bldg.
Washington, D. C.

Herriott, Irving
120 S. La Salle St.
Chicago, Ill.

Hildreth, Melvin D.
716 Evans Bldg.
Washington, D. C.

Horne, Richard C.
908 G St., N. W.
Washington, D. C.

Hoshour, Harvey S.
195 Broadway
New York City, N. Y.

Hurd, George F.
52 Broadway
New York City, N. Y.

Hurt, Willson
30 Rockefeller Plaza
New York City, N. Y.

Hyde, Charles A.
602 Engineers Bldg.
Cleveland, Ohio

Hyde, H. H.
Federal Comm. Comm.
Washington, D. C.

Jacobs, Carl M.
Traction Bldg.
Cincinnati, Ohio

Jameson, Guilford S.
921 Tower Bldg.
Washington, D. C.

Jansky, Maurice M.
Munsey Bldg.
Washington, D. C.

Johnston, E. D.
Munsey Bldg.
Washington, D. C.

Joyce, Joseph G.
1103 R. A. Long Bldg.
Kansas City, Mo.

Kahn, Alexander
220 Broadway
New York City, N. Y.

Karbe, Otto F.
105 North Seventh St.
St. Louis, Mo.

Kaye, Sidney M.
165 Broadway
New York City, N. Y.

Kendall, John C.
358 U. S. Bank Bldg.
Portland, Ore.

Kendall, John W.
Earle Bldg.
Washington, D. C.

Kern, Howard L.
67 Broad St.
New York City, N. Y.

Kerr, William L.
Box 190
Pecos, Texas

Kimball, Ralph H.
60 Hudson St.
New York City, N. Y.

Kopietz, Frank M.
1326 National Bank Bldg.
Detroit, Mich.

Kremer, J. Bruce
921 Tower Bldg.
Washington, D. C.

Krizek, Joseph F.
722 North Broadway
Milwaukee, Wis.

Kurtz, Alvin A.
460 North Commercial St.
Salem, Ore.

Ladner, Henry
30 Rockefeller Plaza
New York City, N. Y.

Lamb, William H.
1835 Arch St.
Philadelphia, Pa.

Landa, Alfons B.
815 15th St., N. W.
Washington, D. C.

Landon, S. Whitney
195 Broadway
New York City, N. Y.

Law, George Stewart
Union Bank Bldg.
Pittsburgh, Pa.

Leahy, William E.
Investment Bldg.
Washington, D. C.

LeRoy, Howard S.
412 Colorado Bldg.
Washington, D. C.

Leuschner, Frederick
6253 Hollywood Blvd.
Los Angeles, Calif.

Levinson, Louis
1622 Chestnut St.
Philadelphia, Pa.

Levy, Isaac D.
1622 Chestnut St.
Philadelphia, Pa.

Littlepage, John M.
Bowen Bldg.
Washington, D. C.

Littlepage, Thomas P.
Bowen Bldg.
Washington, D. C.

Littlepage, Thomas P., Jr.
Bowen Bldg.
Washington, D. C.

Lohnes, Horace L.
Munsey Bldg.
Washington, D. C.

Loucks, Philip G.
National Press Bldg.
Washington, D. C.

Lovett, Eliot C.
729 Fifteenth St., N. W.
Washington, D. C.

McCauley, Raymond F.
2 Columbus Circle
New York City, N. Y.

BAR ASSOCIATION—Continued

- McCormick, H. L.**
 Munsey Bldg.
 Washington, D. C.
- McDonald, Joseph A.**
 Merchandise Mart
 Chicago, Ill.
- Mack, Edwin S.**
 735 N. Water St.
 Milwaukee, Wis.
- Marks, Norman L.**
 10 E. 40th St.
 New York City, N. Y.
- Martin, Paul L.**
 524 Omaha National Bank
 Bldg.
 Omaha, Neb.
- Masters, Keith**
 33 North LaSalle St.
 Chicago, Ill.
- Mather, E. Everett, Jr.**
 1835 Arch St.
 Philadelphia, Pa.
- Meyers, Milton H.**
 182 Grand St.
 Waterbury, Conn.
- Middleton, J. S.**
 1035 Pacific Bldg.
 Portland, Ore.
- Miles, Clarence W.**
 Baltimore Trust Bldg.
 Baltimore, Md.
- Miller, Henry**
 117 North Sixth St.
 Camden, N. J.
- Milligan, Jacob L.**
 617 Commerce Bldg.
 Kansas City, Mo.
- Milne, T. Baxter**
 725 Thirteenth St., N. W.
 Washington, D. C.
- Morrow, Henry B.**
 1331 G St., N. W.
 Washington, D. C.
- Mullen, Arthur F.**
 931 Tower Bldg.
 Washington, D. C.
- Myers, Robert P.**
 30 Rockefeller Plaza
 New York City, N. Y.
- Neal (Miss), Annie Perry**
 Federal Comm. Comm.
 Washington, D. C.
- Neyman (Miss), Fanny**
 Federal Comm. Comm.
 Washington, D. C.
- O'Brien, Arthur A.**
 625 Henry Bldg.
 Washington, D. C.
- O'Brien, Seymour**
 2406 Baltimore Trust Bldg.
 Baltimore, Md.
- O'Ryan, John**
 120 Broadway
 New York City, N. Y.
- Oehler, Karl F.**
 1365 Cass Ave.
 Detroit, Mich.
- Oliver, Fred N.**
 519 Investment Bldg.
 Washington, D. C.
- Patrick, Duke M.**
 810 Colorado Bldg.
 Washington, D. C.
- Peck, Herbert M.**
 500 North Broadway
 Oklahoma City, Okla.
- Perry, David R.**
 Altoona Trust Bldg.
 Altoona, Pa.
- Peycke, Tracy J.**
 Telephone Bldg.
 Omaha, Neb.
- Plock, Richard H.**
 406 Tama Bldg.
 Burlington, Ia.
- Porter, George B.**
 Federal Comm. Comm.
 Washington, D. C.
- Porter, Paul A.**
 Earle Bldg.
 Washington, D. C.
- Porter, William A.**
 Bowen Bldg.
 Washington, D. C.
- Powell, Garland**
 Radio Station WRUF
 Gainesville, Fla.
- Pratt, Elmer W.**
 1031 Tower Bldg.
 Washington, D. C.
- Price, T. Brooke**
 195 Broadway
 New York City, N. Y.
- Prime, E. Gardner**
 30 Rockefeller Plaza
 New York City, N. Y.
- Proffitt, James L.**
 1050 National Press Bldg.
 Washington, D. C.
- Pryor, J. C.**
 Union Station
 Burlington, Ia.
- Quigley, Frank**
 195 Broadway
 New York City, N. Y.
- Rainey, Garnet C.**
 650 S. Grand Ave.
 Los Angeles, Calif.
- Randall, Cuthbert P.**
 Telephone Bldg.
 Omaha, Neb.
- Randall, Frank E.**
 Telephone Bldg.
 Omaha, Neb.
- Ray, John H.**
 195 Broadway
 New York City, N. Y.
- Ream, Joseph H.**
 485 Madison Ave.
 New York City, N. Y.
- Roberson, Frank**
 920 National Press Bldg.
 Washington, D. C.
- Roberts, Glenn D.**
 1 West Main St.
 Madison, Wis.
- Rollo, Reed T.**
 National Press Bldg.
 Washington, D. C.
- Ronon, Gerald**
 1907 Packard Bldg.
 Philadelphia, Pa.
- Rosenthal, Isador Stanley**
 50 Court St.
 Brooklyn, N. Y.
- Rosenzweig, Manheim**
 2 Columbus Circle
 New York City, N. Y.
- Russell, Charles T.**
 140 West St.
 New York City, N. Y.
- Russell, Percy H., Jr.**
 914 National Press Bldg.
 Washington, D. C.
- Ryan, William**
 122 West Washington Ave.
 Madison, Wis.
- St. Clair, Orla**
 311 California St.
 San Francisco, Calif.
- Sammond, Frederic**
 First Wisconsin National
 Bank Bldg.
 Milwaukee, Wis.

BAR ASSOCIATION—Continued

- Scharfeld, Arthur W.**
750 National Press Bldg.
Washington, D. C.
- Schroeder, Arthur H.**
1030 National Press Bldg.
Washington, D. C.
- Scott, Frank D.**
215-217 Munsey Bldg.
Washington, D. C.
- Seeman, Bernard J.**
705 First Natl. Bank Bldg.
Denver, Colo.
- Segal, Paul M.**
Woodward Bldg.
Washington, D. C.
- Senneff, John A., Jr.**
Northwest Savings Bank
Bldg.
Mason City, Iowa
- Shea, George F.**
931 Tower Bldg.
Washington, D. C.
- Sherley, Swagar**
American Security Bldg.
Washington, D. C.
- Smith, Miss Elizabeth**
Federal Comm. Comm.
Washington, D. C.
- Smith, George S.**
Woodward Bldg.
Washington, D. C.
- Smith, Karl A.**
810 Colorado Bldg.
Washington, D. C.
- Smith, Milton**
931 14th St.
Denver, Colo.
- Smith, William Montgomery**
739 Shoreham Bldg.
Washington, D. C.
- Smith, William P.**
409 Metropolitan Bank Bldg.
Washington, D. C.
- Socolow, A. Walter**
580 Fifth Ave.
New York City, N. Y.
- Spearman, Paul D. P.**
903 National Press Bldg.
Washington, D. C.
- Sprague, E. Stuart**
117 Liberty St.
New York City, N. Y.
- Stevens, Richard K.**
1907 Packard Bldg.
Philadelphia, Pa.
- Stollenwerck, Frank**
National Press Bldg.
Washington, D. C.
- Sullivan, Francis C.**
Alworth Bldg.
Duluth, Minn.
- Sutton, George O.**
1030 National Press Bldg.
Washington, D. C.
- Temin, Henry**
1420 Walnut St.
Philadelphia, Pa.
- Tyler, Varro E.**
109 South Ninth St.
Nebraska City, Neb.
- Van Allen, John W.**
1008 Liberty Bank Bldg.
Buffalo, N. Y.
- Van Den Berg, George,**
Evans Bldg.
Washington, D. C.
- Van Orsdel, Ralph A.**
725 Thirteenth St., N. W.
Washington, D. C.
- Vesey, Howard W.**
914 National Press Bldg.
Washington, D. C.
- Walker, Henry B.**
Old National Bank
Evansville, Ind.
- Walker, Ralph**
Federal Comm. Comm.
Washington, D. C.
- Wallace, Howard E.**
530 Judge Bldg.
Salt Lake City, Utah
- Warner, Harry P.**
Woodward Bldg.
Washington, D. C.
- Wayland, Charles V.**
Earle Bldg.
Washington, D. C.
- Webster, Bethuel M.**
15 Broad St.
New York City, N. Y.
- Welch, Francis X.**
1038 Munsey Bldg.
Washington, D. C.
- Wharton, John H.**
67 Broad St.
New York City, N. Y.
- Whissell, George B.**
2305 Telephone Bldg.
St. Louis, Mo.
- Wiggin, Chester H.**
30 Rockefeller Plaza
New York City, N. Y.
- Willebrandt (Miss), Mabel
Walker**
739 Shoreham Bldg.
Washington, D. C.
- Williams, A. Rea**
627 Union Trust Bldg.
Washington, D. C.
- Wing, John Edwin**
72 West Adams St.
Chicago, Ill.
- Wozencraft, Frank W.**
30 Rockefeller Plaza
New York City, N. Y.
- Wright, James Warren**
Bureau of Engineering, Navy
Dept.
Washington, D. C.

REGULATIONS FOR CANADIAN BROADCASTING STATIONS

Because of the increased traffic in broadcasting between the U. S. and Canada, this set of regulations is herewith reproduced from a booklet issued by the Canadian Broadcasting Corporation to stations in Canada. These regulations have been in effect since Nov. 1, 1937. Prior to that time no such clear-cut regulations existed.

It should also be called to the attention of the reader that Item 20 of these rules may need some background explanation. Unlike the U. S. system of chain broadcasting, the

CANADIAN REGULATIONS—Continued

Canadian system does not involve contracts for wires between private stations and private telephone companies. In Canada a radio station requiring a wire for chain broadcasting gets such a wire from the Canadian Broadcasting Corp. The latter, in turn, has obtained this wire on a lease from the telephone and telegraph companies, and is thus more or less a go-between the stations and the wire companies. The CBC lease of broadcasting wires run from noon to midnight each day. Some 13,000 miles of single wire are used. In short, the CBC has control of the chain wires, which accounts for the CBC's authority to promulgate Item 20.

The attached regulations, numbered 1 to 23, were passed at a meeting of the Canadian Broadcasting Corporation held at Toronto, in the Province of Ontario, on the 8th day of September, 1937, as and for the regulations of the Canadian Broadcasting Corporation, and were made under authority of subsection one of section twenty-two of The Canadian Broadcasting Act, chapter twenty-four of the Statutes of 1936, which reads as follows:

“The Corporation may make regulations

- (a) to control the establishment and operation of chains or networks of stations in Canada;
- (b) to prescribe the periods to be reserved periodically by any private station for the broadcasting of programs of the Corporation;
- (c) to control the character of any and all programs broadcast by Corporation or private stations;
- (d) to determine the proportion of time which may be devoted to advertising in any programs broadcast by the stations of the Corporation or by private stations and to control the character of such advertising;
- (e) to prescribe the proportion of time which may be devoted to political broadcasts by the stations of the Corporation and by private stations, and to assign such time on an equitable basis to all parties and rival candidates.”

1. In these regulations, unless the context otherwise requires, Definitions

- (a) The “Act” means The Canadian Broadcasting Act, chapter twenty-four of the Statutes of 1936;
- (b) “Corporation” means the Canadian Broadcasting Corporation;
- (c) “license” means a license issued to a broadcasting station under the Radiotelegraph Act; and “licensee” means the holder of such license;
- (d) “private station” means any broadcasting station licensed to a person other than the Corporation;
- (e) “regulations” means these regulations;
- (f) “representatives of the Corporation” means the General Manager of the Corporation, the Assistant General Manager of the Corporation or persons authorized in writing by the General Manager of the Corporation;
- (g) “station” refers to stations owned or operated by the Corporation as well as by others and it may also refer to the owner or licensee of a station.

CANADIAN REGULATIONS—Continued

Scope of
Regula-
tions.

2. These regulations apply to all stations in Canada and to all matter broadcast by such stations.

Program
Log

3. (1) Each station shall maintain a program log in a form acceptable to the Corporation and shall cause entries to be made therein as follows:

- (a) date, call letters, location, frequency;
- (b) the time at which each station identification announcement is made;
- (c) the title and brief description of each program broadcast, with the time of the beginning and ending so as to give a continuous record of each day's broadcast. If a mechanical reproduction is used, that fact shall be noted, together with a statement whether or not announcement thereof was made. In the case of a talk or speech, the name of the speaker and the auspices under which the talk or speech was given shall be entered. If the speech is made by a political candidate or on behalf of a political candidate or political party, the political affiliation of the candidate or party shall also be entered;
- (d) the duration of each spot or other similar announcement and the broadcast hour during which it was transmitted;
- (e) the name of the sponsor of any program or announcement for which the station is paid.

(2) Key letters or abbreviations may be used if the explanation of each is plainly given in the log. The logs shall be produced for the inspection of the representatives of the Corporation upon the request of such representatives.

(3) Each station shall keep on file a copy of

- (a) the continuity used for any program;
- (b) all program or other announcements containing advertising matter;
- (c) the manuscript of addresses or talks.

(4) In the case of chain broadcasts these records shall be kept by the originating station.

(5) Such records shall be retained by the station for a period of one year and shall be open for inspection by representatives of the Corporation upon request of such representatives.

Time

4. The time mentioned in all program logs and contracts used in connection with broadcasting shall be local standard time (or local daylight-saving time if that is in force) unless otherwise specified or agreed.

Program
Schedules

5. Each station shall, each week, file with the Corporation in a form acceptable to the Corporation an advance copy of its program schedule for the following week, showing the exact hours and how they are to be occupied each day.

Station
Identifica-
tion

6. Each station shall announce its call letters not less than once nor more than four times an hour, during hours of operation.

- *7. No one shall broadcast
- (a) Anything contrary to law;
 - (b) the actual proceeding at any trial in a Canadian Court;
 - (c) abusive comment on any race, religion or creed;
 - (d) obscene, indecent or profane language;
 - (e) malicious, scandalous, or defamatory matter;
 - (f) advertising matter containing false or deceptive statements;
 - (g) false or misleading news;
 - (h) upon the subject of birth control;
 - (i) upon the subject of venereal disease, or other subjects relating to public health which the Corporation may from time to time designate, unless such subjects be presented in a manner and at a time approved by the General Manager as appropriate to the medium of broadcasting;
 - (j) (i) programs presenting a person who claims supernatural or psychic powers, or a fortune-teller, character analyst, crystal-gazer or the like, or programs which lead or may lead the listening public to believe that the person presented claims to possess or possesses supernatural or psychic powers or is or claims to be a fortune-teller, character analyst, crystal-gazer or the like.
 - (ii) programs in which a person answers or solves or purports to answer or solve questions or problems submitted by listeners or members of the public unless such programs prior to being broadcast shall have been approved in writing by a representative of the Corporation.

8. (1) Political broadcasts are governed by subsections (3), (4) and (5) of section 22 of The Canadian Broadcasting Act, 1936, which read as follows:

Political
Broadcasts

“(3) Dramatized political broadcasts are prohibited.

“(4) The names of the sponsor or sponsors and the political party, if any, upon whose behalf any political speech or address is broadcast shall be announced immediately preceding and immediately after such broadcasts.

“(5) Political broadcasts on any Dominion, Provincial or Municipal election day and on the two days immediately preceding any such election day are prohibited.”

(2) Each station shall allocate time for political broadcasts as fairly as possible between the different parties or candidates desiring to purchase or obtain time for such broadcasts.

9. (1) The advertising content of any program shall not exceed in time ten per cent of any program period.

Advertising
Content

* Note to Section 7. It is not the intention of the Corporation to restrict freedom of speech nor the fair presentation of controversial material. On the contrary, the policy of the Corporation is to encourage the fair presentation of controversial questions. At the same time, it should be realized that the message of broadcasting is received at the fireside in the relatively unguarded atmosphere of the home, reaching old and young alike. Certain subjects, while meriting discussion elsewhere in the public interest are not necessarily suitable for this intimate medium.

CANADIAN REGULATIONS—Continued

(2) Notwithstanding the provisions of subsection (1) any station shall upon instruction in writing from the Corporation reduce the total daily advertising content of its programs if the said total daily advertising content in the opinion of the Corporation occupies an undue proportion of the daily broadcast time.

(3) Upon notice in writing from the Corporation any station shall change the quality or nature of its advertising broadcasts.

10. Notwithstanding the provisions of these regulations the Corporation may, upon satisfactory evidence being submitted to it of a contract or contracts for the use of mechanical reproductions outstanding on November 1, 1937, which contain more than the advertising content prescribed in section 9 (1) or which relate to the subjects mentioned in section 7 (j) permit the continued use of the said mechanical reproductions until, but not beyond December 31, 1937.

Advertising programs in general

11. (1) In any program no one shall advertise

- (a) any act or thing prohibited by law ;
- (b) the prices of goods or services, except the prices of publications auxiliary to the information services of the Corporation ;
- (c) any insurance corporation not registered to do business in Canada ;
- (d) bonds, shares, or other securities or mining or oil properties or royalties or other interests in mining or oil properties other than the securities of the Dominion or Provincial governments or municipalities or other public authorities, provided nothing herein shall prevent anyone from sponsoring a program giving quotations of market prices without comment ;
- (e) spirituous liquors ;
- (f) wine and beer in any province of Canada wherein the provincial law prohibits the direct advertisement of wine and beer, nor in any other province unless immediately prior to the coming into force of these Regulations wine and beer have in fact been directly advertised in such province through the facilities of radio.

(2) Whenever wine and beer are advertised through radio facilities, the following special regulations shall apply:—

- (a) no spot announcements shall be used for the direct or indirect advertisement of wine or beer ;
- (b) all continuities in programs directly or indirectly advertising wine or beer shall, prior to their broadcast, be approved by the Corporation as to the continuity and the form, quantity and quality of the advertising content thereof.

Spot Announcements

12. (1) "Spot" announcements shall not exceed two minutes for each broadcasting hour, subject always to the provisions of subsection (2) of this regulation.

CANADIAN REGULATIONS—Continued

(2) No "spot" announcement shall be broadcast on week-days between 7:30 p.m. and 11 p.m. nor on Sundays at any time, provided that where exceptional conditions prevail owing to the geographical situation stations may be given permission by the Corporation to broadcast "spot" announcements on week-days during the hours prohibited in this section.

(3) Subsections (1) and (2) of this regulation shall not apply to time signals or weather reports, provided that no advertising other than the name of the sponsor is mentioned.

13. (1) No continuity advertising an article marketed under the Proprietary or Patent Medicine Act or the Food and Drugs Act may be broadcast until it has been approved by the Department of Pensions and National Health. Continuities submitted for approval shall be forwarded, in duplicate, to the Canadian Broadcasting Corporation, Ottawa, at least two weeks in advance of intended use. The formula for any article bearing a distinctive or trade name distinguishing it from any other product, and marketed under the Food and Drugs Act, shall be submitted with each pertinent continuity.

**Foods and
Drugs;
Proprietary
or Patent
Medicines**

(2) No electrical transcription advertising an article marketed under the Proprietary or Patent Medicine Act or the Food and Drugs Act shall be broadcast by any station unless certified by an affidavit that the advertising continuity has been approved by the Department of Pensions and National Health.

(3) No announcer may broadcast any statement concerning any article marketed under the Food and Drugs Act or the Proprietary or Patent Medicine Act that is not contained in the continuity approved by the Department of Pensions and National Health.

(4) Testimonials referring to an article marketed under the Food and Drugs Act or the Proprietary or Patent Medicine Act shall be regarded as constituting a part of the advertising continuity.

(5) No continuity recommending any treatment for any ailment shall be broadcast until it has been approved by the Department of Pensions and National Health.

(6) Inspectors of Food and Drugs, Department of Pensions and National Health, are authorized to act as representatives of the Corporation for the purpose of enforcing this regulation.

14. Stations shall not transmit any news or information of any kind published in any newspaper or obtained, collected, collated, or co-ordinated by any newspaper or association of newspapers or any news agency or service, except the following:

**News
Broadcasts**

- (a) Such news bulletins as are released regularly from the various bureaus of The Canadian Press for the express use of broadcasting stations in Canada;
- (b) Local news under arrangements to be made by each station individually with its local newspaper or newspapers, or such news as it may collect through its own employees;

CANADIAN REGULATIONS—Continued

(c) News from sources other than those provided for in subsections (a) and (b) herein, shall not be broadcast unless the express permission in writing of the Corporation through its General Manager is secured in advance.

Material to be submitted

15. Representatives of the Corporation may require the production of material to be broadcast before any broadcast is arranged to take place.

Corporation Programs

16. Time reserved for the Broadcasting of Corporation programs shall be used only for such programs unless approval to the contrary has been received in writing from the Corporation in each specific case.

Priority for Programs

17. Stations shall upon request of the Corporation give right of way to such Corporation or other programs as the Corporation shall designate. In such event neither the station nor the Corporation shall incur any liability for compensation or damages.

Re-broadcasting of programs

18. No station shall "pick up" and re-broadcast any program unless permission in writing has first been obtained from the Corporation.

Mechanical Reproductions

19. (1) No station shall use a mechanical reproduction (except when its use is merely incidental as for an identification or background) between the hours of 7:30 p.m. and 11:00 p.m. except with the previous consent of the Corporation in writing.

(2) A mechanical reproduction shall be announced as such immediately before and after the program concerned, except when its use is merely incidental as for an identification or background. The exact form of announcement is not prescribed, but the language shall be clear and in terms commonly used and understood. The following are examples of statements sufficient for the purpose:

(a) "This is a recorded program."

(b) "This is a program of electrical transcription."

(3) No program of mechanical reproductions shall contain any reference to the name of any person, firm or corporation connected with the manufacture, sale, hire or ownership of the said mechanical reproductions used in the said program.

Chain Broadcasting

*20. Unless permission in writing is first obtained from the Corporation

(a) no station shall continue to be a part or shall form a part of a chain or network originating outside of Canada;

(b) no chain or network of two or more stations shall continue to be operated within Canada or shall be set up or operated within Canada;

(c) no station shall continue to be or become an outlet for any station, chain or network existing or originating outside of Canada;

* Note: See italic foreword for further information concerning Item 20.

CANADIAN REGULATIONS—Continued

(d) no station shall continue to be or become an associate station of or with any station, chain or network existing or originating outside of Canada.

21. Every station shall file with the Corporation a copy of the forms of contract used by it and a statement of its charges. Every such contract shall expressly make the enjoyment of the privilege to broadcast conditional upon the observance of these regulations. The licensee of each station shall see that a copy of these regulations is available at the station and that the station employees and persons broadcasting are familiar with them. Station
Contracts

22. The Corporation may send a written or telegraph notice to the licensee of any station informing him of any alleged violation of these regulations and he shall have a delay of six days within which to answer in writing, giving in full his reply to the notice. The Corporation may make such investigation of the facts as it shall consider appropriate and for this purpose its representatives may examine the records and question the employees of any station. Violation
of Regula-
tions

23. These regulations shall have full force and effect as of the 1st day of November, 1937, and on and after that date all regulations inconsistent therewith shall be deemed to have been repealed. Repeal

Note: The penalty for violation of these regulations is provided for under section 22 (6) of the Act which reads:

“(6) In case of any violation or non-observance by a private station of the regulations made by the Corporation under this section, the Corporation may order that the license of such private station be suspended for a period not exceeding three months and any such order shall be forwarded to the Minister who shall forthwith communicate the same to the licensee of the station and shall take such steps as may be necessary to carry out the terms of such order.”

CANADIAN BROADCASTING CORPORATION OFFICERS:

General Manager—W. E. Gladstone Murray.....Ottawa, Ontario
Asst. General Manager—Augustin Frigon.....Keefer Building, Montreal, P. Q.
Chief Executive Asst.—Donald Manson.....Ottawa, Ontario
General Supervisor of Programs—E. L. Bushnell. 341 Church St., Toronto, Ontario
Chief Engineer—G. W. Olive.....Keefer Building, Montreal, P. Q.
Secretary—R. P. LandryOttawa, Ontario
Treasurer—Harry BaldwinOttawa, Ontario
Commercial Manager—E. A. Weir.....1 Hayter Street, Toronto, Ontario
Traffic Manager—E. W. Jackson.....1 Hayter Street, Toronto, Ontario
Supervisor of Station Relations—H. N. Stovin.....341 Church St., Toronto, Ontario
Acting Publicity Manager—F. H. Wooding.....341 Church St., Toronto, Ontario

FEDERAL TRADE COMMISSION

Functions of the Federal Trade Commission cut directly across the field of radio and radio advertising. The duties of this body are the following:

1. To prevent unfair methods of competition in interstate commerce. 2. To make investigations at the direction of the Congress, the President, the Attorney General, or upon its own initiative. 3. To report facts in regard to alleged violations of the anti-trust laws. 4. To prevent price discriminations, exclusive dealing contracts, capital stock acquisitions, and interlocking directorates in violation of the Clayton Act. 5. To prevent unfair methods of competition in export trade.

The following article describes the Commission's functions with regard to detecting false and misleading advertising (construed as unfair competition when commodities are sold in interstate commerce). This description is a condensed excerpt from the Commission's Annual Report.

(Note: If a complaint to the FTC is sustained, and violation of the law is established, a "cease and desist" order may be issued. This means exactly what the term implies. A "cease and desist" order carries no penalties as such, but a respondent to whom it is directed is required within a specified time, usually 60 days, to report in writing the manner in which the order is being obeyed. If the respondent fails to obey an order, the Commission may apply to a United States Circuit Court of Appeals for enforcement, and failure to obey the court's enforcement order may result in the respondent being held for contempt of court.)

An alternative to the Commission's formal complaint procedure in legal cases is the "stipulation procedure" which is made available in a large number of cases. It provides an opportunity for a respondent to voluntarily cease and desist from an unfair practice by signing a stipulation to that effect).

SPECIAL F. T. C. PROCEDURE IN CERTAIN TYPES OF ADVERTISING CASES

False and misleading advertising matter as published in newspapers and magazines and as broadcast over the radio is surveyed and studied by a special board set up by the Federal Trade Commission in 1929. This board, known as the Special Board of Investigation, consists of three Commission attorneys designated to conduct hearings and specialize in this class of cases.

Misrepresentation of commodities sold in interstate commerce is a type of unfair competition with which the Commission has dealt under authority of the Federal Trade Commission Act since its organization. By 1929, it had become apparent that misrepresentations embodied in false and misleading advertising in the periodical field was of such volume that it should receive specialized attention from the Commission.

Since that time the Commission, through its special board, has examined the advertising columns of newspapers and magazines, and since 1934 commercial advertising continuities broadcast by radio. It has noted any misleading representations appearing in this material, and has also received from the public complaints of false and misleading advertising. **Each representation so noted and each complaint received from the public is carefully investigated, and, where the facts warrant, and informal procedure does not result in the prompt elimination of misleading claims and representations, formal procedure is instituted.** While a number of orders have been issued requiring the respondents to cease and desist from advertising practices complained of, in a majority of cases the matters have been adjusted by means of the respondent signing a stipulation agreeing to abandon the unfair practices.

I. Radio Advertising

Beginning with September 1934, quarterly calls have been issued to individual radio stations according to their licensed power and location in the five radio zones established by the Federal Communications Commission. These returns cover specified 15-day periods.

F.T.C. PROCEDURE—Continued

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

Producers of electrical transcription recordings submit regular weekly and monthly returns of type copies of the commercial portions of all recordings manufactured by them for radio broadcast. As the actual broadcast of a commercial recording is not always known to the manufacturer of a commodity being advertised, the Commission's knowledge of current transcription programs is supplemented by special reports from individual stations from time to time, listing the programs of recorded transcriptions with essential data as to the names of the advertisers, and the articles sponsored.

The combined material received from the individual stations for specified periods, from the weekly returns on regional and national network broadcasts, and from the special transcription reports, furnishes the Commission with representative and specific data on the character of radio advertising which has proven of great value in its efforts to curb false and misleading trade representations.

During the fiscal year of 1936, the special board received copies of 299,334 commercial broadcasts by individual radio stations and 38,109 commercial broadcasts by networks, or chain originating key stations. The broadcasts from the independent stations averaged 1½ pages each and from the networks 10 pages each.

The special board and its staff read and marked about 947,000 pages of typewritten copies during the year, an average of 3,105 pages every working day. Of these, 19,572 commercial broadcasts were marked as containing representations that appeared to be false or misleading. These broadcasts were assembled in 1,314 prospective cases for further review and procedure in instances that appeared to require it.

In its examination of advertising, the Commission's purpose is to prevent false and misleading representations. It does not undertake to dictate what an advertiser shall say, but rather indicates what he may not say. Jurisdiction is limited to cases which have a public interest as distinguished from a mere private controversy, and which involve practices held to be unfair to competitors in interstate commerce.

II. Methods of Procedure

If a periodical or radio advertisement appears on its face to be misleading, the Commission sends a questionnaire to the advertiser, requesting a sample of his product, if this is practicable, and a quantitative formula, if the product is a compound, and also requests copies of all advertisements published during the year, together with copies of all booklets, folders, circulars, form letters, and other advertising literature used. Upon receipt of this data, the claims, sample, and formula are referred to an appropriate technical agency of the Government for scientific opinion. Upon receipt of this opinion, the advertising is carefully studied, and a list of numbered excerpts made that appear to require justification or explanation. A copy of this numbered list and a copy of the opinions received are sent to the advertiser, who may then submit such evidence as he thinks may justify or explain the representations in his advertising.

An advertiser may answer by correspondence, or upon request, may confer in person with the special board.

Should the advertiser justify the representations that have been questioned, the board reports the matter to the Commission with the recommendation that the case be closed without prejudice to the right of the Commission to reopen it should it become necessary. Should he be unable to justify any material statement in his advertising which the board has reason to believe is false or misleading, the board reports the matter to the Commission with recommendation that the case be docketed, and the entire matter referred back to the board for negotiation of a stipulation or agreement to abandon the unfair representations alleged, providing the advertiser desires to dispose of the matter in that manner.

If the Commission approves such recommendations, the board then prepares a stipulation and forwards it to the advertiser for execution. If the advertiser objects to any of the provisions of the stipulation, he may negotiate further by mail or in person, and when a stipulation has been agreed to and signed by the advertiser, the matter is again reported to the Commission with recommendation that the stipulation be accepted and the case closed.

Experience has shown that the elimination of unfair methods of competition can be accomplished not only by cease and desist orders but by stipulation. Not only is the stipulation method effective and speedy, but it is also inexpensive for both the Government and the respondent.

F.T.C. PROCEDURE—Continued

III. Number of Cases Handled

During the fiscal year of 1936, the Commission, through its special board, instituted the stipulation procedure in 823 cases, negotiated 247 stipulations, and settled and closed by it various methods of procedure a total of 883 cases. The board recommended that complaints be issued in 35 cases for failure to execute stipulations and in nine cases for violating stipulations. In eight cases the board recommended that complaints be issued without giving the advertisers an opportunity to stipulate because of gross deception or danger to the public involved in the practices in which they were engaged.

In 584 cases the board recommended filing the assembled data and closing the cases without prejudice to the right of the Commission to reopen them at any time the facts warranted. A few of these cases were closed because the Post Office Department had issued fraud orders against the respondents concerned. Others were closed because the parties respondent had discontinued advertising or selling without intent to resume, and others because the advertisers were able to justify their claims.

At the beginning of the fiscal year of 1937, 344 cases were pending before the special board, and at the end of the year 284 cases were pending.

Access to Scientific Services

Effective cooperation continued throughout the year with other departments of the Government. The Commission has access to the laboratories, libraries, etc., of various agencies of the Federal Government, including the Bureau of Standards, the Public Health Service, and the Food and Drug Administration of the Department of Agriculture, to which it refers matters for scientific opinion. In addition, the Commission obtains medical and other scientific information and opinions from hospitals, clinics, and laboratories when necessary. In this manner the Commission is able to arrive at unprejudiced judgments in matters coming before it.



NETWORKS

NATIONAL CHAINS

Information on the three major networks, delivering nationwide service, is presented here via two methods:

- (1) Maps which indicate the call letters and locations of affiliated stations.*
- (2) Personnel lists, wherein the locations of branch offices are also noted.*

No effort has been made to give specific information on rate cards, hook-ups, etc. This material is so easily obtainable from the networks themselves, and so subject to change, that inclusion here might lead to confusion and even misinformation.

COLUMBIA BROADCASTING SYSTEM

*485 Madison Avenue, New York City
(Telephone number, Wickersham 2-2000)*

BOARD OF DIRECTORS

Paley, William S.	Bush, Prescott S.
Levy, Leon	Swope, Herbert Bayard
Louchheim, Jerome H.	Levy, Isaac D.
Paley, Samuel	Iglehart, J. A. W.
Paley, Jacob	Richardson, Dorsay
Colin, Ralph F.	Runyon, Mefford R.
Klauber, Edward	Kesten, Paul W.

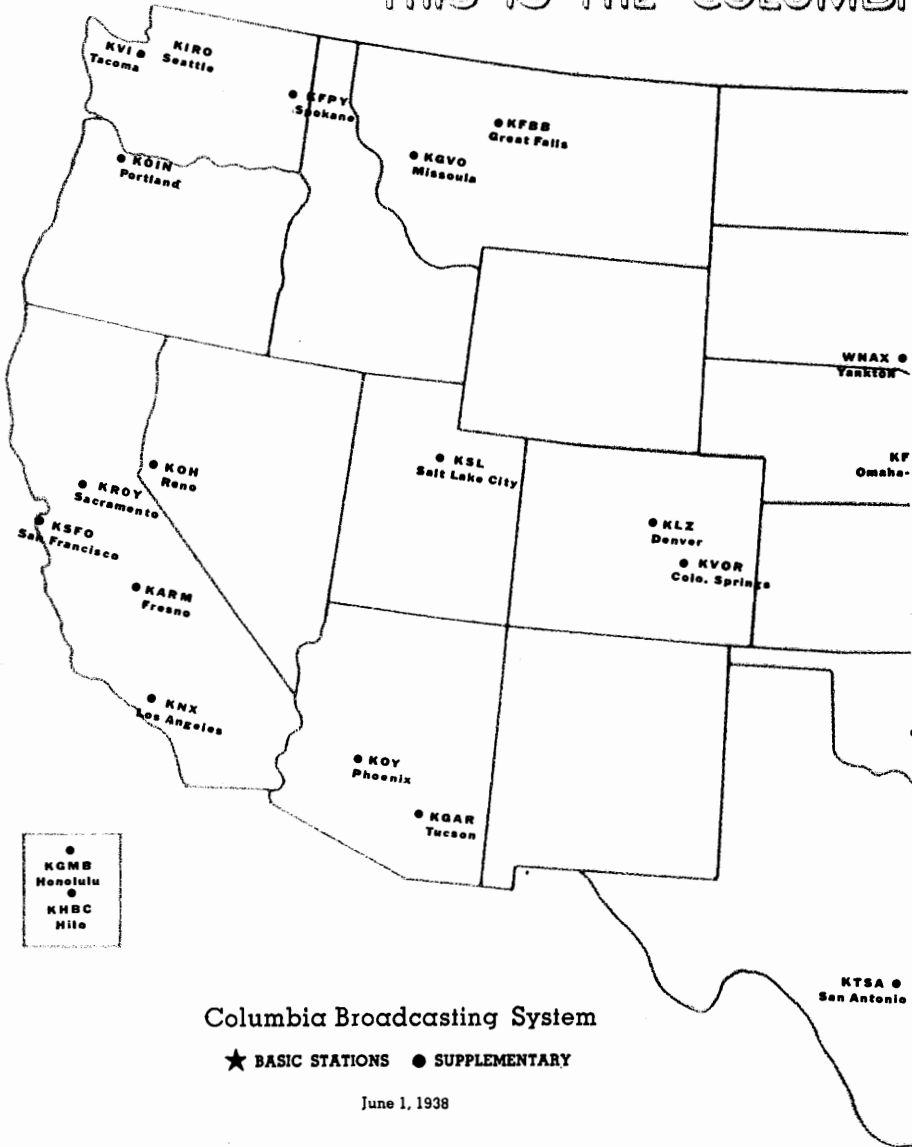
OFFICERS

Paley, William S.	President
Klauber, Edward	Executive Vice-President
Kesten, Paul W.	Vice-President (Television and Public Relations)
Runyon, M. R.	Vice-President and Director
Lowman, Lawrence W.	Vice-President in Charge of Operations
Boice, H. K.	Vice-President in Charge of Sales
Akerberg, H. V.	Vice-President in Charge of Station Relations
Pickard, Sam	Vice-President
Lewis, W. B.	Vice-President in Charge of Programs
White, Frank K.	Treasurer
Willis, F. A.	Assistant to the President
Dean, Samuel R.	Assistant Treasurer
Seward, James M.	Assistant Treasurer
Ream, Jos. H.	General Attorney
Gittinger, William C.	Sales Manager

STAFF

Ensign, William H.	Assistant Sales Manager
Prockter, B. J.	Manager of Sales Service
Ratner, Victor M.	Director of Sales Promotion Department
Karol, J. J.	Director of Research
Stanton, Frank N.	Manager of Research Division
Churchill, J. K.	Chief Statistician
Carlile, John S.	Production Manager
Gude, J. G.	Station Relations Manager

THIS IS THE COLUMBI



BROADCASTING SYSTEM

In addition to CKAC, Montreal and CFRB, Toronto, 31 stations of the Canadian Broadcasting Corporation may also be available to Columbia Network advertisers.



CBS PERSONNEL—Continued

Cowham, Hugh A. Commercial Engineer
 Cohan, Edwin King Director of General Engineering
 Chamberlain, A. B. Chief Engineer
 Goldmark, Peter G. Chief Television Engineer
 Reid, Luther Acting Director of Publicity
 McElliott, Jos. Manager of Photographic Division
 Coulter, Douglas Assistant Director of Broadcasts
 Maulsby, Gerald Assistant Director of Program Operations
 Wylie, Max Director of Script Division
 White, Paul W. Director of Public Events and Special Features
 Taylor, Davidson Director of Music Division
 Schimek, Jan Director of Copyright Division
 Mattfeld, Julius Music Librarian
 Fisher, Sterling Director of Radio Talks
 Hole, Leonard H. Manager of Program Service
 Hess, Harriet Manager of Typing Division
 Law, Agnes Manager of Program Reference File
 Rosenthal, H. I. Manager Columbia Artists, Inc.
 Pierson, Walter R. Manager of Sound Effects Division
 Gray, Gilson B. Commercial Editor
 Burgess, Jos. H., Jr. Personnel Manager
 Bryant, Albert H. Manager of Mail and Files
 Forsander, John E. Purchasing Agent
 Boydston, C. C. Chief Accountant
 Padgett, Arthur S. Chief Auditor
 Smith, J. Kelly Manager of Radio Sales
 Joscelyn, A. E. Eastern Sales Manager Radio Sales
 Becker, I. S. Business Manager of Columbia Artists, Inc.
 McAllister, G. Stanley Manager of Construction and Building Operations
 Grossman, Henry Eastern Division Operations Engineer
 Seldes, Gilbert Director Television Programs
 Tucker, Elizabeth Director Short Wave Programs
 Burke, James Assistant to Vice-President in Charge of Programs
 Fox, John Promotion Production Manager
 Tyler, James S. Director Trade News Division

CHICAGO PERSONNEL

Atlass, H. Leslie Vice-President in Charge of Western Territory
 Van Volkenburg, J. L. Assistant to Mr. Atlass
 King, J. J. Assistant to Mr. Atlass
 Erikson, L. F. Western Sales Manager
 Smith, Harry Mason Chicago Sales Manager
 Rand, Frank Publicity Manager
 Wilson, Paul S. Western Manager Radio Sales
 Falknor, Frank B. Chief Engineer
 Weaver, J. Oren News Editor
 Brown, Robert N. Program Director
 Hafter, Robert Production Manager
 Johnson, Urban Sound Effects Manager
 Grinstead, Wayde Sales Promotion Director
 McLoughlin, J. V. Accountant

WASHINGTON PERSONNEL

Butcher, Harry C. Vice-President
 Willard, A. D., Jr. Station Manager WJSV
 Murdock, Wm., D. Sales Manager WJSV
 Hunt, Clyde Chief Engineer
 Crow, Harry R. Accountant
 Long, Frederick A. Program Director

CBS PERSONNEL—Continued

Gillis, Ann..... Publicity Director
Porter, Paul A..... Attorney

CINCINNATI PERSONNEL

Schuddt, William A., Jr..... Manager of Station WKRC
Dieringer, Frank..... Chief Engineer
Lyons, Ruth Reeves..... Program Director
Maloney, Margaret..... Publicity Director
Williamson, William J..... Sales Manager

CHARLOTTE PERSONNEL

Dellar, Lincoln..... Manager of Station WBT
Carpenter, Robert W..... Accountant
Beloungy, James..... Chief Engineer
Crutchfield, Chas. H..... Program Director
Penny, Royal..... Sales Manager

MINNEAPOLIS PERSONNEL

Gammons, Earl H..... Manager of Station WCCO
McCormick, John..... Assistant Manager
Brinley, Ruth M..... Accountant
McCartney, H. S..... Chief Engineer
Cavanor, Hayle C..... Program Director
Sheehan, Alvin B..... Manager of Artists Bureau
Burkland, Carl..... Sales Manager

ST. LOUIS PERSONNEL

Jones, Merle S..... Manager of Station KMOX
Tevis, G. L..... Chief Engineer
Gillingham, R. S..... Accountant
Renier, C. G..... Program Director
Hoekstra, Jerry..... Publicity Director
Church, K. W..... Sales Manager
Johnson, James S..... Sales Promotion Director

HOLLYWOOD PERSONNEL

Thornburgh, D. W..... Vice-President and Manager of KNX
Dolph, John M..... Assistant to Vice-President
Ryder, Charles D., Jr..... Accountant
Bowman, Lester..... Western Division Operations Engineer
Pringle, Nelson G..... News Editor
Vanda, Charles..... Program Director
Johnston, Russ..... Continuity Chief
Case, Fox..... Director of Special Events
Todesca, Edith S..... Production Manager
Rorke, Hal..... Publicity Manager
Witt, Harry W..... Sales Manager, Los Angeles
Jackson, Henry M..... Sales Manager, San Francisco
Buckalew, Edwin W..... Director of Sales Promotion
Cormack, Alan..... Traffic Manager

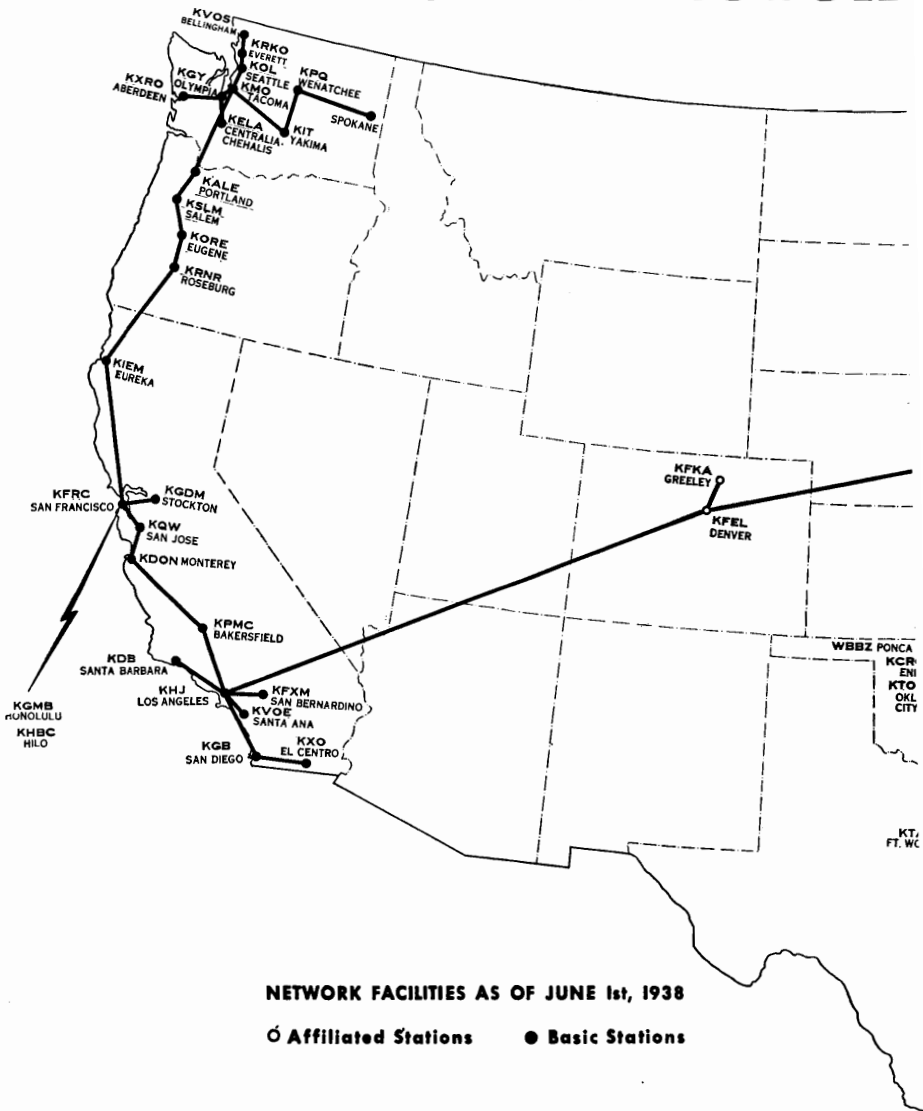
BOSTON PERSONNEL

Fellows, Harold E..... Manager of Station WEEI
Murray, John J..... Accountant
Baldwin, Philip K..... Chief Engineer
del Castillo, Lloyd G..... Production Manager and Musical Director
Whitcomb, Lewis S..... Publicity Director and Assistant Station Manager
Marks, H. Roy..... Sales Manager

DETROIT PERSONNEL

Taylor, Webster H..... Sales Manager

THIS IS THE MUTUA



CBS PERSONNEL—Continued

Carlborg, Herbert A. Manager Radio Sales

EUROPEAN PERSONNEL

Murrow, E. R. European Representative—London
Shirer, William L. Central European Representative—Vienna

MUTUAL BROADCASTING SYSTEM

*Chicago: Chicago Tribune Tower. Superior 0100
New York: 1440 Broadway. Pennsylvania 6-9602*

MUTUAL PERSONNEL

McCosker, Alfred J. Chairman of the Board
Macfarlane, W. E. President
Streibert, T. C. Vice-President
Antrim, E. M. Secretary-Treasurer
Weber, Fred. General Manager
Hult, Ade. Sales Representative
Peterson, M. H. Sales Representative
Allen, Sidney P. Sales Representative
Overall, John R. Sales Representative
Glick, Clifford H. Sales Representative
Gottlieb, Lester. Publicity Coordinator
Schmid, Robert A. Sales Promotion Manager
Poole, Andrew L. Traffic Manager
Opfinger, Adolph. Program Coordinator
Lamphiear, Miles E. Auditor
Pontius, Don. Midwestern Program Coordinator
Steele, John. London and Foreign Representative

BRANCH OFFICES

Los Angeles: Don Lee Building, Seventh and Bixel Street. Van Dyke 7117.
Boston: 21 Brookline Avenue. Commonwealth 0800.
Detroit: Union Guardian Building. Cadillac 7200.
San Francisco: 1000 Van Ness Avenue. Prospect 0100.
Cincinnati: 1329 Arlington Street. Kirby 4800.
Cleveland: 1311 Terminal Tower. Prospect 5800.
England: Underdowns, Chaldon Way, Coulsdon, Surrey.

Other Offices Are Located in Affiliated Stations Throughout the Country.

NATIONAL BROADCASTING COMPANY, INC

*30 Rockefeller Plaza, New York City
(Telephone number, Circle 7-8300)
Registered Telegraphic Address:
NATBROCAST NEW YORK*

BOARD OF DIRECTORS

Angell, James Rowland, Jr. Harden, Edward W.
Bliss, Cornelius N. Lohr, Lenox R.
Braun, Arthur E. Millhauser, DeWitt
Dawes, General Charles G. Nally, Edward J.
Dunn, Gano Sarnoff, David
Harbord, James G. Sheffield, James R.
Throckmorton, George K.

NBC PERSONNEL—Continued

OFFICERS

Sarnoff, David	Chairman of the Board
Lohr, Lenox R.	President
Ashby, A. L.	Vice-President and General Counsel
Engles, George	Vice-President
Gilman, Don E.	Vice-President
Hanson, O. B.	Vice-President
Hedges, William S.	Vice-President
Mason, Frank E.	Vice-President
Royal, John F.	Vice-President
Russell, Frank M.	Vice-President
Trammell, Niles	Vice-President
Witmer, Roy C.	Vice-President
Woods, Mark	Vice-President and Treasurer
Teichner, R. J.	Assistant Treasurer
MacConnach, Lewis	Secretary
Woods, Mark	Assistant Secretary
Pfautz, C. E.	Assistant Secretary

PRESIDENT'S OFFICE

Lohr, Lenox R.	President
Almonte, J. de Jara	Assistant to President
Angell, James Rowland	Educational Counsellor
Farrier, Clarence	Television Coordinator
Mason, Frank E.	Vice-President and Assistant to President
McGrew, Martha	Assistant to President

ARTISTS SERVICE DEPARTMENT

Engles, George	Vice-President and Managing Director
Bottorff, O. O.	Vice-President of Civic Concert Service, Inc. (subsidiary of NBC)
King, Frances Rockefeller	Manager of NBC Private Entertainment
Levine, Marks	Manager of Concert Division
Tuthill, Daniel S.	Assistant Managing Director

CONTINUITY ACCEPTANCE

MacRorie, Janet	Editor
-----------------	--------

ELECTRICAL TRANSCRIPTION DEPARTMENT

Egner, C. Lloyd	Manager
Chizzini, Frank E.	Assistant Manager
Thomas, Reginald	Program Director

ENGINEERING DEPARTMENT

Hanson, O. B.	Vice-President in Charge of Engineering
Gilcher, V. J.	Manager of Technical Services
Guy, R. F.	Radio Facilities Engineer
McElrath, George	Operating Engineer
Milne, George O.	Eastern Division Engineer
Morris, Robert M.	Development Engineer
Rackey, C. A.	Audio Facilities Engineer

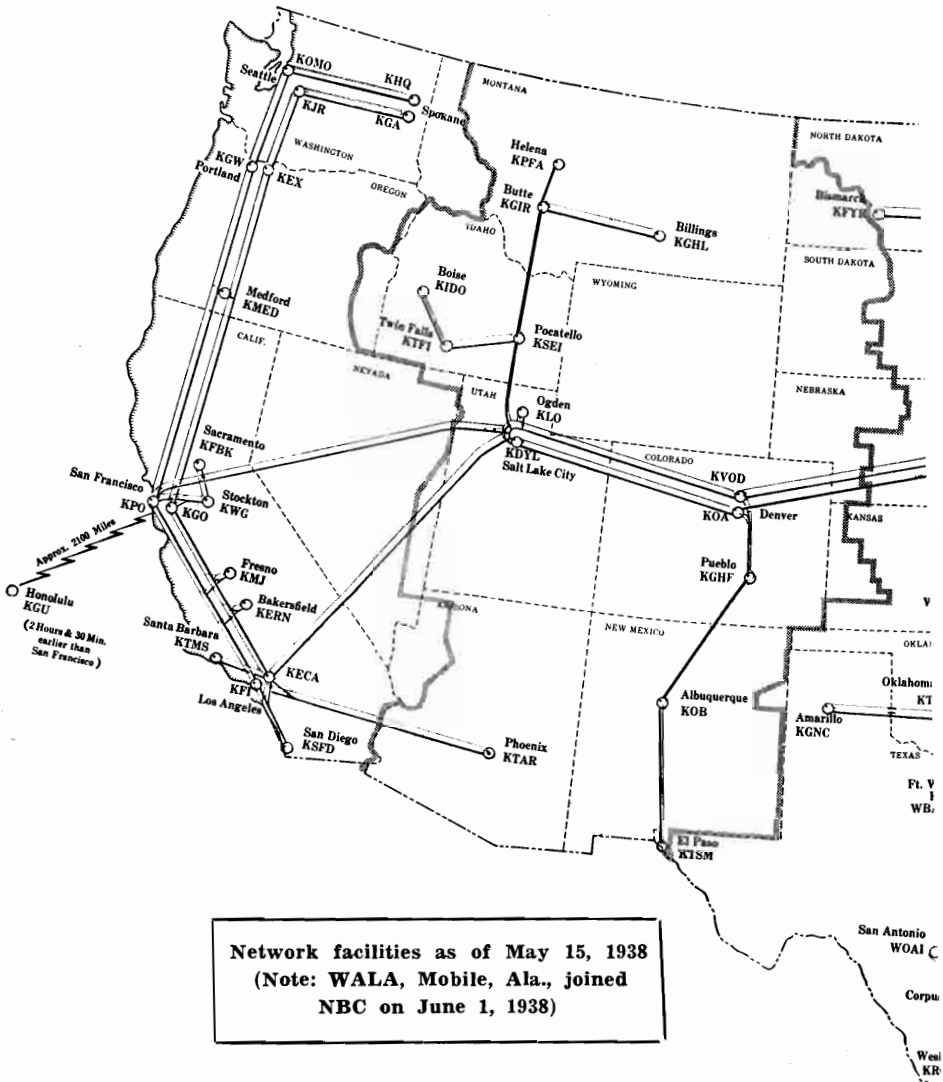
GENERAL SERVICE DEPARTMENT

Preston, Walter G., Jr.	Director of General Service
Lowell, Edward M.	Manager Office Services Division
Van Houten, D. B.	Manager, Building Maintenance Division
Thurman, Charles H.	Manager, Guest Relations Division
Wallace, Dwight G.	Personnel Manager

LEGAL DEPARTMENT

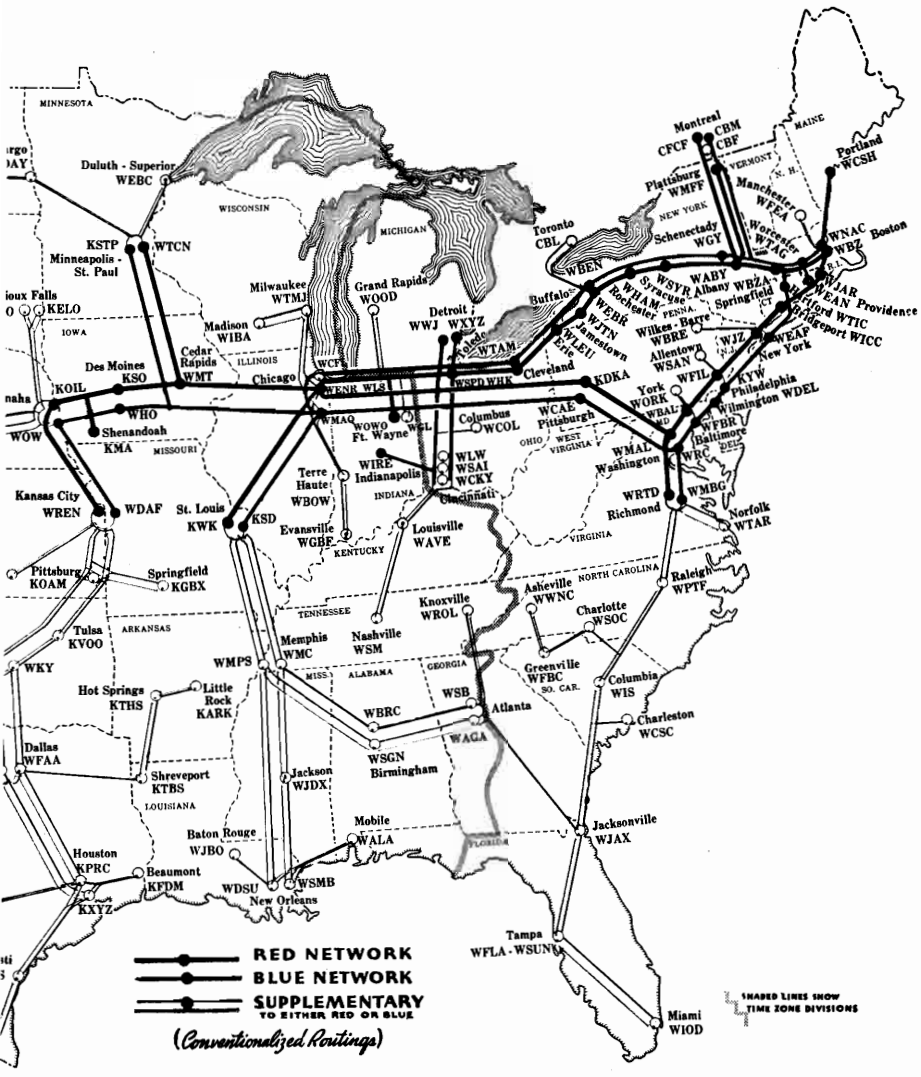
Ashby, A. L.	Vice-President and General Counsel
Grimshaw, I. L.	Attorney

This is the National



Network facilities as of May 15, 1938
 (Note: WALA, Mobile, Ala., joined
 NBC on June 1, 1938)

Broadcasting Company



NBC PERSONNEL—Continued

Hennessey, P. J., Jr. Attorney (Washington)
Ladner, Henry Attorney
Leuschner, Frederick Attorney (Hollywood)
McDonald, J. A. Attorney (Chicago)
Myers, R. P. Attorney
Prime, E. G. Attorney

OPERATED STATIONS DEPARTMENT

Morton, A. H. Manager
Wailles, Lee B. Assistant to Manager

PROGRAM DEPARTMENT

Royal, John F. Vice-President in Charge of Programs
Belviso, Thomas H. Manager, Music Division
Black, Frank General Music Director
Brainard, Bertha Manager, Commercial Program Division
Carlin, Phillips Manager, Sustaining Program Division
Cuthbert, Margaret Director, Women's and Children's Program Division
Dillon, Zale Supervisor, Sound Effects Section
Dunham, Franklin Educational Director
Fitch, C. W. Business Manager
Hutchinson, Thomas H. Manager, Television Program Division
Kelly, Patrick J. Supervisor, Announcing Division
Kelly, N. Ray Manager, Sound Effects—Development and Maintenance
La Prade, Ernest Director, Music Research
Meservey, Douglas W.
Miller, William Burke Evening Program Manager
Rainey, William S. Production Division Manager
Schechter, A. A. Head of News and Special Events
Titterton, Lewis H. Manager, Script Division

PUBLICITY DEPARTMENT

Morgan, Clay Director of Public Relations
Randall, Wayne L. Director of Publicity
Babb, J. Vance Manager, Press Division
James, E. P. H. Manager, Advertising and Sales Promotion
Braddock, Leonard W. Head of Information Division

RELATIONS WITH STATIONS DEPARTMENT

Hedges, William S. Vice-President in Charge of Station Relations
Kiggins, Keith Manager, Station Relations Division
McClancy, B. F. Manager, Traffic Division

RESEARCH AND DEVELOPMENT

Horn, C. W. Director

SALES DEPARTMENT

Witmer, Roy C. Vice-President in Charge of Sales
Boyd, Maurice M.,
 Manager, National Spot Sales Division of the Eastern Sales Department
Dyke, Ken R. Eastern Sales Manager
Greene, F. Melville Sales Traffic Manager
McConnell, James V. Assistant to Sales Vice-President
Showerman, Irving Edward Assistant Sales Manager, Eastern Division
Van der Linde, Victor General Sales Counsel

TREASURY DEPARTMENT

Woods, Mark Vice-President, Treasurer and Assistant Secretary
Beville, H. M., Jr. Chief Statistician

NBC PERSONNEL—Continued

Bloxham, William H.	Purchasing Agent
Kelly, Harold M.	Assistant Auditor
MacDonald, John H.	Budget Director
McKeon, Harry F.	Auditor
Payne, Glenn W.	Commercial Engineer
Teichner, R. J.	Assistant Treasurer
Wall, C. A.	Assistant to Treasurer

CENTRAL DIVISION—CHICAGO

Trammell, Niles. Vice-President in Charge of Central Division (WMAQ & WENR)	
Carpenter, Kenneth.	Sales Manager, Central Division
Kaney, A. W.	Assistant to Vice-President
Luttgens, Howard C.	Central Division Engineer
McDonald, J. A.	Attorney
Menser, Clarence L.	Production Manager
Ray, William B.	Manager, Press Division
Robb, Alex S.	Manager, Artists Service
Stockmar, Edward.	Traffic Supervisor
Strotz, Sidney.	Program Manager, Central Division
Whalley, John F.	Office Manager

WESTERN DIVISION—HOLLYWOOD

Gilman, Don E.	Vice-President in Charge of Western Division
Bock, Harold.	Manager of Press Relations of Western Division
Dellett, F. V.	Auditor, Western Division
DeWolf, Donald A.	Engineer in Charge
Dixon, Sydney L.	Sales Manager, Western Division
Frost, Lewis.	Assistant to Vice-President
Harshbarger, Dema Elaine.	Artists Service
Leuschner, Frederick.	Attorney
Saxton, A. H.	Western Division Engineer
Swallow, John.	Program Manager, Western Division

WESTERN DIVISION—SAN FRANCISCO

Yoder, Lloyd.	Manager, San Francisco Office (KPO & KGO)
Dolberg, Glenn.	Program Manager
Dorais, S. P.	Auditor
Gale, Paul B.	Traffic Supervisor
Peck, Curtis D.	Engineer in Charge
Samuel, Milton.	Manager of Press Division

WASHINGTON, D. C.

Russell, Frank M.	Vice-President in Charge
Berkeley, Kenneth H.	General Manager WRC and WMAL
Hennessey, P. J., Jr.	Attorney
Johnson, Albert E.	Engineer in Charge

FOREIGN REPRESENTATIVES

Bate, Fred.	England
Jordan, Max.	Switzerland

STATION MANAGERS

Berkeley, Kenneth H.	Manager, WRC and WMAL, Washington, D. C.
Hager, Kolin.	Manager, WGY, Schenectady, N. Y.
Holman, John A.	Manager, WBZ, Boston, and WBZA, Springfield, Mass.
Joy, Leslie W.	Manager, KYW, Philadelphia, Pa.
Nelson, A. E.	Manager, KDKA, Pittsburgh, Pa.
Owen, R. H.	Manager, KOA, Denver, Colo.
Pribble, Vernon H.	Manager, WTAM, Cleveland, O.



WALKER \$5.99 CASTLE DOLLAR

WALKER
CASTLE
DOLLAR



NY

REGIONAL NETWORKS

(Networks with sectional—as opposed to national—coverage)

ARIZONA NETWORK

Address: 836 N. Central Ave., Phoenix, Ariz. Stations: KOY, Phoenix; KGAR, Tucson; KSUN, Bisbee-Douglas. Operating schedule: 6:30 a.m. to 11:45 p.m. Type of lines used: Class C. Founded: Sept. 26, 1937; KSUN added Jan. 17, 1938. Base rate: \$150.

Manager: Fred A. Palmer.

Rep: International Radio Sales.

Merchandising: Offer direct mail service. Publicity: Daily schedules in daily papers; publicity to trade magazines and papers. Foreign language programs: Accept Spanish programs, one currently being broadcast from 6:30 to 7 a.m.

Copy restrictions: Accept transcriptions; no hard liquor, but accept beer and wine advertising in late evening hours; all patent medicine copy subject to approval by Pure Food and Drug.

CALIFORNIA RADIO SYSTEM

Address: McClatchy Broadcasting Co., Sacramento, Calif. Stations: KFBK, Sacramento; KFVB, Los Angeles; KYA, San Francisco; KMJ, Fresno; KWG, Stockton; KERN, Bakersfield. Operating schedule: 8 a.m. to 12 midnight. Stock: Held entirely by the McClatchy Broadcasting Co. Founded: 1936. Base rate: Basic stations—KFBK, KFVB, KYA, KMJ—\$648; optional stations—KWG, KERN—\$40.

General manager: Howard Lane.

Rep: Transamerican Broadcasting & Television Corp.

Merchandising: Arrangements may be made for any service requested. Publicity: Listings in all major newspapers of California through affiliation with the McClatchy and Hearst papers. Foreign language programs: Not accepted.

Copy restrictions: Accept transcriptions for beer, wine and patent medicines, with copy subject to approval in advance; no hard liquor advertising.

THE COLONIAL NETWORK

Address: 21 Brookline Ave., Boston, Mass. Stations: WAAB, Boston; WEAN, Providence; WICC, Bridgeport; WSAR, Fall River; WSPR, Springfield; WLBZ, Bangor; WFEA, Manchester; WTHT, Hartford; WNBH, New Bedford; WBRY, Waterbury; WLLH, Lowell and Lawrence; WLNH, Laconia; WRDO, Augusta; WNLC,

New London; WHAI, Greenfield. Operating schedule: 10 a.m. to 2 a.m. Founded: September, 1936. Base rate: Total 14 stations, \$1,660.

President: John Shepard, III. Assistant to president: Roy Harlow. Production manager: Linus Travers. Sales manager: William Warner. Public relations: Gerald Harrison. Controller: Robert Ide. Technical director: Paul deMars. Chief engineer: Irving Robinson. Editor, Colonial Network News Service: Leland Bickford. Promotional director: James Bonner. Publicity director: A. J. Stephenson.

Rep: Edward Petry & Co., Inc.

Merchandising: Following services performed on a minimum of a 13-week contract or its equivalent—contact key jobbers, wholesalers and chain store distributors of New England, informing them of new accounts; supply mailing lists for the leading retail classifications, and send out standard "radiograms" for cost of postage (special mailings at actual cost); conduct surveys on the movement of merchandise for specific accounts; arrange for distribution of sales literature by recognized distributing organizations, at cost; give auditions for advertiser's sales representatives. Publicity: Daily releases and program news to over 100 newspapers, radio stations, advertising agencies, etc., throughout New England; close personal contact is maintained with six local dailies and one local magazine; pictures and mats supplied to local papers and sent on request to outside papers; weekly programs mailed to over 260 papers, stations, agencies. Foreign language programs: Accepted, with certain restrictions.

Copy restrictions: Accept beer and wine on announcement basis; hard liquor on program basis only; patent medicine advertising accepted providing it is approved by Boston Better Business Bureau and conforms to all Pure Food and Drug Laws.

DON LEE BROADCASTING SYSTEM

Address: Don Lee Bldg., 7th and Bixel Sts., Los Angeles. Stations: (California) KHJ, Los Angeles; KGB, San Diego; KFXM, San Bernardino; KDON, Monterey; KXO, El Centro; KFRC, San Francisco; KDB, Santa Barbara; KPMC, Bakersfield; KVOE, Santa Ana; KGDM, Stockton (operates daytime only); KIEM, Eureka; KQW, San Jose; (Oregon) KRNR, Roseburg; KALE, Portland; KSLM, Salem;

REGIONAL NETWORKS—Continued

KORE, Eugene; (Washington) KMO, Tacoma; KIT, Yakima, KPQ, Wenatchee; KVOS, Bellingham; KXRO, Aberdeen; KOL, Seattle; Spokane (station to be announced); KGY, Olympia; KELA, Centralia; KRKO, Everett (operates daytime only). *Operating schedule:* 8 a.m. to 12 midnight P.S.T.* *Type of lines used:* Class A. *Founded:* 1928. *Base rate:* \$1,600.

President: Thomas Lee. *General manager:* Lewis Allen Weiss. *Assistant manager:* Willet H. Brown. *Production manager:* Theodore Bliss. *Program director:* Jack Joy. *Director special events and network operations:* Van C. Newkirk. *Continuity editor:* Z. Wayne Griffin. *Manager, Thomas Lee Artists Service:* Max Schall.

Rep: John Blair & Co.

Merchandising: Limited service offered. *Publicity:* Daily releases to 150 trade publications and newspapers; supply pictures, mats. *Foreign language programs:* Accepted at specified times.

Copy restrictions: Accept transcriptions, beer, wine, liquor and patent medicines, providing copy is truthful and conforms to standards of good taste.

INTER-CITY BROADCASTING SYSTEM

Address: 1657 Broadway, New York, N. Y. *Stations:* WMCA, New York; WIP, Philadelphia; WDEL, Wilmington; WCBM, Baltimore; WOL, Washington; WMEX, Boston; WPRO, Providence; WGAL, Lancaster, Pa.; WORK, York, Pa.; KQV, Pittsburgh, Pa.; WLAW, Lawrence, Mass. *Operating schedule:* 7:00 a.m. to 1:15 a.m. *Type of lines:* Class C. *Founded:* 1935. *Base rate:* \$1,704.

President: Donald Flamm. *Director of sales:* Bertram Lebharr, Jr.

Rep: Ray Linton, Chicago.

Merchandising: Individual stations cooperate in extending various services to advertisers. *Publicity:* Head publicity office prepares news for over 700 newspapers and trade journals in the radio and other fields, and submits stories to the publicity departments of the individual stations for local placement. *Foreign language programs:* Not accepted.

Copy restrictions: Accept beer, wine, liquor, patent medicine advertising and transcriptions; all copy subject to station approval and FCC rules and regulations.

THE IOWA NETWORK

Address: Des Moines Register and Tribune Bldg., Des Moines. *Stations:* WMT, Cedar Rapids-Waterloo; KRNT, Des Moines;

* Some individual stations have operating schedule from 6 a.m. to 1 a.m.

KSO, Des Moines. *Operating schedule:* 5:30 a.m. to 1 a.m. *Type of lines:* Class C. *Founded:* 1935. *Base rate:* \$330 (two network hookups available—WMT linked with KSO or with KRNT).

President: Gardner Cowles, Jr. *Vice-presidents:* John Cowles, Sumner Qarton. *Vice-president, treasurer:* Luther L. Hill. *Secretary:* Fred Little. *Commercial manager (KSO, KRNT):* Craig Lawrence. *Commercial manager (WMT):* William Qarton. *Program director (KSO, KRNT):* Ranny Daly. *Program director (WMT):* Douglas Grant.

Rep: The Katz Agency.

Merchandising: Feature items, pictures and program listings in the morning Register, evening Tribune and Sunday Register; cards on the rear of Des Moines streetcars; window displays in the network's reception lobbies; merchandising bulletins mailed every two weeks to leading grocers and druggists; personal calls on leading retail and wholesale grocers and druggists in Des Moines, Cedar Rapids and Waterloo. *Publicity:* See merchandising. *Foreign language programs:* No set rules; occasion has never arisen, as foreign population is very small.

Copy restrictions: No beer, wine or liquor advertising accepted; patent medicines must be approved by Iowa Network Medical Advisory Committee.

MASON-DIXON RADIO GROUP

Address: 8 W. King St., Lancaster, Pa. *Stations:* WORK, York, Pa.; WDEL, Wilmington, Del.; WGAL, Lancaster, Pa.; WAZL, Hazleton, Pa.; WEST, Easton, Pa. *Base rate:* \$360.

General manager: Clair McCollough.

Rep: Paul H. Raymer Co.

No further information available.

MICHIGAN RADIO NETWORK

Address: 300 Madison Theatre Bldg., Detroit. *Stations:* WXYZ, Detroit (key station); WELL, Battle Creek; WIBM, Jackson; WKZO, Kalamazoo; WFDF, Flint; WOOD-WASH, Grand Rapids; WBCM, Bay City; WJIM, Lansing. *Operating schedule:* 8:30 a.m. to 12:30 a.m. weekdays, 9 to 12:30 a.m. Sundays (WKZO signs off at sundown). *Type of lines:* Class A. *Founded:* Jan. 31, 1933. *Base rate:* \$600.

President: George W. Trendle. *Treasurer and general manager:* H. Allen Campbell. *Sales manager:* Arch Shawd. *Program director:* James Riddell. *Chief engineer:* Lynne C. Smeby. *Musical director:* Benny Kyte. *Advertising and sales promotion manager:* Charles C. Hicks. *Assistant to*

REGIONAL NETWORKS—Continued

general manager and production manager: Harry Sutton, Jr. *Publicity director:* Felix C. Holt.

Rep: The Paul H. Raymer Co.

Merchandising: Complete service offered to advertisers using five evening quarter-hours per week; varying amount of co-operation given advertisers using less time; all services are rendered free. *Publicity:* News releases and program schedules sent to newspapers in territory. *Foreign language programs:* Not accepted.

Copy restrictions: Accept beer and wine, but restricted in accordance with state and federal regulations, and all copy is subject to station approval. No offensive patent medicine copy, and none that tends to arouse religious, political and racial strife; all copy must conform to FCC rules and regulations.

NEW ENGLAND NETWORK

Address: c/o WELI, New Haven, Conn. *Stations:* WELI, New Haven; WNBC, New Britain; WATR, Waterbury; WSPR, Springfield; WCOP, Boston. *Base rate:* Each station sells itself separately; see individual stations' rates.

Merchandising: Local sales force co-operates with advertisers in merchandising products for small fee. *Publicity:* Sent to 20 newspapers and 6 magazines. *Foreign language programs:* Will accept.

Copy restrictions: Accept transcriptions, beer, wine and patent medicines; no hard liquor.

NORTH CENTRAL BROADCASTING SYSTEM, INC.

Address: Empire National Bank Bldg., St. Paul, Minn. *Stations:* WEBC, Duluth; WHLB, Virginia; WMFG, Hibbing; KVOX, Moorhead; WTCN, Minneapolis; KSTP, St. Paul; KATE, Albert Lea (operates daytime only); KROC, Rochester; KWNO, Winona (operates daytime only); WSAU, Wausau; WEAU, Eau Claire; KGLO, Mason City; WKBH, La Crosse; KABR, Aberdeen; KWTN, Watertown; KRMC, Jamestown; KDLR, Devils Lake. *Base rate:* \$1,538.

General manager: John W. Boler.

No further information available.

NORTHERN CALIFORNIA BROADCASTING SYSTEM

Address: 1470 Pine St., San Francisco, Calif. *Stations:* KJBS, San Francisco; KQW, San Francisco. *Operating schedule:* 8 a.m. to 12 midnight. *Founded:* 1934. *Base rate:* \$120.

General manager: Ralph R. Brunton.

Merchandising: Complete, syndicated service available to all advertisers, in-

cludes theatre trailers, spot announcements from three to seven days before start of new program, advertisements on the radio page of daily newspapers; specially prepared display cards are issued to advertisers, calling attention to programs and items featured on broadcast. *Publicity:* Releases sent to 20 daily regional newspapers and 24 trade publications and fan magazines. *Foreign language programs:* Not accepted.

Copy restrictions: Accept transcriptions for beer and wine, but no hard liquor or patent medicine accounts; all copy must be approved by production head.

THE OKLAHOMA NETWORK, INC.

Address: KTOK Bldg., 1800 W. Main, Oklahoma City. *Stations:* WBBZ, Ponca City; KCRC, Enid; KTOK, Oklahoma City; KBIX, Muskogee; KGFF, Shawnee; KADA, Ada; KVSQ, Ardmore. *Operating schedule:* 6 a.m. to 12 midnight. *Type of lines:* Class A. *Stock:* Held by the member stations. *Founded:* April 1, 1937. *Base rate:* \$420.

President: Ross U. Porter. *Vice-president:* Tams Bixby, Jr. *Treasurer:* Albert Reison. *Secretary and managing director:* Joseph W. Lee.

Rep: Joseph Hershey McGillvra.

Merchandising: Cooperate with advertisers by contacting dealers by mail and personal calls, with department to work out any reasonable ideas directly. *Publicity:* Four of the stations—KCRC, KGFF, KVSQ and KBIX—are newspaper owned, and supply publicity through their own papers; the others release news and schedules to local papers. *Foreign language programs:* No set rules; none requested to date, as foreign population is very small.

Copy restrictions: Beer advertising accepted by all stations except KADA; hard liquor prohibited by state laws; accept transcriptions.

PACIFIC NORTHWEST COVERAGE GROUP

Address: P. O. Box 1956, Butte, Mont. *Stations:* KGIR, Butte; KPFA, Helena; KXL, Portland; KRSC, Seattle; KFPY, Spokane. *Base rate:* \$164 (half-hour).

Manager: E. B. Craney.

No further information available.

QUAKER NETWORK

General sales offices: Widener Bldg., Philadelphia, Pa.; 48 West 48th St., New York, N. Y. *Stations:* WFIL, Philadelphia key station; WWSW, Pittsburgh key station, when available. (Note: Other stations also appear to be available from information sent by these stations to the VARIETY RADIO DIRECTORY).

REGIONAL NETWORKS—Continued

Rates (include all charges and apply to non-political advertisers only): One hour, before 6 p.m. weekdays, \$1,220; after 6 p.m., \$1,930; Sundays, before 12 noon, \$1,295; after 12 noon, \$2,220. Half-hour, before 6 p.m. weekdays, \$830; after 6 p.m., \$1,220; Sundays, before 12 noon, \$875; after 12 noon, \$1,400. Quarter-hour, before 6 p.m. weekdays, \$590; after 6 p.m., \$830; Sundays, before 12 noon, \$625; after 12 noon, \$950.

No further information available.

TEXAS QUALITY NETWORK

Address: c/o WFAA, Dallas. Stations: WFAA, Dallas; WBAP, Fort Worth; WOAI, San Antonio; KPRC, Houston. Operating schedule: 6 a.m. to 12 midnight. Type of lines: Class C. Founded: Sept. 10, 1934. Base rate: \$595 (half-hour).

Officers: None; network is not incorporated; each station acts as sales agent for all others.

Rep: Edward Petry & Co., Inc.

Merchandising: Separate departments are maintained by the individual stations. Publicity: Releases are sent to newspapers in Texas and adjoining states. Foreign language programs: Not accepted.

Copy restrictions: Accept beer, but no other alcoholic beverages.

VIRGINIA BROADCASTING SYSTEM, INC.

Address: East Main St., Charlottesville. Stations: WCHV, Charlottesville; WBTM, Danville; WGH, Newport News; WRNL, Petersburg; WLVA, Lynchburg. Type of lines: Class C. Founded: January, 1936. Base rate: \$300.

President: Earl Sowers. Executive vice-president: Hugh M. Curtler. Secretary-treasurer: S. C. Ondarcho.

Rep: J. J. Devine & Associates, Inc.

Merchandising: Contact wholesalers and retailers, mail advertising matter to the trade, distribute displays, etc., gratis; special services are rendered at actual cost. Publicity: Through J. J. Devine & Associates, Inc. Foreign language programs: Not accepted.

Copy restrictions: Accept beer and wine, but no hard liquor; copy subject to network approval and government regulations.

WASHINGTON-OREGON NET

Address: c/o KFPY, Spokane, Wash. Stations: KRSC, Seattle; KFPY, Spokane; KXL, Portland. Base rate: \$130.50 (half-hour).

Rep: Joseph Hershey McGillvra.

No further information available.

WEST TEXAS BROADCASTING SYSTEM

Address: Care of KGKL, San Angelo, Texas. Stations: KGKL, San Angelo; KIUN, Pecos; KNEL, Brady; KRLH, Midland. Base rate: \$190.

Managing director: J. Bert Mitchell, Jr., KGKL, San Angelo.

No further information available.

WEST VIRGINIA NETWORK

Address: West Virginia Network Bldg., Lee St., Charleston, W. Va. Stations: WCHS, Charleston; WPAR, Parkersburg; WBLK, Clarksburg. Operating schedule: 5 a.m. to 12 midnight. Type of lines: CBS, Class A; West Virginia Network, Class B. Founded: February, 1937. Base rate: \$270.

President, general manager: John A. Kennedy. Assistant general manager: Howard L. Chernoff. Program director: Nicholas Pagliara. Chief engineer: Odes Robinson.

Rep: The Branham Co.

Merchandising: Complete service available at actual cost. Publicity: One of the stations, WBLK, is owned by the Daily Exponent, and supplies publicity in that paper; through special cooperation in Charleston, WCHS carries spot radio news, pictures, etc., in the local papers; releases are also sent to 74 daily and weekly newspapers by the network. Foreign language programs: Will accept, but restrictions are such they are rarely carried.

Copy restrictions: Accept transcriptions; accept beer, wine and patent medicines, providing copy conforms to network standards, but no hard liquor; all copy must be received 24 hours in advance of broadcast and is subject to the rules governing good taste and public service established by the network.

WISCONSIN RADIO NETWORK

Address: c/o KFIZ, Fond du Lac, Wis. Stations: KFIZ, Fond du Lac; WHBY, Green Bay; WIBU, Poynette. Base rate: \$165.

No further information available.

THE YANKEE NETWORK, INC.

Address: 21 Brookline Ave., Boston, Mass. Stations: WNAC, Boston; WTIC, Hartford; WEAN, Providence; WTAG, Worcester; WICC, Bridgeport; WCSH, Portland; WLBZ, Bangor; WFEA, Manchester; WSAR, Fall River; WNBH, New Bedford; WLLH, Lowell and Lawrence; WLNH, Laconia; WRDO, Augusta; WNLC, New London; WHAI, Greenfield. Operating schedule: 9 a.m. to 12 midnight. Founded: Nov. 18, 1932. Base rate: \$2,220.

REGIONAL NETWORKS—Continued

President: John Shepard, III. *Assistant to president:* Roy Harlow. *Production manager:* Linus Travers. *Sales manager:* Charles W. Phelan. *Public relations:* Gerald Harrison. *Controller:* Robert Ide. *Technical director:* Paul deMars. *Chief engineer:* Irving Robinson. *Editor, Yankee Network News Service:* Leland Bickford. *Promotional director:* Carleton McVarish. *Publicity director:* A. J. Stephenson.

Rep: Edward Petry & Co., Inc.

Merchandising: Following services performed on a minimum of a 13-week contract or its equivalent—contact key jobbers, wholesalers and chain store distributors of New England, informing them of new accounts; supply mailing lists for the leading retail classifications, and send out standard “radiograms” for cost of postage (special mailings at actual cost); conduct surveys on the movement of merchandise for specific accounts; arrange for distribution of sales literature by recognized distributing organizations, at cost; give auditions for advertiser’s sales representa-

tives. *Publicity:* Daily releases and program news to over 100 newspapers, radio stations, advertising agencies, etc., throughout New England; close personal contact maintained with six local dailies and one local magazine; pictures and mats supplied to local papers and sent on request to outside papers; weekly programs mailed to over 260 papers, stations, agencies. *Foreign language programs:* Not accepted.

Copy restrictions: Accept beer and wine on announcement basis; hard liquor on program basis only, and with certain copy restrictions; patent medicine advertising accepted providing it is approved by the Boston Better Business Bureau and conforms to all Pure Food and Drug Laws.

Z NET

Address: P. O. Box 1956, Butte, Montana. *Stations:* KGIR, Butte; KPFA Helena. *Base rate:* \$60 (half-hour).

Managing director: Ed Craney.

Rep: Gene Ferguson & Co.

No further information available.

