Rising Wave of Crackdowns Is Foreseen

White House, Congress May Halt Rigid Federal Control; White Writing New Bill; Wakefield Approval Sure

By SOL TAIHOFF

CONVINCED that anything can happen, broadcast industry leaders and more particularly the major networks are cushioning themselves for a series of regulatory jolts expected to occur in Washington during the next few weeks.

Nothing short of direct intervention from the White House, or possibly a Congressional mandate, it is felt, can stop the FCC’s momentum toward application of rigid controls over the business aspects of broadcasting, stemming from the contemplated Network May Report now under full FCC consideration.

There are also indications that Assistant Attorney General Thurman Arnold, in his latest anti-trust onslaught against James C. Pettrillo, chair of the organized musicians, will broaden his attack to include purported restraints upon concert artists invoked by the networks. The grand jury proceedings, expected to get under way within a fortnight, may even go into the network monopoly issue per se.

In any event, this is not denied in Anti-Trust Division quarters.

Utility Aspect

Expected confirmation, by the Senate early this week of Ray C. Wakefield, member of the California Railroad Commission, to succeed the late Thad H. Brown on the FCC, will bring the Commission to its full membership for the first time since last June. While the commissioner-designate has been careful to avoid direct reference to his views on broadcasting, some skepticism is evinced in both broadcast and Senatorial circles over his background as a member of a State regulatory commission dealing with public utility-common carriers.

This question was raised during the short hearing on his confirmation before the Senate Interstate Commerce Committee last Wednesday, after which his nomination promptly was reported favorably. The Senate recessed on March 13 until March 17, when his nomination is expected to be confirmed without opposition. He will immediately be inducted into office.

Mr. Wakefield had lunched with Chairman Wheeler (D-Mont.) and FCC Chairman Fly at the Capitol the day preceding the committee hearing, and at that time indicated he preferred to reserve judgment until he became more familiar with the FCC regulatory processes and with the broadcasting industry particularly. The 45-year-old native of Fresno does not plan to return to California at once, but will promptly assume his FCC duties. His term runs until June 30, 1947.

Chance of Legislation

Meanwhile on Capitol Hill there was revived interest in new legislation looking toward reorganization of the FCC. With passage of the British aid bill Senator Wallace H. White Jr. (R-Me.) planned to pick up where he left off early in session on a proposed FCC reorganization measure. While he has not definitely made up his mind, he indicated he might introduce a new bill shortly, in the hope of procuring swift hearings. The Senate’s best-informed radio observer, Senator White, was co-author of the Radio Act of 1927 while a member of the House. He is particularly concerned over the FCC network monopoly issue. As Chairman of the Senate Commerce Committee, Senator Millard Tydings, Democrat of Maryland, has evinced interest in radio, Chairman Wheeler, on the other hand, is not convinced there will be sufficient Senatorial interest to warrant the full-scale investigation that might be entailed preparatory to the final enactment of a new law. In his view, the war situation takes precedence over all other Congressional considerations.

KQV, Pittsburgh, and WCBM, Baltimore, Will Transfer to Blue Network in Fall

REALIGNMENT of major network affiliates in Pittsburgh and Baltimore will result in affiliation of WCBM, Baltimore with NBC-Blue on Nov. 1, and of WCBM, Baltimore, with the same network on Oct. 1 as a result of negotiations completed last week in New York.

KDKA, 50,000-watter, is the present NBC-Blue outlet in Pittsburgh, but goes Red Nov. 1. The Heard-owned WCAE, now Red and MBS, becomes an exclusive MBS outlet. KQV, now MBS, is a sister station of WJAS, CBS affiliate, both being operated by the Brennen interest.

Baltimore Lineup

Under the arrangement made with WCBM, now on MBS, WBAL, also Heard-owned holding a construction permit for 50,000 watts, will become the Red outlet, replacing WCBM, which is expected to become the full-time MBS outlet. WCBM, owned by John Elmer, has been on MBS for the last year.

WBAL has been slated for Red network operation for some time. It has been both a Blue and MBS outlet. It is understood negotiations with the Hearst organization preferred for an arrangement whereby WCAE would drop the Red, with WBAL affiliating with that network. It had been expected, however, that WCAE would become the Pittsburgh Blue outlet.

The new WMUR, Manchester, N. H., slated to begin operation early in April, also will join the Blue on the left on early in with 5,000 watts day and 1,000 night, the station is owned by former Gov. Francis P. Murphy.

KQV operates on 1380 kc. with 1,000 watts. WCAE is on 1250 kc., using 5,000 watts fulltime. WFRR is on 1270 kc., using 5,000 watts day and 1,000 night, while WCBM operates on 1370 kc. with 250 watts.

WBAL now is on 1060 kc., using 10,000 watts, but synchronizes after 9 p.m. on 760 kc with WJZ, and reduces then to 2,500 watts. It expects to go on the air with its new 50,000-watt transmitter within a few weeks, using 1000 kc. fulltime.

and public utility-common carrier divisions. One commissioner would be named for broadcasting and a second for common carrier operations, including telephone, telegraph, cable and radio services other than broadcasting. The chairman would be the executive officer and also bridge the gap on frequency allocations as between broadcast and common carrier services.

Influential members of the Senate will preclude new radio legislation; they are not agreed on the possibility of enactment of new legislation at this session. Senator White feels it can be done, as do Senators Gurney (R-S.D.), former operator of WNAX, Yankton, and Truman (D-Mo.), who has evinced interest in radio. Chairman Wheeler, on the other hand, is not convinced there will be sufficient Senatorial interest to warrant the full-scale investigation that might be entailed preparatory to the final enactment of a new law. In his view, the war situation takes precedence over all other Congressional considerations.

Cabinet Office Suggested

Possibility that the Administration will foster reorganization of the FCC as part of a project for consolidation of independent agencies also is being discussed. There is preliminary talk of a Department of Transportation and Communications, headed by a Cabinet member. Presumably such a project would entail appointment of an assistant secretary to supervise broadcasting functions, with another for common carrier communications. Functions of the FCC, Federal Power Commission and Rural Electrification Administration, as well as the FCC, under this plan, would be delegated to the proposed executive department.

Despite Senator Wheeler’s view that the national defense pressure will displace any legislation, it is thought that if legislation along the lines of the White Bill is introduced, the Committee chairman would be disposed to appoint a subcommittee for a “fact-finding” study. In such an eventuality, the FCC might be asked to hold up the monopoly report, pending the Congressional study.

In addition to any move to de- (Continued on page 44)