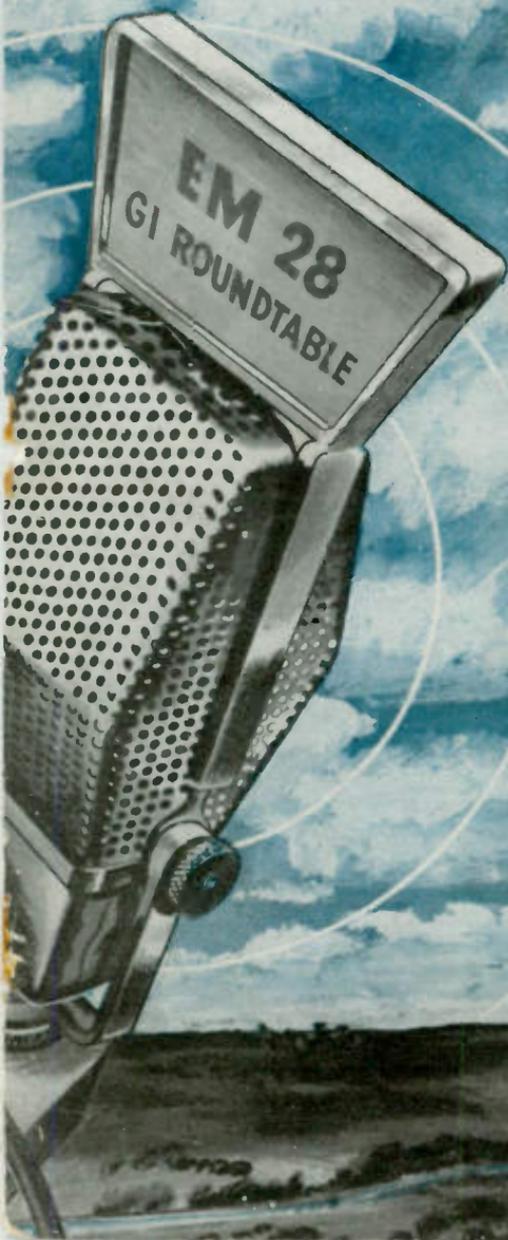


**How far
should
government
control
radio?**



Prepared for
THE UNITED STATES ARMED FORCES
by

THE AMERICAN HISTORICAL ASSOCIATION

This pamphlet is one of a series made available by the War Department under the series title *GI Roundtable*. As the general title indicates, *GI Roundtable* pamphlets provide material which information-education officers may use in conducting group discussions or forums as part of an off-duty education program, and which operators of Armed Forces Radio Service outlets may use in preparing GI Radio Roundtable discussion broadcasts.

The content of this pamphlet has been prepared by the Historical Service Board of the American Historical Association. Each pamphlet in the series has only one purpose: to provide factual information and balanced arguments as a basis for discussion of all sides of the question. It is not to be inferred that the War Department endorses any one of the particular views presented.

Specific suggestions for the discussion or forum leader who plans to use this pamphlet will be found on page 37.

WAR DEPARTMENT

WASHINGTON 25, D. C., 11 Jan 1946

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SOMETIMES it seems as though the life of the Brown family begins and ends with two noise boxes—a little one in a bedroom upstairs and a larger one in the living room downstairs. From the time the family gets up in the morning until the last light is turned out at night, these two are rarely quiet.

The first sounds out of them may be the combination music and patter of an "early bird" setting-up program that helps Betty Lou keep her schoolgirl figure in trim. Then it is the turn of the downstairs radio with the latest news headlines and the weather report while the Browns eat their breakfast.

After the children and her husband have gone for the day, Mrs. Brown tunes in a marketing program to hear the best buys in fresh vegetables and then switches to her favorite soap opera. The commercial announcements may provide several items for her shopping list. A health talk reminds her that young Jim hasn't been to the dentist in far too long. In mid-afternoon Jim himself comes in from school, grabs some cookies, and dashes upstairs to hear the ball game.

The two noise boxes really hit their peak in the evening hours. Before supper it's news again for Mr. Brown, a spine-tingling adventure story for Jim, and a jazz program for Betty Lou. After supper some friends come in to visit the Browns. They talk against a background of symphony music while upstairs the children listen to their favorite comedian.

Perhaps the family gets together again for a forum discussion or for a special broadcast from the White House. Perhaps a commentator comes on to discuss what the President has said, and Mr. Brown catches an idea he wants to talk over with the boys at the office. A play especially written for broadcasting and some soft "reading music" end the radio day for the Browns.

And for other families too?

The Browns' daily schedule is more or less typical for nine out of every ten families in America. Of the 37,000,000 households in the United States, 33,800,000 had at least one radio in 1944. For many people who do not do much reading—especially those with little formal education—the radio is their chief and almost only contact with the world outside the circle of home, friends, and jobs. For all of us, what we hear on the air helps make our picture of what life in our times is and ought to be.

Is it any wonder, then, that what passes through the American air into the American mind is an important question for the nation's present and future?

WHO IS IT THAT FILLS THE AIR WITH RADIO WAVES?

THERE ARE about 900 radio stations broadcasting to the American public. With them originate most of the noises sent into the homes of our radio-listening millions. Beginning in a broadcasting studio, talk or music goes into a microphone. The sound waves, or parades of air wiggles, become electrical wiggles in the microphone and from it proceed along telephone wires to a transmitter. From the towering antenna connected with the transmitter the waves are sent through the air to be picked up by radio sets wherever they may be. In the radio receiver the electrical

waves, are translated back into a close approximation of the original sounds. That is what finally comes out of the loud-speaker.

While they are traveling through the ether to the receiving antenna, the parade of waves from a transmitter must have the road to themselves. If a nearby station is transmitting at the same time, its waves will interfere with the parade unless they are pitched at a different frequency. For the hours it is on the air, therefore, and within the range of its "voice," a radio station must have what is called a "wave channel"—or "frequency channel"—clear of other broadcasts.

How many channels are there?

There is a limit to the possible number of these channels. We do not yet know how to make use of many of the frequencies between 10 kilocycles and 30,000,000 kilocycles—the "radio spectrum." Many of the rest are used for point-to-point communication such as ship-to-ship or ship-to-shore, for aviation, for radar, and for other *nonbroadcast* purposes. From one end of the ordinary home broadcast receiver dial to the other, there are only 106 channels now carrying broadcast sounds. This means that, even with the most careful planning, not too many groups of sounds can be broadcast at once without getting in one another's way.

It now seems inevitable that there will always be a scarcity of sound broadcasting channels. The prewar number has been increased by opening up a whole new set of channels for FM (frequency modulation) broadcasting. But even then, there won't be nearly enough to give everybody the program he wants when he wants it. Which sounds are to go out, and which are not? News or music? Speeches by Democrats or by Republicans? Soap operas or school programs? The radio pie is only "so big," and someone must decide what the American people are to get.

Who makes up the radio menu?

There are five chefs who make up the radio menu: the government, the stations, the networks, the sponsors, and the advertising agencies.

THE GOVERNMENT. First chef is the Federal Communications Commission. FCC, an agency of the federal government, issues licenses entitling corporations or persons to buy, build, or operate radio stations. As a condition of granting these licenses, FCC enforces certain requirements laid down by Congress and by its own regulations.

THE STATIONS. The 900-odd station managers are, collectively, the second chef. These men have the major task of selecting the programs that succeed each other in



blocks of 15 minutes or more throughout the broadcasting day, week after week and year after year.

The stations are divided into three groups. First are the 30 or more stations *owned* by the networks. For them, of course, the networks rather than the individual stations largely determine the programs. Second are the 650 or more stations *affiliated* with the networks. This means that each station enters into a contract with a network for the regular use of programs provided by that network. Third are the 200 *independent* stations that have no network affiliations and that select or originate their own programs. This last group consists mainly of smaller stations with limited transmitting power. They make liberal use of mechanical recordings of musical or other programs.

THE NETWORKS. The third of the chefs making up the nation's radio menu is, collectively, the four national networks. More than 700 stations—4 out of every 5 radio stations in the country—are owned by or affiliated with the National Broadcasting Company, the Columbia Broadcasting System, the Mutual Broadcasting System, or the American Broadcasting Company (formerly the Blue Network). Together they use 95 percent of the evening broadcast power. In addition to these giants, there are between 25 and 30 smaller regional networks.

The percentage of stations affiliated with the networks has climbed steadily despite the fact that the number of stations is also growing. In 1935 the nets had as affiliates 30 percent of all stations. By 1945 the percentage was 79. The networks have contracts with the biggest, most powerful stations in America. One-half the total broadcasting time sold to advertisers is sold by the big networks. This means that network programs occupy half the time on the air and provide a large share of the income of the stations in the four major chains.

The oldest net is NBC. It is wholly owned by another company, the Radio Corporation of America, which makes many kinds of radio and phonograph equipment and has a world-wide radio telegraph system for commercial messages. Beginning in 1923 with 2 stations, NBC now has affiliation contracts with more than 100 stations, spread over the nation. In addition, it owns 6 stations directly.

Second in size is CBS, which also provides programs to more than 100 stations. Financial control through stock ownership is in the hands of the William S. Paley family. CBS owns 8 stations outright.

Mutual owns no broadcasting stations. Although it has contracts with many more stations than the other networks, they are, as a rule, the smaller and less powerful ones. Mutual belongs to its key stations and the people who control them. Most important of these are WOR in New York (owned by the R. H. Macy—L. Bamberger department stores) and WGN in Chicago (owned by the *Chicago Tribune*). Other important Mutual owners are a West Coast regional network, the Yankee Network, the United Broadcasting Company of Ohio, and the *Cincinnati Times-Star*.

Newest comer to the network field is the Blue, or American Broadcasting Company as it is now called, which was at one time part of NBC. Like the others, ABC has contracts with more than 100 stations. Control is in the hands of Edward J. Noble, who made a fortune in "Life Savers"; Chester J. LaRoche, formerly of the Young and Rubicam advertising agency; and Time, Inc., which publishes *Life*, *Time*, and *Fortune* magazines.

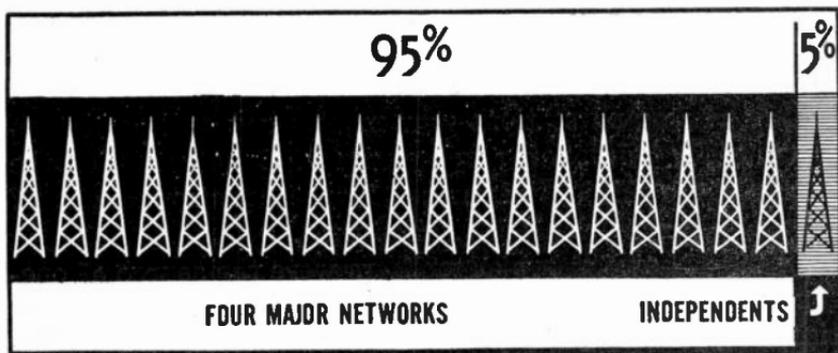
The networks originate noncommercial or "sustaining" programs, arrange for commercial programs, and sell both kinds to the individual stations. Business organizations or "sponsors," as they are called, pay advertising agencies to

prepare radio programs for wide audiences. The advertising agencies buy station time for these programs through the networks, which thus act as brokers between the stations and the people anxious to get the ear of the public. The networks sell access to listening audiences mainly through advertising agencies acting for the sponsors.

This arrangement for determining the radio menu of the American people covers only a part of the total radio time available—that given to “sponsored” or paid-for shows. The remainder of the programs are called “sustaining” because they are not paid for by outside sponsors or prepared by advertising agencies. They are prepared and provided by the networks and sold to the individual stations or originate at the individual stations themselves.

The most important hours on the radio schedule—the early evening hours—when the greatest number of people listen to their radios are usually assigned to sponsored programs. Here are to be found the entertainment programs of wide audience appeal. In a typical 6 to 11 P.M. period, for instance, 80 to 90 percent of the programs are commercially sponsored.

EVENING BROADCASTING POWER USED BY NBC CBS MBS ABC AND INDEPENDENTS



The sustaining programs are, nevertheless, of great importance in serving the radio public. They include news bulletins, daily foreign news roundups, some symphony programs and university round-table forums. The line between the two kinds of programs is by no means absolute. Occasionally shows which begin as network sustaining programs develop such an audience that sponsors take them over. Examples are Information Please, the Sunday Philharmonic Orchestra concerts, and the Town Meeting of the Air.

THE SPONSORS. It is clear that for sponsored programs there are other chefs than networks and stations really preparing the radio fare. These are the sponsors—the fourth chef—who themselves pay for the time they use to entertain the listening public and persuade it to buy their wares.

There are, of course, a large number of local businesses which advertise on individual radio stations serving a particular locality. However, more than 70 percent of the \$300,000,000 spent by businessmen for radio time comes from national and regional advertisers.

Growing numbers of business houses desiring to build a huge mass market for a product have turned to the radio as a favorite advertising medium. There are more corporations wanting to buy access to the great network audiences than can find time on the air.

Because of the limited number of available frequencies, the networks and stations now must select among the applicants for advertising space. In 1943 only 144 of the nearly three million businesses in the country bought 97 percent of the national networks' time.

In the same year two advertisers were the source of one-fourth of NBC's entire advertising business. Ten advertisers supplied over 60 percent of its business. Very much

the same situation was true of the other three big networks. At present, three-quarters of all national network income comes from four major commodity groups: food, drink, and confections; drugs; soaps and cleansers; and tobacco.

THE ADVERTISING AGENCIES. There is, however, a fifth chef, perhaps the most important of all—the advertising agencies. The sponsoring companies decide the general types of programs they want to use in promoting their products. They do not furnish the programs directly. The advertising agencies write and produce the sponsored programs; find, buy, and build talent; pick networks, stations, and times; and so on.

Among advertising agencies the radio field is so specialized that approximately two dozen of them control the lion's share of business for all four major networks. Here then, in advertising offices, are the makers of many of the principal entertainment dishes served up on the radio, as well as the bread, butter, and advertising sauces spread through the day in songs, stories, and direct appeals to buy.

DOES THE GOVERNMENT HAVE TO ACT AS A RADIO TRAFFIC COP?

THE ADVERTISING of certain wares has today become the means of supporting a whole mass-communications industry—an industry that provides entertainment, rapid news service, political forums, symphony orchestra and grand opera programs, and a nation-wide audience for government messages and announcements. This peculiar form of enterprise has evolved gradually. It was not clearly seen as the inevitable use for the new invention in the early days of radio.

Although the underlying discoveries in the radio field go back to the 1880's, not until 1907, when Dr. Lee De Forest

invented the "grid" tube, did broadcasting of the human voice become feasible. One night Dr. De Forest, trusting to luck, invited a Swedish concert singer who was visiting his laboratory to sing into the complicated machinery he had built. A wireless operator in the Brooklyn Navy Yard happened to hear her voice and America had a new toy and weapon.

At first the Bell Telephone Company took the trouble to control many radio patents, out of fear of radio as competition for wire telephones. Other interested corporations were Westinghouse, General Electric, the American Marconi Company—all of them thinking of the radio as a substitute for the telephone in point-to-point communication.

Party lines for everyone

The first regular broadcasting station started in 1920 when a few businessmen and engineers realized the possible uses of radio's as "music boxes for the home." The objection was made that broadcasting couldn't support itself. In order to share in the noise people had only to pay the purchase price of a receiving set. Who would pay for the programs? More and more people became interested, nevertheless, some in the commercial possibilities, some in radio as a hobby.

Throughout the country "hams" and businessmen were building tiny sending sets, talking to one another, filling the air with words. By the end of 1923, there were more than 600 radio stations on the air. Among the most important were those owned by electric and telephone companies, department stores, and newspapers.

All of them were trying to learn the usefulness of the new gadget so that they might adapt it to their businesses. Their broadcasts were either just talk, recorded and concert music, or news read from the evening papers. Gradually, the more important stations began to expand their

programs. An opera was broadcast, the first radio serial appeared, variety shows made up of humor and music were begun.

At first a few and then more and more corporations with things to sell the public began to buy time and talent for radio broadcasts. Snowballing as it went, the radio industry grew as more people bought sets to hear the better programs put on because more people were buying sets. The first networks made their appearance.

Radio traffic jam

The development of the new device was hampered, however, by the lack of any sort of radio policeman. Groups of sound waves couldn't get from the broadcasting studios to the receivers without being interrupted by other groups.

At first, the various stations made gentlemen's agreements not to broadcast on one another's wave lengths. But it was not a matter to be regulated by the thoughtfulness of gentlemen.

The amateurs, for instance, might broadcast on a favorite wave length regardless of who else was using it. If one of these hams playing ragtime records ran afoul of a symphony concert, nothing but an unholy din would get through to the listener. Or two hams talking to one another would walk right in on a radio serial.

More often than not, the air would be filled with queer, unintelligible shrieks of pain as the sound waves stepped on one another.

The people concerned about the development of commercial broadcasting were helpless. Nobody had any clear right to a particular wave length. But to build an audience it was necessary to guarantee clear reception at the same places on the tuning dial all the time. Obviously it was time to call in a traffic cop.

Government regulation

Governments throughout the world first became interested in the radio because of its possible uses in ship-rescue work. International agreements which our government signed provided a common signal of distress—the “CQD,” which resulted in the spectacular saving of lives in the *Florida* and *Titanic* disasters, and later became the “SOS.”

In the field of land broadcasting, too, the government's interest was made clear. Congress maintained from the first that radio was a matter of public concern and that the representatives of the people had a right to determine how the ether was used. In the words of one representative “the right of the public to service is superior to the right of any individual to use the ether.”

In 1912, the United States government began to regulate radio transmission of all kinds. In that year the Radio Act gave the secretary of commerce and labor (then a single department) the power to license stations. But this power was not great enough to prevent the unforeseen “babel of the air” that developed in the middle 1920's.

The first radio traffic cop

To straighten out the wave-length mess a Federal Radio Commission was created by Congress in 1927. At that time there were only 90 channels available with 732 radio stations trying to use them. By assigning stations far enough apart to the same channel, specifying the power to be used, and staggering the time of activity carefully, all but about 150 of these were able to continue operating.

Gradually, more and more rules for broadcasting were set up. At first Congress was hesitant about placing a permanent government agency over the whole industry. But it soon became clear to station owners, consumers, and officials that the job to be done was a big one.

During the late 1920's and early 1930's the leaders of the radio industry called on Congress and the president for help. They asked for a better regulatory system and clearer determination of the government's policies and powers.

In 1933 the president asked a group of government administrators to study the whole radio situation so that some more efficient way of dealing with it could be worked out. They recommended that "the communication service as far as Congressional action is involved, should be regulated by a single body." At the same time Congressional committees attacked the problem.

HOW DOES FEDERAL POLICING OF THE AIR WAVES WORK?

THE JOINT RESULT was the Communications Act of 1934. This measure created the present Federal Communications Commission and gave it power to regulate all nongovernment wire and wireless communications in the public interest. FCC also participates in the work of the Interdepartment Radio Advisory Committee, which assigns wave lengths for governmental uses.

FCC is responsible to Congress for administering the provisions of the act. Its decisions, like those of other federal bodies, are subject to review by the courts.

There are seven commissioners, each appointed by the president, with the consent of the Senate, for a seven-year term. Appointment is staggered so that, barring death or resignation, one vacancy occurs each year. The statute provides also that no more than four appointees shall be from one political party so that there are always Democrats and Republicans (often Independents also) as members. A staff of engineers, lawyers, accountants, and other specialists serves the commission in administering the act.

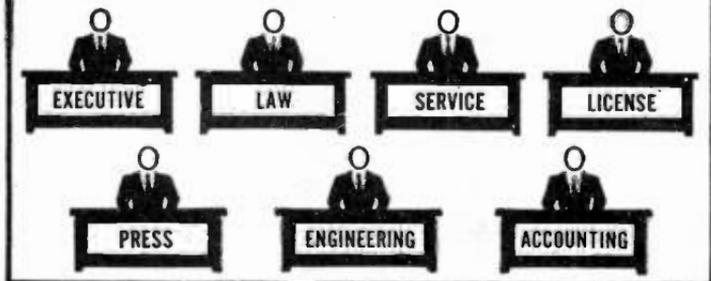
FEDERAL COMMUNICATIONS COMMISSION

CONGRESS

ONE VACANCY
OCCURS
EACH YEAR



ADVISED BY STAFF OF SPECIALISTS



REGULATE

1. 900 BROADCASTING STATIONS
2. 65,000 TRANSMITTERS
3. TELEPHONE
4. TELEGRAPH
5. CABLE

FCC has other jobs besides its major task of regulating commercial radio broadcasting. It also regulates the telegraph, cable, telephone, and radio-telegraph industries to see that the services supplied, the rates charged, and conditions of service are the best available.

Other radio users to watch

In addition to the 900 standard broadcast stations which serve the regular listening public, FCC must issue licenses to, and regulate, some 65,000 transmitters of other kinds. These include amateur, aviation, ship-to-shore, police, forestry, television, facsimile, frequency modulation, and international short-wave broadcasting.

All these different uses of radio must be given plenty of elbowroom on the radio spectrum so that they will not crowd one another. Further, the commission must set aside some frequencies for experiments with new kinds of broadcasting. For instance, television has been assigned some regular broadcasting channels and some experimental frequencies.

The commission's duties do not end when it has assigned frequencies to each transmitter. It must also police the air waves—"monitoring" it is called—to be sure that all stations keep to their own frequencies and that unauthorized transmitters do not appear on the air waves to cause interference or a traffic jam. This monitoring service was greatly expanded during the war as a constant means of listening for enemy messages transmitted by voice or Morse, in secret code or otherwise. Likewise, for the war period, FCC staff members listened in on foreign propaganda broadcasts in many languages and furnished texts and summaries to various interested war agencies.

The major job

But the part of FCC's job which concerns us and the millions of radio listeners in the United States is its con-

trol over the broadcasting stations. FCC's powers, though definitely limited, are extensive.

Who is to have the right to use the air for broadcasting? The Communications Act specifies only that broadcasting must be in the hands of American citizens. To make certain of this, the commission requires each station to furnish a complete list of the station's owners and to keep it up to date.

Otherwise, rather than laying down explicit directions, the act leaves it up to the commission to make such rules in granting licenses as will insure that the licensed stations best serve the "public interest, convenience and necessity." This is where the rub comes, since many more applications for standard broadcast licenses are received than can be granted.

FCC, therefore, must choose which among the too numerous applicants are to be allowed to engage in the broadcasting business. It has set up certain rules to guide it in making its decisions.

New applicants

A man who wants a license must establish his financial responsibility. He must show that he has (or has hired) the technical skill necessary to station operation. He must also describe his plans for programming so that the commission may judge their general usefulness and practicality.

Each applicant for a license must indicate how powerful a transmitter he plans to use and how many hours daily he plans to broadcast. In some cases FCC grants only reduced power or part-time broadcasting. Conditions in the area will decide. For example, if the area to be served has a widely scattered farm population the commission may approve a powerful "clear channel" station which can be picked up many miles from the point of origin.

Before it will permit the building of a new station, FCC studies the local situation. Open hearings are occasionally held at which all interested parties may present their points of view.

Renewing a license

Originally, broadcast licenses were granted for six months, after which time the owner had to apply for a renewal. The period was first lengthened to one year, then to two, and now to three. Every three years, therefore, every station in America must apply to the commission for a renewal of its license.

This periodic licensing procedure is the basis of FCC's regulatory power. If it can be clearly demonstrated that the licensee has not used his station properly to serve "public interest, convenience and necessity" the commission can refuse to renew the license. In such an event, it will grant the frequency to another licensee.

All sales or other transfers of stations must be approved by the commission. Complete information concerning ownership must be given, and concealment of ownership may be followed by a revocation of the license.

The Communications Act in so many words forbids FCC to censor any radio broadcasts. The act and regulations do, however, contain certain rules affecting program content. The act prohibits obscenity and profanity on the air and directs the commission to enforce the prohibition. Stations which sell or give time to a candidate for public office are required by law to give equal opportunity to opposing candidates for that office. Transcriptions of speeches or other material sponsored for political purposes must contain plain statements as to who is sponsoring and paying for them. No lotteries may be advertised.

In reaching a decision on a license renewal, FCC doesn't go into the content of particular broadcasts over that sta-

tion. It does, however, take into account the over-all record of programming during the preceding period. Its aim is to make sure that those applicants which offer the best and most balanced radio diet get the licenses.

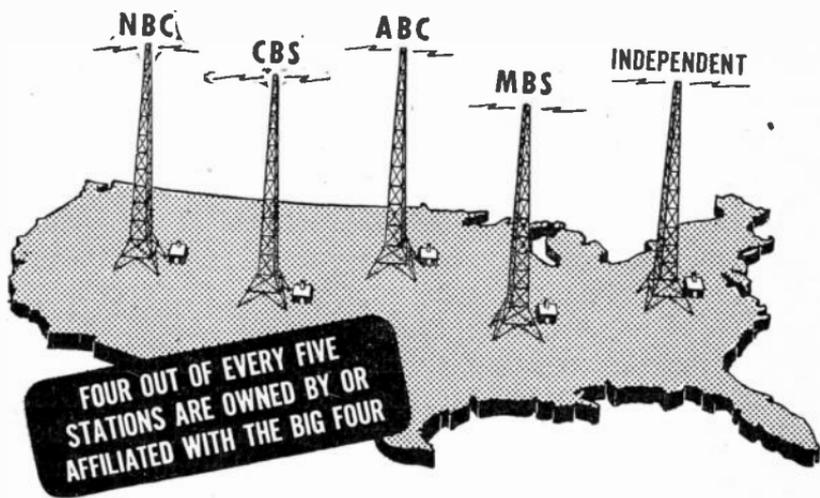
Checkrein on the networks

Many stations had network contracts that bound them to a certain network for *five* years, but bound the network for only *one*. Under the new rule a station can sign with a network for only two years, so that it can change networks for better service if it likes. The commission reasoned that the networks will provide better programs if they know their contracts are good for only two years. Also, it figured that new networks can get started more easily if they don't have to wait five years for existing contracts to run out.

The commission also banned "exclusivity." A station affiliated with one network can now carry some programs of another network as well. "Territorial exclusivity" was also forbidden. This means that if a network station in, say, Toledo does not want a certain program, the program can be sent to another station in Toledo or the surrounding area.

Networks formerly required stations to "option time" to them, that is, give the network the right to a certain number of hours each week. FCC felt that these hours, set aside for network programs, "restricted the freedom of [local] station licensees and hampered their efforts to broadcast local programs, the programs of other networks, and national spot transcriptions." Option time is now limited to certain proportions of each part of the broadcast day.

Some network contracts had made it difficult for stations to reject programs. Such practice is illegal, according to FCC, which maintains that the station is licensed to have control of its programs, not to delegate it "directly



to the network, or indirectly to an advertising agency." Therefore, the commission ordered stations to keep their freedom to cancel network programs on occasion. Nor can stations transfer to a network power to fix their own prices.

If FCC is satisfied that a new applicant will run a radio station—or that an existing operator has run a radio station—in the best interest of the local community and the national radio system, the commission will grant or renew his license. Call letters will be assigned, power and hours of broadcast will be specified, and one of the limited number of channels given. Actually, stations once licensed are almost without exception relicensed at the end of each three-year period. But no licensee has any legal vested interest in renewal. The frequencies are used, not owned, by the stations.

Can government enforce competition?

The Communications Act and the debates preceding its passage make clear that Congress wished to maintain as

wide competition as possible in the broadcasting field. FCC, especially in recent years, has tried to discover and discourage trends away from free competition. From 1938 to 1940 it investigated "chain broadcasting" to see whether the great networks had too much control over the stations.

By its physical nature, radio is limited to a few stations in each locality. FCC has felt that control of radio should be in the hands of many owners rather than few in order to make it more difficult for any group to interfere with freedom of expression by radio.

The commission has no written power to control networks. It can only regulate the stations that are parts of the networks. Following its investigation and public hearings, the commission issued an order to the radio industry. The broadcasters at first fought and then accepted these new rules.

Because radio facilities are limited, the commission feared that ownership of two stations in a community would prevent the kind of competition it wanted to encourage. FCC ordered that no one could own more than one station serving a single community. He may, however, own an FM and a television station in the same community.

Two networks under one ownership inevitably came under the ban. As we have seen, the Blue Network was separated from NBC and is now an independent system. In granting licenses for FM broadcasting, FCC is limiting to only six the number of stations anywhere that may be under the same ownership.

Newspapers and radio stations

The commission also investigated the increasing number of stations owned by the publishers of newspapers. At the time of its investigation, about one of every three radio stations was completely or partly newspaper-owned.

The following three major concerns moved FCC to hold this inquiry:

(1) Whether the association of radio stations and newspapers affected "the free and fair presentation of public issues and information over the air";

(2) Whether joint ownership of radio and press interfered with the public's right to the news by limiting the public's sources of news;

(3) Whether the fact that many stations were tied to newspapers resulted in local monopolies of broadcasting and whether efficient operation was helped or hindered thereby. In short, was the public being properly served?

Objections to the inquiry were raised on many grounds. The commission was accused of unfairly singling out newspapers as a special group of owners. FCC had no legal authority, it was said, to go into this matter. Moreover, declared the objectors, any rules it issued forbidding papers from going into radio would interfere with the freedom of the press. Finally, it was asserted that newspapers were particularly well equipped to run radio stations because of their special work in a similar field.

After taking a great deal of testimony, FCC decided not to issue any special regulations about newspapers in radio. But it pointed out the danger to democratic freedoms if all the major agencies of public expression in any community were owned or controlled by one man or group. It also noted an important fact: Stations managed by newspapers tend to be the most powerful and the most profitable ones in their localities—which might mean that their tie with the press gives them a special economic advantage over others. The commission said it was taking no action because action did not seem necessary, but warned that it might become so.

CAN THE RADIO INDUSTRY POLICE ITSELF SUCCESSFULLY?

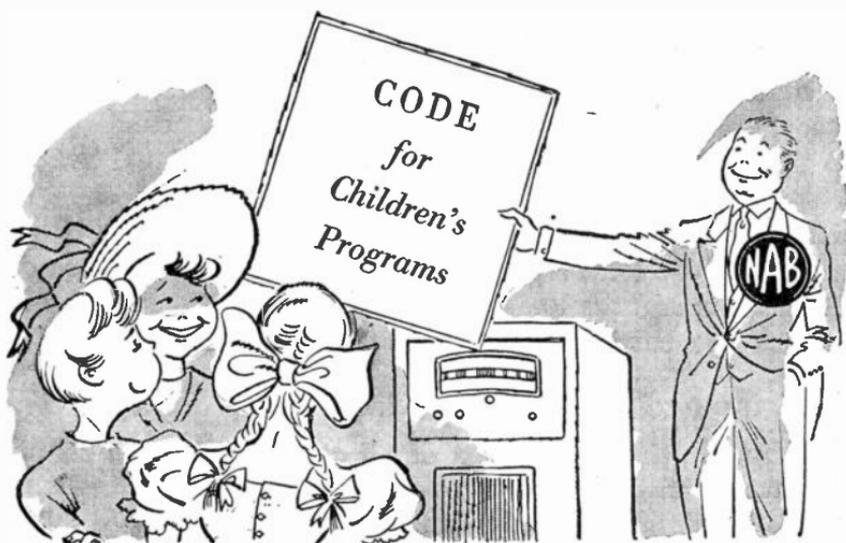
THE RADIO INDUSTRY, like other industries, is run for profit. Yet because of its great importance for the political and social life of America, it must be concerned with more than dollars and cents. Congress has recognized the public responsibilities of radio in the Communications Act. The radio industry itself has recognized them by its own regulations. Perhaps the most important means of self-control it has developed is the "Code" of the National Association of Broadcasters.

Not all the stations and networks in the country belong to NAB—which is the chief trade association in the radio industry. Nor do all the member broadcasters follow every provision of the Code. Although NAB does what it can to see that members comply with the Code, its regulations are voluntary.

The Code provisions have been developed to meet what the radio industry conceives to be the public's needs and wants, partly as measured by the demands of groups in the population. In working out policies covering children's programs, for example, NAB confers with women's, teachers', parents', school, and library groups. Through its efforts a Radio Council on Children's Programs has been established. Religious broadcast policies are similarly worked out with the approval of responsible lay and church leaders of the major faiths.

Children and education

Radio is one of the many things that influence children's ideas of what the world is like and what kinds of people they want to be. Favorable or dramatic presentation of certain characteristics, for instance, may lead some children to adopt those characteristics. According to the Code,



children's programs should. "reflect respect for parents, adult authority, law and order, clean living, high morals, fair play and honorable behavior." And as children are extremely sensitive and impressionable, the Code bans "sequences involving horror or torture or use of the supernatural or superstitious."

Actual research indicates clearly that the less education a person has, the more he tends to rely on the radio for information and ideas. Broadcasting presents a magnificent opportunity to reach low-income, rural, and foreign-born groups, many of whom have not had the education they want and need. Even those who have had better educational opportunity need more knowledge. Radio can reach them, too.

One of the most important sources of a nation's strength is a well-informed, intelligent population. America's way of life will become more and more secure as our people learn what it is, how to guard it, and how to improve it.

Broadcasting can give the people the facts they must have to make the reasoned decisions that democracy needs. It can also give voice to alternative points of view, so that the people may choose among them.

The NAB Code's provisions covering educational broadcasting urge individual radio stations to devote time to informational programs for children and adults. It suggests that they use local schools and colleges, the U. S. Office of Education, and the Federal Radio Education Committee for advice on what needs to be done and how best to do it.

Religion and advertising

"Radio, which reaches men of all creeds and races simultaneously, may not be used to convey attacks upon another's race or religion," but should rather "administer broadly to the varied religious needs of the community." So reads the NAB Code section on religious broadcasts.

The Code urges stations to exercise great care in accepting as sponsors only "individuals and firms engaged in legitimate commerce." Nor should their commercial announcements violate "fair trade practices and accepted standards of good taste." Thus stations are asked not to sell time to anyone urging people to drink "hard liquor" or to patronize fortunetellers, mind readers, or astrologers. Matrimonial agencies, race-track sheets, and financial speculators are also disapproved as sponsors.

Advertising copy, according to the Code, ought not to make "false, deceptive or grossly exaggerated" statements. Neither should it unfairly attack competitors nor "repel- lently" describe any physical disorders. Commercial announcements should be limited, depending on the length and time of the broadcast. Thus a 15-minute evening program should have not more than 2 minutes and 30 seconds of "plugging" although a full hour daytime show may have 9 minutes.

Politics and controversy

Most of the argument concerning the NAB Code centers around its suggestions on broadcasting controversial subjects. The only Congressional and FCC regulation on the political use of the radio covers election campaigns. Congress has told stations that if they sell time to one candidate for a public office or to a party or person supporting him, they must sell equal time to the other candidates. Moreover, campaign speeches are not censorable by the stations.

The NAB Code, accepting the need for special treatment of party campaign speeches, has a general rule that, except at election periods, radio time may not be sold for the discussion of controversial issues. Rather, it says, stations should provide free time for such discussion as part of their service to the public.

The Code holds that the sale of time for controversial public discussion would enable individuals and groups with great amounts of money to plead their cases far and wide and at great length. Their opponents, without ample funds, could buy only a limited amount of time and might be denied any kind of radio hearing. Further, the Code maintains, if time were sold for such purposes to anyone who wanted it, the station managers would lose control of controversial programs and could not hold any reasonable balance between all points of view.

The radio networks and stations, in this way, accept the responsibility of serving as a forum for the expression of competing ideas. The Code, in fact, makes it clear that time can properly be sold for discussion of controversial issues on forum type programs, provided that the forum presents all sides fairly and the control of fairness is in the hands of the station or network.

Such a policy is very difficult to enforce to everyone's satisfaction. There is the problem of the regular political

commentators. They usually broadcast on paid time and may take sides on public issues, violating the Code principle. Some networks have met the issue by forbidding commentators to express controversial personal views. Other nets try to balance their commentators by choosing a corps of commentators with different and, it is presumed, balancing views.

Are all sponsors alike?

Then there is the problem created by business organizations that sponsor programs for entertainment and are accused of plugging for their side of industrial controversies instead of advertising their products. Trade unions and consumers' cooperatives, on the other hand, are not allowed to buy radio time to present their views and must rely only on such scarce free time as is available. They feel, therefore, that they are not given an equal chance with the businesses that buy time.

These people assert that the practical result of exclusion from time buying is to keep many discussions off the air altogether. One larger station has recently taken exception to this Code limitation, and NAB is studying possible revision of the rule.

The Code gives special suggestions regarding straight news programs. They are to be given accurately. They are not to be biased through the selection of items or colored by the personal opinions of anyone engaged in the broadcast. The Code allows time to be sold for news programs as it does time for news commentator programs.

A final Code provision, designed to protect listeners against annoyance, declares that groups (except such recognized nonprofit agencies or good causes as the American Red Cross and Metropolitan Opera Guild) may not solicit membership on the air. The fairness of this rule has also been challenged by consumers' cooperative organizations.

They point out that groceries, drugstores, and department stores may pay to hawk their wares and seek new customers on the radio. Cooperative enterprises desiring to increase their business by adding new customer-members should be able to advertise in the same way, they say.

WHAT ARE RADIO'S BASIC PROBLEMS AND FUTURE PROSPECTS?

FROM WHAT has gone before, it is clear that the radio industry is complex. No one is completely satisfied with the way it produces programs or with its relations to the government. Its difficulties grow out of the fact that it has more than one function. It renders a definite public service by communicating, recording, and reporting news, ideas, and events for the public. But also, as an advertising medium for some dozens of industries, it operates to make profits for those industries and for itself.

Like most American institutions radio started out under the management of private persons and corporations. But radio's medium of operation—the air above our heads—was more like the sea or a public highway than like private land. It belonged to everyone, and it could not be divided up among private owners. Only a limited number could use the “highway” at any one time. And since more than that number wanted to use it, the government had to parcel out the ether's use by license, deciding who should use it and in what ways.

Radio stations resemble newspapers in that both report news and both serve as platforms for the spreading of views and the debate of public issues. The similarity naturally brings up the question of freedom of the press as it applies—or should apply—to radio. The traditional mistrust of government control of or influence over the press is the foremost problem.

1 Sponsor
with product
to sell . . .



2 Goes to
advertising
agency . . .



It would appear that radio comes under the clear meaning, if not the exact words, of the first amendment to the Constitution: "Congress shall make no law . . . abridging the freedom of speech, or of the press." Yet for physical reasons, radio cannot operate free from some government control. And it is very difficult in practice to draw a clear line between partial control and complete control.

Conflicts of split personality

Out of the dual nature of radio as a profit-making business and a public service, numerous conflicts arise. Should radio be essentially a medium for selling goods? Should it fill more and more hours at higher rates with profitable advertisements—accompanied by entertainment devices for attracting listeners to the ads? If it does that, how can it, as a sound, profit-making business venture, stop short of crowding out the other, nonprofit function entirely? At the least will it not be tempted to put profits ahead of public service?

If such a trend sets in, would another radio system

5 Stations
broadcast . . .



6 To the
public . . .



3 Agency selects talent . . .



4 Chooses network and time . . .



eventually appear, supported in some other way, to meet the public's need for undiluted news, commentaries, forums, public announcements, and educational activities? If so, would the present highly organized, skillfully led broadcasting industry find that the goose that lays the golden egg had quietly died?

On the other hand, should broadcasters consciously and responsibly assume a double role? Can radio be at once a public-service medium and a private advertising medium? Can broadcasters design a radio menu which balances in proper proportions and separates in proper compartments two items of diet so different? Accurate reporting of news, truthful comment on public events, and unbiased presentation of political, economic, and social views call for one set of principles. Plugs for hair tonic or claims for vitamin pills, both exaggerated beyond the bounds of accuracy, call for another set.

Can the radio string together quarter-hours of music, comedy, commentary, and advertising gems without violating listener sensibilities and tastes? Can the station

7 Public buys . . .



8 Sponsor is happy . . .



owner and the network say to the advertisers who foot their bills: "This kind of plug, yes, and that kind, no. So much time for ads and no more"?

Can they say to the person or the group who would attack their own or their principal advertiser's interest, "Yes, you may have time and your fair share of time on our schedule"? Will radio, with television and facsimile added, forego the technical advantage of unified control and centralized management? Should it conscientiously do so for the sake of avoiding monopoly control by keeping ownership in many hands?

Does radio give anything like the skill, talent, and time to educational purposes that it does to amusement? Should it do so if radio is potentially equal, let us say, to books, magazines, and lecture halls as a serious educational instrument?

Possible solutions in the future: FM

These are the kinds of problems that radio, as an industry serving both a public and a commercial function, will be facing in the years ahead. The problems do not, however, have to be met and solved within the present framework of the four networks and 900 stations now occupying the 550-1600 kilocycle range on the dial. Frequency modulation broadcasting (FM), occupying a group of channels higher up in the spectrum, is ready for extensive commercial development. FCC can, if it desires, grant FM licenses to 2,700 stations without their broadcasts interfering with one another. One of the major networks has itself declared that FM opens the way for six or more new networks as well. The technical characteristics of this newer method of broadcasting may make it possible, therefore, for a large number of stations to serve a single community.

FM also offers other opportunities for variety. With FCC approval, a new set of noncommercial networks is being

planned. These would link together the endowed and public educational institutions engaged in broadcasting. Their educational and other public-service and cultural programs, thus, would all be under public educational authority and be supported by taxation or endowment rather than advertising.

This plan would place alongside commercial radio an entirely public-service radio on a state-wide network basis. And the request is for full morning-to-night service.

Subscription radio, television, and facsimile

The former head of a leading radio advertising agency has also proposed so-called "subscription radio" for FCC approval. This is based on a recently invented device (pig-squeal) which will permit broadcasting companies to transmit programs only to those listeners who subscribe a certain amount of money monthly. The scheme is somewhat like the British system of supporting radio by imposing individual license fees on each receiver.

If frequencies are granted for such an enterprise, it will be an interesting experiment in broadcasting paid for by the listeners rather than by the advertisers. The daily program would be completely free from advertising interruptions. Such programs would be on the same dial and would compete directly with the commercial advertising radio.

FM, at most, will gradually supplant our present transmission-reception system by amplitude modulation. Television, also in the offing, is a more radical innovation. Unlike FM radio, its technical characteristics seem to call for very expensive installations and high program production costs. It may tend toward greater concentration of ownership.

Possibly the highly-centralized motion-picture industry may become a principal maker of television programs. The

broadcast networks interested in television clearly want to keep the making of programs within their own control. They would rather not serve merely as buyers and sellers of programs made in advertising agency studios.

It would be foolhardy to predict what chefs will actually make up the television menu, or what kind of food they will serve for the spectator-listener. But they are not likely to be the same chefs who now serve the radio audience.

Facsimile broadcasting, which at some future date may transmit printed bulletins by radio, will draw closer together the interests of newspapers and radio. It will present new possibilities and new problems in the control and communication of news. Facsimile will also make it possible to "deliver" magazines and books to our homes by radio.

Short-wave and international regulation

Finally, the war stimulated great development of international short-wave broadcasting, entirely at the hands of government agencies and for war purposes. The return of peace will probably allow the government to step out of the direct control and direct operation of short-wave facilities. But short-wave radio is an international agency of communication. Private broadcasters interested in developing short-wave programs, therefore, feel that the federal government will have to exercise more control than it does in the case of domestic radio. What form future American short-wave broadcasting will take and precisely what role the government will play in it have not yet been decided.

Radio waves—and short waves in particular—have no respect for political boundaries. Just as their disregard of state lines makes federal supervision necessary, so their inability to stop at national borders calls for international regulation. It's another case of having to create a superior

authority or set of rules in order to avoid impossible confusion.

To take the most obvious examples, radio stations in Canada and the United States must stay off each other's wave lengths. So must the stations in Europe's many nations. The only way to solve effectively this and the many other international problems of radio is by international agreement. As new techniques of broadcasting are developed, the international as well as the domestic consequences become more complex.

At the moment, then, radio bristles with unsolved problems of long standing, with new opportunities, and with new problems.

WHAT SOLUTIONS HAVE OTHER NATIONS TRIED?

UP TO THIS POINT we have seen how government control of radio broadcasting started and grew—and why. We have examined the present situation. We have looked at the problems of the setup today and we have attempted to foresee the new problems that tomorrow will bring.

In theory there are and will be three possible methods of regulating radio and the related means of communication: (1) by strictly private, commercial interests in the broadcasting business; (2) by a mixture of private and governmental control; and (3) by complete government control and ownership. In practice the first method is not possible. The experience of confusion in the early life of radio convinced everyone that purely private control will not work. A "radio traffic cop" has to be put in authority to regulate and enforce the assignment of scarce frequency channels among the many bidders. Inasmuch as these channels are deemed to "belong" to all the people rather than to the private businesses which are licensed to use them,

the government appears to be the only proper traffic control agent.

Opponents of further increase in the government's control over radio seek a counterbalance in an increased number of private interests brought into the field. As a defense against the concentration of control in the hands of the government, they suggest that universities, municipal governments, trade unions, consumers' cooperatives, and other noncommercial groups get into broadcasting. This kind of development will be made possible with the many new stations permitted through frequency modulation.

As a practical matter, therefore, the question is not whether radio should be privately or publicly regulated. It is how much public regulation there should be.

The British Broadcasting Corporation

Private control over broadcasting facilities and over program content is greatest in the United States. In totalitarian countries broadcasting is a government monopoly, supported out of tax funds and used to mobilize the support of the people for the ruling clique. No free public discussion is permitted. But government radio is not limited to totalitarian systems.

For comparative purposes, the organization of radio in Great Britain and the Dominions is most interesting to Americans. In the British Isles all broadcasting facilities are owned and operated by the British Broadcasting Corporation, a government agency. Since 1926, BBC has operated under Royal Charter authorized by Parliament. The management of the corporation is in the hands of a board of governors appointed by the Cabinet. Ultimate responsibility rests in the House of Commons.

Under its charter, which is renewed every ten years by Parliamentary act, BBC is authorized to use broadcasting as a means of "information, education and entertainment

in the national interest." Some critics of American broadcasting organization point to Britain as an example of how the government can control radio and satisfy the public. On the other hand, those who favor limiting the government's power in radio argue that if a public agency controls access to the air, freedom of discussion is curtailed. They also assert that BBC does not produce as good programs as we enjoy in the United States.

The way of two dominions

Canada and Australia provide examples of radio control structure which are closer to our own. They may be called mixed systems. In both those nations, the government owns and operates a national network and individual stations. In addition, as FCC does in the United States, it licenses private operators who wish to broadcast. This setup has developed partly because of the large rural population, which could not be served profitably by private broadcasting.

Broadcasting in Canada is controlled by a government agency called the Canadian Broadcasting Corporation. There are about 90 Canadian stations, of which 8 or more are owned and operated by the government—among them the 4 most powerful stations in the country. CBC also provides network programs to private stations in much the same way that the four major networks in the United States do. Programs from all four American networks are also distributed in Canada through the CBC. CBC regulations are something like a mixture of FCC rules on the one hand and the NAB Code on the other—but with the Code made obligatory and thus fully effective.

In Australia a larger proportion—about one-third—of the stations in operation are owned and managed by the Australian Broadcasting Commission, which operates the one national network. The others are privately operated. Stations owned by the government are supported by license

fees paid by the owners of receiving sets. Private stations get their income from the sale of time. In Australia, the government links its own stations to the commercial stations for important programs or news announcements.

Other countries have worked out differing mixtures of government and private ownership and operation of radio. They have set up schemes of support through various combinations of tax, license-fee, and advertising revenue.

Thus radio has not yet settled down to a single fixed pattern in the democratic countries.

What is at stake?

Who is to control this wonderful new medium of human communication, and how? Essentially it is a problem of deciding what kind of control involves the least risk and promises the most technical and social progress. There is little doubt about the objectives to be sought. Radio can be used to help make the listener into a mechanical man—a pawn of selfish interests. It may waste precious leisure time. It may propagandize for ideas and schemes that will be harmful.

On the other hand, it can serve the American public and the world public by strengthening men's knowledge about themselves and the world in which they live. It can provide healthful amusement and entertainment. Through it a man can become a better human being and a more intelligent, better informed citizen.

Radio can become a real community nervous system, an invaluable instrument to unify and energize all the nation's people and reach them all at once. It can distribute essential facts, significant truths, relaxing amusement, and inspiring artistic presentation.

The control of radio, therefore, is one of the exciting problems to be dealt with in the world now that the war is ended.

TO THE DISCUSSION LEADER

YOU HAVE a very live question in "How far should government control radio?" The present system of supervising radio in the United States seems to be working pretty well; but as with all live things, radio is constantly presenting its industry, its public, and its government with new problems to solve. Will these new problems—FM, subscription radio, facsimile radio, television—bring new forms of control? Who will exercise this control, and how? What dangers lie in the extension of federal control? Where can the line be drawn between enough and too much regulation? What are the disadvantages and advantages of our system as compared with the systems of radio supervision developed in other democratic countries? These and a hundred other questions can lead to highly stimulating and informative discussion.

Organizing your discussion

In planning a short introductory talk, you might deal briefly with these questions:

What conditions led to the creation of FCC in 1934?

(Pages 9-13.)

How does FCC supervise radio? (Pages 13-22.)

What policies are enforced by the NAB Code? (Pages 22-27.)

Another practical way to get background facts informally before your group is to ask each of three men to prepare themselves to answer one of the above questions. They can

either speak from the floor or seat themselves as a panel with you as chairman. In the latter case they can help you effectively to carry on with the discussion which follows.

After you have cleared the ground for the discussion proper, you will want to have ready an outline or list of questions which will serve to remind you of major controversial points that should be brought up for discussion. "Questions for discussion" have been prepared to help you in this. Probably you will want to ask a lead-off question to get the talk started. When one main point has been pretty well explored, you might step in with a very brief summary of it and then raise another major question. Often the questions will be raised for you. Then all you will need to do is to recognize pertinent ones or to postpone consideration of those that belong later in the discussion. This selection of questions is your chief function as discussion leader.

Reading

GI Roundtable manuals are intended for general reading by members of discussion groups as well as aids to leaders. You will find that discussion will be stimulated if as many men as possible have read this pamphlet in advance. Get the additional copies authorized, and put a number in the library, dayrooms, service club, or other central location where men may pick them up at leisure.

Discussion techniques

Detailed and practical suggestions for organizing and conducting discussion groups in the Army are described in EM 1, *GI Roundtable: Guide for Discussion Leaders*. If you plan to broadcast roundtable discussions or forums on station or sound systems of the Armed Forces Radio Service, you will find excellent material on radio discussion tech-

niques in EM 90, *GI Radio Roundtable*. Both can be requisitioned by information-education officers from USAFI or any USAFI oversea branch.

Questions for discussion

1

Do you think that freedom of speech over the radio has been restricted in any way by the licensing rules of FCC? Is there any danger that it might be? Is there evidence that advertisers control what shall be said over the radio on controversial issues? Do you think radio policies on controversial issues are well handled under the voluntary NAB Code? Should trade unions and consumers' cooperatives be permitted to buy radio time? Are there any matters now controlled voluntarily under the NAB Code that might properly be supervised by FCC?

2

Should radio be essentially a medium for selling goods? Do you think enough time is given at present to "sustaining programs" in the service of the public? Will the radio industry, as a sound, profit-making business, be tempted to put profits ahead of public service? If such a trend sets in, would you want to see a nonprofit system which was supported in some other way? Should such a system be paid for by taxes or by private subscription? Can public interest best be served by having competition enforced by FCC licensing rules, limiting one station to one owner in any community?

3

Do you think that FM will change the radio picture greatly? Do you think that new noncommercial FM networks which are now being planned will be successful?

How should they be supported? Are they likely to offer stiff competition to present commercial networks? Do you think that subscription radio should be encouraged by FCC? Is television so expensive that it can be supported only by advertising? Do you think that the same people will plan television programs who now prepare our radio fare? Will the government have to exercise more control over international short-wave radio than it does over domestic radio?

4

What do you think should be the objectives of a democratic nation in working out a national policy for supervising radio? Where should we in the United States draw a line between government and private control of radio? Is there a likelihood of more government control unless an increased number of private interests are brought into the field? How do other democratic countries supervise radio in the public service? What are the advantages and disadvantages of the British system? Does the British system appear to limit freedom of speech on the radio? Would either the Canadian or Australian systems suit the United States? Why?

FOR FURTHER READING

THESE BOOKS are suggested for supplementary reading if you have access to them or wish to purchase them from the publishers. They are not approved nor officially supplied by the War Department. They have been selected because they give additional information and represent different points of view.

ABC OF RADIO. By National Association of Broadcasters, 1760 N St., N.W., Washington 6, D. C. (1938). Free on request.

AN ABC OF THE FCC. By the Federal Communications Commission, Washington 25, D. C. (1940). Free on request.

NATIONAL POLICY FOR RADIO BROADCASTING. By Cornelia B. Rose. Published by Harper and Brothers, 49 East 33rd St., New York 16, N. Y. (1940). \$3.00.

MODERN RADIO. By Kingdon S. Tyler. Published by Harcourt, Brace and Co., 383 Madison Ave., New York 17, N. Y. (1944). \$3.00.



OTHER GI ROUNDTABLE SUBJECTS

INTRODUCTORY COPIES of each new *GI Roundtable* pamphlet are automatically issued to information-education officers in the United States and overseas areas. Additional copies are authorized on the basis of one copy for each 25 military personnel. Pamphlets may be requisitioned from the United States Armed Forces Institute, Madison 3, Wisconsin, or from the nearest USAFI Oversea Branch. List EM number, title, and quantity. New subjects will be announced as published. *GI Roundtable* subjects now available:

- EM 1, GUIDE FOR DISCUSSION LEADERS
- EM 2, WHAT IS PROPAGANDA?
- EM 10, WHAT SHALL BE DONE ABOUT GERMANY AFTER THE WAR?
- EM 11, WHAT SHALL BE DONE WITH THE WAR CRIMINALS?
- EM 12, CAN WE PREVENT FUTURE WARS?
- EM 13, HOW SHALL LEND-LEASE ACCOUNTS BE SETTLED?
- EM 14, IS THE GOOD NEIGHBOR POLICY A SUCCESS?
- EM 15, WHAT SHALL BE DONE ABOUT JAPAN AFTER VICTORY?
- EM 20, WHAT HAS ALASKA TO OFFER POSTWAR PIONEERS?
- EM 22, WILL THERE BE WORK FOR ALL?
- EM 23, WHY CO-OPS? WHAT ARE THEY? HOW DO THEY WORK?
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- EM 33, WHAT WILL YOUR TOWN BE LIKE?
- EM 34, SHALL I GO BACK TO SCHOOL?
- EM 35, SHALL I TAKE UP FARMING?
- EM 36, DOES IT PAY TO BORROW?
- EM 37, WILL THERE BE A PLANE IN EVERY GARAGE?
- EM 40, WILL THE FRENCH REPUBLIC LIVE AGAIN?
- EM 41, OUR BRITISH ALLY
- EM 42, OUR CHINESE ALLY
- EM 43, THE BALKANS—MANY PEOPLES, MANY PROBLEMS
- EM 44, AUSTRALIA: OUR NEIGHBOR "DOWN UNDER"
- EM 45, WHAT FUTURE FOR THE ISLANDS OF THE PACIFIC?
- EM 46, OUR RUSSIAN ALLY
- EM 90, GI RADIO ROUNDTABLE

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