



NLRB REBUKES PETRILLO

The National Labor Relations Board has entered a final Decision and Order in the NBC and Blue Network case involving the National Association of Broadcast Engineers and Technicians (NABET) and the American Federation of Musicians. The Board adopted in full the findings, conclusions and recommendations of the Trial Examiner with the exceptions, additions and qualifications set forth in note 1, appearing in the verbatim copy of the Decision and Order. To fully understand the Board's final Decision and Order, the Intermediate Report of the Trial Examiner should be read. This is published in full in Vol. 13, page 74, *et seq.*, of the NAB REPORTS.

The Order directs NBC and the Blue to cease and desist from refusing to bargain collectively with NABET as the exclusive representatives of their employees including "all technical employees * * * engaged in the operation of technical facilities used in transmitting, converting, and/or conducting audio, video and/or radio frequencies for use in broadcast, re-broadcast, audition, rehearsal, recording and/or 'on the air play-back' excepting 'on the air' play-back in Chicago, Illinois."

This means that exclusive jurisdiction over "platter turners" in NBC and Blue managed and operated stations, except in Chicago, Illinois, is awarded to NABET.

(NOTE: For further information with reference to preliminary negotiations leading up to this final decision, see NAB REPORTS, Vol. 13, page 37.)

The full text of the Decision and Order follows:

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
Case No. 2-C-5735
In the Matter of
NATIONAL BROADCASTING COMPANY, INC.
and
NATIONAL ASSOCIATION OF BROADCAST ENGINEERS AND TECHNICIANS
and
AMERICAN FEDERATION OF MUSICIANS
Case No. 2-C-5734
In the Matter of
AMERICAN BROADCASTING COMPANY, INC.
and
NATIONAL ASSOCIATION OF BROADCAST ENGINEERS AND TECHNICIANS
and
AMERICAN FEDERATION OF MUSICIANS

Decision and Order

On February 3, 1945, the Trial Examiner issued his Intermediate Report in the above-entitled consolidated

proceeding, finding that the respondents had engaged in and were engaging in certain unfair labor practices and recommending that they cease and desist therefrom and take certain affirmative action, as set out in the copy of the Intermediate Report attached hereto. Thereafter, the American Federation of Musicians, herein called the AFM, and the respondent American Broadcasting Company, Inc., filed exceptions to the Intermediate Report; the respondent American Broadcasting Co., Inc., also filed a supporting brief. Oral argument, in which the respondents, the AFM, and National Association of Broadcasting Engineers and Technicians, herein called NABET, participated, was held before the Board at Washington, D. C., on March 6, 1945. The Board has reviewed the rulings of the Trial Examiner and finds that no prejudicial error was committed. The rulings are hereby affirmed. The Board has considered the Intermediate Report, the exceptions and briefs of the parties, and the entire record in the case, and hereby adopts the findings, conclusions, and recommendations of the Trial Examiner, with the exceptions, additions, and qualifications noted below:¹

1. At the oral argument before the Board, counsel for the AFM conceded that unless the Board were to reverse its determination of the appropriate unit in the representation proceeding, the contentions of the AFM would constitute no valid defense to the respondents' refusal to bargain with NABET. No new evidence has been offered and no new arguments have been advanced relating to the issue of whether platter turners should be within a musicians' unit as claimed by AFM or, except in Chicago, within an engineers' and technicians' unit as determined by the Board in the representation proceeding. After full reconsideration of the issues we affirm our unit determination in this respect.

2. As part of their defense, the respondents inferentially base their refusal to bargain with NABET on the letters of January 27 and 28, 1944, which both the AFM and the respondents contend constitute valid contracts. However, at the representation proceeding and at the oral argument before the Board in the present proceeding, it was admitted that these alleged agreements had been made subject to our determination in a proper representation proceeding that platter turners, except in Chicago, would be included in a musicians' unit represented by the AFM.² Since we

¹ The Trial Examiner found that the parties met for the last time on January 24 and that during this meeting the respondents unsuccessfully attempted to induce NABET to waive its jurisdiction over platter turners. The record shows and we find, that while the parties met again after January 24, 1944, the last time that the respondents attempted to induce NABET to waive its jurisdiction over the platter turners was at a meeting with NABET on January 24, 1944.

² The record in the representation proceeding contains the following statements:

MR. McDONALD (Counsel for the respondent National Broadcasting Company, Inc.): . . . We discussed terms with Local 802 under which platter turners would be employed, provided the NLRB certified the AFM jurisdiction of platter turners, . . .

* * * *

MR. PADWAY (Counsel for the AFM): Well, I accept Mr. McDonald's explanation of it, that is all, and that saves a lot of time.

The transcript of the oral argument in the present proceeding contains the following statements:

MR. PADWAY: The contract of the musicians was about to expire. Conferences were had respecting . . . any other terms and conditions which would enter into the new contract; that the musicians made a formal demand for platter turners; that their demand was granted

(Continued on page 134)



1760 N St., N. W. WASHINGTON 6, D. C. Phone NAational 2080

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

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(Continued from page 133)

have determined that they should be included in a unit of engineers and technicians represented by NABET, this condition was never met. Accordingly, apart from any other considerations, we find that the letters of January 27 and January 28, 1944, do not constitute a valid defense to the respondents' refusal to bargain.

3. As a further defense to their refusal to bargain with NABET the respondents, as set forth in the Intermediate Report, rely upon the economic reprisals which the AFM threatened to put into effect if they recognized and bargained with NABET as the exclusive representatives for platter turners. We have fully considered the respondents' contention in this respect and, as we have previously held, we find that neither as a matter of law does it constitute a defense to the duty to bargain required by the Act nor in the exercise of our discretion do we regard it as a valid justification for such refusals.³

Order

Upon the entire record in the case, and pursuant to Section 10 (c) of the National Labor Relations Act, the National Labor Relations Board hereby orders that:

A. The respondents, National Broadcasting Company, Inc., and American Broadcasting Company, Inc., both of New York City, and their respective officers, agents, successors, and assigns, shall cease and desist from:

(1) Refusing to bargain collectively with National Association of Broadcast Engineers and Technicians as the exclusive representative of their respective employees in the respective appropriate units set forth in paragraphs B (1) and C (1) of this Order with respect to rates of pay, wages, hours of employment, and other conditions of employment;

(2) Engaging in any like or related acts or conduct interfering with, restraining, or coercing their employees in the exercise of their right to self-organization, to form labor organizations, to join or assist National Association of Broadcast Engineers and Technicians, or any other labor organization, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection, as guaranteed in Section 7 of the Act.

subject to whatever might be determined by the National Labor Relations Board.

* * * * *

MR. McDONALD: Gentlemen of the Board, in answer to Judge Padway's question I would like to state that it is my understanding that the letters given in January of 1944, were, of course, subject to any decision that this National Labor Relations Board might make, but he (sic) letter of N.B.C. did not specifically so state. I regarded it as an implied condition . . .

³ *Matter of Gluek Brewing Co.*, 47 NLRB 1079, 1093, enf'd 144 F. (2d) 847 (C.C.A. 8); *Matter of McQuay Norris Manufacturing Company*, 21 NLRB 709, 717, enf'd 116 F. (2d) 748 (C.C.A. 7), cert. denied 313 U. S. 565; *Matter of Star Publishing Company*, 4 NLRB 498, enf'd 97 F. (2d) 465 (C.C.A. 9); *Matter of Isthmian Steamship Company*, 22 NLRB 689, 699, enf'd 126 F. (2d) 598 (C.C.A. 2); and *Matter of Walgreen Company*, 44 NLRB 1200, 1214.

B. The respondent National Broadcasting Company, Inc., and its officers, agents, successors, and assigns, shall take the following affirmative action which the Board finds will effectuate the policies of the Act:

(1) Upon request, bargain collectively with National Association of Broadcast Engineers and Technicians as the exclusive representative of all technical employees, wherever located, of the engineering department of National Broadcasting Co., Inc., engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, in respect to rates of pay, wages, hours of employment, and other conditions of employment;

(2) Post in its studios at New York City; Chicago, Illinois; Washington, D. C.; Cleveland, Ohio; Denver, Colorado; and San Francisco, California, copies of the notice attached hereto, marked "Appendix A." Copies of said notice, to be furnished by the Regional Director for the Second Region, shall, after being duly signed by the respondent's representative, be posted immediately upon receipt thereof, and maintained by it for sixty (60) consecutive days thereafter, in conspicuous places, including all places where notices to employees are customarily posted. Reasonable steps shall be taken by the respondent to insure that said notices are not altered, defaced, or covered by any other material;

(3) Notify the Regional Director for the Second Region in writing, within ten (10) days from the date of this Order, what steps the respondent has taken to comply herewith.

C. The respondent American Broadcasting Company, Inc., and its officers, agents, successors, and assigns, shall take the following affirmative action which the Board finds will effectuate the policies of the Act:

(1) Upon request, bargain collectively with National Association of Engineers and Technicians as the exclusive representative of all technical employees, wherever located, of the engineering department of American Broadcasting Company, Inc., engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, in respect to rates of pay, wages, hours of employment, and other conditions of employment;

(2) Post in its studios at New York City; Chicago, Illinois; San Francisco, California; and Los Angeles, California, copies of the notice attached hereto, marked "Appendix B." Copies of said notice, to be furnished by the Regional Director for the Second Region, shall, after being duly signed by the respondent's representative, be posted by the respondent immediately upon receipt thereof, and maintained by it for sixty (60) consecutive days thereafter, in conspicuous places, including all places where notices to employees are customarily posted. Reasonable steps shall be taken by the respondent to insure that said

notices are not altered, defaced, or covered by any other material;

(3) Notify the Regional Director for the Second Region in writing, within ten (10) days from the date of this Order, what steps the respondent has taken to comply therewith.

Signed at Washington, D. C., this 31st day of March 1945.

HARRY A. MILLIS,
Chairman.

GERARD D. REILLY,
Member.

JOHN M. HOUSTON,
Member.

(SEAL)

NATIONAL LABOR RELATIONS BOARD

FCC ELEVATES HYDE

Rosel H. Hyde, longtime FCC assistant general counsel, has been named by the Commission to fill the post of General Counsel vacated by Charles R. Denny who was sworn in as Commissioner last Friday.

Appointment of Vernon L. Wilkinson of the Lands Division, Department of Justice, to succeed Mr. Hyde as assistant general counsel in charge of broadcasting was announced at the same time. Leonard H. Marks was moved up to the post of assistant to the general counsel.

Marks fills the position vacated last fall by Peter Shuebruk, and in assuming his new duties leaves behind him the position of chief of the New Facilities Division.

8TH DISTRICT MEETING

Concluding a series of 18 district meetings, broadcasters of the 8th NAB District (Michigan-Indiana) convened in Detroit on Monday and Tuesday (2-3). District Director John E. Fetzer, WKZO, presided and introduced J. Harold Ryan, NAB President. Mr. Ryan occupied nearly the entire morning session in a detailed review of NAB activities and objectives. In the absence of John Morgan Davis, General Counsel, Mr. Ryan also covered the labor relations activities of the Association.

The afternoon session of the first day was given over to a presentation of the Broadcast Measurement Bureau. President Hugh Feltis was aided by Otto Stadelman of Needham, Louis and Brorby. In addition Joe Neebe, Vice President of Campbell-Ewald, likewise presented the agency viewpoint, assisted by M. A. Hollinshead, Radio Director of Campbell-Ewald. Horace Stovin, a member of the Board of the Bureau of Broadcast Measurement, the Canadian organization which parallels BMB, and Walter Elliott, BBM Research Counsel, who were guests at the meeting, told of the progress of the Canadian organization. A full account of the results will be published in an early BMB bulletin.

Following the BMB presentation, Director Fetzer who is serving as Assistant Director of Censorship in Charge of Radio, outlined problems incident to censorship. Al H. Lewellen of the Cleveland office of OWI, told of the plans for allocation which lie immediately ahead. The afternoon session was concluded by a presentation in behalf of the NAB Program Directors Committee by Carl Vandergrift, Program Director of WOW.

Those attending the meeting were guests of WJR at a reception following the afternoon session.

At the morning session of the second day, Robert Mason, WMRN, Chairman of the NAB Small Market Stations Committee, presided over a panel dealing with that subject. Owen Uridge, WJR, 8th District Chairman of the Sales Managers Committee, presided over a sales session at which Lewis H. Avery and Helen Cornelius of the NAB Broadcast Advertising Department discussed various sales

problems. Miss Cornelius dealt largely with problems incident to retail radio advertising.

This morning's session ran over slightly into the afternoon session which was concluded with a report by the Resolutions Committee made up as follows: Howard Loeb, WFDF, John O'Harrow, WKZO, and George Jackson, WBOW. The following resolutions were unanimously adopted:

WHEREAS the 8th District of the National Association of Broadcasters, assembled in Detroit, Michigan, the second and third day of April, 1945, has given careful consideration to the proposed plan of the newly organized Broadcast Measurement Bureau, and

WHEREAS the plan has received the hearty endorsement of a large majority of the 8th District broadcasters, now, therefore

BE IT RESOLVED that the officers and directors of the Broadcast Measurement Bureau be given a vote of confidence and thanks for their accomplishments to date, and

BE IT FURTHER RESOLVED that the 8th District broadcasters be furnished with all available details of the plan before it is put into operation, so that additional suggestions may possibly be made by subscribing stations.

* * * * *

WHEREAS the broadcasters of the 8th NAB District wish to recognize the services rendered to the broadcasting industry by certain individuals, now, therefore

BE IT RESOLVED that the entire body expresses its appreciation for the untiring efforts of J. Harold Ryan during his term of office as President of NAB; to Hugh Feltis, President of BMB, for his diligent work in establishing an understanding of the new Measurement Bureau plan; to John Fetzer for his work in the Office of Censorship as well as in his directorship of the 8th NAB District; to Lewis H. Avery, Director of Broadcast Advertising, Helen A. Cornelius, Assistant Director of Broadcast Advertising of NAB, and to Robert T. Mason of WMRN, Marion, Ohio, Chairman of the Small Market Stations Committee for their contributions to the field of broadcast advertising.

9TH DISTRICT MEETS

Broadcasters of the 9th District (Illinois and southern Wisconsin) reelected Leslie C. Johnson, WHBF, as District Director for the ensuing two-year term. The action was taken at the closing session of a two-day meeting held in Chicago on Thursday and Friday (March 29-30).

The first morning of the meeting was devoted to a review of NAB activities and objectives by J. Harold Ryan, NAB President. He was followed by John Morgan Davis, NAB General Counsel, who outlined plans for a more complete service on employer-employee matters by NAB.

The broadcasters in the district responded promptly and enthusiastically to the presentation of the Broadcast Measurement Bureau plan by Hugh Feltis, BMB President, at the afternoon meeting on the first day. At the end of the meeting, 88 per cent of those registered had signed.

The session on the second morning opened with a discussion of engineering problems led by Oscar C. Hirsch of WKRO and KFVS, District Chairman of the NAB Engineering Committee. Mr. Hirsch talked at length on the limited channels available for relay broadcasting and reviewed the resolution on the subject which he had submitted to the Resolutions Committee. (See end of report for text of resolution.)

One of the most interesting analyses of public relations delivered at any of the district meetings was presented by Edward E. Lindsay of WSOY, District Chairman of the NAB Public Relations Committee. From his background of several years as a newspaper editor and three years as a radio station manager, Mr. Lindsay brought the problem of good public relations into sharp focus from this dual point of view.

The Small Market Stations Panel was presided over by

Robert T. Mason of WMRN, Chairman of the NAB Small Market Stations Committee. His presentation included a review of the work of this committee since its organization in June, 1943, and a transcribed program outlining the opportunities and obligations of small market stations.

Hugh K. Boice, Jr., of WMBD, District Chairman of the NAB Sales Managers Committee, directed the Sales Managers Clinic, during which Lewis H. Avery and Helen A. Cornelius spoke. On a show of hands, the broadcasters present endorsed the so-called continuing renewal clause by a vote of nine to two.

Acting upon the recommendations of the Resolutions Committee, resolutions were adopted as follows: One, reciting the fact that the Treasury Procurement Division is placing a schedule of advertisements in newspapers for disposal of surplus property and is asking that this same service be performed by broadcasters as a public service, called upon the NAB Board to seek equal treatment for radio broadcasters in this respect.

A second resolution called for a change in Section 3,409 of the FCC Rules and Regulations to eliminate the provision requiring the station to keep on file the names and addresses of officers and directors of organizations and companies from whom scripts are received.

A third resolution commended the BMB plan for a standard method of measuring station coverage and called upon all broadcasters to pledge their unanimous support to the enterprise.

The need for some protective statute in each state to protect broadcasters against libel and slander suits was recognized in a fourth resolution. It called upon the NAB to exert its efforts and influence to the end that broadcasters in each NAB district should seek legislation in their respective states which will provide adequate protection against libel and slander in matters beyond the control of the broadcaster.

Petrillo and his platter-turner demands came in for a strong resolution on the part of these 9th District broadcasters. They reiterated their condemnation of the "made work" principle. They called upon all broadcasters and the networks to coordinate their activities with respect to matters involving a precedent in labor relations and asked that the fullest disclosure and industry-wide discussion of labor problems be given.

An engineering problem was the subject of another resolution unanimously endorsed by the meeting. It dealt with the subject of relay broadcasting, commended the NAB and Panel 4 of RTPB for the stands taken in behalf of the allocation of an adequate number of frequencies for the exclusive use of the radio broadcasting industry for relay broadcasting. The resolution further demanded the elimination of the rules prohibiting the use of relay broadcasting when wire facilities are available.

The efforts of the Board of Directors of NAB and the Labor Executive Committee in working to improve the service in the field of employer-employee relations rendered by NAB was highly commended. The resolution called for an effective, well-staffed Labor Department with sufficient funds to insure successful operation and service. They further urged a well-planned educational effort to secure the whole-hearted cooperation of all members to the end that the Labor Department could function efficiently and constructively.

Music copyright came in for attention in a resolution which pointed out that ASCAP and BMI, the two major sources from which radio now draws its supply of music, are operating under consent decrees, the terms of which require clearance at the source, and that other music licensing organizations are not so obligated. It was resolved that effort be made through NAB to prevail upon all music licensing groups not now licensing at the source to do so.

A final resolution adopted read as follows:

"Whereas the affairs of NAB have progressed and prospered under the sound administrative ability of J. Harold Ryan as president, therefore,

"Be It Resolved that the broadcasters of District 9 here express their appreciation of President Ryan's constructive leadership; their regret that he has determined to retire from the presidency, and their well wishes to him on his return to the biggest job of all, the role of a successful radio broadcast station operator."

FLORIDA BROADCASTERS MEET

Announcing that one of its major policies for the coming year would be whole-hearted cooperation in favoring BMI music for the coming and ensuing years, the Florida Association of Broadcasters held their annual meeting in Jacksonville on March 21.

The following officers were elected to serve for 1945-1946: President—James M. LeGate, WIOD, Miami; First Vice-President—Glenn Marshall, Jr., WFOY, St. Augustine; Second Vice-President—G. G. McBride, WDBO, Orlando; Secretary-Treasurer—Fred Mizer, WQAM, Miami (elected for third term); First Director—Jack Hopkins, WJAX, Jacksonville; Director—Teresa M. Myers, WTAL, Tallahassee; Director—S. O. Ward, WLAK, Lakeland.

MILLER INTRODUCES BILLS AFFECTING UNIONS

Rep. Arthur Lewis Miller (R), Nebraska, has introduced two bills in the U. S. House of Representatives, one of which would make illegal "check-off" payments and the other of which would make illegal "royalty" payments.

The text of H. R. 2818 is as follows:

A BILL

TO MAKE UNLAWFUL CERTAIN CONTRACTS AND PRACTICES IN CONNECTION WITH LABOR RELATIONS

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any agreement hereafter entered into between an employer and a labor organization, under which such employer undertakes to deduct from any employee's compensation any sum to be paid by such employer to such labor organization as membership dues of such employee, shall be unlawful.

(b) It shall be unlawful for any labor organization to demand or accept from any individual, not a member thereof, payment of any amount in consideration of the granting to such individual of a permit to work for any employer.

(c) Whoever enters into an agreement made unlawful by subsection (a), or violates the provisions of subsection (b), shall upon conviction thereof be punished by a fine of not to exceed \$

SEC. 2. As used in this Act—

(1) The term "employer" means an employer engaged in commerce or in the production of goods for commerce.

(2) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(3) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

The text of H. R. 2819 is as follows:

TO MAKE UNLAWFUL CERTAIN AGREEMENTS PROVIDING FOR PAYMENTS BY EMPLOYERS TO LABOR ORGANIZATIONS

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any agreement hereafter entered into between an employer and a labor organization, under which such employer is obligated to pay to such labor organization any amount or amounts in consideration of any undertaking, concession, or commitment made by such labor organization with reference to the performance of work or services by members of such union, shall be unlawful.

(b) Whoever enters into a contract made unlawful by subsection (a) shall upon conviction thereof be punished by a fine of not to exceed \$.

SEC. 2. As used in this Act—

(1) The term "employer" means an employer engaged in commerce or in the production of goods for commerce.

(2) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(3) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

RADIO NEWSMEN TO ATTEND SAN FRANCISCO PARLEY IN RECORD NUMBERS

The following letter from Richard Harkness, President, Radio Correspondents Association, has been received by Bruce Starkey, Chief, NAB News Bureau:

DEAR MR. STARKEY:

I want to thank you for your cooperation in presenting the request for registrations for the United Nations Security Conference at San Francisco. We have received more than 30 individual applications—which is very large for radio news coverage of such an event by individual stations.

I note that more than one-third of these requests were in response to the notice which the NAB sent out. Every member of our organization appreciates this, and I am sure that we will take advantage of your offer to cooperate in similar matters in the future.

Very truly yours,

(Signed) RICHARD HARKNESS, *President,*
Radio Correspondents' Association.

"LET'S GO TO TOWN" SHOWS DRAW PRAISE

Leslie Johnson, general manager, WHBF, Rock Island, Illinois, and NAB Director of District No. 9, got the surprise of his life, last week, when he heard from two Rock Island boys, both well known to him, who reported on the locally produced "Let's Go to Town" show.

Ensign Hugo Birkhahn, from aboard ship, somewhere in the Pacific, said: "It was the next best thing to being right at home."

Sgt. Edward Wisley, radio-gunner, caught the show just after he had returned from a mission. "I thought I had ear trouble," he wrote. ". . . the show was really a shot in the arm . . . morale boosted 100%."

Cpl. Lloyd C. Carlson, Moline, wrote from a base hospital in England: ". . . was really one of the big thrills of a lifetime."

"Best Thing in 2½ Years Away from Home"

Bob E. Hall, USN, Tulsa, former radio entertainer, wrote Allan Page, program director, KVOO, and Task Force Commander, that the Tulsa show was the best thing he had heard during his 2½ years absence from Tulsa. ". . . I got a feeling that I could never put into words. As the program moved along on the tour of familiar sounds, it seemed as though I were once again making those rounds myself," he said.

"Are You from New Bedford, Mate?"

When Leonard Allan Ashworth, acting chief mate in the Merchant Marine, was two days out of England, United States-bound, the radio operator yelled: "Are you from New Bedford, Mate?" "Sure." "Well, put on your earphones and listen." And then the New Bedford man heard the "Let's Go to Town" program made by WNBH.

He heard the looms at the Wamsutta mill, cans in the tinning room at the Aerovox, the High School band playing "On New Bedford," the girl cheer leaders, and other New Bedford familiar sounds, including traffic at Union and Pleasant streets and a sports summary.

"A Funny Feeling Welled Up Inside"

". . . when suddenly I heard the words 'Continental Wood Screw,' my ears started to flop and I took the whole thing in from there. . . . What a funny feeling welled up inside of me—and I'm not fooling. The sound of the St. Lawrence Church—with my own two children living but two blocks away from it—you sure hit a lot of tender spots. . . ."

Those are quotes from another letter received by WNBH from somewhere in the Pacific.

"Frank and Jake Heard It, Too"

Frank and Jake, U. S. Coast Guard L.S.T. (764), from somewhere in the central Pacific wrote WNBH:

". . . What brought memories back to both of us was when the announcer connected the program to hear the street cars and noise in the city; the first noise we heard was the Lunds Corner street cars bell, and we actually felt that we were riding in the streetcar as a civilian again."

"On the Marianas, 9,000 Miles from Home"

Back in 1933, Sgt. Tom Stockley, 19th Fighter Squadron, AAF, was known as "The Cape Cod Minstrel" with a 15-minute show over WNBH. On March 22, he caught the New Bedford "Let's Go to Town" program way out on the Marianas, 9,000 miles from home. Hugh R. Norman, station manager, was the Task Force Commander.

"Many Hear Troy Program"

Pacific and European locations have provided a large number of listener verifications to Troy "Let's Go to Town" program, of which Woodbury Carter, assistant station manager, was Task Force Commander.

In addition, letters came from families of servicemen that were advised by sons, brothers and husbands of the broadcast. One soldier wrote to the "Troy Record" from the Philippines expressing his pleasure for the program and his letter was published in full.

Complete 5 More Global Shows

Completion of 5 more "Let's Go to Town" programs has been reported since last week. The Sacramento show was actually shipped to Los Angeles on January 22, but its completion previously has not been reported. The complete list follows:

DISTRICT III

Scranton, Wilkes-Barre . . . George D. Coleman, WGBI, *TFC

DISTRICT VIII

Evansville . . . Clarence Leich, WGBF, *TFC

DISTRICT IX

Decatur . . . Edward F. Lindsay, WSOY, *TFC

DISTRICT X

St. Louis . . . John W. Tinnea, KWK, *TFC
(2 of 2 shows)

DISTRICT XV

Sacramento . . . Leo Ricketts, KFBK, *TFC

* Task Force Commander.

CRIPPLED CHILDREN MADE HAPPY BY WHIO COMICS

An avalanche of 20,000 comic books, cards, magazines and other items rolled into the offices of WHIO, Dayton, in response to a plea for these and other articles of interest for Barney Community Center, a Dayton institution for the care and education of crippled children.

Hearing of the happiness this activity was bringing to the Center, several other hospitals asked if they might be included in the program.

No adequate evaluation can be placed upon this work says WHIO. The handicapped children have been thrilled beyond measure with the joy of reading the funnies and with the beauty of the cards and pictures. Creative impulses have been stirred by the making of scrap books; idle hands and minds went to work with unusual zest. Unconsciously, the children are absorbing a knowledge and appreciation of art and beauty, and above this educational and pleasure value is the incalculably greater therapeutic value of busy hands and minds, and happy hearts.

"MANAGEMENT IN THE PUBLIC INTEREST" COMING OFF PRESS SOON

Inquiries have been received at NAB headquarters relative to the publication date of the industry's new public relations book, "Management in the Public Interest."

The 120-page volume will require an additional two weeks for completion and binding.

The first available bound volumes will be shipped to station managers, one to each station. Orders for extra copies will be filled soon after.

GOOD NEIGHBOR SUGGESTION

NAB has received a letter from Benjamin Edward Neal, president of the Good Neighbor Foundation, sponsors of *Good Neighbor Day*. Mr. Neal suggests:

"The second half of the war—in the Pacific—would end more quickly and the lives of many of our boys would be saved, if radio would prepare quickly to use station breaks, around the clock for twenty-four hours to tell America on the day after the defeat of Germany:

"I hear America calling me to duty until the last shot is fired. I will answer the call: I will carry my full share of the load to speed the coming of the day of enduring peace on earth. My heart is in America and America is in my heart! I am an American!"

KGVO GIRL IN NEW GUINEA

Hermina Girson, former traffic manager of KGVO, Missoula, Montana, now with the Red Cross as an overseas secretary, has arrived in New Guinea for reassignment in the Pacific Theater of War, it was learned this week at the station.

DILLARD GETS PUBLIC RELATIONS ASSIGNMENT

Headquarters of the American Public Relations Association informs NAB that Everett L. Dillard, owner and operator of NAB FM member Station KOZY in Kansas City, Mo., two FM outlets in Washington, D. C., and General Manager, Commercial Radio Equipment Co., has been named by the APRA Board of Governors to a position on the National Advisory Committee, representing the activities of the Radio Division.

He will help spearhead association endeavor in the organization and promotion of public relations procedures in AM, FM and television fields and will serve in a key post in the association's cooperation with the public relations program of radio facilities throughout the nation.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 9. They are subject to change.

Monday, April 9

WCBS—Charleston Broadcasting Co., Charleston, W. Va.—Renewal of license, 580 kc., 5 KW, unlimited, DA-night.

Tuesday, April 10

WGBF—Evansville On The Air, Inc., Evansville, Ind.—Renewal of license, 1280 kc., 1 KW night, 5 KW day, unlimited.

Wednesday, April 11

NEW—Copper City Broadcasting Corp., Rome, N. Y.—C. P., 1450 kc., 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WBBL—Grace Covenant Presbyterian Church, Richmond, Va.—Granted request for 30 days extension of time within which to comply with the procedural conditions attached to the conditional grant for construction permit to change frequency, etc.

WRIV—Thomas Garland Tinsley, Jr., Richmond, Va.—Granted request for 30 days extension of time within which to meet the terms of conditional grant for a new station.

Chas. P. Blackley, Staunton, Va.—Granted request for 30 days additional time within which to comply with procedural conditions in conditional grant of new station.

WFTL—The Fort Industry Co., Miami, Fla.—Granted request to change call letters of station from WFTL to WGBS.

WLB—University of Minnesota, Minneapolis, Minn.—Granted request to change call letters of station from WLB to KUOM.

WHNC—Henderson Radio Corp., Henderson, N. C.—Adopted memorandum opinion granting modification of construction permit (pursuant to Commission's action on December 12, 1944, authorizing a new station to operate on 890 kc., 250 watts, daytime only), to make changes in antenna, transmitter site and studio location; and further ordered that a construction permit as thus modified be issued.

WMFR—Radio Station WMFR, Inc. (assignor), James E. Lambeth, et al., d/b as Radio Station WMFR (assignee), High Point, N. C.—Granted consent to voluntary assignment of license of station WMFR (and relay station WHPT) from Radio Station WMFR, Inc., to James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as Radio Station WMFR, from a corporation to a partnership. No monetary consideration involved. (B3-AL-486)

WRBL—The Columbus Broadcasting Co., Inc. (assignor), J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co. (assignee), Columbus, Ga.—Granted consent to voluntary assignment of license of station WRBL (and relay stations WBLR and WJWC) from the Columbus Broadcasting Co., Inc., to J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co.—a newly formed partnership. No monetary consideration involved.

KICD—L. W. Andrews (transferor), Ben B. Sanders (transferee), Iowa Great Lakes Broadcasting Co. (licensee), Spencer, Iowa.—Granted consent to transfer to control of Iowa Great Lakes Broadcasting Co., licensee of station KICD, from L. W. Andrews, to Ben S. Sanders, through transfer of 309 (64.375%) shares of common stock and 120 (47.25%) shares of preferred stock, for a consideration of \$19,000 less an amount by which accrued and current liabilities of licensee exceed accrued and current assets by more than \$5,882 as at date of settlement. (B4-TC-429)

DESIGNATED FOR HEARING

KFNF—Henry Field (transferor), Midwest Broadcasting Co. (transferee), KFNF, Inc. (licensee), Shenandoah, Iowa.—Designated for hearing application for consent to transfer of control of KFNF, Inc., licensee of station KFNF, from Henry Field to Midwest Broadcasting Co. (B4-TC-430)

KFNF—KFNF, Inc., Shenandoah, Iowa.—Designated for further hearing in consolidated proceeding with application for transfer of control, the application for renewal of license of station KFNF.

LICENSE RENEWALS

Granted extension of following relay broadcast station licenses upon a temporary basis only, pending receipt and/or determination upon applications for renewal of license, in no event later than June 1, 1945:

KFBL and **KFBM**, Frontier Broadcasting Co., area of Cheyenne, Wyo.; **WHMK** and **WJEK**, Hagerstown Broadcasting Co., near Hagerstown, Md.; **KBIB**, The KANS Broadcasting Co., area of Wichita, Kans.; **WAIE**, Joe L. Smith, Jr., area of Beckley, W. Va.; **WAAK**, Radio Station WSOC, Inc., area of Charlotte, N. C.

Granted further extension of following relay broadcast station licenses upon a temporary basis only, pending determination upon application for renewal of license, in no event later than June 1, 1945:

KFAA, A. H. Belo Corp., area of Dallas, Tex.; **KNED**, Carter Publications, Inc., area of Ft. Worth, Tex.; **WADA**, Charleston Broadcasting Co., area of Charleston, W. Va.; **WAUT**, Evansville on the Air, Inc., Evansville, Ind.; **KIEL**, Fisher's Blend Station, Inc., area of Seattle, Wash.; **WQER**, Georgia School of Technology, area of Atlanta, Ga.; **KAXY** and **KEJR**, KGKO Broadcasting Co., area of Ft. Worth, Tex.; **WAXJ**, Lamar Life Insurance Co., area of Jackson, Miss.; **KABF**, McClatchy Broadcasting Co., area of Sacramento, Calif.; **WABG**, Memphis Publishing Co., area of Memphis, Tenn.; **WAOE**, Martin R. O'Brien, area of Aurora, Ill.; **WAIN** and **WEKH**, Peoria Broadcasting Co., area of Peoria, Ill.; **KBTA** and **KBTB**, Red River Broadcasting Co., Inc., area of Duluth, Minn.; **WAXL**, Jonas Weiland, area of Kinston, N. C.; **WAIJ** and **WAIY**, **WIBX**, Inc., area of Utica, N. Y.; **WTNK**, **WOAX**, Inc., area of Trenton, N. J.; **WMWA**, **WOKO**, Inc., area of Albany, N. Y.

WCBE—Columbia Broadcasting System, Inc., area of Charlotte, N. C.—Granted further extension of license of relay broadcast station, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than May 1, 1945. (B3-SRY-102)

Granted extension of licenses of following stations, upon a temporary basis only, pending determination upon applications for renewal of license, in no event later than May 1, 1945:

KADA, Ada, Okla.; **KANS**, Wichita, Kans.; **WPAT**, Paterson, N. J.; **WJDX**, Jackson, Miss.; **WGBB**, Freeport, N. Y.; **WOMT**, Manitowoc, Wisc.; **WJMC**, Rice Lake, Wisc.; **WEDC**, Chicago, Ill.; **KBIZ**, Ottumwa, Iowa; **WTAX**, Springfield, Ill.; **WHIZ**, Zanesville, Ohio; **WHAI**, Greenfield, Mass.; **WFXM**, San Bernardino, Calif.; **KFUN**, Las Vegas, N. Mex.; **WLOK**, Lima, Ohio; **WSOC**, Charlotte, N. C.; **WJTN**, Jamestown, N. Y.

MISCELLANEOUS

WSCC—Savannah Broadcasting Co., area of Savannah, Ga.—Granted license to cover construction permit authorizing a new relay broadcast station to be used with standard station WTOC; frequencies 30820, 33740, 35820 and 37980 kc., 2 watts. (B3-LRE-440)

The following applications for High Frequency (FM) broadcast stations were placed in the pending files in accordance with Commission policy of February 23, 1943:

The Crosley Corp., Washington, D. C.; **WKBH**, Inc., LaCrosse, Wisc.; Mobile Daily Newspapers, Inc., Mobile, Ala.; Hopkinsville Broadcasting Co., Inc., near Hopkinsville, Ky.; Henderson Broadcasting Co., Inc., Henderson, Ky.; **UAW-CIO**, Detroit, Mich., Los Angeles, Cleveland, Flint, Mich., Newark, N. J., Chicago, Ill.; Findlay Radio Co., Findlay, Ohio.

Scripps-Howard Radio, Inc., Cleveland, Ohio.—Placed in the pending files in accordance with Commission policy of February 23, 1943, application for new commercial television broadcast station.

Sacramento City Unified School District, Sacramento, Calif.—Placed in the pending files application for new noncommercial educational broadcast station.

Midstate Radio Corp., Utica, N. Y.—Petition to intervene in hearing on application of Copper City Broadcasting Co. passed over.

Utica Broadcasting Co., Inc., Utica, N. Y.—Petition to intervene in hearing on application of Copper City Broadcasting Co. passed over.

WMFF—Plattsburg Broadcasting Corp., Plattsburg, N. Y.—Granted petition to intervene in the hearing on application of the Brockway Company for a new station in Massena, N. Y.

Copper City Broadcasting Corp., Rome, N. Y.—The Commission on its own motion postponed the hearing now scheduled for April 11 to May 7, on application of Copper City Broadcasting Corp. for a new station in Rome, N. Y.

APPLICATIONS FILED AT FCC

910 Kilocycles

NEW—Valley Broadcasting Assn., Inc., McAllen, Texas—Construction permit for a new standard broadcast station to be operated on 910 kc., with power of 1 KW, unlimited hours of operation, and employing directional antenna day and night. **AMENDED**: to change location of transmitter from near McAllen, Texas, to near Edinburg, Texas.

1230 Kilocycles

WJBC—Arthur Malcolm McGregor, Dorothy Charlotte McGregor, and Hugh L. Gately, a partnership, d/b as Radio Station WJBC, Bloomington, Ill.—Involuntary assignment of license to Arthur Malcolm McGregor and Hugh L. Gately, a partnership, d/b as Radio Station WJBC.

WMFR—Radio Station WMFR, Inc., High Point, N. C.—Voluntary assignment of license to James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as Radio Station WMFR.

WHPT—Radio Station WMFR, Inc., area of High Point, N. C.—Voluntary assignment of license to James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as Radio Station WMFR.

NEW—The Corinth Broadcasting Co., Inc., Corinth, Miss.—Construction permit for a new standard broadcast station to be operated on 1230 kc., with power of 250 watts, and unlimited hours of operation.

KPHO—Phoenix Broadcasting, Inc., Phoenix, Ariz.—Acquisition of control of licensee corporation by Rex Schepp through purchase of 216 2/3 shares common stock (21 2/3%) from Central Newspapers, Inc.

1240 Kilocycles

WGGB—Harry H. Carman, Freeport, N. Y.—Modification of license to change hours of operation from share WFAS to unlimited time.

1300 Kilocycles

NEW—Broadcasting Corporation of America, N. of Brawley, Calif.—Construction permit for a new standard broadcast station to be operated on 1420 kc., with power of 1 KW, and unlimited hours of operation. AMENDED: to request 1300 kc., and power of 1 KW day and 500 watts night.

1330 Kilocycles

WFIN—Findlay Radio Co., Findlay, Ohio—Voluntary assignment of license to Fred R. Hover, tr/as Findlay Radio Company.

1450 Kilocycles

KFLW—Herald Publishing Co. of Klamath Falls, Klamath Falls, Ore.—Modification of construction permit (B5-P-3684 which authorized a new standard broadcast station) for changes in antenna and change of transmitter and studio locations.

NEW—Orangeburg Broadcasting Corp., Orangeburg, S. C.—Construction permit for a new standard broadcast station to be operated on 1450 kc., with power of 250 watts, and unlimited hours of operation.

FM APPLICATIONS

NEW—Florida Broadcasting Co., Jacksonville, Fla.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44700 kc., with coverage of 11,700 square miles. AMENDED: to change transmitter location from W. of Jacksonville, Fla., to Jacksonville, Fla.

NEW—United Broadcasting Co., Akron, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 47100 kc., with coverage of 4500 square miles.

NEW—Radio Broadcasting Corp., Twin Falls, Idaho—Construction permit for a new high frequency (FM) broadcast station to be operated on 48900 kc., with coverage of 2640 square miles.

NEW—Larus & Brothers Co., Inc., Richmond, Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43500 kc., with coverage of 17,898 square miles.

TELEVISION APPLICATIONS

NEW—United Broadcasting Co., Columbus, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (78000-84000 kc.), with ESR of 1030.

NEW—United Broadcasting Co., Akron, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #5 (84000-90000 kc.), with ESR of 970.

MISCELLANEOUS APPLICATIONS

NEW—William Henry Alford, Winston-Salem, N. C.—Construction permit for a new developmental broadcast station to be operated on 48100 kc., with power of 160.7 watts and A3 and FM emission.

NEW—Fred R. Hover, tr/as Findlay Radio Co., area of Findlay, Ohio—Construction permit for a new relay broadcast station to be operated on 30820, 33740, 35820, 37980 kc., with power of 25 watts, A3 emission.

Federal Trade Commission Docket

COMPLAINTS

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

Century Travel Service, Inc., 655 Fifth Ave., New York, and Harry Craig Cooper and Joseph C. Cooper, Jr., brothers residing at 1016 Fifth Ave., New York, are charged in a complaint with misrepresentation in connection with the sale of so-called "packaged tours," which are travel trips, at an all-inclusive price, and include transportation, hotel reservations, baggage and passenger transfers between terminals and hotels, sight-seeing trips and other incidental services. The brothers are copartners and trade as Century Travel Service, Century Travel Service Deluxe Tours, Mexican Advisory Tourist Bureau and Florida Advisory Hotel Bureau. (5299)

Mid-West Research Laboratory, 3806 Floyd Ave., Sioux City, Iowa, engaged in selling serums and medicinal preparations for poultry and domestic animals, is charged in a complaint with misrepresenting its business status. The complaint alleges that the respondent, by selling its preparations under the corporate name of Mid-West Research Laboratory, and by using such name on its stationery and in advertising, represents, when such is not a fact, that it owns, operates or controls a "research laboratory" or a "laboratory" within the common and usual meaning of the words. (5300)

Mirra Chemical Laboratories, 198 East Long St., Columbus, Ohio, is charged in a complaint with misrepresentation in connection with the sale of a moth preventive product designated "Mirra Moth Immunizer" or "Mirra Moth Carverizer." They also sell a cleansing compound under the name "Mirra All Purpose Soapless Household Cleaner." (5301)

STIPULATIONS

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

American Biochemical Corp.—A stipulation to discontinue misrepresenting the therapeutic properties of a medicinal preparation designated Paracelsus has been entered into by American Biochemical Corp., Hanna Building, Cleveland, Ohio. (3266)

Allied Radio Corp., et al.—Two Chicago corporations and a Washington, D. C., firm entered into stipulations to discontinue misrepresenting the tube capacity of certain radio sets they sell in interstate commerce.

Those entering into the stipulations are Allied Radio Corp., 833 West Jackson Blvd., Chicago; Nathan N. Wallack and M. D. Montague, trading as Star Radio Co., 409 Eleventh St. N. W., Washington, D. C.; and Spiegel, Inc., 1061 35th St., Chicago. They agree to cease and desist from representing that any radio receiving set contains a designated number of tubes or is of a designated tube capacity when one or more of the tubes referred to do not perform the recognized and customary functions of radio receiving set tubes in the detection, amplification and reception of radio signals. (03262-03263-03268)

A & N Trading Co., Inc., 8th and D Sts., N. W., Washington, D. C., stipulated that it will cease and desist from advertising, labeling or selling merchandise under any representation implying that such merchandise was manufactured for the armed forces or under Army or Navy specifications, unless it is regulation Army or Navy merchandise. (3999)

Berosol Products, Rockaway Beach, N. Y., entered into a stipulation to cease and desist from representing that the medicinal preparation he sells under the name "Mayr's" will prevent the absorption of toxic substances, relieve or correct indigestion or regulate the flow of bile, or that it is a stomach remedy. (03269)

Consolidated Trimming Corp.—A stipulation to discontinue misrepresenting the fiber content of thread designated "Silkso Twist" has been entered into by Consolidated Trimming Corp., 27 West 23d St., New York. (4004)

Exelento Medicine Co., Atlanta, Ga., has entered into a stipulation to cease certain misrepresentations in connection with the sale of cosmetics. The company agrees that it will discontinue representing that Exelento Hair Pomade will produce lustrous hair or improve the hair, or be of any benefit to the hair other than to straighten it temporarily and produce temporarily a smooth, oily appearance; that Exelento Skin Ointment possesses healing action; or, by use of the word "Whitener" in the brand name of the preparation Exelento Temporary Skin Whitener, or otherwise, that the product will whiten the skin or give it a pale creamy complexion. (03266)

Knickerbocker Leather & Novelty Co., Inc., 19 West 18th St., New York, engaged in the manufacture and sale of advertising novelties and specialties, stipulated that it will cease and desist from representing, through the use of the words "Genuine Leather" or the word "leather," or other words or symbols of similar meaning, that merchandise sold by it and made from the inner split of leather is made from the outer split or any part of the hide or skin other than the inner split. (4007)

Lanteen Medical Laboratories, Inc., 900 North Franklin St., Chicago, stipulated that in the sale of a preparation designated Ex-teen it will cease representing that the product will relieve or overcome distressing psychic or disposition phenomena accompanying menstruation, such as depression, self pity, nervousness and irascibility, or that it will provide a stimulating effect. (03265)

J. Levine Co. and Georgia Mfg. Co., 449 Broadway, New York, stipulated that he will cease and desist from using the letters "Mfg." in his trade name, and from using any other abbreviation of the word "Manufacturing" or any word of similar meaning, the effect of which tends to cause the belief that he actually owns and operates or directly and actually controls the plant in which are woven or manufactured the drapery fabrics which he sells. He also agrees to stop using the word "Guaranteed" or any other word of similar meaning in connection with the advertising or sale of his fabrics, unless clear and unequivocal disclosure is made in direct connection therewith of exactly what is offered by way of security; and to discontinue the use of any guaranty unless strict and complete performance be made therewith. (4003)

Modern Product, Inc. of America—Under a stipulation entered into Modern Products, Inc. of America, 1428 North 24th St., Milwaukee, agrees to cease and desist from making the following representations, among others, concerning certain vitamin, mineral and so-called health food products it sells in interstate commerce. (4001)

Lido Sportswear, Inc., 462 Seventh Ave., New York, engaged in the manufacture and sale of women's sportswear, entered into a stipulation to cease and desist from using the word "linen," either alone or in connection with the word "shantung," as descrip-

tive of garments not made of flax, and from using such words in any other manner tending to convey the belief, when such is not a fact, that the fabric used in the manufacture of such merchandise is that product generally known as linen or flax. (4005)

Sullivan Co., 212 East Trigg Ave., Memphis, Tenn., entered into a stipulation to cease and desist from misrepresenting the effectiveness of products it advertises and sells as being capable of waterproofing concrete and masonry structures. (4000)

Vita-Man, et al.—Two stipulations to discontinue representing that the vitamin preparations they sell, each containing calcium pantothenate as its principal ingredient, are capable of preventing gray hair and of restoring the natural color to hair have been entered into by Henry Gottlieb, trading as Vita-Man, 175 East Broadway, Brooklyn, and The Carlay Co., 160 East Illinois St., Chicago. Gottlieb's preparation is designated Vita-Hair Tablets and the product sold by The Carlay Co. is known as Grayvita. (03267-03270)

Warner Trust, Boston, and associated concerns have entered into a stipulation to discontinue certain misrepresentations in connection with the sale of preparations and services known as the Warner Treatment for hair and scalp disorders. (3996)

Wiener & Wiener, et al.—Three New York manufacturers of fur garments have entered into stipulations to discontinue certain misrepresentations in connection with the sale of their products.

Abe Steisel, 208 West 30th St., New York, agrees to discontinue in his trade publicity, invoices or labeling the use of the term "Leopard Cat," or other words denoting leopard, to designate furs or fur garments made from peltries of South American spotted cats or of any animals or species other than the true leopard (4002).

Joseph Wiener and Max Wiener, trading as Wiener & Wiener, 312 Seventh Ave., New York (4006), and Abraham Katz and Philip Goldstein, trading as Katz & Goldstein, 115 West 30th St., New York (4008), stipulated that they will discontinue the use of the terms "Sealine," "Hudseal," "Beaverette" or any other fictitious animal designation or coined fur-connoting term as descriptive of their fur products.

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Bortz & Co., Trust Service Co., and Susquehanna Pen Co., Anderson, Ind., has been ordered to cease and desist from unfair and deceptive practices in connection with the sale of postcards, form letters and folders sold to creditors, collection agencies and attorneys for use in obtaining information concerning delinquent debtors. (4961)

Commercial Art Co., 720 East Diamond St., Pittsburgh, and Daniel G. Ries, trading as Progressive Portrait Co., 929 Fifth Ave., Pittsburgh, has been ordered to cease and desist from unfair and deceptive acts and practices in connection with the sale of colored enlargements of photographs and of frames therefor. Griffin formerly traded as American Arts. (5133)

Coast Fishing Co.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act has been issued against Coast Fishing Co., 621 So. Fries Ave., Wilmington, Calif., engaged in the packing, sale and distribution of canned sea food products, including tuna, mackerel and sardines. (5197)

Marine Products Co., 3370 Harasthy St., San Diego, Calif., has been ordered to cease and desist from violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of sea food products. (5137)

Norman Co., 169-173 Madison Ave., New York, has been ordered to cease and desist from shipping or delivering their merchandise to department stores and other retailers without previous agreement to purchase, for the purpose of inducing the purchase of their products. The respondents sell various items of merchandise, including lamps, shades and novelties. (3812)

Harry Steinberg—An order has been issued directing Harry Steinberg, 9 East 38th St., New York, to cease and desist from misrepresenting the quality of handkerchiefs sold in gift packages for members of the armed forces. (5212)

FTC CASES DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging Club Razor & Blade Manufacturing Corp., 36 Green St., Newark, N. J., with misrepresentation in connection with the sale of safety razor blades.

The Commission has also dismissed without prejudice its complaint against S. H. Kress & Co., 114 Fifth Ave., New York, operating a chain of retail stores throughout the country; Vita-Var Corporation and its subsidiary, Beautykote Corporation, 46 Albert Ave., Newark, N. J.; and C. J. Robison, T. H. Gibson and E. G. Robison, officers of the two last named corporations.

The complaint had charged the respondents with misrepresentation in connection with the sale of shellac.

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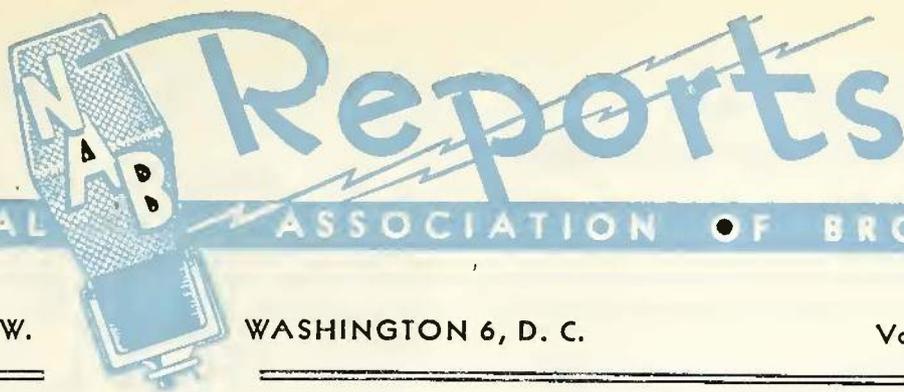
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1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 15, April 13, 1945

REGIONAL WLB DECIDES CHICAGO AFRA CASE

The National War Labor Board for Region VI (Chicago) has handed down its Directive Order in the matter of the Chicago radio stations (WJJD, WIND, WAAF, WAIT, WGES and WSBC) against the American Federation of Radio Artists affecting the principles of program fees. A full discussion of the pay-within-pay principle involved in this case was given before the NAB War Conference in Chicago in August 1944 by William J. Friedman who represented the Chicago stations as attorney in this case. A full copy of Mr. Friedman's remarks was published by NAB in the "Labor Addresses" pamphlet which was sent to all member stations. Additional copies are available upon request. Following is the Directive Order of the Regional WLB:

"I. The Regional War Labor Board for the Sixth Region, acting as the duly authorized agent of the National War Labor Board in the exercise of the powers vested in it by Executive Order No. 9017 of January 12, 1942, the Executive Orders, Directives and Regulations issued under the Act of Congress of October 3, 1942, and by the War Labor Disputes Act of June 25, 1943, hereby decides the dispute between the parties and orders that:

"1. The Union's request for a schedule of program fees for announcers is hereby denied.

"2. The Company shall institute a general increase of fourteen (14¢) cents per hour to all employees in the bargaining unit. Each employee shall receive a fourteen (14¢) cents per hour increase and all hourly rates in the classifications involved shall be raised by fourteen (14¢) cents per hour.

"3. The agreement between the parties with respect to vacations is hereby approved as follows:

"In addition to the two weeks granted to a staff announcer employed prior to December 31 of the calendar year preceding the vacation season, the Stations have agreed for one day of each of the following holidays upon which a staff announcer has been required to work: New Year's Day, Decoration Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, with the proviso that the Company may at its option, grant such days off within a twenty-eight (28) day period following the holiday, or may add such days, not in excess of five (5) days, to the vacation period whenever possible.

"4. The foregoing wage provision in paragraph 2 above shall be retroactive to November 1, 1943.

"Any employee who has either quit or been discharged between the retroactive date established by this Directive Order and the date of this Order shall receive the amount of the increase for his classification up to the date on which his employment with the Company terminated. The Company and the Union shall promptly send a joint letter to each such employee at his last known address advising him of his rights under this provision. The employee must mail his written application for retroactive pay to the Company within sixty days after the date of mailing of the joint letter. The Company may voluntarily make the payment in any case even though the sixty days have elapsed. The Company shall be obligated to make the payment if good cause is shown for the applica-

tion being delayed beyond the sixty days. Failure to make the payment where good cause for the delay is alleged may be taken up by the Union as a grievance. The sixty-day limitation shall not apply to employees who have become members of the armed forces of the United States, either before, or within sixty days after, the mailing of the joint letter.

"II. The foregoing terms and conditions of employment shall govern the relations between the parties and shall be incorporated in a signed agreement reciting the intention of the parties to have their relations governed thereby, as ordered by the National War Labor Board.

"III. This Order shall stand confirmed as the Order of the National War Labor Board and, unless otherwise directed by the National War Labor Board, shall take effect 14 days from the date hereof unless in the meantime a petition for review is filed with the National War Labor Board through the Sixth Regional Board, in which event this Order shall be suspended until disposition of the petition for review, unless the National War Labor Board otherwise directs or has otherwise directed, or the parties otherwise agree. Notwithstanding any other provisions of this paragraph, that part of this Directive Order which continues in effect the terms and conditions of a prior contract which has expired or has been otherwise terminated, shall not be suspended or stayed by the filing of a petition for review but shall be effective according to its terms unless and until the Board upon consideration of a petition for review otherwise directs.

"IV. Nothing in this Order is intended to prevent the parties from agreeing upon the date when the Order or any part thereof shall take effect (subject only to the provisions of paragraph V) and in the event a petition is filed with the National War Labor Board through the Sixth Regional Board seeking review of portions of this Order, either party may request the Regional War Labor Board to make the remaining portions of the Order immediately effective.

"V. If a timely application for price relief has been filed with the Office of Price Administration as required by Executive Orders No. 9250 and 9328, as supplemented by the Directive of May 12, 1943, the provisions of this Directive Order which are made the basis for the application shall in any event become effective only upon determination by the Office of Price Administration that the increases ordered will not require any change in price ceilings or, if no such determination is made, then upon approval by the Director of Economic Stabilization. The parties will be promptly notified of such action.

FOR THE PUBLIC

/s/ JOHN D. LARKIN
/s/ PHILIP MARSHALL

FOR INDUSTRY

/s/ HOWARD D. GRANT
/s/ C. B. MAGRATH

FOR LABOR (dissenting with respect to denial of schedule of program fees for announcers)

/s/ HOWARD REAM
/s/ PETER HOBAN"

It will be noted that the labor representatives on the Regional Board dissent from that portion of the opinion which denied the pay-within-pay principle of program fees to announcers.



1760 N St., N. W. WASHINGTON 6, D. C. Phone NAational 2080

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

ENEMY STILL LISTENS

Warning that the enemy still is listening to learn time, place and method of future attacks, and that "success of voluntary censorship depends on continued vigilance," the following note to broadcasters and editors from Byron Price, Director, has been released by the Office of Censorship:

"With the war in Europe at its critical stage and the war in the Far East building up in fury and significance, I take this means to remind you that the success of voluntary censorship depends on continued vigilance.

"The enemy still is listening to learn the time, place and method of future attacks, the sequence of operations, and the strength, technical make-up and equipment of our attacking forces.

"We must take particular pains to protect troop and ship movements. In this connection you are reminded again of the Code stipulation that letters from combat zones are censored at the source for private circulation only and should not be published if they will inform the enemy about military operations.

"American communities still may suffer from enemy attack in one form or another. With his bases so far away, the enemy will never know where his shots are falling, or how to correct his operations, unless we tell him.

"Reports or discussion of expectations or probabilities involving future war plans may be of great value to the enemy. For example, published or broadcast speculations or statements regarding the probable intentions of Soviet Russia toward Japan, however erroneous they might prove to be, could possibly lead to a Japanese attack on Russia. Whether such a speculation or prediction were true or false, the military interests of the United States would be damaged and the war's sacrifice of American life might be prolonged. Please weigh the consequences and consult the Office of Censorship.

"New American secret weapons are coming into use constantly. The best course is to let the enemy learn about them in combat. This whole subject must be approached with extreme care if we are to conceal the vast developments which are taking place in scientific fields. It is far safer to consult Censorship.

"Voluntary censorship has enlisted for the war, not just to help achieve a partial victory. Your steadfastness, which has meant so much for so long, is solicited earnestly until the day when all hostilities are over, and all censorship can be brought to its unlamented end."

PROGRAMS FROM HOME "THRILL" OUR FIGHTERS

Letters in appreciation of "Let's Go to Town" programs continue to reach stations. Letters to Buffalo and Springfield, Ill., stations are presented today.

Two Buffalo shows have been broadcast. That produced by Task Force Commander C. Robert Thompson, WBEN, director, was the first to hit the global airways. Four to five weeks later the program produced by Task Force

Commander Cy King, director, WEBR, was released globally. Here are some of the highlights from letters received at WBEN;

"I'm Getting a Lump in My Throat"

"... Well guess what! A program just came in transcribed from Buffalo! And Bob Armstrong's orchestra is now beating it out. It's for Buffalo service men overseas and the guys from Buffalo here are all enthused about it and have their ears glued to the phones and the speakers. Clint Buehlman master of ceremonies. Here comes a Buffalo street car No. 8, what a racket. I hear Niagara Falls now. Wow, I'm getting a lump in my throat. I'm gonna quit and just listen for awhile, Mom. Love to you all." ... From an artilleryman.

Heard "Even in the Reich"

"... My brother said he was very happy to hear a program from his home town—Buffalo; he is also very happy about the little trouble he's causing those Germans; and he and the 9th Air Force intend to give them exactly what they deserve before he comes home." ... From sister of member of the 9th Air Force.

Like Being Home for 30 Minutes

The mother of a son stationed in Luxembourg wrote that "All of a sudden a program came on from Buffalo. He said it was like being home for 30 minutes, and, that after two years away, that was something! I bet many a Buffalo boy was thrilled!"

Program Took Him Out of the Dumps

From a hospital in England, a Buffalo boy wrote: "I never heard of a guy being happy to be in a hospital, but I'm glad I was there this afternoon. Otherwise I'd never have heard that program (Buffalo). . . . I was getting a little down in the dumps but that program pepped me up plenty."

Brings Home Right to the Rhine

Letters have just begun to reach WEBR. A Buffalo boy wrote the station: "... I heard Cy King, Ed. Wegman, Dave Cheskin's orchestra, Bob Armstrong's orchestra and a description of Lafayette Square, pigeons and all. They even had Niagara Falls on the air. It sure was swell to hear a program like that. It practically brings home right to the Rhine River. I was really lucky I heard it and all I've been doing since then is whistling 'Shuffle Off to Buffalo.'"

Wants More of the Same

Another Buffalo boy heard both programs. He wrote: "As I sat in the crew's quarters of this ship of ours, I could actually see that No. 8 street car going down Main Street. . . . If possible, more of the same would be appreciated. . . . What a treat it was to hear the voices of Clint Buehlman, Cy King, the Three Treys, and the music of Dave Cheskins and Bob Armstrong."

Letters Are Big News in Springfield

The Springfield, Ill., "Let's Go to Town" program produced by WCBS and WTAX, under direction of Task Force Commander L. G. Pefferle, brought thrills to a great many men in the armed forces overseas. And on top of it, the fact of the pleasure and satisfaction in the show was brought home to parents and friends of the men through the cooperation of the *Illinois State Register* and the *Illinois State Journal*. Carroll W. Neeld, general manager, WCBS, has collected and forwarded an impressive brochure of clips to prove the point.

V. Y. Dallman, editor of the *Register*, writes a daily column, "Lighter Vein," and in it he reproduced and commented on many of the letters of commendation J. Emil Smith, editor of the *Journal*, and publisher of both papers, was also helpful in spreading the good news.

Letters started for Springfield, to parents, friends, and stations, about the first of February from all fighting fronts. The two first were from a Navy officer aboard ship in the Pacific and from a soldier in China. Then in rapid succession came a letter from the First Army battle area, in Germany; from an aviation technician of a fighter squadron; from England, Scotland, France, Holland, Italy. One soldier reported hearing the show during the lull in the battle against the Germans; a pilot flying the "Snowball Airline," of the North Atlantic Wing of the Army Air Transport Command, caught the show in the air out over the Atlantic. He wrote:

"I almost fell out of my seat when I heard my hometown—Springfield—on the air! Immediately I had the whole crew listening, as hometowns come in for a lot of good natured kidding in the Army. I can truthfully say I was top man that night."

Akron and Philadelphia Complete Global Shows

Since last week two more "Let's Go to Town" programs have been completed as follows:

DISTRICT III

Philadelphia.....Leslie W. Joy, KYW, *TFC

DISTRICT VII

Akron.....Allen T. Simmons, WADC, *TFC

* Task Force Commander.

PEPPER AGAIN PROPOSES PERMISSION TO BROADCAST CONGRESSIONAL PROCEEDINGS

In a new proposal (S. J. Res. 55) Senator Claude Pepper (D) Florida would change the House and Senate Rules to permit the broadcasting of any Proceedings on the Floor or of open hearings before Congressional Committees. Senator Pepper's Resolution specifically provides "That no station or network shall be required to broadcast any proceedings."

The text of the Resolution:

"Joint Resolution

"Authorizing the broadcasting of the proceedings of the Senate and the House of Representatives.

"Whereas during the coming months and years most of the major social, economic, and political issues of the United States and of the world will be debated by the Congress of the United States; and

"Whereas the interests of every citizen are vitally affected by these proceedings and their outcome; and

"Whereas there has been mounting public interest throughout the country in the proceedings of the Senate and the House of Representatives; and

"Whereas the proceedings of the Senate and the House of Representatives are of necessity presented only in brief extracts or summaries by newspapers and news broadcasters, with the result that issues and the stands taken by Senators and Representatives are frequently misunderstood; and

"Whereas radio broadcasting makes it possible to bring the proceedings of the Senate and the House of Representatives directly to the people of the United States: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

"That radio broadcasting stations and radio broadcasting networks are hereby authorized to broadcast any proceedings on the floor of the Senate or of the House of Repre-

sentatives or before any committee of the Senate or House of Representatives, unless the Senate or House of Representatives or the committee affected shall otherwise order: *Provided, however,* That no station or network shall be required to broadcast any proceeding.

"That the Architect of the Capitol is authorized and directed to make such arrangements as may be necessary to make available the proceedings of the Senate and the House of Representatives for broadcasting by stations and networks; and

"That the Architect of the Capitol is further authorized and directed to install such recordings or transcribing equipment as may be necessary to make a complete and continuous mechanical recording of the proceedings; and

"That the Architect of the Capitol is further authorized and directed to make available at cost copies of such mechanical recordings to broadcasting stations and networks desiring to broadcast them."

Pepper's previous bill, introduced in the 78th Congress (see NAB REPORTS, vol. 12, p. 280), did not authorize the broadcasting of the proceedings before Committees of the Senate.

CHAIRMAN FAIR SUGGESTS EXTRA BULLETIN COPIES FOR PROGRAM MANAGERS

Accompanied by a returnable form which would authorize NAB to address an extra of each Special Program Managers Bulletin to the station program manager, the following letter signed by Harold Fair (WHO), Chairman of the NAB Program Managers Committee, was sent on April 9th by NAB to all station managers:

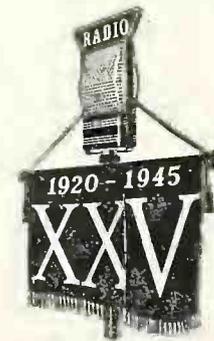
"A course of instruction for your Program Manager would be pretty expensive, if it could be bought at all.

"The NAB Program Managers Committee is attempting to conduct such a course, at no expense to anybody, through the medium of Special Program Managers Bulletins, issued periodically with NAB Reports. Five have been issued to date, the fifth being an emergency announcement in connection with "Treasury Salutes," the remainder being of an instructive character.

"Only one copy of each Bulletin comes to your station. Why? Because it is the policy of the NAB to send all such matter to the attention of the accredited NAB representative of the station unless specific exception is made by said representative, usually the station manager. This is a policy which conforms to the desires of the majority of managers, and it has been proven wise in practice.

"But these Special Program Managers Bulletins are recommended for a separate binder, to be kept in the Program Department. To handle this conveniently, an extra copy should be sent addressed to the Program Manager.

"Will you therefore certify your Program Manager for receipt of an extra copy of each Special Program Managers Bulletin? Please fill in and return the enclosed blank. Thank you!"



KIWANIS RADIO WEEK, MAY 13-19

Kiwanis International, with 144,000 members in 2,260 clubs, has proclaimed May 13-19 "Kiwanis Radio Week" and plans to present a Certificate of Citation to every

broadcasting station and national network in the United States and Canada in local club meetings during the week.

Special Twenty-Fifth Anniversary Bulletin No. 7, accompanying this issue of NAB REPORTS, gives complete details.

Broadcasters everywhere are urged to read this Bulletin carefully and to make plans for receiving this valuable recognition by one of the world's outstanding service organizations.

WAR BULLETIN ON 7TH WAR LOAN WITH THIS ISSUE OF REPORTS

A special War Bulletin on the 7th War Loan (May 14-June 30) is enclosed with this issue of REPORTS, carrying a message from NAB President, J. Harold Ryan, to Fellow Broadcasters.

In his message Mr. Ryan asks that everything be put on the line for the *Mighty Seventh* to facilitate the speedy ending of the European phase of the war and to further the prosecution of the war in the Pacific.

RYAN'S, PORTER'S, PEABODY ADDRESSES IN SPECIAL INFORMATION BULLETIN

Accompanying this issue of REPORTS is *Special Information Bulletin* No. 18 in which are reprinted in full the addresses of NAB President J. Harold Ryan, and FCC Chairman Paul A. Porter, featured speakers at the George Foster Peabody Radio Awards Presentation Dinner, Commodore Hotel, New York City on Tuesday April 10th.

The addresses by President Ryan and Chairman Porter were heard with great interest by a capacity attendance; entire proceedings were on the air over WNYC.

Formal presentations of 1944 Peabody Awards were made to previously announced selections, (NAB REPORTS, vol. 13, p. 116) among which were stations: WLW, Cincinnati; KFI, Los Angeles; WTAG, Worcester; WNYC, New York; WIBX, Utica; KOIN, Portland, Oregon; WFBL, Syracuse; KVOO, Tulsa; KMOX, St. Louis.

The four national networks shared in the honors,

EGOLF MEMBER OF A.F.A. COMMITTEE ON STANDARDS OF PRACTICE

Willard D. Egolf, NAB Director of Public Relations, has been appointed to membership on the Advertising Federation of America Committee on Standards of Practice.

The Committee is now at work promulgating new Standards of Practice for A.F.A. in collaboration with the National Association of Better Business Bureaus.

Remainder of the A.F.A. Committee is as follows: Henry Obermeyer, Assistant Vice-President, Consolidated Edison Company of New York, Chairman; Frank Braucher, President, Periodical Publishers Association; Gilbert T. Hodges, chairman, executive committee, The Sun; C. B. Larrabee, publisher, Printers' Ink; Charles E. Murphy, attorney-at-law and Federation general counsel; Allan T. Preyer, chairman of the board, Morse International, Inc.; Philip Salisbury, executive editor, Sales Management; Dorothy Shaver, vice president, Lord & Taylor.

The National Association of Better Business Bureaus has appointed the following committee to collaborate with the Federation group: Chairman, Warren Agry, advertising director, The American Home Magazine; Edward L. Greene, general manager, National Better Business Bureau; H. J. Kenner, general manager, Better Business Bureau of New York City, Inc.

The two committees are working together on the project, and have begun by analyzing existing codes and standards of advertising practice and reviewing all those adopted in former years, going back to the first "Declaration of

Principles," promulgated in 1913 by the Associated Advertising Clubs of America, as the AFA was then known.

Egolf has been a Vice-President of A.F.A. since 1942, serving as Chairman of the Committee of Awards for Club Achievement and Chairman of the War Advertising Committee, which post he now holds.

CANCER CONTROL FUND DRIVE

The five-million fund drive of the American Cancer Control Society (April) will be assisted by cooperative radio and newspaper advertising.

Promotion material is offered to local sponsors without charge by 46 state organizations of the society and a series of spot announcement recordings will be used.

WHAS GOES TO SOURCE FOR INFORMATION ON LIVESTOCK LOSS

Louisville, Ky.—To secure for his regular farm service broadcasts information to help cut down rate of loss of livestock and livestock products due to improper handling, John Merrifield, WHAS Agricultural Co-ordinator, traveled to stockyards in the mid-west and in the east.

Daily reports and transcriptions of his findings were made to be used while he was en route and on later broadcasts.

At Kansas City and East St. Louis stockyards, where he was met by officials of the stockyards and of the railroads, Merrifield studied methods of loading and unloading, types of ramps, whips, prod poles and clubs used. To gain further information he rode two livestock trains, the Missouri Pacific express from Kansas City to East St. Louis, and the Pennsylvania from East St. Louis to Pittsburgh. En route he observed types of bedding used on cars, length of time stock was kept in cars without unloading for feed, water and rest; how stock was fed and watered, how stock was kept warm en route, and how hogs were cooled, and the number of head hauled in each freight car size. Slaughterhouse methods were studied and recorded at Pittsburgh.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 16. They are subject to change.

Monday, April 16

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary); 1000 kc., 5 KW (main), 1 KW (auxiliary), unlimited.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary); 950 kc., 5 KW main, DA-night, 1 KW (auxiliary), unlimited.

Tuesday, April 17

Further Hearing

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Renewal of license; 580 kc., 5 KW, unlimited, DA-night.

Wednesday, April 18

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license; 590 kc., 5 KW, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license; 1510 kc., 10 KW, unlimited, DA-night.

Friday, April 20

WMC—Memphis Publishing Co., Memphis, Tenn.—Renewal of license; 790 kc., 5 KW (main), 500 watts (auxiliary), unlimited (main), (DA-night), auxiliary purposes only (auxiliary).

Federal Communications Commission Action

APPLICATIONS GRANTED

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Granted modification of construction permit which authorized increase in power, etc., for extension of completion date from 4-2-45 to 7-20-45.

WKBV—Central Broadcasting Corp., Richmond, Ind.—Granted license to cover construction permit which authorized increase in power to 250 watts, changes in transmitting equipment, and move of transmitter and studio (B4-L-1873). Also granted authority to determine operating power by direct measurement of antenna power. (B4-Z-1679)

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—Granted license to cover construction permit for new station to operate on 1340 kc., 250 watts, unlimited time (B3-L-1874). Also granted authority to determine operating power by direct measurement of antenna power (B3-Z-1680). The licensee hereunder is granted waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) That frequency checks by an external standard will be submitted to the Commission weekly; and (c) That approved frequency and modulation monitors will be installed as soon as such equipment becomes available.

WFVA—Fredericksburg Broadcasting Corp., Fredericksburg, Va.—Granted license to cover construction permit which authorized change in frequency to 1230 kc., and hours of operating to unlimited. Also granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1677; B2-L-1871)

WJHP—The Metropolis Co., Jacksonville, Fla.—Granted authority to determine operating power by direct measurement of antenna power. (B3-Z-1674)

WTMC—Ocala Broadcasting Co., Inc., Ocala, Fla.—Granted authority to determine operating power by direct measurement of antenna power. (B3-F-259)

WHKC—United Broadcasting Co., Columbus, Ohio—Granted license to cover construction permit which authorized change in frequency to 610 kc., increase in power to 1 KW, and change in hours of operation to unlimited, and installation of directional antenna for night use. (B2-L-1866) Also granted authority to determine operating power by direct measurement of antenna power.

WHKK—United Broadcasting Co., Akron, Ohio—Granted license to cover construction permit as modified, which authorized change in frequency to 640 kc., increase in power to 1 KW, and change in hours of operation to limited time, installation of DA for day and night use, and move of transmitter and studio, subject to condition that, on notice from the Commission, licensee shall take appropriate steps immediately, through modification of antenna or reduction of power, so as to reduce interference to Stations ZNS, Bahamas, and VONF, Newfoundland, to a value not in excess of that caused by WHKC with power of 500 watts, employing non-directional antenna. (B2-L-1867) Also granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1671)

W8XCT—The Crosley Corp., Cincinnati, Ohio—Granted modification of construction permit which authorized a new experimental television broadcast station, for extension of completion date from 4-28-45 to 10-28-45, subject to changes in

frequency assignments which may result from proceedings in Docket #6651. (B2-MPVB-127)

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted petition for continuance of hearing on application for renewal of license, from April 10 to May 1, 1945.

DOCKET ACTION

The Commission (Commissioner Durr not participating), announces adoption of an Order (B-205) granting application for renewal of license of station WALB, Herald Publishing Co., Albany, Georgia. (Docket No. 6398)

DESIGNATED FOR HEARING

John M. Spottswood, Key West, Fla.—Designated for hearing application for a new station to operate on 1340 kc., with power of 250 watts, unlimited time. (B3-P-3768)

Fred O. Grimwood, Bloomington, Ind.—Designated for hearing application for new station to operate on 1490 kc., with power of 100 watts, unlimited time. (B4-P-3856)

The Corinth Broadcasting Co., Inc., Corinth, Miss.—Adopted an order designating for hearing to be consolidated with the hearing on the application of Birney Imes, Jr., to be held May 7, 1945, the application of Corinth Broadcasting Co., Inc., for a new station to use 1230 kc., 250 watts; unlimited.

WINS—Hearst Radio, Inc. (Assignor), The Crosley Corp. (Assignee), New York City.—Designated for hearing application for voluntary assignment of license of station WINS from Hearst Radio, Inc., to The Crosley Corp. (B1-APL-19)

LICENSE RENEWALS

Granted renewal of licenses of following stations for the period ending August 1, 1946:

KANS, Wichita, Kans.; WGBB, Freeport, N. Y.; WOMT, Manitowoc, Wisc.; KBIZ, Ottumwa, Iowa; WTAX, Springfield, Ill.; WHIZ, Zanesville, Ohio; WHAI, Greenfield, Mass.; KFXM, San Bernardino, Calif.; WSOC, Charlotte, N. C.; WSNY, Schenectady, N. Y.; WGCM, Gulfport, Miss.; WBML, Macon, Ga.; KDON, Monterey, Calif.; WHBU, Anderson, Ind.; WSNJ, Bridgeton, N. J.; WCOU, Lewiston, Maine; WPAX, Thomasville, Ga.; KROY, Sacramento, Calif.; KPCC, Pasadena, Calif.; KWLC, Decorah, Iowa; WSLS, Roanoke, Va.; KFOR, Lincoln, Nebr.; WCOV, Montgomery, Ala.; KDLR, Devils Lake, N. D.; KOVO, Provo, Utah; WATN, Watertown, N. Y.

WAIT—Gene T. Dyer et al, d/b as Radio Station WAIT, Chicago, Ill.—Adopted Order dismissing application for renewal of license of Station WAIT, filed by Gene T. Dyer, Evelyn M. Ringwald, Elizabeth M. Hinzman, Adele Moulds, Vivian Christoph and Wm. F. Foss, a partnership. (The renewal application has become moot because the Commission granted the application to assign the license to a new partnership on December 12, 1944.) Docket 6619.

Granted extension of following station licenses on a temporary basis to June 1, 1945, pending determination upon applications for renewal:

WJTN, Jamestown, N. Y.; WJMC, Rice Lake, Wisc.; WPAT, Paterson, N. J.

WLOK—The Fort Industry Company, Lima, Ohio.—Granted renewal of license for period ending April 1, 1946. (B2-R-907)

KELA—Central Broadcasting Corp., Centralia, Wash.—Granted renewal of license for period ending November 1, 1947. (B5-R-949)

WJDX—Lamar Life Insurance Co., Jackson, Miss.—Granted renewal of license for period ending November 1, 1945. (B3-R-766)

WEDC—Emil Denmark, Inc., Chicago, Ill.—Granted renewal of license for period ending August 1, 1945. (B4-R-551)

Granted renewal of following station licenses for period ending February 1, 1946.

KHBC, Hilo, Hawaii; KADA, Ada, Okla.; WLOF, Orlando, Fla.; KFUN, Las Vegas, New Mexico.

MISCELLANEOUS

The following applications for FM broadcast stations were placed in the pending files in accordance with the Commission's policy of February 23, 1943:

Paducah Broadcasting Co., Inc., Paducah, Ky.; Queen City Broadcasting Co., Inc., Seattle, Wash.; The Columbus Broadcasting Co., Inc., Columbus, Ga.; James A. Hardman, No. Adams, Mass.; Wilmington Star-News Co., Wilmington, N. C.; Liberty Broadcasting Corp., Atlanta, Ga.; Fisher's Blend Station, Inc., Seattle; Mid-Coastal Broadcasting Co., Washington, D. C.; Scripps-Howard Radio, Inc., Pittsburgh, Pa.; Donald W. Reynolds, Fort Smith, Ark.

Amendments to the following applications for FM broadcast stations were retained in the pending file:

Fla. Broadcasting Co., Jacksonville, Fla.; Milwaukee Broadcasting Co., Milwaukee, Wis.

The following commercial television applications were placed in the pending files in accordance with Commission policy of February 23, 1943:

Scripps-Howard Radio, Inc., Pittsburgh, Pa.; The Kansas City Star Co., Kansas City, Mo.

The following amendments to commercial television applications were retained in the pending files:

Don Lee Broadcasting System, San Francisco; E. Anthony & Sons, Inc., Boston, Mass.

Copper City Broadcasting Corp., Rome, N. Y.—Adopted an order granting petition insofar as it requests that the Commission hold in status quo its application for construction permit for new station to use frequency 1540 kc., 250 watts, unlimited time; set aside action of the Commission of February 27, 1945, designating said application for hearing to determine whether a grant thereof would be in conformity with Commission's supplemental statement of policy of January 16, 1945; vacated the hearing date, and ordered that the application be held in status quo under Sec. 2(a) of the Commission's Public Notice of January 25, 1945.

WERC—Presque Isle Broadcasting Co., Erie, Pa.—Adopted an order granting petition of WERC for reconsideration and grant of its applications for construction permit to change frequency to 1230 kc., license to cover construction permit, and authority to determine operating power by direct measurement, and granted said applications. (Docket No. 6694 and 6695)

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—Adopted an order granting petition for reconsideration and grant without hearing WSYR's application to change its directional antenna pattern daytime; cancelled hearing and granted application. (Docket 6668)

Midstate Radio Corp., Utica, N. Y.—Passed over indefinitely petition to intervene in the hearing on application of Copper City Broadcasting Corp. for a new station in Rome, N. Y.

Utica Broadcasting Co., Inc., Utica, N. Y.—Passed over indefinitely petition to intervene in the hearing on application of Copper City Broadcasting Corp. for a new station in Rome, N. Y.

Augusta Broadcasting Co., Charleston, S. C.—Granted motion to amend application for new station to reflect changes in stockholders of the applicant corporation.

KHQ-KGA—Louis Wasmer, Inc., Spokane, Wash.—Granted joint petition in part, for continuance of hearing on applications for renewal of licenses of KHQ and KGA now scheduled for April 18, and continued same to May 18, 1945.

KOMO-KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted request for 30-day continuance of hearing now set for April 16 in re applications for renewal of licenses for main and auxiliary transmitters.

APPLICATIONS FILED AT FCC

560 Kilocycles

WQAM—Miami Broadcasting Co., Miami, Fla.—Transfer of control of licensee corporation from W. W. Luce, F. W. Borton and Frances Hester Borton, Trustees for Frederick Eugene Borton, Frances Hester Borton, and Orla Janice Miller; and William W. Luce and Marshall G. Luce, Trustees for Rosemary C. Luce and Marshall G. Luce to The Miami Herald Publishing Company, 100%.

920 Kilocycles

KFPY—Symons Broadcasting Co., Spokane, Wash.—Transfer of control of licensee corporation from Frances R. Symons, Arthur L. Bright, and Frances R. Symons, E. B. Craney, and Spokane and Eastern Branch of Seattle First National

Bank, Trustees under the Will of Thomas W. Symons, Jr., to E. B. Craney, Queen City Broadcasting Co., Inc., and John L. Wheeler, 99.8%.

940 Kilocycles

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—License to cover construction permit (B3-P-3507) as modified, which authorized move of auxiliary transmitter to site of main transmitter, increase in power, and use of directional antenna for day and night operation.

1030 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Extension of special service authorization to operate on 770 kc., with power of 25 KW night, 50 KW day, unlimited time.

1230 Kilocycles

KFJB—Marshall Electric Co., Marshalltown, Iowa—Transfer of control of licensee corporation from Earl N. Peak, deceased to Catherine R. Peak, administratrix of the estate of Earl N. Peak, deceased—98.6%.

1340 Kilocycles

NEW—C. M. Zinn and C. Leslie Golliday, d/b as Martinsburg Broadcasting Co., Martinsburg, W. Va.—Construction permit for a new standard broadcast station to be operated on 1340 kc., with power of 250 watts and unlimited hours of operation.

1400 Kilocycles

WJLB—John L. Booth Broadcasting, Inc., Detroit, Mich.—Modification of license to change corporate name to Booth Radio Stations, Inc.

1430 Kilocycles

WBYN—WBYN-Brooklyn, Inc., Brooklyn, N. Y.—Transfer of control of licensee corporation from Rae Kronenberg as Executrix under the Last Will and Testament of Aaron Kronenberg, Rae Kronenberg, Salvatore D'Angelo, Peter Testan and Millie Testan to The Evening News Publishing Co.—71.25% common and 52.64% preferred.

1450 Kilocycles

WALV—Thomas Garland Tinsley, Jr., Richmond, Va.—Modification of construction permit (B2-P-3644, which authorized a new broadcast station) for approval of transmitting equipment. Amended: to make changes in antenna, and change transmitter and studio location.

1490 Kilocycles

WJXN—P. K. Ewing, Jr., and F. C. Ewing, a Partnership, d/b as Ewing Broadcasting Co., Jackson, Miss.—License to cover construction permit (B3-P-3614) as modified, which authorized a new standard broadcast station.

WJXN—P. K. Ewing, Jr., and F. C. Ewing, a Partnership, d/b as Ewing Broadcasting Co., Jackson, Miss.—Authority to determine operating power by direct measurement of antenna power.

NEW—Central Broadcasting Co., Inc., Johnstown, Pa.—Construction permit for a new standard broadcast station to be operated on 1490 kc., with power of 250 watts, and unlimited hours of operation. AMENDED: to make changes in corporate structure.

KEEW—Radio Station KEEW, Ltd., Brownsville, Texas—Special service authorization to operate on 910 kc., with 250 watts power, and unlimited hours of operation.

1600 Kilocycles

NEW—Herbert W. Brown and David A. Brown, d/b as Central Valley Radio, Lodi, Calif.—Construction permit for a new standard broadcast station to be operated on 1600 kc., with power of 250 watts, and unlimited hours of operation. AMENDED: to change studio location.

FM APPLICATIONS

- WEHS—WHFC, Inc., Chicago, Ill.—Modification of construction permit (B4-PH-36, as modified, which authorized a new high frequency (FM) broadcast station) for extension of completion date from 5-8-45 to 7-8-45.
- NEW—Columbia Broadcasting System, Inc., Minneapolis, Minn.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47700 kc., with coverage of 12,150 square miles.
- NEW—Bradford Publications, Inc., Bradford, Pa.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48300 kc., with coverage of 5,502 square miles.
- NEW—Pinellas Broadcasting Co., St. Petersburg, Fla.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46100 kc., with coverage of 5,940 square miles.
- NEW—KGFF Broadcasting Co., Shawnee, Okla.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48900 kc., with coverage of 3,766 square miles.
- NEW—Richard Austin Dunlea, Wilmington, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47500 kc., with coverage of 4,800 square miles.

TELEVISION APPLICATION

- NEW—The Wm. H. Block Co., Indianapolis, Ind.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (44000-50000 kc.), as proposed in reallocation, with ESR of 1045.

MISCELLANEOUS APPLICATIONS

- WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Construction permit to make changes in antenna system.
- W2XJC—New Jersey Broadcasting Corp., Jersey City, N. J.—Modification of construction permit (B1-PEX-55, which authorized a new developmental broadcast station) to change corporate name to Atlantic Broadcasting Company, Inc.
- WNRE—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of construction permit (B1-PIB-45, as modified, which authorized a new international broadcast station) for extension of completion date from 5-7-45 to 8-7-45.
- NEW—American Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit programs to Stations CFCF and CBL and the Canadian Broadcasting Corporation.
- W3XL—Everett L. Dillard, tr/as Commercial Radio Equipment Co., Washington, D. C.—Modification of construction permit (B1-PEX-43, which authorized a new developmental broadcast station) to change transmitter location and extension of commencement and completion dates.

Federal Trade Commission Docket

COMPLAINT

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

Consolidated Royal Chemical Corporation, also trading as Consolidated Drug Trade Products, 540-544 South Wells Street, Chicago, selling and distributing a medicinal preparation designated "New Pe-Ru-Na" and also as "New Pe-Ru-Na Tonic," is charged in a complaint with misrepresentation and false advertising. (5302)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

F. R. Hillyard & Son, et al.—An order has been issued directing the operators of the Hillyard optical stores in Washington, D. C., to cease and desist from disseminating false advertisements which the Commission found have misled and deceived customers as to the quality of service they render and as to the price and terms of sale of eyeglasses, lenses and frames.

The order is directed against Francis R. Hillyard, Sr., who operates an optical store at 5326 Georgia Ave., N. W., and trades as Dr. F. R. Hillyard & Son and as F. R. Hillyard & Son; and against his sons, Bernard B. Hillyard, Francis R. Hillyard, Jr., and Frederick C. Hillyard, who trade as Hillyard Optical Co., with their place of business at 711 G Street N. W., and 521 H Street, N. E. (4984)

Ceil Malk, Inc., 202 Livingston Street, Brooklyn, retailer of women's suits, coats and other garments, has been ordered to cease and desist from certain violations of the Wool Products Labeling Act and the Rules and Regulations promulgated thereunder. (5138)

Montgomery Ward & Company, Inc., Chicago, has been ordered to cease and desist from disseminating any advertisements of laxative preparations designated "Dr. Pierce's Purgative Pellets" and "Ward's Bile Salts Compound and Cascara Tablets" which fail to reveal that the preparations should not be used in the presence of abdominal pains, nausea, vomiting, or other symptoms of appendicitis; provided, however, that such advertisements need contain only the statement, "CAUTION: Use Only as Directed," if and when the directions for use wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect. (5052)

National Secretaries' Association, 1005 Grand Ave., Kansas City, Mo., has been ordered to cease and desist from certain misrepresentations in connection with the sale of books entitled "Better Letters—Lessons in English" and "Better Letters—Quiz Book." (5003)

STIPULATIONS

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

U. S. A. Brands, et al.—Two stipulations to discontinue representing that the vitamin preparations they sell, each containing calcium pantothenate as its principal ingredient, are capable of preventing gray hair and of restoring the natural color to hair, have been entered into by U. S. A. Brands, Inc., 675 Broadway, New York (03271); and by Modern Products, Inc., 1428 North 24th St., Milwaukee, and The Cramer-Krasselt Co., 733 North Van Buren St., Milwaukee. (03273)

Cha-Gobe Co., 66 Pearl St., Hartford, Conn., has entered into a stipulation to cease and desist from representing that the device it sells under the name "Cha-Gobe Nasal Filter" will prevent hay fever or asthma caused by dust, pollen or other particles in the air, or that it is effective in such conditions in excess of affording partial protection of the nasal membrane. (03274)

Chester Furniture Factory, 214 Lamokin St., Chester, Pa., stipulated that they will cease and desist from using the words "furniture factory" or "factory" in the trade designation for or as descriptive of the merchandising business they conduct; or representing in any manner that they manufacture the furniture and household furnishings they sell; that their place of business is a factory showroom; that the prices charged are factory prices; that there are no middlemen between the factory and the customer, or that their customers buy direct from the factory with distribution costs eliminated. (4011)

K-B Medical Products, 2175 Station H, Cleveland, stipulated that in the dissemination of advertisements of medicinal preparations designated "Periodic Capsules, Triple PPP," "Dupree Pills," "R_x XX Periodic Capsules" and "R_x XXX Periodic Capsules," they will cease representing that such preparations constitute a competent or effective treatment or a dependable relief in cases of delayed menstruation arising from poor nutrition, anemia, fright, colds, over-exposure, change of climate, nervous strain, or from other causes. They also agree to discontinue representing, through use of the words "Period," "Periodic Capsules" or "Period Pills," that the preparations will be of value in cases of delayed menstruation from any cause. (03275)

Kraupner & Kraupner, Inc., trading as Hay's Co., 1375 Myrtle Ave., Brooklyn, and Diener & Dorskind, Incorporated, 147 West 42nd St., New York, stipulated that they will cease and desist from representing that hair dyed with Hay's Hair Coloring is natural looking and that the product does not stain the scalp. The product is sold by Kraupner & Kraupner, Inc., and the advertisements were prepared and disseminated by Diener & Dorskind, Incorporated, an advertising agency. (03276)

Marcellus Co., Box 144, Essex Station, Boston, engaged in the sale of a laxative designated Top Lax, stipulated that she will discontinue disseminating any advertisement of the preparation which fails to reveal that it should not be used when abdominal pains or other symptoms of appendicitis are present; provided, however, that such advertisement need only contain the statement, "CAUTION: Use only as directed," if the directions for use on the label or in the labeling contain a warning to the same effect. (03277)

Olan Mills Portrait Studios, Chattanooga Bank Bldg., Chattanooga, Tenn., entered into a stipulation to discontinue representing that any article of merchandise is "free," "absolutely free," "a free offer" or without cost to the recipient, when it is not a gratuity and the prospective recipient is required as a consideration

to purchase some other article or render some service in order to obtain the same. (4013)

J. Schaffers Sons, Inc., et al.—Four stipulations have been agreed on in which dealers in furs or fur garments agree to discontinue designating their products by any but the true name of the animal producing the fur from which the products are made. The following respondents entered into the stipulation:

J. Schaffer's Sons, Inc., 252 West 30th St., New York, manufacturer of fur garments. (4009)

Charles Sadownick and Harry Richman, trading as Sadownick & Richman, 231 West 29th St., New York, manufacturers of fur garments. (4010)

Abram Krupnick and Anna Shatkin, trading as A. Krupnick, 142 West 29th St., New York, engaged in the sale and distribution of furs. (4012)

Morris Dentz and Louis Dentz, trading as Dentz & Dentz, 214 West 29th Street, New York, manufacturers of fur garments. (4014)

FTC CASES CLOSED

The Federal Trade Commission has ordered that the case growing out of the complaint issued against Henry Millinery Import Corp., 34 West 38th Street, New York, charged with misrepresenting its products, be closed without prejudice to the right of the Commission to reopen the case and resume trial thereof in accordance with its regular procedure. The Commission has been advised that the respondent corporation has been legally dissolved.

The Commission also has dismissed without prejudice its complaint charging C. Ernest Ingham and Harold Louis Ingham, trading as Ingham and Co., 172 Washington St., Boston, with certain misrepresentations in connection with the sale of luggage and other leather goods and novelties.

The complaint was dismissed because the respondents have expressed their intention, in writing, to be bound by the Trade Practice Conference Rules promulgated for the Catalog Jewelry and Giftware Industry, and have furnished satisfactory evidence of such intention.

REINSCH TO WHITE HOUSE

On Tuesday, April 17, President Harry S. Truman announced the appointment of James Leonard Reinsch to the position of Administrative Assistant to the President, serving as Press and Radio Secretary for the White House.

Leonard Reinsch needs no introduction to broadcasters. Widely known throughout the industry, and held in high esteem, he comes to Washington from Atlanta, relinquishing the duties of Managing Director of WSB, Atlanta, WHIO, Dayton, and WIOD, Miami, stations comprising the radio interests of former Governor James M. Cox, who made him available at Truman's request.

At the February meeting of the NAB Board of Directors (NAB REPORTS, Vol. 13, page 83), Reinsch was elected Director-at-Large for Large Stations to serve the unexpired term of Hugh Feltis who resigned to head up the newly organized BMB. Reinsch was also nominated as a candidate for the new term beginning July 1. He is also a Director of Broadcast Music, Inc., and a member of the NAB Legislative Committee.

Mr. Reinsch has advised NAB that his new duties will require his full attention, and his resignation from all industry affiliations will soon be offered.

Born in Streator, Illinois, in 1908, Leonard Reinsch's first professional contact with radio was with WLS, Chicago, in 1924 where he went on the air as interlocutor in a minstrel show.

Attending school at the time, he found radio to his liking and in 1928 accepted a full time job with the same station as announcer, later to become a salesman. Attending Northwestern University concurrently, he was graduated with a B.S. Degree in Commerce. He was a winner of the D. F. Kellar award with a thesis on radio merchandising. This resulted in a request that he prepare a suggested curriculum for radio to be submitted to the Medill School of Journalism at Northwestern.

Agency work and station activities occupied his time until 1934 when WHIO was acquired by the Cox interests; he served as general manager at this station, later being assigned to WSB and full supervision of all Cox radio interests.

President Truman first became acquainted with Reinsch in November 1943, when he appeared as a witness before the Senate Interstate Commerce Committee.

Former Democratic Press Director Paul A. Porter, now Chairman of the Federal Communications Commission, chose Reinsch to head the radio department of the Democratic National Committee last June. He handled all technical radio arrangements for both Roosevelt and Truman during the campaign.

Reinsch was married in 1936 to Phyllis McGeough, of Chicago. They have two children, Penelope Lu, 6½, and James Leonard, Jr., 5.

"GREATEST RADIO PERSONALITY"

Paul A. Porter, Chairman of the Federal Communications Commission, in an address delivered on the occasion of the inauguration of the first television multiple relay linking Washington, D. C., and Philadelphia, on Tuesday (17) characterized the late Franklin D. Roosevelt as "the greatest radio personality we have ever known." Chairman Porter's address follows:

"The inauguration of this first television multiple relay, the linking of the nation's capital with our third largest city, is a historic milestone in our progress towards a nationwide system of television. It is a historic advance towards the realization of the American dream of bringing the people and their government closer together.

"This achievement comes at a time when our hearts are still heavy over the passing of him who blazed the trail and demonstrated the superior ability of radio to further this noble aim, who was indeed the greatest radio personality we have ever known.

"We cannot help regretting that national television was not available in time to enhance his efforts to bring Washington closer to the people. We rejoice, however, that demonstrations like this one assure us that sooner or later such a system will be available to the American people and their presidents.

"In any era and circumstance the character and talents of Franklin D. Roosevelt would have loomed large in the affairs of mankind. But in radio broadcasting they found their greatest medium of expression—a momentous meeting of man and mechanism.

"It is difficult to estimate how much more radio could have added to America's understanding and appreciation of this personality if television had been widely available to give us a new dimension to sound broadcasting. Then, to that golden voice coming out of the darkness of the loud-speaker, there would have been added the glowing, moving, living image of the man himself. All Americans everywhere could have seen his eager, animated, expressive face, his buoyant smile, his whole-souled chuckle when especially pleased, his deadly seriousness when deeply moved, the little mannerisms which were so much a part of his personality. That Franklin Roosevelt, even without this new miracle of sight wedded to sound, was able to transmit so much of his personality through the blackness of the night, is a testimony to his peculiar affinity for the broadcasting art and to his dynamic spirit.

"Although he had talked over the radio often before, the first demonstration of his unique power to rally a nation in time of crisis came on the occasion of his first inaugural address. Radio history was made that day. In that dark, fear-ridden hour in 1933 when Franklin Roosevelt first took office—when we were on the brink of chaos, when faith in the eternal rightness of our democratic way burned low in many hearts—in that fateful hour, Franklin Roosevelt's courageous, confident words ended retreat and we started on the road back.

"How often since then, in times of great emergency, have we turned, almost instinctively, to our radio to listen to that beloved voice, to have our inspiration renewed, our conviction refortified.

"As the President came to grips with his tasks, he continued to talk directly and frankly to the people. Radio became established as the most potent force in revivifying



The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NATIONAL 2080

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

our democracy. The business of government was brought to the firesides. Intricate problems of statecraft were taken out of the heavily dignified granite office buildings of Washington and translated by the chief executive into simple, understandable terms, and conveyed by a sincere, warm, vibrant, friendly voice.

"By his example, others were encouraged to turn to the microphone to reach the people and the radio quickly became a national forum, an institution so necessary under a system of government, of, by and for the people.

"Now we look forward to a great new force in our democracy—television. There are today only six commercial television stations in operation, but the intense interest in future development is indicated by the fact that more than 100 license applications for new stations have already been filed with the Federal Communications Commission; this despite the fact that no new construction can be undertaken until materials and manpower are again available.

"There will be obstacles—obstacles of a technical and an economic nature—which must be overcome before television can be made available on the same widespread scale as sound broadcasting. But the manner in which obstacles have been conquered one by one by the imagination and boldness of the sound broadcasting industry gives us every hope that the same qualities will win out in television.

"The opening of this new Multiple-Relay tonight is an example of the vigor with which the problems of television are being attacked. The creation of networks is the heart of the problem of how to expand television into a nationwide service.

"The Philco Corporation is to be congratulated on pioneering in this vital aspect of the television art. Its vision and enthusiasm thus give it a distinguished 'first.' This demonstration is a harbinger of exciting things to come.

"In due time, thanks to this spirit of enterprise, television will grow into a giant capable of serving us in many ways which we do not now even comprehend. Television will turn on the light. The illumination will go far, we hope, to drive out the ghosts that haunt the dark corners of our minds—ignorance, bigotry, fear. It will be able to inform, educate and entertain an entire nation with a magical speed and vividness. It can hasten the process of reconstruction. It can be democracy's greatest handmaiden by bringing the whole picture of our political, social, economic and cultural life to the eyes as well as the ears.

"That that democracy is the best way of life yet discovered is attested by the somber drama of this very time. The greatest leader and statesman of his age is taken from us in the midst of a tragic war, with staggering problems of peace ahead. Without interruption, the second in command takes over. The ship of state plows on without a moment's swerving from the course. The people of every party mourn the pilot who is lost and rally behind the new man at the wheel. All else is thrust aside for the greater welfare of the nation. A striking demonstration of unity in a war-torn, shell-shocked world."

BROADCASTERS PERFORMANCE RECOGNIZED

Universal recognition has been given to the quiet and efficient manner in which the broadcasting industry interrupted its normal operations on the afternoon of Thursday, April 12, and carried to the people of the nation word of the loss of the man who had served them as President through twelve troubled years.

During the short span of its existence radio broadcasting has served through two great world catastrophes—its most severe depression and its deadliest war. Fulfilling their obligations of public interest, convenience and necessity, broadcasters have many times responded promptly and effectively to the challenge of fire, flood, tornado and other calamities which have threatened large segments of the nation's people. This has brought to broadcasters experience in handling emergencies and the public has instinctively turned to radio for its information and guidance.

Radio in this latest and most sudden emergency demonstrated its impressive stature. Tributes in appreciation and gratitude have been widely expressed on the floors of Congress, in the editorial columns of newspapers, large and small, in the "Letters-to-the-editors" columns and in private communication's addressed to leaders in the industry. In all radio has been commended for a task well done. Limitations of space make it impossible to reprint but a small portion of these expressions. Here are a few:

On the Floors of Congress

On the floor of the Senate on Monday (16) Senator Carl A. Hatch (D-N. M.) spoke as follows:

"Mr. President, the press of the Nation, the radio, through its programs and by its commentators, leaders in Congress, officials of the Nation, men and women in every walk of life—in fact, all the people of America—without regard to politics or other selfish consideration, have responded in our Nation's hour of sorrow, sadness, and tragedy in a manner such as the world has never before seen. Not as a public official but as an American citizen, I rise today to express my gratitude for the superbly wonderful way in which these tremendous forces have met what to a less courageous people might have meant disaster.

"Press and radio—friend and foe of the previous administration alike—through editorial comment, through the news services, and in every possible way, rose to the occasion with a patriotism never before witnessed in any country. Had the communications systems been directed and controlled, as they are in many countries of the world, the tributes to the departed Commander in Chief and the good will expressed for the incoming President could not have shown a more united spirit than was demonstrated here in free America by concerted, purely voluntary, and wholly cooperative effort inspired only by patriotic devotion to the Nation's welfare."

On the following day (Tuesday, 17) in the House, Honorable Emanuel Celler (D-N. Y.) had the following to say:

"Mr. Speaker, a word of praise and commendation might well be spoken concerning the broadcasting companies for their exemplary handling of the news of the late President Roosevelt's death and the ceremonies attendant upon his funeral. The dignity and seriousness of the programs were in keeping with the solemnity of the occasion. From the moment the news of his death was flashed at 5:49 p. m. Thursday to the close of Sunday broadcasting, there was not a so-called commercial plug over the airways. Such commercial programs as were retained were carefully examined to see that they would not violate the spirit of mourning which gripped the Nation. Therefore, I acclaim these national networks and local stations."

Still another member of Congress, the Honorable A. S. Mike Monroney (D-Okla.) on Wednesday (18) made the following remarks:

"Mr. Speaker, I cannot let the opportunity go by without paying a well-earned tribute to the radio industry for the appropriate way they handled the most important story of the death of our beloved President over the week end.

FCC PROPOSES RULES REVISION

Affecting Stock-Contract Reporting

The Federal Communications Commission on Tuesday (17) adopted a resolution to the effect that public interest, convenience, and necessity may be served by deletion of rules 1.361 and 43.1 and the substitution of other rules relating to financial, ownership and other reports of broadcast licensees. The complete text of the Commission's order will be published in a special bulletin.

The Commission's order states that oral argument will be held before the Commission on May 21 at 10:30 a. m. It further states that any person desiring to participate in the oral argument shall so notify the Commission before May 9, and all persons desiring to appear must also file a brief.

"The entire industry rose magnificently to the occasion in handling this national tragedy with appropriate feeling and with an appreciation of the deep sense of loss that the Nation had suffered.

"Within seconds after the fateful news of President Roosevelt's death had been flashed to the world they dispensed with all commercialization of their programs and dedicated the next few days to complete and appropriate coverage of America's deep mourning.

"With great speed announcers, commentators, program directors, and file men assembled, wrote and edited radio programs that set a new high in that field.

"This is a splendid example of responsibility of public service and their highly appropriate and intelligent operation showed an understanding and an appreciation of the power of their medium by both the stations and the national networks.

"All this was done at a great financial sacrifice to both, as almost all stations killed all commercialization of their programs to more appropriately observe the occasion. The sacrifice ran into millions of dollars, which was gladly yielded without question because the occasion was of national importance to warrant it.

"If any occasion were needed to demonstrate that the radio has come of age, this certainly marked that occasion."

From the Newspapers

The Washington, D. C., *Star*, under the caption "An Impressive Performance" editorialized as follows:

"It seems to *The Star* that the Nation's radio networks and individual stations deserve high commendation for a display of good taste in their manner of presenting to the Nation the tragic news of President Roosevelt's death and his journey through Washington back to his final resting place at Hyde Park.

"By spontaneous agreement and over a period of more than seventy-two hours, hundreds of advertising programs, carefully rehearsed and scheduled long in advance, were either dropped or revised to eliminate distasteful commercialism and to bring them in tune with the spirit of the occasion.

"As a result, the radio news and the accompany tributes to the late President were delivered on a plane befitting the dignity of a Nation in mourning. The simple beauty of many of the programs and the admirable restraint of the reporters and commentators established a mark, in the performance of a public service, which is the source of as much satisfaction to the public as it must be to the radio industry."

An editorial "Radio Demonstrates Its Worth," appears in the April 16 issue of the Sheboygan (Wisconsin) *Press*:

"Radio throughout the country established a new high in service to the nation, when all of the networks joined in tributes to the late President.

"From the hour of Mr. Roosevelt's death, all commercial programs were cancelled and the facilities made available for covering the funeral arrangements, and tributes from the entire world. The combined networks furnished a wreath in words that brought forth solace in a nation's gloom. Programs came from every state in the Union, and one was more beautiful than the other. Men of all religious beliefs went on their local stations, nation wide, and the great heart of America responded. From Hollywood came programs carrying the voice of some star or commentator well known in the radio world.

"It was the first time that a President had died since radio had reached the point of world coverage, and it justified all that has been claimed for it.

"All through Thursday afternoon from the hour of Mr. Roosevelt's sudden death and until the final services at Hyde Park Sunday morning, the facilities were made available for memorial programs. The entire world is indebted to radio in a service that this generation will never forget."

Norman Siegel, veteran radio editor of the *Cleveland Press*, had this to say in his column of April 17:

"A Noble Achievement: Radio reached its peak as an instrument of public expression in bringing to the world the full impact of the tragedy that befell mankind in the passing of Franklin D. Roosevelt. Never in the 25 years of American broadcasting has radio made itself so felt as it did during the sad hours which brought the past week to a close.

"Ignoring cost and its set pattern of programming, radio met the challenge that the President's death presented and for three and one-half days devoted its full energies and time to the memory of a "Man of Radio," its greatest voice, which had been silenced by the master of all men.

"The tragic words that brought news of Roosevelt's death were still being teletyped into that first shocking sentence when radio went into action. Within 10 minutes after the initial flash had been broadcast, network chiefs cleared the airwaves of everything but news and tributes to the late President. All programs were cancelled indefinitely. Those regular shows, sustaining and commercial, which were not in keeping with the solemnity of the occasion, were revised or dropped entirely.

"From 4:49 p.m. Thursday until yesterday morning radio, which once brought the masterful voice of Franklin D. Roosevelt to the world, transmitted tributes to his memory from leaders in every walk of life. Eulogies, music, news of global reactions, and descriptions of personal contacts with the President were substituted for the regularly scheduled programs.

"The technical and news staffs which were on alert duty to cover the events of the impending 'V-E Day' instead assumed the burden of bringing to the world the highlights of this great tragedy. In the first seven hours following Roosevelt's death NBC put on 72 special programs. Columbia, Mutual and the Blue Network of the American Broadcasting System established similar records.

"The cost to the networks in the loss of commercial revenue and added expense of substitute musical programs ran in the neighborhood of \$4,000,000. It far exceeded the service performed by radio on 'D-Day' and such other momentous historical events of recent war years as 'Pearl Harbor Sunday' and the nation's entry into the conflict to preserve democracy. It was the crowning achievement of the 20th Century wonder of communications.

"The number of outstanding programs that were broadcast are too numerous to tabulate in the short space of a newspaper column. Among the most inspiring was the two-hour tribute that emanated from Hollywood Sunday night, on which the great names of the entertainment world humbly paid their respects to the memory of a friend. In this hour of international sadness radio came closer to the hearts of the public it serves than it ever has in the quarter-century of its existence."

Listener Writes

Signed by Charlotte F. Degen of Upper Montclair, N. J., the following letter appeared in the "Letters to the Editor" column of the *New York Times* of April 17:

"At this time it seems proper that some public mention be made of the fitting tributes all national networks and local stations made during the three days of national mourning for our great deceased leader.

"Radio set the keynote for a reverent public to express its devotion and thanks to our and the world's outstanding statesman. His spirit lives on now, stronger than ever, to inspire us to make certain his peace aims are fulfilled.

"It is gratifying to know at what heights radio can extend its tremendous facilities and wealth of talent."

News Columns Pay Tribute

The *New York Times* of April 16, under the heading "Air Commercials Resume Today" contains the following:

"The greatest coverage radio ever gave to a news story ends this morning for the broadcasting stations and networks of the nation when they resume regular commercial programs that were dropped for almost eighty hours to give an eager public an up-to-the-minute account of the passing of Franklin Delano Roosevelt.

"From the moment news of his death was first flashed at 5:49 p.m. Thursday, through the close of Sunday broadcasting, there was not a 'commercial plug' over the airwaves. Such commercial programs as were retained were carefully examined to see that they would not violate the spirit of mourning that gripped the nation and these were introduced solely with a sponsor identification.

"A survey of the major networks and of typical smaller metropolitan stations showed that all had adhered rigidly to this voluntary rule. All are resuming regular broadcasting in a group.

"In addition to straight news, piped into the broadcasting stations by the nation's great news services and newspapers, the radio did an extensive job of 'spot coverage' that kept the listening public in close touch with developments.

"The stations and networks also picked up the tribute of the great, the reactions of the people themselves, the memorial services and the proclamations. This they put on the air together with the commentary of noted news analysts on the effects of the death of this leading world figure.

"When the news slowed, the great music of the ages was heard—symphonies, spirituals, hymns, folk music—much of it beloved by the late President.

"London, Paris, Moscow, Rome, Chungking, Guam, Honolulu, the Western Front and even Okinawa were brought in on specially prepared programs."

RYAN WIRES PRESIDENT TRUMAN

Harold Ryan, President, National Association of Broadcasters, dispatched the following telegram to President Harry S. Truman soon after word had been received of death of late President Franklin Delano Roosevelt.

"AT THIS CRITICAL TIME WHEN YOU TAKE UP THE GREAT BURDEN LAID DOWN BY YOUR MAGNIFICENT PREDECESSOR, THE BROADCASTERS OF AMERICA JOIN WITH YOU AND THE NATION IN BEREAVEMENT. LOOKING TO THE MASSIVE PROBLEMS BEFORE YOU, BROADCASTERS PLACE AT YOUR INSTANT COMMAND THE FACILITIES OF THEIR STATIONS WHICH FRANKLIN D. ROOSEVELT USED SO EFFECTIVELY."

PATT MAKES SUGGESTION

John Patt, WGAR, Chairman of the NAB Public Relations Committee, in a telephone message to headquarters this week, suggested that all stations make individual expressions of loyalty and cooperation to President Harry S. Truman by means of telegrams and personal letters.

RADIO CARRIES SERVICES FROM TRUMAN'S CHURCH

Grandview, Missouri, was suddenly thrust into the national spotlight last Sunday (15) when special religious services were held at President Harry S. Truman's church, the Grandview Baptist, by the Rev. Wilbern Bowman, pastor and friend of Mr. Truman.

Radio Station KXOK in a special arrangement with KCMO broadcast the services to the people of St. Louis and its environs. The President, a member of the church congregation for the past 29 years, was represented at the services by his mother who is also a member of Rev. Bowman's church.

MEMORIAL SOLICITING NOT AUTHORIZED

Attention of broadcasters is directed to a statement issued on behalf of the Roosevelt family by Basil O'Connor, friend and former law partner of the late President Franklin D. Roosevelt, in which Mr. O'Connor announces that no one has been authorized to solicit "funds in the name of the former President at this time, regardless of the purpose to which the proceeds are to be utilized."

"It has come to our attention," said Mr. O'Connor, "That funds are being solicited in the name of the late President."

It is suggested that broadcasters explain this to any well meaning organizations or groups that may approach them on this subject.

Mr. O'Connor later issued a statement saying that Mrs. Franklin D. Roosevelt has approved plans to create a suitable memorial, and had asked him to form a committee for the purpose of selecting the memorial.

It has not been revealed whether funds will be solicited or accepted.



KIWANIS RADIO WEEK PLANS ARE PROGRESSING RAPIDLY

Harold Ryan to Address Omaha Kiwanis May 16

The wires were busy between Chicago and Washington this week as Kiwanis headquarters reported mushrooming developments in Kiwanis Radio Week, scheduled for May 13-19 throughout the United States and Canada.

NAB's Special Twenty-Fifth Anniversary Bulletin No. 7 also brought response from broadcasters who are participating as guests of honor and as speakers and program chairmen at local Kiwanis Club meetings between those dates.

Harold Ryan, NAB President, will address a combined meeting of the Kiwanis Club and other civic organizations of Omaha, Nebraska, on May 16, the Kiwanis meeting having been changed from Friday to Wednesday of that week in order to extend hospitality and recognition to the NAB Board of Directors, meeting in Omaha May 16-17. Active in this planning is John J. Gillin, Jr., WOW, NAB Board member and host Director for this meeting.

Advance Publicity

Kiwanis International did not embark on Kiwanis Radio Week as a "publicity stunt" but to pay sincere homage to the broadcasters of America. Therefore it remains with the stations themselves to give this event the news coverage it deserves in their communities, both prior to and during the actual presentation of Certificates of Citation. Items in station news broadcasts, interviews with Kiwanis officials prior to the week of May 13-19 and previews of any special program productions should furnish material for advance publicity, programmed in proper relation to the news of the day.

Speakers, Programs for the Occasion

Due to the fact that Kiwanis Radio Week is the occasion for recognizing local station management, local broadcasters are the logical selection as speakers for the meetings. An abundance of material will be found in Special Twenty-Fifth Anniversary Bulletins 1 to 6, together with Harold Ryan's speech, "Radio's Public Service in Time of War."

The Citations cover radio's service during the period of its past history, including its enviable war record, therefore a resume of its quarter century of operation in the public interest is more suitable than remarks limited to prophecy of the future.

Some stations have elected to combine their talent facilities and produce a dramatization of radio's history by means of a news and special events round-up covering the period of 1920 to 1945. This may be accomplished in at least three ways: 1. Live, and broadcast from the Kiwanis Club meeting, or transcribed for delayed broadcast. 2. Transcribed and played back at the meeting and broadcast later in the day with portions of the ceremony transcribed during the presentation. 3. Broadcast from studio and "beamed" to Kiwanis Club meeting, following or preceding broadcast of presentation ceremonies from the meeting.

In such productions stations should include the highlights of their own local public service, particularly as necessitated by local emergencies, floods or other disasters.

Display This Symbol



A large illustration of the 25th Anniversary symbol, an artist's drawing at least five feet in height, with silver mike and black trim, dark purple banner and silver fringe and lettering, will be most acceptable behind the head table at your Kiwanis Club meeting.

HOLLYWOOD REPORTER SALUTES RADIO IN SPECIAL EDITION

The *Hollywood Reporter*, using the XXV symbol and a silver motif throughout, tendered a one hundred page salute to radio in its twenty-fifth year from the motion picture capital on April 6.

Radio and screen stars are profuse with congratulations to the broadcasters on the silver anniversary of their industry. Headliners include Bing Crosby, Fred Allen, Frank Sinatra, Nelson Eddy, Dinah Shore, Fibber McGee and Molly, Ginny Simms, Jack Benny and several score names well known to movies and the ether, including music publishers, set and equipment manufacturers, agents and producers.

The cover portrays a symbolic figure holding aloft the XXV banner, with radio towers in the lower foreground.

A Foreword by Dr. Lee De Forest, followed by a statement from Harold Ryan, NAB President, precedes a Table of Contents heralding the literary contributions of leading broadcasters and "cinemair" figures.

Colorful border and page decorations depict milestones in radio's twenty-five year career, using numerous photographs.

The Special Edition, originally scheduled for the last week in December, 1944, was postponed to the April publication date.

It is hoped that each station and network library will have a copy as a valuable memento of Radio's Twenty-Fifth Anniversary.

KWKH USES XXV SYMBOL

A letter has been received by Bruce Starkey, Chief, NAB News Bureau, from Fred Ohl, Manager KWKH, Shereveport, in which Mr. Ohl states:

"We have your letter of April 11 suggesting that we use the 'XXV' symbol on page one of *On the Level*.

"We shall certainly be glad to do this. It is a splendid suggestion."

On the Level is KWKH's house organ.

All station managers are urged to re-examine their publicity with a view to incorporating the XXV symbol in logotypes, etc. This is important in view of the accelerated tempo that will attend observance of 25th Anniversary during 1945.

FCC RULE 2.41 AMENDED

The FCC has revised Rule 2.41 insofar as it affects radio stations other than broadcast stations, by the addition of a new section (b). For broadcast stations the requirement remains that construction shall commence within sixty (60) days from the grant of the CP, allowing an additional six (6) months for completion. In case of a radio station other than broadcast the date of commencement is not to be specified. In order that your set of Rules and Regulations may be up to date the complete new Rule 2.41 is reproduced below:

"2.41 Period of construction.⁵ (a) Each construction permit for a radio station in the broadcast service will specify a maximum of 60 days from the date of granting thereof as the time within which the construction of the station shall begin, and a maximum of six months thereafter as the time within which construction shall be completed and the station ready for operation, unless otherwise determined by the Commission upon proper showing in any particular case.

"(b) Each construction permit for a radio station other than broadcast will specify the date of grant as the earliest date of commencement of construction and a maximum of eight months thereafter as the time within which construction shall be completed and the station ready for operation, unless otherwise determined by the Commission upon proper showing in any particular case."

The Government Printing Office has recently issued Part 2 of the Rules and Regulations, revised to December 19, 1944. Copies are available through Superintendent of Documents, GPO.

⁵ See section 1.356 Rules of Practice and Procedure.

FCC COMMITTEE MEETS

As a preliminary to the proposed radio listening survey contemplated by FCC in connection with the clear channel hearing, a sub-committee headed by Dalas Smythe, FCC Chief Economist, met in Washington on Wednesday (18). In addition to representatives of the Commission, industry research men were also present. Rosel Hyde, FCC General Counsel, and Clure Owen, Assistant Chief of the Broadcast Division of the Engineering Department, also participated.

Some differences of opinion were voiced by industry representatives to the FCC proposal. The industry view was that the survey should be broadened to include listeners outside of primary listening areas. It was specifically emphasized that the proposed survey in no way overlaps the project to be conducted by Broadcast Measurement Bureau. Incidentally, BMB was represented at the meeting by President Hugh Feltis. It is stated that the Commission hopes to complete the survey by mid-summer.

"NOTHING LIKE NEWS FROM HOME" IS REACTION TO GLOBAL SHOWS

Mail from members of the armed forces to relatives, friends and radio stations continue to bring messages of thanks for "Let's Go to Town" programs produced in this country.

Today we quote from letters received in St. Paul and Schenectady, where Kenneth M. Hance, vice-president KSTP, and Earl J. Pudney, WGY, were Task Force Commanders.

Schenectady

A navy Chief Pharmacist wrote his parents in Schenectady that he heard the program while the fleet was steaming into action and that it was a most welcome breath of the home town.

"Spec" Fowler, who appeared on the Schenectady show, conducts a column, "Seen and Heard," in the "Union Star"; and he has printed many of the letters. To show how news gets around he printed one letter received by Otis Clements, male member of "Otis and Eleanor", radio musical team, written them by a Keene, N. H., private. He heard the show under battle conditions as he neared the German border March 7.

"Surprised?", wrote the soldier—"I was amazed and it was grand to hear all the gang."

Douglas McMullen, formerly producer of television programs at WRGB, GE television station, heard the program in England.

"I closed my eyes as the familiar sights were described and marvelled at the magic of radio . . ." wrote an Army captain from "somewhere in France."

St. Paul

An Ensign wrote while on duty on a mine sweeper in the Pacific area:

"Yesterday I got quite a surprise. We were all sitting around having dinner and the radio was on. I wasn't paying much attention until a familiar voice said, 'Does this sound familiar to any you? Snelling—Selby Lake—Kellogg Boulevard—and High Bridge Station.' Sure enough, it was a half-hour broadcast from St. Paul. . . . Gosh! I was never happier in my life . . . there isn't anything like news from home."

A Corporal wrote from Dutch New Guinea and a Major from the Philippines.

"Was I surprised," wrote the Corporal, "when it (the radio) started off talking about High Bridge, West Side, Robert and Seventh and University Avenue. Well, of

course, it was St. Paul and Brooks Henderson was the announcer."

Another Corporal wrote from Germany: "Being interested in my letters I paid little attention (to the radio). As the piece was being played it seemed to me that I had heard some mention of KSTP, so I jumped to my feet and went to listen and verify what I thought I had heard. It did not take me long to realize that it was Carl Karnstedt whom I had heard many times prior to my entrance into the army three years ago."

More Show Completed

The following "Let's Go to Town" program has been received by Armed Forces Radio Service:

DISTRICT XVI

Albuquerque Frank Quinn, KOB, *TFC

HOME FRONT BOND-VICTORY NEEDED

"This nation needs a VICTORY on the home front to go along with victories on the fighting fronts in Germany, in Italy, in the Pacific. We need it for our peace of mind and to prove to our enemies that we stand united and determined behind our men at the front and our new Commander-in-Chief."

That's the first paragraph of a War Bulletin signed by Harold Ryan, NAB president, which is being distributed to all stations today.

Final section of the Bulletin deals with a plan for reporting to the nation, through radio and the press, a weekly story on radio's public service put back of the Mighty Seventh. Details will reach stations the first week in May.

Extra Push in Lagging Areas

With a new high goal set for individual sales and for E Bonds, it's going to be necessary for Treasury territory sales officials to keep close watch on quotas. It is natural in the normal course of every war loan drive that there is considerable variation from city to city or area to area, in the speed with which quotas are being met. So that extra selling pressure may be applied in lagging areas as soon as a lag is detected, state chairmen of the war loan drive will notify regional OWI radio directors where support is needed. OWI regional offices in turn will notify stations of the situation and submit war bond announcements to station management in areas involved.

It is anticipated that this arrangement will go far toward quickly bringing lagging communities up to their quotas.

"Sing for the Seventh" Is New ET Series

"I Know the Enemy," 4-minute transcribed Treasury series, has been killed. In its place stations will receive ETs of an entirely new series entitled "Sing for the Seventh". Like "I Know the Enemy", the new series consists of 21 programs of 4 minutes' duration, providing time at the opening and close for local sponsor messages.

Each program features a new war song by a well-known composer. Talent: Mark Warnow's orchestra, popular singers of radio and screen; Ralph Bellamy, master of ceremonies.

OFFICE FORMS AND PRACTICES COMMITTEE MEETS

The NAB Office Forms and Practices Committee met in Washington on Monday and Tuesday (16-17). It was the first meeting of the committee since the NAB Board of Directors expanded its functions and gave it its new

* Task Force Commander.

name—dropping the former designation of Accounting Committee.

Those attending were: John B. Conley, KEX, Portland, Oregon, Chairman; Kenneth Church, WCKY, Cincinnati; Harry F. McKeon, NBC, New York; Lloyd C. Thomas, KGFV, Kearney, Nebraska; Earl W. Winger, WDOD, Chattanooga, Tennessee; and Paul F. Peter, NAB, Washington, Secretary. Committee members Gene L. Cagle, KFJZ, Fort Worth, Texas, and S. R. Dean, CBS, New York, were unable to attend. Others of the NAB staff attending portions of the meeting were Harold Ryan, President; C. E. Arney, Jr., Secretary-Treasurer; Robert Bartley, Director of Government Relations; Howard Frasier, Director of Engineering; and Helen H. Schaefer, Assistant Director of Research.

The committee discussed its new assignment and established a plan for carrying it out.

Immediate efforts are directed to a study of station forms and their uses; the preparation of a revised recommended program log procedure, and a revised accounting manual.

Rosel H. Hyde, General Counsel and William J. Norfleet, Chief Accountant of the FCC, had lunch with the committee. The FCC program log requirements and the annual financial report required of stations were discussed. Both the FCC staff members and the committee expressed a desire to work together on these matters.

A request will be sent to a selected group of stations to send all forms used in the station for committee review. This will get the committee under way in the preparation of a manual of recommended forms and procedure for station use. Several station forms were examined at the meeting and the committee is confident that it can make a real contribution to the industry in this work.

The committee will meet again in June.

CAPEHART INTRODUCES RESOLUTION TO INVESTIGATE FOREIGN RADIO PATENTS

Senator Homer E. Capehart (R), Indiana, has introduced for himself and Senator Wheeler S. Res. 118 to authorize a Senate investigation of Foreign Ownership or Control of Radio Patents. The resolution which has been referred to the Senate Committee on Interstate Commerce, reads as follows:

79TH CONGRESS, 1ST SESSION

S. Res. 118

IN THE SENATE OF THE UNITED STATES

April 12 (legislative day, March 16), 1945

Mr. CAPEHART (for himself and Mr. WHEELER) submitted the following resolution, which was referred to the Committee on Interstate Commerce.

Resolution

Resolved, That the Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation with respect to the relationship of foreign companies and persons to radio and other communication in the United States and the effect of such relationship upon the national economy and safety of the United States, with particular reference to patents owned or controlled by such foreign companies or persons and arrangements or agreements made by such foreign companies or persons concerning radio and other communication. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation together with such recommendations as it may deem desirable.

"For the purposes of this resolution, the committee, or

any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to employ such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed \$10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee."

NATIONAL AND INTER-AMERICAN MUSIC WEEK MAY 6-13

National and Inter-American Music Week will be celebrated this year May 6-13, NAB has been advised by the Music War Council of America and the National Association of Music Merchants.

Howard C. Fischer, Executive Secretary of the Music War Council of America, writes as follows:

"Music Week is of greater significance than ever before, because of the added importance of music in wartime and in these days preceding the coming of a peace which we hope will be just and lasting. We believe that music can contribute to the shaping of such a peace, and are therefore anxious to bring this potentiality of music as a force for good to the attention of as many people as possible during Music Week."

William A. Mills, Executive Secretary of the National Association of Music Merchants, says that Music Week this year will "promote greater interest in music." He further states that members are being urged to use time on their local radio stations to promote the sale of phonograph records as gifts.

Material of sustaining and commercial character is being provided radio stations and music merchants by the Music War Council of America and the National Association of Music Merchants.

KELA ASSISTS MERCHANTS WITH OPA DATA

When Manager Joe Chytil, KELA, Centralia-Chehalis, Wash., learned that most retailers were having difficulty in establishing pricing charts, necessitated by a new OPA order, he came to their assistance by setting up a special department for that purpose.

Mrs. Dudley Gaylord, staff member, who is also in charge of the local price panel, headed the department. She called on or gave telephone advice to nearly all of the 150 concerns in the area selling men's, women's and children's or infants' apparel items and accessories, as well as other specific articles covered by the order.

As a result of the station's operation, OPA officials reported that inquiries from the area were sharply reduced. Merchants were profuse in their thanks.

BROADCASTERS TOUR NAVY YARD

According to a press release from WPTF a group of 40 radio executives from Georgia, North and South Carolina and Jacksonville, Florida, recently toured the Naval installations at Charleston, S. C., Navy Yard.

During their tour they lived in Navy barracks, ate Navy chow and observed Navy hours.

Highlight of the tour was a trip to sea on a fighting ship, in order to witness life aboard a ship preparing for action. Object of the tour was to enable these men to take home first hand information about how the Navy is preparing for the long Pacific War . . . and how our men in the Navy live.

WHBQ ISSUES BROCHURE

Sixteen advertisements run in "Broadcasting" by WHBQ, Memphis, between October 9, 1944, and January 22, 1945, inclusively, have been grouped together in a brochure just distributed by Bob Alburty, general manager. It reflects the idea that WHBQ, its listeners and its sponsors are members of a closely knit team.

945 STANDARD BROADCAST STATIONS

During the month of March 1945, the FCC licensed one station to operate. A comparative table of the number of standard broadcast stations by months, follows:

| | 1944 | | | | | | | | | | | | 1945 | | |
|--------------------|--------|-------|--------|--------|--------|---------|--------|--------|--------|--------|--------|--------|--------|--|--|
| | Apr. 1 | May 1 | June 1 | July 1 | Aug. 1 | Sept. 1 | Oct. 1 | Nov. 1 | Dec. 1 | Jan. 1 | Feb. 1 | Mar. 1 | Apr. 1 | | |
| Operating | 909 | 909 | 910 | 912 | 913 | 912 | 914 | 916 | 919 | 919 | 921 | 923 | 924 | | |
| Construction | 9 | 11 | 13 | 12 | 13 | 16 | 15 | 15 | 18 | 24 | 24 | 22 | 21 | | |
| | 918 | 920 | 923 | 924 | 926 | 928 | 929 | 931 | 937 | 943 | 945 | 945 | 945 | | |

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 23. They are subject to change.

Monday, April 23

Further Hearing

KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Renewal of license, 1020 kc., 1 KW, limited.
 KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Renewal of license, 1110 kc., 10 KW, unlimited, DA-night and day.

Friday, April 27

NEW—The Brockway Company, Massena, N. Y.—C. P., 1340 kc., 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WFEA—New Hampshire Broadcasting Co. (assignor), H. M. Bitner (assignee), Manchester, N. H.—Granted consent to voluntary assignment of license of station WFEA from the New Hampshire Broadcasting Co. to H. M. Bitner; no monetary consideration is involved, transfer is from licensee corporation to its sole stockholder. (B1-AL-477)
 WRLD—L. J. Duncan, et al. (assignor); WDAK, L. J. Duncan, et al., d/b as Valley Broadcasting Co. (assignee), West Point, Ga., Columbus, Ga.—Granted consent to voluntary assignment of license of station WRLD, West Point and WDAK, Columbus, Ga., from L. J. Duncan, Leila A. Duncan, Josephine A. (Keith) Rawls and Effie H. Allen, d/b as Valley Broadcasting Co., to: L. J. Duncan, Leila A. Duncan, Josephine Rawls, Effie H. Allen, Allen M. Woodall and Margaret A. Pill, d/b as Valley Broadcasting Co., for a consideration of \$15,300 for an 18 percent interest in the assignee partnership, newly formed, composed of the four members of the licensee partnership and two new members. (B3-AL-478)

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska—Granted extension of special service authorization to operate on 660 kc., 10 KW, unlimited time for the period ending May 1, 1946, providing that if objectionable interference is caused to the FCC monitoring station, the CAS Radio System, Alaska Communications System, Army, Navy, Coast Guard, or other communication systems, and is not promptly eliminated, KFAR will return to its regular operating assignment (610 kc., 5 KW).

W3XL—Everett L. Dillard, tr/as Commercial Radio Eqpt. Co., Washington, D. C.—Granted modification of construction permit authorizing new developmental station, for move of transmitter location to the International Building, 1319 F St., N. W., Washington, and extension of commencement and completion dates to 30 days from date of grant and September 15, 1945. (B1-MPEX-12)

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending August 1, 1946:

KAVE, Carlsbad, New Mexico; KFJI, Klamath Falls, Ore.; WKOK, Sunbury, Pa.; KGY, Olympia, Wash.; KICA, Clovis, N. M.; KYUM, Yuma, Ariz.

Licenses for the following stations were renewed for the period ending May 1, 1948:

WMEX, Boston, Mass., WNOX, Knoxville, Tenn., KFBK, Sacramento, Calif.

MISCELLANEOUS

KVAN—Vancouver Radio Corp., Vancouver, Wash.—Denied petition (without prejudice to consideration of the application as a whole, on its merits), for grant in part of its application for construction permit to change frequency, increase hours of operation, change transmitter site and install directional antenna.

Placed in the pending files in accordance with policy adopted February 23, 1943; the following applications for FM broadcast stations:

United Broadcasting Co., Akron, Ohio; Radio Broadcasting Corp., Twin Falls, Idaho; Larus & Bros. Co., Inc., Richmond, Va.; Pinellas Broadcasting Co., St. Petersburg, Fla.

The following applications for commercial television stations were placed in the pending files in accordance with policy adopted February 23, 1943:

United Broadcasting Co., Columbus, Ohio; United Broadcasting Co., Akron, Ohio.

Retained in the pending files amendment to application of The Travelers Broadcasting Service Corp., Hartford, Conn., for a commercial television station.

Midwestern Broadcasting Co., Cadillac, Mich.—Adopted memorandum opinion granting construction permit for a new station to operate on 1240 kc., with power of 250 watts, unlimited time, subject to procedural requirements of Commission's supplemental statement of policy of January 26, 1944.

APPLICATIONS FILED AT FCC

570 Kilocycles

WNAX—WNAX Broadcasting Co., Yankton, S. D.—Transfer of control of licensee corporation from South Dakota Broadcasting Corp. to Cowles Broadcasting Co.—50.6%.

590 Kilocycles

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Transfer of control of licensee corporation from Louis Wasmer to KHQ, Inc. (2500 shares common stock—100% outstanding).

890 Kilocycles

WHNC—Henderson Radio Corp., Henderson, N. C.—Modification of construction permit (B3-P-3641, as modified, which authorized a new standard broadcast station) for changes in antenna, and extension of commencement and completion dates.

930 Kilocycles

WJAX—City of Jacksonville, Jacksonville, Fla.—License to cover construction permit (B3-P-3541) which authorized installation of an auxiliary transmitter.

1240 Kilocycles

- NEW—George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a partnership, d/b as New Iberia Broadcasting Co., New Iberia, La.—Construction permit for a new standard broadcast station to be operated on 1240 kc., with power of 250 watts, and unlimited hours of operation.
- NEW—Louis N. Howard and Ellis H. Howard, d/b as Jacksonville Broadcasting Co., Jacksonville, N. C.—Construction permit for a new standard broadcast station to be operated on 1240 kc., with power of 250 watts, and unlimited hours of operation.

1450 Kilocycles

- WBBL—Grace Covenant Presbyterian Church, M. A. Sitton, agent, Richmond, Va.—Modification of construction permit (B2-P-3638, which authorized change in frequency increase in power, change hours of operation, move of transmitter, and change in antenna and equipment) for approval of transmitting equipment. AMENDED: to use presently licensed antenna and transmitter site.
- NEW—Augusta Broadcasting Co., Charleston, S. C.—Construction permit for a new standard broadcast station to be operated on 1450 kc., with power of 250 watts, and unlimited hours of operation. AMENDED: to reflect changes in stockholders.

1460 Kilocycles

- KINY—Edwin A. Kraft, Juneau, Alaska—License to cover construction permit (B-P-3089) as modified, which authorized increase in power, installation of new transmitter, and changes in equipment and antenna. AMENDED: to cover B-P-3622, as modified, which authorized reinstatement of B-P-3089, as modified.
- KINY—Edwin A. Kraft, Juneau, Alaska—Authority to determine operating power by direct measurement of antenna power. AMENDED: re engineering data.

FM APPLICATIONS

- NEW—Lynchburg Broadcasting Corp., Lynchburg, Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48700 kc., with coverage of 29,530 square miles.
- NEW—Roanoke Broadcasting Corp., Roanoke, Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47100 kc., with coverage of 34,350 square miles.
- NEW—Review Publishing Co., Alliance, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 47100 kc., with coverage of 2,644 square miles.
- NEW—Jack M. Draughon and Louis R. Draughon, d/b as WSIX Broadcasting Station, Nashville, Tenn.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46100 kc., with coverage of 16,000 square miles.

TELEVISION APPLICATION

- NEW—Twentieth Century-Fox Film Corp., Boston, Mass.—Construction permit for a new experimental television broad-

cast station to be operated on Channel #1 (50000-56000 kc.), A3 and A5 emission.

MISCELLANEOUS APPLICATIONS

- NEW—A. H. Belo Corp., Dallas, Texas (area of)—Construction permit for a new developmental broadcast station to be operated on 99800 kc., or any other frequency assigned by the Commission, power of 1 KW or less, special emission for FM.
- NEW—State Teachers College at West Chester, Pa., West Chester, Pa.—Construction permit for a new non-commercial educational broadcast station to be operated on 42100 kc., with power of 1 KW, and special emission for FM.
- NEW—The Ohio State University, Area of Franklin Co., Ohio—Construction permit for a new relay broadcast station to be operated on 1622, 2058, 2150, 2790 kc., with power of 125 watts, and A3 emission.
- W7XTE—Temple V. Ehmsen, Portland, Ore.—Modification of construction permit (B5-PEX-50, which authorized construction of a new developmental broadcast station) for extension of completion date from 6-30-45 to 12-30-45.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission issued no complaints this week.

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Charlotte Mercantile Co., et al.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act in connection with purchases of merchandise has been issued against Jasper W. Efrd, 200 West 34th Street, New York; Charlotte Mercantile Co., Charlotte, N. C.; and 37 incorporated Efrd Department Stores located in North Carolina, South Carolina and Virginia, for which Efrd is purchasing agent. Charlotte Mercantile Co. operates one or more retail department stores in North and South Carolina and is also engaged in selling merchandise at wholesale chiefly to the Efrd stores. (3955)

L. R. Kallman & Co., 43 East Ohio Street, Chicago, has been ordered to discontinue disseminating false advertisements concerning two cosmetic preparations sold under the names "Digitite" and "Chin-Ep," the latter formerly called "Chin-Up." (4966)

Joseph Sperling, Inc., furrier located at 709 13th Street, N. W., Washington, D. C., has been ordered to cease and desist from making misrepresentations in connection with the sale of fur garments. (5113)

STIPULATIONS

During the past week the Commission announced no stipulations.



CLEAR CHANNEL HEARINGS POSTPONED

The Federal Communications Commission announced that the Clear Channel Hearing (Docket No. 6741) scheduled to open May 9, has been postponed until Wednesday, September 5, 1945, at 10:30 a.m. In announcing the postponement, the Commission observed that it is important that preparations for this hearing be thorough and complete so that a decision may be reached on the basis of a comprehensive record. Conferences with interested parties indicate that such comprehensive record could not be gotten ready in time for the May 9 hearing, hence the postponement.

Three engineering committees composed of representatives of the Commission and other interested persons, already have been established to assemble information and prepare comprehensive reports. These committees are:

- Committee 1—Determination of what constitutes a satisfactory signal.
- Committee 2—Determination of what constitutes objectionable interference.
- Committee 3—Determination of distances to which and areas over which various signal strengths are delivered.

The work of these committees will continue through the summer and the reports are expected to be available in advance of the hearing. A fourth committee, also made up of Commission personnel and outsiders, is concerned with the problem of conducting a survey of listening. While the survey will be conducted by the Commission, it is receiving the active cooperation of all elements of the industry concerned with listener surveying.

The Commission further announced that staff committees have been set up to prepare material on all of the issues involved in the proceedings. Industry members are urged to proceed with diligence in the preparation of any material which they may care to submit. FCC's staff is available for conferences or assistance in any matter connected with the proceedings and arrangements for such conferences should be made through FCC General Counsel or Chief Engineer.

DIRECTOR-AT-LARGE ELECTION UNDER WAY

The Board of Directors having announced, pursuant to the Government's request that meetings involving more than 50 persons from outside the community in which the session is held, that no annual meeting will be held in 1945, the election of Directors-at-Large for the one year term to begin July 1, 1945, is being conducted by mail ballot.

Ernst & Ernst has been engaged to handle all of the details incident to the balloting. Primary ballots are being mailed to all member stations today (Friday). Each member is entitled to vote for two of the candidates, whose

names appear alphabetically upon the ballot, in each classification—large stations, medium stations and small stations. These ballots are returnable to Ernst & Ernst by not later than May 17. At that time the votes will be canvassed to determine which four candidates in each classification have received the highest number of votes. When this has been certified another ballot will be mailed to all members containing the names of these twelve nominees, four in each classification.

This mailing will be made on May 25 with ballots returnable by June 14. The two candidates receiving the highest number of votes in this second balloting will be certified as the Directors-at-Large for the respective classifications, with terms beginning July 1, 1945. Members are urged to give this balloting prompt attention. It is quite important that every member station exercise its franchise in this election and participate in the selection of those who are to sit on the Board to determine industry policy.

BORTON 5TH DISTRICT DIRECTOR

F. W. Borton, President of the Miami Broadcasting Company, operators of WQAM, has been elected Director from the 5th District (Alabama, Georgia, Florida, Puerto Rico), for the two-year term beginning July 1, 1945. He will succeed John C. Bell, WBRC, Birmingham, the present Director.

The election was conducted by mail ballot, since the Government policy respecting meetings necessitated a division of the 5th District meeting into two sections, foreclosing the holding of the election. Mr. Borton is one of the pioneers of the broadcasting industry and has always taken an active interest in industry matters.

REINSCH RETURNS TO COX STATIONS

J. Leonard Reinsch, whose appointment as Press and Radio Secretary to President Truman was announced in last week's REPORTS, has terminated his full time White House connection at the request of Governor James M. Cox, head of the Cox radio interests (WHIO, WSB, WIOD). Governor Cox had at first advised President Truman that he would be very glad to make Mr. Reinsch's services completely available for press and radio work at the White House and the President had accepted the offer and announced Mr. Reinsch's appointment.

However, Governor Cox felt on reconsideration that Mr. Reinsch's services in connection with his radio interests were imperative and asked the President to be relieved of his commitment. The President agreed to release Mr. Reinsch with the understanding that he will be available for consultation and advice with respect to radio. He is thus serving as a radio adviser, subject to call of the President. He assisted in the preparation and airing of the President's address at the United Nations Conference in San Francisco on Wednesday (25).

His new status makes it possible for Mr. Reinsch to con-



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAional 2080

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

tinue as a member of the NAB Board as one of the two Directors-at-Large for large stations and also to continue as a candidate for re-election to that position for the term beginning July 1, 1945, for which he was chosen by the Nominating Committee.

SMALL MARKET STATIONS COMMITTEE MEETS

The Small Market Stations Committee, one of NAB's most active standing committees is meeting in Washington at the time these REPORTS go to press. This Committee deals with those problems that are of special concern to stations of less than 5,000 watts power, operating in communities of less than 50,000 population.

There are approximately 393 stations which come in this category, comprising approximately 45 per cent of the total number of stations and of this number almost 300 are members of NAB.

In opening the meeting Harold Ryan, NAB President, said, "In my trip around the Districts of the NAB I was more convinced than ever that as we have a basic unit in such statistical measurements as BMB, so in broadcasting our basic unit is the small stations in the small markets. Unless we maintain a sound and healthy condition in our foundation unit, the superstructure cannot be sound and flourishing. Consequently, the primary function of the industry Association must be to maintain a strong and healthy condition in the small stations in the small markets."

Those members of the committee attending the meeting are Robert T. Mason, WMRN, Chairman; James R. Curtis, KFRO; Marshall H. Pengra, KRNR; David Rosenblum, WISR; Harry R. Spence, KXRO; and Dietrich Dirks, KTRI. NAB Board members who are on the Board Liaison Committee of the Small Market Stations Committee were also present. Lewis H. Avery, NAB Broadcasting Advertising Director, serves as secretary.

At luncheon on Thursday, the Committee had as its guests, in addition to President Ryan, Arthur Stringer, Howard Frazier and Paul Peter of the NAB staff; Col. Edward M. Kirby, Chief, Radio Division, Public Relations Bureau of the War Department; Eugene Carr, Chief, Radio Section, War Finance Division, Treasury Department; and George Ludlam, Chief, Domestic Radio Bureau, Office of War Information.

A complete resume of actions taken by the Committee will be given in next week's REPORTS.

DOROTHY LEWIS IN SAN FRANCISCO

Mrs. Dorothy Lewis, NAB Coordinator of Listener Activity, is attending the San Francisco Conference in an

official capacity. She has been accredited both as an Association of Women Directors reporter for Radio Station WCAU and as an observer for NAB and AWD. Her specific assignment is to gather information with reference to those matters of peculiar interest to American womanhood which arise out of or are incident to the historic Conference now being held in the Bay City.

Mrs. Lewis will send information to the over 500 women broadcasters in the NAB member stations who are members of the Association of Women Directors. It is felt that this background and live news material will make it possible for the women directors in the various stations to more adequately and efficiently serve their listeners. Mrs. Lewis is stopping at the Sir Francis Drake Hotel.

In her first report made yesterday, the day following the brief opening session, Mrs. Lewis advises that she had an opportunity to renew acquaintance with many friends of the Association of Women Directors and of the United Nations Campaign. Among others with whom she has made contact are Madame Bonnet of France, Madame Georg Bech of Denmark and several others. Among those attending as official consultants are Mrs. La Fell Dickinson, Mrs. William Sponborg, Mrs. William Hastings, Mrs. Julius Talmadge, Miss Margaret Hickey, and Mrs. Wesley Frost, each a president of some prominent group.

Mrs. Lewis is setting up exclusive interviews with leading women delegates and is also participating actively in all conference proceedings and social functions. Next week's issue of the NAB REPORTS will carry some exclusive material of interest to the AWD members.

FCC UPHOLDS WPEN RELIGIOUS POLICY

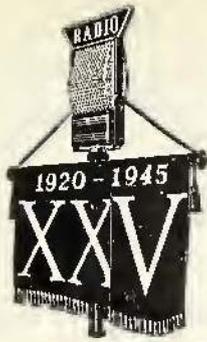
The Federal Communications Commission has denied the petition filed by the Philadelphia Gospel Broadcasters Association protesting the cancellation by Station WPEN of sponsored religious broadcasts by ten of their member groups. In a letter to Mr. William S. Bennet, attorney for the Gospel Broadcasters Association, T. J. Slowie, FCC Secretary, wrote as follows:

"The Commission has considered the petition and complaint which you filed on behalf of Philadelphia Gospel Broadcasters Association with reference to the action of Station WPEN, Philadelphia, Pennsylvania, in discontinuing religious broadcasts which had been sponsored by the various organizations in your group.

"In response to Commission inquiry regarding the new policy in handling religious programs, the station has advised that approximately three hours will be sold for religious programs on Sunday to be divided among the several religious groups, including the groups which you represent. In addition, approximately three hours will be made available on Sunday without charge to the various religious denominations. Moreover, during the week, periods of time will also be allotted for various religious broadcasts.

"The policy of Congress as expressed in the Communications Act of 1934 contemplates that the selection and presentation of radio programs shall be vested in the individual station licensee. Licensees are, however, required to operate in the public interest and the Commission has construed this obligation as requiring presentation of a diversified program balance.

"The Commission has carefully considered the matters alleged in your complaint and the representations made to it by the licensee of Station WPEN to determine whether there has been a violation of the licensee's obligation to operate in the public interest. The Commission is of the opinion that the representations of Station WPEN are consonant with the licensee's obligation to present a diversified and well-rounded program service. For the foregoing reasons, the Commission has today denied your petition."



KIWANIS RADIO WEEK PLANS NEARING COMPLETION

With additional Kiwanis Clubs announcing preparations for Kiwanis Radio Week, May 13-19, and numerous requests for material coming to NAB headquarters, recognition of broadcast stations and national networks in the United States and Canada promises to carry a full international impact when the mid-May dates roll around.

NAB Special 25th Anniversary Bulletin No. 8 is in preparation. This is a twenty-five year chronology of radio, including the development of radio communication and highlights of news and special events reporting since 1920. The Bulletin will be placed in the hands of Kiwanis Clubs staging meetings in honor of broadcasters, as well as in the hands of stations themselves.

Ford Worthing, Director of the Public Relations Department of Kiwanis International, Chicago, will be in Washington Friday to confer further with Willard D. Egnolf, NAB Director of Public Relations.

NATIONAL ASSOCIATION OF MUSIC MERCHANTS MAKE 25TH ANNIVERSARY TIE-IN

The National Association of Music Merchants, most of whose members sell radio sets, is considering tie-ins with Radio's Twenty-Fifth Anniversary. Following is an item from the Association Bulletin:

"This year is the 25th anniversary of commercial radio broadcasting. Does this suggest an interesting window display featuring old crystal sets—the early 'wet battery' multiple dial receivers—the first 'A.C.' sets—fan postcards we used to send to prove we could get 'distance.' An entire generation has grown up since radio's early days. Tie-up your promotion with the future of 'F.M.'—television, etc.

"If and when you used a window of this sort, please send us a picture if one is available."

NAB is now preparing to supply merchants with mats of the Anniversary symbol for newspaper and periodical advertising.

OVERSEAS APPLAUSE FOR KDKA GLOBAL SHOW

The "Let's Go to Town" program prepared under direction of Task Force Commander Joseph Baudino, general manager, KDKA, is bringing mail from many Pittsburgh and Philadelphia GI's.

Several quotes, indicating their keen enjoyment, follow:

Corporal Jack Gallagher wrote KDKA from somewhere up at the fighting front in Germany after he heard the "Let's Go to Town" show: "As soon as I heard KDKA I knew that was where I left off more than three years ago. . . . The goal line isn't too far away and we still have the ball. That means everything because, over here, time doesn't run out. I am still a Pittsburgher all the way."

Said Lt. Edward J. McIntyre, March 26: "This finds me in Germany more or less on the alert to be ready to go to the other side of the Rhine. Naturally I'm looking

400 STATION MANAGERS CERTIFY PROGRAM MANAGERS

Thus far NAB has received replies from approximately 400 station managers certifying their program managers for receipt of Special Program Managers Bulletins addressed directly to the program managers.

In this manner it is intended to provide extra copies of these instructive Bulletins for the Program Department, where they can be bound for permanent reference.

Issuance of the Bulletins will be resumed as soon as the industry has had opportunity to make a full return of the certification blanks. Station managers now holding blanks are requested to consider the matter and provide certification for these mailings as early as possible.

forward to seeing dear old Pittsburgh which you and the staff of KDKA brought so close to me for a short while today. . . ."

T. E. Canon, Capt., Medical Corps, caught the KDKA "Let's Go to Town" show and wrote: ". . . And all news about travel and sports events were intently listened to. . . ."

"We Thought We Were Dreaming"

Bud Belcher, in France, wrote: "I can assure you of one thing and that is we (meaning two other Pittsburgh boys) really were all ears when we heard the program start. When they mentioned Bill Hinds, Johnny Boyer and Bernie Armstrong, we thought we were dreaming. It sure was swell and was a good job of a make-believe trip through the old town. . . ."

Program—"Most Perfect 15 Minutes"

A friend passed to KDKA a letter from Lt. James R. Thomas, Brackenridge, Pa., with the medical detachment of the 315th infantry of the famous Lorraine Cross Division. Though recovering from shrapnel wounds he wrote: "It was the most perfect 15 minutes I have spent in the European Theatre."

S/Sgt. William Fisher wrote: "Yesterday we heard a radio program from KDKA, Pittsburgh. It was a real treat to hear Bill Hines and Bernie Armstrong. I could just picture Pittsburgh . . . the crowds of people down in front of the big clock in front of Kauffman's . . . some waiting for streetcars . . . some bustling into the stores, and others occasionally checking their watches with the big clock."

2 Shows from Newark

Two more "Let's Go to Town" shows have been shipped to Armed Forces Radio Service:

DISTRICT II

Newark Lee Stewart, WAAT, *TFC
(2—30-min.)

MORE RADIO KUDOS

Radio Council of the Omaha Area recently sent to all Omaha stations and the national networks letters of appreciation for the programs aired subsequent to death of the late President Franklin D. Roosevelt.

* Task Force Commander.

According to Dorothy Lewis, NAB Coordinator of Listener Activity, "the spirit reflected in these letters is found to be shared by other groups and individuals encountered on my trip west to the San Francisco Conference."

Copy of letter from Radio Council of the Omaha Area, signed by Mrs. H. W. Ottman, President, is herewith reprinted:

"The Radio Council of the Omaha Area salutes American Radio for the manner in which it met the challenge of the official mourning period for the late president, Franklin Delano Roosevelt.

"The beautiful music rendered, the sincerity of all commentators, and tributes paid were outstanding memorials and contributed greatly to the unity of the nation in a time of crisis."

APPROVE BONDS AS PRIZES

The Commissioner of Internal Revenue and the National War Labor Board has issued the following statement approving prizes in war bonds for sale of war bonds:

"Employers may, without the approval of the National War Labor Board or the Commissioner of Internal Revenue, establish a plan to award prizes in War Bonds and stamps to employees other than those whose principal activity is concerned with the sale of War Bonds, or officers and other company officials, for the sale (outside of their regularly assigned duties) of War Bonds to individuals during any War Bond Drive, provided that the awards made by a particular employer during any drive are not made to an excessive number of employees and that the maximum amount of War Bonds and stamps awarded to any one employee during any Drive does not exceed \$500.00 (issue price). To meet the 'excessive in number' prohibition, the employer must formulate his plan on such competitive basis as to prevent the award of prizes to so many employees that he would in effect be granting wage and salary increases."

ENTIRE BAKING INDUSTRY BACKS 7TH

The American Institute of Baking has marshalled the entire baking industry back of the 7th War Loan.

An impressive six-page brochure is being distributed to the trade nationally. Among other suggestions made therein is the purchase of broadcast time.

RETAILERS HAVE PLAN FOR BACKING 7TH

A copy of the 12-page retailers' program for the 7th War Loan, prepared by Treasury's War Finance Division's Retail Section, and mailed to all retailers, also has been sent all radio stations. Accompanying letter urges fullest broadcast cooperation, pointing out retailers are now receptive to suggestions for extra radio advertising as part of their campaign in the 7th Drive.

PROCEDURE FOR LOCATING STATIONS WITHIN NATIONAL FORESTS

The Forest Service of the United States Department of Agriculture has cooperated with the Federal Communications Commission in establishing the procedure to be followed in locating radio transmitting or receiving stations on Federal Government land within the boundaries of national forests.

The new procedure anticipates the development of FM, television and radio relay stations, which in some instances will require the use and occupancy of Federal Government lands. The notice to Regional Foresters issued by C. M. Granger on Behalf of Lyle F. Watts, Chief, reads as follows:

"A variety of circumstances suggests the need for early action with reference to national forest areas suitable as

sites for radio transmitting and receiving stations. Extensive programs for the development of frequency modulation and television systems are merely awaiting the close of the war for their initiation. Discussion of the subject with members of the Federal Communications Commission suggests the desirability of announcement by the Forest Service of adequate policies and procedures. The instructions which follow are to be incorporated in the Uses section of the Forest Service Manual but shall be regarded as operative as of this date:

"*Radio Transmitting and Receiving Stations.* Applications for special use occupancy of lands suitable as sites for radio transmitting and receiving stations should be given particular attention. The future importance and significance of areas adapted to such use may be exceptional. The fact that frequency modulation and television stations function most effectively within the limit of the horizon creates the probability of a widespread demand for sites suitable for such stations. It also is probable that "booster" or relay stations increasingly will require suitable areas of national forest land. Public interest therefore requires adoption of all practicable measures to guarantee that suitable sites shall be available.

"The possibility exists that a number of stations operating on different frequencies readily and effectively can utilize the same area of land or possibly even the same tower or mast. That will perhaps be determined within a relatively brief period. It now seems established that such stations can operate satisfactorily within relatively close proximity to each other. If, therefore, the total area available for station occupancy at any one point is sufficient to accommodate several stations, the issuance of a permit authorizing one station to occupy the small area it required would not give it a monopoly of the site.

"When an application for a special use permit to install a radio transmitting or receiving station on national forest land is received the procedure will be as follows: (1) The site will be examined to determine whether its occupancy for such use can be authorized without conflict with other national forest or public interests. (2) If the finding is affirmative the applicant will be so advised, and be apprised of the conditions to which the permit would be subject but will be told that the permit cannot be issued unless or until the establishment of the proposed station has been cleared and authorized by the Federal Communications Commission. (3) At the same time the forest supervisor will prepare a memorandum describing the physical characteristics of the site applied for, its elevation, topography, character of cover, present occupancy, possibility of conflict with other uses, etc., and will also indicate briefly the availability of other sites in the same general vicinity which are similarly suitable for occupancy by radio transmitting or receiving, or booster, stations. (4) That memorandum will be transmitted to the Regional Forester, who will transmit it to the office of the Chief, who will transmit it to the Federal Communications Commission for use in consideration of the application for approval and authorization of the station applied for. (5) The FCC will then consider the application in all of its aspects, including nature of service and coverage of proposed station, compatibility with other authorized or prospective stations or systems, stipulations requisite to protection of public interests, etc. (6) Approval and authorization of FCC, if granted, will then be transmitted to applicant, who will submit it to the Forest Supervisor. (7) Permit to occupy the proposed site may then be issued. It should contain the following special stipulations:

"Station to be operated only in conformity with the regulations and requirements of the Federal Communications Commission. Permit shall become null and void if authority for operation of station is rescinded by said Commission.

"Station shall not be operated so as to conflict with Forest Service radio communication on frequencies authorized by Interdepartment Radio Advisory Committee.

"If the Federal Communications Commission shall determine that it is practicable and in the public interest to authorize joint use by another station of the apparatus

and facilities installed and operated by the permittee, upon payment of a just and equitable proportion of the costs of installation, maintenance and operation, the Forest Service shall have the power to authorize such joint use of the site covered by this permit."

SOUTHEASTERN STATIONS PRAISED

In a letter signed by Major General F. E. Uhl, Commanding General for the Fourth Service Command, Atlanta, Georgia, addressed to Campbell Arnoux, 4th NAB District Director, high praise is given to the contribution which the stations in the southeastern states gave to the program to recruit WACs for hospital service. General Uhl's letter follows:

"In the recent program to recruit thousands of WACs to serve our wounded in General Hospitals throughout the nation, Fourth Service Command met with gratifying success. A three month quota was filled in one month, nine days; a performance which permitted this Command to finish second to all Service Commands in this recruiting competition.

"Although I look upon this accomplishment with justifiable pride, the important thing to me is that personnel in the Command and in the seven Southeastern States which comprise it, can look any wounded American soldier straight in the eye and say, 'We did our part to supply you with sufficient care and in sufficient time.' I am thankful that it did not have to be a 'too little and too late' answer.

"Many agencies and individuals, including the Governors of these Southeastern States who provided the leadership for the recruiting program, made this answer possible. One of the most important agencies giving assistance were the radio stations in these States. Over their airways—by means of radio spots and short entertainment programs featuring the Women's Army Corps—women of the Southeast were informed of the great need for WAC hospital technicians and were urged to take their place at the bedside of a fallen American—immediately. Such radio publicity afforded our recruiting personnel invaluable aid.

"Please convey my thanks to the radio stations of the Southeastern States within your District—North Carolina and South Carolina—for their cooperation in making this recruiting program a noteworthy success."

STANDARDS FOR RADIO JOURNALISM

The Council on Radio Journalism, formed by joint action of NAB and the American Association of Schools and Departments of Journalism, has prepared and issued "Standards for Education for Radio Journalism."

These standards were formulated by a committee consisting of: Mitchell V. Charnley, Professor of Journalism, University of Minnesota, *Chairman*; Wilbur Schramm, Director, School of Journalism, University of Iowa; and E. R. Vadeboncoeur, program director, WSYR, Syracuse. The suggested standards are reprinted herewith:

This statement of minimum standards for education for radio journalism is intended as a guide to colleges and universities offering curricula to prepare young men and women for employment in radio news rooms and in other forms of radio journalism. It is not the purpose of the Council on Radio Journalism to lay down detailed requirements for individual courses, nor for departmental jurisdiction. The Council contends, however, that any program of education for radio journalism should be designed to conform effectively to the general principles and specific goals here presented.

- I. The basis of all education for radio journalism is sound general education that will provide a foundation for an understanding of the modern world in which radio is a vitally important means of communication.

Preparation for radio journalism should be offered as part of a curriculum of not less than four academic years, leading at least to a bachelor's degree.

At the completion of such a curriculum, the student should have gained a comprehensive background in the social studies—government and political science, economics, history, geography and sociology; a grounding in natural science and in psychology; a reading (and, when possible, a speaking) knowledge of at least one modern foreign language; and a broad knowledge of English and American literature and composition. It is urged that this background of general education constitute the major portion of his academic work.

- II. Students should be provided opportunity to acquire an understanding of the importance of radio as a social instrument and of its relationship to government, industry and the public.

The student should be thoroughly grounded in the broad field of communications, especially radio and the press. Such grounding should include the history of communications; government regulation and the relationship of radio communication to government in the United States and in the major foreign countries; radio's social and legal responsibilities, its influence in the formation of public opinion, its position as an implement of business and as an advertising medium; press and radio law; codes and practices in broadcasting; and the attitudes of the public toward broadcasting, together with an introduction to the techniques of radio audience measurement and other pertinent survey methods.

- III. Students should be provided training of professional quality in the skills and techniques of radio journalism, together with an adequate understanding of other aspects of broadcasting.

Essential among these skills and techniques are:

The handling of news (news sources; news gathering and news writing; news editing); the structure and operation of the news services; the operation and use of newspaper and radio wires.

Processing news for radio; radio news style; news broadcast patterns; gathering and writing local news for radio; special events and on-the-spot coverage; the commentary; the interview; news dramatization.

Microphone technique—fundamentals of the actual broadcasting of news.

The student should also have the opportunity to obtain basic knowledge and training in other aspects of radio broadcasting. These include:

Radio production, radio programming and allied subjects.

Radio advertising—its economics, script forms, merchandising and marketing, servicing and sales.

Station operation, management, public relations, and promotion.

Elementary electronics; control room and studio operation; the development of television, frequency modulation and facsimile.

- IV. Teachers of radio journalism should be soundly equipped, by practical experience, by education and by broad understanding of radio's special values and implications.

Members of faculties engaged to teach courses in radio journalism must have had adequate professional experience to enable them to present courses at the professional level. They should be fully qualified by college or university training and professional experience to deal competently and understandingly with their subjects. Those responsible for instruction in graduate courses should have had sufficient advanced academic training or professional experience to equip them to teach such courses on the level of competency existing in other disciplines.

- V. A college or university, to offer acceptable preparation for radio journalism, should possess or have access to adequate laboratory equipment and library and other facilities.

Courses in radio Journalism can be effectively offered only where adequate laboratory facilities provide op-

portunity for realistic practice and experiment. Such facilities should include standard radio studios, record libraries, sound equipment, record-cutting and playback equipment, etc. Arrangements for students to broadcast their work, and to hear it broadcast, are recommended. For students of radio news, a regular news wire service is considered minimum equipment. Arrangements with radio stations for "internships" are strongly recommended.

There should also be available library facilities with radio materials comparable to those available in other disciplines. These should include an extensive collection of the books on radio journalism, the press and communications; a collection of radio scripts; files of the principal trade and technical publications dealing with broadcasting; files of governmental and radio-industry reports, brochures and like material in the field; and readily available for reference and background material necessary to provide practical experience in radio news work.

TWO RADIO WOMEN HONORED BY Y.M.C.A.

For the first time in that organization's history, two women, Miss Margaret Cuthbert and Miss Helen Sioussat, have been named to serve on the National Public Relations Committee of the Young Men's Christian Association, according to word received at NAB from the National Council of Y.M.C.A.'s New York City headquarters.

Miss Cuthbert is Director of Women's and Children's programs for NBC, and Miss Sioussat is Director of Talks for CBS.

FCC SUPERVISORS TO MEET

Regional supervisors and district inspectors-in-charge of the Radio Intelligence Division and the Field Division of the Federal Communications Commission from the Continental United States, Alaska, Hawaii, Puerto Rico and Virgin Islands, will meet in Washington for a four-day session beginning May 1, to discuss future plans of operation and latest developments in techniques.

The Radio Intelligence Division is headed by George E. Sterling, Assistant Chief Engineer. George Turner is chief of the Field Division.

CAN PRIVATE ENTERPRISE TAX?

The following *letter-to-the-editor* on Petrillo and taxes appears over the signature of T. T. W., Jr., of Milton, Mass., in the April 23 edition of *The Christian Science Monitor*:

Does not the issue re "Petrillo Taxes" and also "Lewis Taxes" resolve to the question: Can private enterprise collect "private taxes" and apply them for private purposes at the expense of the people of the United States under the Constitution?

If this is the question, the sooner it is passed to the Supreme Court of the United States for adjudication, the more "hot words" will be saved.

WMAZ COFFEE CLUB BOOSTS MORALE

Station personnel gather in WMAZ's largest studio for a hot cup of coffee each morning at 8:45 and get anything they wish "off the chest." Discussions run from business to last night's dates. Management makes no effort to "steer" discussions and staff members praise or "pan" each other at will.

The WMAZ Coffee Club has practically eliminated the grapevine and made a very happy staff. Furthermore, the discussions give the employes a chance to learn the broad overall picture of the station's operation and policies. Even transmitter engineers make it a point to find business at the studio at 8:45 each morning. Management asserts the morning coffee club is one of the best investments it has ever made.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 30. They are subject to change.

Monday, April 30

Broadcast

To Be Held in U. S. District Court House
Grand Jury Room, 6th Floor
Post Office Building, San Juan, Puerto Rico

- WPRP—Julio M. Conesa, Ponce, Puerto Rico—C. P. to install new transmitter and antenna and change frequency; 1520 kc., 5 KW day, 1 KW night, unlimited.
- WPRP—Julio M. Conesa, Ponce, Puerto Rico—Applicant for renewal of license; 1420 kc., 250 watts, unlimited.
- WPRP—Julio M. Conesa, Ponce, Puerto Rico—Applicant for modification of C. P.; 1520 kc. (under NARBA), 1 KW night, 5 KW day, unlimited.
- WPRP—Julio M. Conesa, Ponce, Puerto Rico—C. P. to move transmitter and install new antenna.
- WPRP—Julio M. Conesa, assignor, and Voice of Porto Rico, Inc., assignee, Ponce, Puerto Rico—For voluntary assignment of license; 1420 kc., 250 watts, unlimited.
- NEW—Consolidated Broadcasting Corp., Ponce, Puerto Rico—C. P. for a new station; 1420 kc., 250 watts, unlimited (requests facilities of WPRP).
- NEW—George E. Miller, P. J. McCall, & Lou Poller, d/b as Baron Broadcasting Company, Wilkes-Barre, Pa.—C. P. for a new standard broadcast station; 1240 kc., 250 watts, unlimited.

Tuesday, May 1

- WGBF—Evansville On The Air, Inc., Evansville, Ind.—Renewal of license; 1280 kc., 1 KW night, 5 KW day, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

- WELI—City Broadcasting Corp. (assignor), Connecticut Radio Foundation, Inc. (assignee), New Haven, Conn.—Granted consent to voluntary assignment of license of station WELI from City Broadcasting Corp. to Connecticut Radio Foundation, Inc., a newly formed corporation.
- Potomac Broadcasting Corp., Alexandria, Va.—Granted request for an additional 30 days—from April 12 to May 12, 1945, to meet the terms of the conditional grant for a new station.
- WKUB—American Colonial Broadcasting Corp., Arecibo, Puerto Rico—Granted request for additional time—90 days, from February 20, 1945, to May 19, 1945, to meet the terms of the conditional grant for a new station.
- KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Granted extension of special service authorization to operate on 770 kc., 25 KW night, 50 KW-LS, unlimited time, using transmitter authorized under construction permit (B5-P-2783) as modified, for a period of 6 months, commencing on May 1, 1945.
- KVSO—John F. Easley, Ardmore, Okla.—Granted modification of license to increase nighttime power from 100 to 250 watts.

LICENSE RENEWALS

- KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Granted renewal of license for the period ending May 1, 1948.
- KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Granted extension of special service authorization to transmit messages without charge to longshoremen in the Port of Seattle at 3:45 p. m. daily for the period commencing May 1, 1945, and ending May 1, 1946, or for the duration of the war, whichever is earlier.
- KVSO—John F. Easley, Ardmore, Okla.—Granted renewal of license for the period ending August 1, 1946.
- WGY—General Electric Co., Schenectady, N. Y.—Granted license to cover construction permit which authorized decrease in power and changes in transmitting equipment of auxiliary. (B1-L-1875)
- WJLB—John L. Booth Broadcasting, Inc., Detroit, Mich.—Granted modification of license to change corporate name to Booth Radio Stations, Inc. (B2-ML-1214)
- WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted license to cover construction permit which authorized move of auxiliary transmitter to site of main transmitter, increase in power to 1 KW, and use of DA for day and night operation. (B3-L-1876)
- WEHS—WHFC, Inc., Chicago, Ill.—Granted modification of construction permit which authorized a new FM broadcast station, for extension of completion date from 5-8-45 to 7-8-45.
- W8XJC—New Jersey Broadcasting Corp., Jersey City, N. J.—Granted modification of construction permit which authorized a new developmental broadcast station, to change name from New Jersey Broadcasting Corp. to Atlantic Broadcasting Co., Inc. (B1-MPEX-13)
- WAXJ—Lamar Life Ins. Co., area of Jackson, Miss.—Granted renewal of relay broadcast station license for the period ending November 1, 1945.
- KBIB—The KANS Broadcasting Co., area of Wichita, Kans.—Granted renewal of relay broadcast station license for the period ending August 1, 1946.
- WAAK—Radio Station WSOC, Inc., Charlotte, N. C.—Granted renewal of relay broadcast station license for the period ending August 1, 1946.
- WCBE—Columbia Broadcasting System, Inc., Charlotte, N. C.—Present relay broadcast station license heretofore extended upon a temporary basis, was further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending July 1, 1945.

The following relay broadcast station licenses were renewed for the period ending May 1, 1948:

KAAC, KAAZ, KBKC, WAEW, Columbia Broadcasting System, Inc.; KAQY, The Farmers and Bankers Broadcasting Corp.; KILB, International Broadcasting Corp.; KIGA, KSTP, Inc.; WCLA, WLBV, WLBX, Larous & Bros. Co., Inc.; KSCR, McClatchy Broadcasting Co.; WJEN, WJEP, Stromberg-Carlson Co.; WAAI, WAAQ, The WGAR Broadcasting Co.

Licenses for the following relay broadcast stations were extended upon a temporary basis only, pending receipt and/or determination upon applications for renewal, for the period ending July 1, 1945:

KIIH, KFAB Broadcasting Co.; KABE, KSTP, Inc., KAIE, KSTP, Inc.; WNB, National Broadcasting Co., Inc.; KBIC, KBID, KNEF, Radio Service Corp. of Utah; WAWT, Voice of Alabama, Inc.; WMJA, WMJB, WMJC, WMJD, WMJH, WBNS, Inc.; WAIO, WELR, WDWZ Broadcasting Co.; WBGW, WEMC, WHER, WMFB, Westinghouse Radio Stations, Inc.; WAAH, West Va. Broadcasting Corp.; WBAF, L. B. Wilson, Inc.

WISE—Radio Station WISE, Inc., Asheville, N. C.—Granted renewal of license for the period ending February 1, 1946.

WJIM—WJIM, Inc., Lansing, Mich.—Granted renewal of license for the period ending August 1, 1946.

WCFL—Chicago Federation of Labor, Chicago, Ill.—Granted renewal of license for main and auxiliary stations for the period ending May 1, 1948.

KXEL—Josh Higgins Broadcasting Co., Waterloo, Iowa.—Granted renewal of license for the period ending May 1, 1948.

Licenses for the following stations expiring May 1, 1945, were extended upon a temporary basis only, pending determination upon application for renewal, for the period ending July 1, 1945:

KDKA, Pittsburgh, Pa.; KEX, Portland, Ore.; KFAB, Lincoln, Neb.; KGDM, Stockton, Cal.; KJBS, San Francisco; KLRA,

Little Rock, Ark.; KMOX, St. Louis; KNX, Los Angeles; KPMC, Bakersfield, Cal.; KRLD, Dallas, Texas; KSL, Salt Lake City; KFBI, Wichita, Kans.; KSTP, main and auxiliary, St. Paul; KTHS, Hot Springs National Park, Ark.; KVOO, Tulsa; KWJJ, Portland, Ore.; KWKH, Shreveport, La.; WAPI, Birmingham, Ala.; WBAL, Baltimore; WBZ, WBZA, Boston; WCAR, Pontiac, Mich.; WCAU, Philadelphia; WCAZ, Carthage, Ill.; WCKY, Cincinnati; WDGY, Minneapolis; WDW, Tuscola, Ill.; WGAR, Cleveland; WGNV, Newburg, N. Y.; WHAM, Rochester, N. Y.; WHAM, auxiliary; WHN and auxiliary, New York City; WHO, Des Moines; WIBC, Indianapolis; WIBC, auxiliary; WINS and auxiliary, New York City; WJJD, Chicago; WLAC, Nashville; WLDS, Jacksonville, Ill.; WLIB and auxiliary, Brooklyn; WMBI, Chicago; WOWO, Ft. Wayne, Ind.; WOAI, San Antonio; WQXR and auxiliary, New York City; WRVA and auxiliary, Richmond, Va.; WTAM, Cleveland; WTIC, Hartford, Conn.; WTOP, Washington, D. C.; WWVA, Wheeling, W. Va.; KYW, Philadelphia, Pa.

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Present license further extended upon a temporary basis, pending final determination upon applications of KOB in Dockets 6584 and 6585, for the period ending November 1, 1945.

WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.—Present license further extended upon a temporary basis, pending determination upon renewal, for the period ending July 1, 1945.

The following developmental broadcast stations were granted renewal of licenses for the period ending May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651:

W9XEK, Courier Journal and Louisville Times Co.; W9XJC, The Journal Co. (The Milwaukee Journal); W10XR, W10XF, National Broadcasting Co.

Licenses for the following stations were granted on a temporary basis only, for the period ending May 1, 1948, upon the express condition that they are subject to whatever action may be taken by the Commission upon their pending applications for renewal. Nothing contained herein shall be construed as a finding by the Commission that the operation of the stations is or will be in the public interest beyond the express terms hereof:

KFVD, Los Angeles; KOMA, Oklahoma City; KGA, Spokane, Wash.; KOMO and auxiliary, Seattle; KPAS, Pasadena, Cal.; KSOO, Sioux Falls, So. Dak.

MISCELLANEOUS

WMC—Memphis Publishing Co., Memphis, Tenn.—The Commission, on its own motion, continued the hearing on application for renewal of license now scheduled for April 20, to May 21, 1945.

The following applications for FM broadcast stations were placed in the pending file in accordance with Commission policy adopted February 23, 1943:

KGFF Broadcasting Co., Shawnee, Okla.; Richard Austin Dunlea, Wilmington, N. C.; McClatchy Broadcasting Co., Sacramento, Cal.; The WAIR Broadcasting Co., Winston-Salem, N. C.; Bradford Publications, Inc., Bradford, Pa.; McClatchy Broadcasting Co., Fresno, Cal.; WFAM, Inc., Lafayette, Ind.; Columbia Broadcasting System, Inc., Minneapolis.

The Wm. H. Block Co., Indianapolis, Ind.—Application for commercial television station placed in the pending files in accordance with Commission's policy of February 23, 1943.

WOKO—WOKO, Inc., Albany, N. Y.—Adopted Opinion and Order granting petition for authority to continue operation of station WOKO after April 27, 1945; and ordered issuance of Special Temporary Authorization for the continued operation of station WOKO until May 2, 1945.

The Commission scheduled oral argument to be held Wednesday, May 23, 1945, in the matter of the application of Arde Bulova and Harry D. Henshel, transferors; Murray Mester and Meyer Mester, transferees; for transfer of control of Wodaam Corporation, licensee of Station WOV, New York City. (B-209)

The Commission approved a letter addressed to the Secretary of State recommending a one year extension of the North American Regional Broadcasting Agreement from March 29, 1946 to March 29, 1947.

KSL—Radio Service Corp. of Utah, Salt Lake City, Utah.—The

Commission directed that the Special Temporary Service Authorization of KSL to operate with two Federal Telegraph (F-124-A) tubes instead of two Western Electric (298-A) tubes in the last radio stage, for the period during which Order 107 is in effect, expiring May 1, 1945, be extended upon a temporary basis only, for the period ending July 1, 1945, pending action on B5-SSA-124, upon the express condition that this authorization may be terminated by the Commission at any time without advance notice or hearing if in its discretion the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the authority herein granted is or will be in the public interest beyond the express terms hereof.

Upon petition of five FM stations in Philadelphia—WIP-FM, WFIL-FM, WCAU-FM, WPEN-FM and KYW-FM, the Commission granted waiver of requirements of Sec. 3.261 of the rules to permit continued operation of these stations under cooperative arrangement, for the period ending May 1, 1946, with condition that the Commission may revoke its waiver of Sec. 3.261 and require these stations to operate on a full time basis in compliance therewith at any time that conditions may so warrant.

Central Broadcasting Co., Wilkes-Barre, Pa.—Granted petition to intervene in the hearing now scheduled for April 30 on application of Baron Broadcasting Co. for a new station at Wilkes-Barre, Pa.

Birney Imes, Jr., Corinth, Miss.—Granted petition for continuance of consolidated hearing now scheduled for May 7 on his application and that of the Corinth Broadcasting Co. for a new station at Corinth, Miss., and continued the hearing to June 6, 1945.

WGBF—Evansville on the Air, Evansville, Ind.—The Commission on its own motion, postponed the hearing on application for renewal of license for station WGBF, from May 1 to June 1, 1945.

John M. Spottswood, Key West, Fla.—Adopted Memorandum Opinion granting petition to amend application for a new station to specify 1600 kc., 500 watts power, unlimited time; removed from the docket and granted application subject to policy of January 26, 1944. (Commissioners Case and Jett voting for hearing)

Voice of Talladega, Inc., Talladega, Ala.—Adopted Memorandum Opinion granting application for a new station to operate on 1230 kc., 250 watts, unlimited time, subject to policy of January 26, 1944. (Commissioners Case & Jett voting for hearing)

APPLICATIONS FILED AT FCC

610 Kilocycles

WSGN—The Birmingham News Co., Birmingham, Ala.—Involuntary transfer of control of licensee corporation from Victor H. Hanson, deceased, to Ruth Lawson Hanson, Executrix, and C. B. Hanson, Jr., and Henry P. Johnston, Executors under the will of Victor H. Hanson, Deceased. (1735 shares common stock—86¾%)

620 Kilocycles

NEW—Chas. H. Russell, W. B. McCarty, T. E. Wright and C. A. Lacy, a limited partnership, d/b as Rebel Broadcasting Company, Jackson, Miss.—Construction permit for a new standard broadcast station to be operated on 620 kc., power of 1 KW night, 5 KW day, unlimited hours of operation using directional antenna at night; AMENDED re changes in directional antenna system.

1230 Kilocycles

NEW—Albert E. Buck and Merle H. Tucker, a Partnership, d/b as Rio Grande Broadcasting Co., Gallup, New Mexico—Construction permit for a new standard broadcast station to be operated on 1230 kc., with power of 250 watts, and unlimited hours of operation.

1340 Kilocycles

KCRA—Ewing C. Kelly, David R. McKinley and Vernon Hansen, d/b as Central Valleys Broadcasting Company, Sacramento, Calif.—License to cover construction permit (B5-P-3662) which authorized construction of a standard broadcast station.

KCRA—Ewing C. Kelly, David R. McKinley and Vernon Hansen, d/b as Central Valleys Broadcasting Company, Sacramento, Cal.—Authority to determine operating power by direct measurement of antenna power.

1350 Kilocycles

KID—KID Broadcasting Co., Idaho Falls, Idaho—Voluntary assignment of license to Idaho Radio Corporation.

1490 Kilocycles

KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—Special service authorization to operate on 870 kc., power of 250 watts and limited time.

FM APPLICATIONS

NEW—The Haverhill Gazette Co., Haverhill, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46500 kc., with coverage of 4,340 square miles.

NEW—Hagerstown Broadcasting Co., Hagerstown, Md.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43500 kc., with coverage of 22,150 square miles.

NEW—Augusta Broadcasting Co., Augusta, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46300 kc., with coverage of 8,940 square miles.

NEW—C. G. Hill & George D. Walker, d/b as WAIR Broadcasting Co., Winston-Salem, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48500 kc., with coverage of 8,810 square miles.

MISCELLANEOUS APPLICATION

NEW—The Board of Education of Newark in the County of Essex, Newark, N. J.—Construction permit for a new non-commercial educational broadcast station to be operated on 42500 kc., power of 1 KW and A3 and special emission for FM.

Federal Trade Commission Docket

COMPLAINTS

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

Hovden Food Products Corporation, Monterey, California, engaged in packing and selling sea food is charged in a complaint issued with violation of the Robinson-Patman Act by paying brokerage or other compensation or commissions to certain direct buyers who purchase such products in their own names and for their own accounts for resale. (5303)

Philco Corporation and **Philco Radio & Television Corporation**, both of Philadelphia, are charged in a complaint with having misrepresented radio sets they sell with respect to their power and capacity for foreign reception and the number of tubes they contain. Philco Corporation owns a majority of the stock in Philco Radio & Television Corporation and manages its affairs and directs and controls its business policies. (5306)

Olive L. Richards, 1709 West 8th Street, Los Angeles, is charged in a complaint with disseminating false advertisements concerning Tiptex, a liquid cosmetic for the finger nails. (5305)

STIPULATIONS

During the past week the Commission announced no stipulations.

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Britt-McKinney Company, Greenville, S. C., and as Britt & Company, Spartanburg, S. C., have been ordered to cease and desist from violation of the Robinson-Patman Act in connection with their purchases of food products and other commodities. (4792)

Jaeger Shop, Inc., Saranac, N. Y., engaged in the sale of women's sportswear, to discontinue using the word "Jaeger" in any manner that may have the tendency and capacity to confuse and mislead the purchasing public into the belief that it or its products are associated with Jaeger, Ltd., of London. (5210)

Kodize Process Corporation, 1026 Virginia Ave., N. E., Atlanta, Ga., and its vice president and general manager, Max Wright, has been ordered to cease and desist from misrepresenting the properties and effectiveness of "Kodize," a product they advertise as "America's Foremost Coal Saving Process." (5206)

Dr. D. A. Williams Company, East Hampton, Connecticut, has been ordered to cease and desist from disseminating advertisements which contain false representations concerning the therapeutic properties of a medicinal preparation designated "The Williams Treatment." (4759)



1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 18, May 4, 1945

PROPOSED FCC RULE CHANGE—DOCKET NO. 6756

In an Information Bulletin on the FCC rules issued by NAB to all stations on April 26, it was pointed out that licensees and holders of construction permits have been invited by the FCC to comment on the desirability of making public their financial reports, business agreements, contracts affecting control of general program service or understanding affecting the use, management, or operation of licensed facilities.

In the Order of the Federal Communications Commission which was published in full in this Information Bulletin, it was ordered that oral argument should be held before the Commission on May 21 but that such requests for oral argument should be filed on or before May 9 by all persons desiring to appear and each such request should be accompanied by a brief. NAB in the bulletin requested any who filed their appearance to provide a copy so that we might keep fully abreast of developments.

We feel that it is highly important that broadcasters avail themselves of the opportunity to appear at the hearing on this rule. Thus far very few copies of notices of appearance have been filed with NAB headquarters. We again urge this matter upon the attention of station managers.

FCC WATCHING STATIONS' NEWS POLICY

The Federal Communications Commission on Wednesday (2) made public a letter to the California State Assembly commenting on a resolution adopted by that body which requested the Commission to investigate the recently-announced policy of Station KFI, Los Angeles, relative to the employment of news commentators on sponsored programs.

Following is a copy of the resolution, House Resolution 157, which was passed by a roll-call vote of 65 to 3 on April 12:

CONSIDERATION OF HOUSE RESOLUTION No. 157

House Resolution No. 157

Relative to radio news commentators and analysts.

WHEREAS, A certain radio broadcasting station in California, KFI of Los Angeles, has recently put into operation a policy that all news commentators and news analysts must be employees of the station, and

WHEREAS, The sudden adoption of this policy has required sponsors of news programs to replace news commentators of wide experience and large public followings with employees of the station, and

WHEREAS, This action has not only been unfair to the sponsors of the programs affected and the members of the public who listened to the programs, but raises a broader issue which is a matter of concern to every person who desires to protect the freedom of speech, and

WHEREAS, Licenses are issued to radio stations on the basis of the public convenience, interest, and necessity, and

entitles the station to the exclusive use of one of a limited number of channels of radio communication, and

WHEREAS, The power of a radio station over news selection and interpretation would, if uncontrolled, center a vast power in a relatively small number of such stations which are almost all under private control, and

WHEREAS, The right of free speech, guaranteed by the Constitution of the United States, connotes a right to free selection by the listener and in view of the inherent limitation on the number of radio stations, this right is jeopardized by any limitation on the dissemination of news by radio; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF CALIFORNIA, That the Federal Communications Commission is hereby requested to investigate the action hereinabove referred to and any other action which results in the control of news by owners of radio stations, and to take such steps as may be necessary fully to protect the right of the people to hear the news regardless of the personal desires, politics or whims of any radio station owner, and be it further

RESOLVED, That the Chief Clerk of the Assembly is hereby directed to send copies of this resolution to the Federal Communications Commission and to each Senator and Member of the House of Representatives in the Congress of the United States from California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Beal, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Burns, Butters, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Davis, Debs, Dekker, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Emlay, Erwin, Fletcher, Fourt, Gaffney, Gannon, Geddes, Guthrie, Haggerty, Hawkins,

May 4, 1945—173



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

Heisinger, Johnson, Kilpatrick, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Midgough, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sherwin, Stephenson, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, and Mr. Speaker—65.

NOES—Field, Knight, and Stewart—3.

The Commission's letter to the Assembly follows:

"Mr. Arthur A. Ohnimus
Chief Clerk
Assembly of the State of California
Sacramento 14, California

DEAR SIR:

This will acknowledge receipt of your letter, dated April 13, 1945, with which was enclosed a copy of House Resolution No. 157.

There are enclosed for your information copies of an exchange of correspondence between the Commission and Station KFI concerning the recently announced policy of that station relative to the employment of news commentators. You will note from the station's response that it does not contemplate a complete discontinuance of news commentaries as such, but merely intends in the future to rely entirely upon network commentators furnished by the National Broadcasting Company, with which it is affiliated. However, KFI has announced that, so far as it is concerned, all of its newscasters and news analysts must be employees of the station.

Section 3(h) of the Communications Act specifically provides that radio stations are not common carriers. At the same time, Section 326 expressly forbids the Commission to exercise any power of censorship over programs broadcast by radio stations. Under the policy of the Communications Act, selection and presentation of program material is left to the discretion of the individual station licensee, and the Commission, therefore, cannot undertake to tell station licensees what programs shall or shall not be broadcast.

However, station licensees are required by the Communications Act to operate in the public interest and the Commission periodically upon consideration of station applications for renewal of licenses does review the overall operation of each station to determine if its continued operation will be in the public interest. Of particular importance in this review is the question of whether or not a balanced diversified program service has been presented by the station.

The established policy of the Commission with respect to matters of this kind is stated clearly in its decision in the *Mayflower Broadcasting Corporation* case (8 F. C. C. 333), where, in considering an application for renewal of the station's license, the Commission said:

"More difficult and less easily resolvable questions are, however, presented by the applications for renewal of The Yankee Network, Inc. The record shows without contradiction that beginning early in 1937 and con-

tinuing through September 1938, it was the policy of Station WAAB to broadcast so-called editorials from time to time urging the election of various candidates for political office or supporting one side or another of various questions in public controversy. In these editorials which were delivered by the editor-in-chief of the station's news service, no pretense was made at objective, impartial reporting. It is clear—indeed the station seems to have taken pride in the fact—that the purpose of these editorials was to win public support for some person or view favored by those in control of the station.

"No attempt will be made here to analyze in detail the large number of broadcasts devoted to editorials. The material in the record has been carefully considered and compels the conclusion that this licensee during the period in question, has revealed a serious misconception of its duties and function under the law. Under the American system of broadcasting it is clear that responsibility for the conduct of a broadcast station must rest initially with the broadcaster. It is equally clear that with the limitations in frequencies inherent in the nature of radio, the public interest can never be served by a dedication of any broadcast facility to the support of his own partisan ends. Radio can serve as an instrument of democracy only when devoted to the communication of information and the exchange of ideas fairly and objectively presented. A truly free radio cannot be used to advocate the causes of the licensee. It cannot be used to support the candidacies of his friends. It cannot be devoted to the support of principles he happens to regard most favorably. In brief, the broadcaster cannot be an advocate.

"Freedom of speech on the radio must be broad enough to provide full and equal opportunity for the presentation to the public of all sides of public issues. Indeed, as one licensed to operate in a public domain the licensee has assumed the obligation of presenting all sides of important public questions, fairly, objectively and without bias. The public interest—not the private—is paramount. These requirements are inherent in the conception of public interest set up by the Communications Act as the criterion of regulation. And while the day to day decisions applying these requirements are the licensee's responsibility, the ultimate duty to review generally the course of conduct of the station over a period of time and to take appropriate action thereon is vested in the Commission."

The Commission is fully conversant with the situation and is awaiting developments. Should it develop that KFI's new policy is not in accord with the principle of objective presentation of the news and represents the adoption of a definite editorial policy by the station, a violation of the *Mayflower* decision would be involved. In such a situation, the Commission could then call upon Station KFI in connection with its application for renewal of license to show why its license should not be withdrawn because of its failure to operate in the public interest.

By Direction of the Commission,

T. J. SLOWIE,
Secretary."

RADIO NEWS EDITORS BEWARE

The need for careful examination of all copy coming into radio stations on press and radio wires is no better illustrated than by the incident recently brought to the attention of NAB. NAB President Ryan made a release of his statement on the passing of President Roosevelt. The copy which was sent to the press and radio wire services read in part as follows:

"Now, in the hour of his death, radio responds to the sound of his name with overtones of **immortality**. * * *"

One of the press services carried the word "immortality" instead of "immortality." If anything more is needed to emphasize the responsibility of station radio editors than this, we would like to have it called to our attention.

SPECIAL AWD RELEASES

The first of the special releases prepared by Dorothy Lewis who is attending the San Francisco Conference is being mailed with this copy of NAB REPORTS. Station managers are urged to scan these carefully and route them to their women's director. We believe that this service will ultimately benefit radio's coverage of the Conference.

RADIO UNAFFECTED BY CURFEW

A press dispatch from Pittsburgh last week told of the action of the regional office of the War Manpower Commission in banning the playing of radios in restaurants after 12 o'clock midnight. NAB felt that this was an unwarranted interference with radio, involving a form of censorship. The matter was immediately taken up with national WMC headquarters and action was taken which brought about a rescinding of the Pittsburgh area office directive.

Should any agency attempt to ban radio reception after 12 midnight, or at any time, station operators are urged to call it to NAB's attention.



KIWANIS RADIO WEEK BULLETIN WITH THIS ISSUE OF REPORTS

Special Anniversary Bulletin 8 is enclosed with this issue of NAB REPORTS. It also has been sent to all Kiwanis Clubs staging meetings in honor of broadcasters.

Bulletin 8 offers broadcasters a comprehensive chronology covering 25 years of commercial broadcasting and is offered for immediate use in connection with observance of Kiwanis Radio Week, May 13-19, as announced April 13 in 25th Anniversary Bulletin No. 7.

An examination of the eight bulletins thus far issued on 25th Anniversary will reveal much material for use in Kiwanis Radio Week and future occasions during the year.

PLAN FOR "TELLING THE WORLD"

All stations, coast-to-coast, this week received an outline of the plan of "Telling the World of Radio's Part in the 7th War Loan." Pamphlet of explanation points out that just as the 7th War Loan is the next public service job, the 7th is likewise the next big league service-news event.

Plan is based on receipt of regular individual station reports of support behind the Mighty Seventh. Without them there can be no "Telling the World." Each week stations will be mailed reporting forms for return to NAB. Second form, for the May 13-19 period, will be received at all stations between May 12 and 14.

LET'S FINISH "LET'S GO TO TOWN"

Events now transpiring in Europe and in the Pacific are reasons why all Task Force Commanders with uncompleted assignments are urged to finish the job.

General Eisenhower asked for 180 hometown shows. A

SEND IN YOUR PHOTO PRINTS

NAB News Bureau wishes to express appreciation for the large volume of pictures portraying 25 years of radio that have been received in response to a recent request.

If for any reason you have delayed mailing yours, please send them at once, addressed on the envelope to attention of Bruce Starkey, Chief, NAB News Bureau.

Excellent care will be taken of prints, and they will be returned.

total of 127 have been produced. On this basis, the industry is short 53 shows.

Below are interesting letters received from listeners in New Guinea and Canton Islands.

A Little of St. Louis—'Way Out Here

When Lt. Fred O. Von Dorn, St. Louis, heard the Let's Go to Town program in the Canton Islands, the self-styled "Canton Castaway" sat right down and wrote a letter.

It was sent to La Verne Rosenow, former "Washington University Queen," well known to the young Lieutenant, and a member of the St. Louis program cast.

"I was tuning one of our receivers," wrote Lt. Von Dorn, "and I heard some fellow talking about St. Louis. So I tuned a little closer, and, pretty soon, I heard him giving out talk about Art Hill, The Zodiac, Union Station, Lindell Buses, Muni Opera, Garavelli's and, best of all, Washington University. So you see, way out here, I got a little of St. Louis just as though I were right there, and it was swell.

"I do want you to tell all those swell people who made that broadcast possible, it was O. K. It really makes a fellow happy to hear, personally and directly, about so many things so dear and near to him."

John W. Tinnea, KWK, was Task Force Commander for this show and the second St. Louis production which followed.

Norfolk Show Heard in New Guinea

Thanks for the Norfolk "Let's Go to Town" program has been received by Henry Cowles Whitehead, WTAR, Task Force Commander, from far off New Guinea. This particular letter was written by Capt. James V. Barker, Signal Corps, who formerly worked in the engineering department of the local electric utility, Virginia Electric & Power Co:

"Reception was perfect," wrote Capt. Barker. "Thanks to all who made the program possible. They did a swell job."

2 More Shows Completed

DISTRICT I

Boston.....Harold E. Fellows, WEEI, *TFC
(2nd of two shows)

DISTRICT III

Philadelphia.....Roger W. Clipp, WFIL, *TFC

* Task Force Commander.

Due to anticipated wartime developments, allocation changes and new standards which will affect the broadcast services, decision was made sometime ago that the new and revised NAB Engineering Handbook would not be compiled until it became possible to embody the sections on the new broadcast services in the handbook.

The NAB Executive Engineering Committee met recently in New York City for the purpose of discussing the new handbook. Those in attendance were John B. Fuqua, WGAC; Karl B. Hoffman, WGR; William B. Lodge, CBS; O. B. Hanson, NBC; and Howard S. Frazier, NAB. Chairman G. Porter Houston of WCBM, Baltimore, was unable to be present.

The committee has made the following policy recommendations for the handbook:

1. The objective and purpose of the handbook should be to provide a practical technical guide for the operating engineers of broadcast stations. Emphasis should therefore be placed on technical problems encountered in the day-to-day operation of broadcast stations (AM, FM, Television and Facsimile) of all powers. It was the opinion of the committee that no attempt should be made to cover completely those technical subjects usually handled by consulting radio engineers, although sufficient material should be included to provide a concept of the application, but not the design, of directional antennas together with some aspects of allocation engineering sufficient to provide operating engineers with general information on these subjects.

2. It was the committee's view that a recommendation should be made to broadcast engineers in the preface of the handbook as to technical books which should be part of every chief engineer's library. One of the purposes of the handbook would be to enhance the usefulness of the recommended technical books by carrying in the index of the handbook and elsewhere bibliographic references to the library books. In most instances, data contained in the recommended library will not be duplicated in the handbook. On the other hand, technical information of value to broadcast engineers which has been published in the various technical journals will be reproduced in suitable form for convenient reference in the handbook, as it was the opinion of the committee that most engineers do not have a complete file of the technical journals in their libraries.

3. It was the committee's opinion that the handbook should be prepared in the present loose leaf form.

4. It was decided that an effort should be made to gather original material from broadcast stations, radio manufacturers, consulting engineers and others for use in the handbook. Full credit will be given in the handbook to the individuals and companies contributing. It was thought that it might be possible to secure volunteers for the purpose of doing the necessary drafting work on the same basis of personal credits in the handbook. CBS offered to contribute the services of one draftsman for a total period not to exceed approximately two weeks. Similar offers from some of the larger companies should be adequate to solve this problem. It was pointed out that circuit draftsmen are not available in Washington at the present time. The use of specialists was suggested to write and edit portions of the handbook. It was not clear to the committee as to just what specialized subjects would require this treatment and therefore no decision was made.

5. It was decided that the Executive Engineering Committee will serve as a Board of Editors. All material considered for the handbook will be circulated to the committee, together with a questionnaire similar to that used by the IRE Papers Committee for the purpose of providing a convenient means of expressing opinions on the material in proper form for tabulation in order to determine the majority view of the committee.

6. The question was raised as to whether or not the handbook should contain photographs and drawings of typical studio and transmitter buildings for the purpose of aiding local architects. The committee was of the opinion that this subject, if properly treated, would require too much

space and should therefore be considered later as a separate project. However, it was the committee's view that the handbook should contain some data on studio acoustics.

7. It was decided to retain in the new handbook portions of the FCC STANDARDS OF GOOD ENGINEERING PRACTICE and RULES AND REGULATIONS. However, this section of the present handbook should be reviewed for the purpose of bringing this material up to date. The committee was of the opinion that FM and television should be treated from the standpoint of high frequency propagation, antenna design, etc., and that FM and television standards should be included in the handbook when such standards are definitely determined.

8. The committee made no decision as to distribution policy in connection with the handbook.

Other Business

The committee received a report from Howard Frazier in connection with his membership on the RMA Committee on Standard Broadcasting Transmitters. The committee expressed approval of NAB participation in the work of this RMA committee and a desire to review the RMA recommendations prior to their adoption by RMA.

TYLER RE-ELECTED TO HEAD AER

In the annual election just completed for 1945-46 officers of the Association for Education by Radio Dr. I. Keith Tyler, director of radio for Ohio State University was re-elected president. Dr. Tyler has been widely active in educational radio; he is director of the annual Institute for Education by Radio held at Columbus, Ohio, each May, and for five years was head of the Evaluation of School Broadcasts project carried on by Ohio State University.

Luke Roberts, educational director for station KOIN, Portland, Oregon, was elected vice-president; Robert Hudson, director of the Denver Rocky Mountain Radio Council, 2nd vice-president; Kathleen Nichols Lardie, supervisor of radio for the Detroit Public Schools, secretary; George Jennings, acting director of the Radio Council, station WBEZ of the Chicago Public Schools, treasurer.

Blanche Young, supervisor of radio for the Indianapolis Public Schools, was elected president of the Great Lakes Regional Association for Education by Radio and Mary Elizabeth Gilmore, director of radio for the Portland, Oregon, Public Schools, was named to a similar position in the Pacific Coast region.

COLUMBUS TO HAVE FM-STATION WORKSHOP

The Ohio State University, in cooperation with the U. S. Office of Education, The Ohio State Department of Education, and Cleveland Board of Education, will operate an educational FM-station workshop, at Columbus, June 18-July 27. Dr. I. Keith Tyler, director, radio education, Ohio State, will direct workshop activities.

"SALUTE TO RADIO"

Using as source the many tributes to broadcasters on their efficient leadership during the hours following death of late President Franklin D. Roosevelt (NAB REPORTS, Vol. XIII, pg. 154), station KOY, Phoenix, informs NAB that it presented a 15-minute program "Salute to Radio" to its listeners.

Letter from KOY Program Director Jack Williams follows:

"The material contained in your bulletin of April 20th, referring to various tributes paid the radio industry for its handling of the news on President Roosevelt's death formed the basis of a one-quarter hour program over KOY in Phoenix.

"We believed the public would be interested in being advised of the tremendous wave of approval from Congress, the press, etc.

"KOY took excerpts printed therein and dramatized them—presenting a one-quarter hour program titled, 'Salute to Radio.'"

AASDJ THANKS RADIO

Max R. Grossman, President of the American Association of Schools and Departments of Journalism, and Dean of the Journalism School of Boston University, has expressed his thanks to radio for what he terms "radio's magnificent obituary to Franklin D. Roosevelt." "Radio," he continued, "demonstrated that it was incomparable in reporting one of the most tragic stories of all time. I am delighted to see how the press has acknowledged radio's greatness.

"This is not a letter of congratulation: This is a letter of thanks. Nearly everyone knew that radio would reach the heights with the Roosevelt obituary. Everyone is grateful. I am sending you, in the name of the American Association of Schools and Departments of Journalism, our thanks and our gratitude. The Roosevelt story was a noble and notable achievement."

NEWSPAPER TO COAST BY WIRE FACSIMILE

Persons in attendance at the San Francisco Conference had delivered to them recently a newspaper which was sent from New York to San Francisco via wire facsimile, it has been announced.

A four-page condensation of the N. Y. *Times* with 32 columns of news was sent over the Associated Press wire-photo facilities. Upon receipt in San Francisco, etchings were made and an edition of 2,000 copies was run off on the press of a local newspaper.

Designated as a 2:00 a. m. edition of the *Times*, these copies were handed to delegates at breakfast approximately two hours after the original copy was placed in the sending machine in New York.

Marking the first time this process has been used in journalistic annals for cross-continent transmission of a newspaper, much speculation was aroused concerning the future of radio facsimile.

RADIO AVERTS FALSE ARMISTICE RECURRENCE

More on the efficiency of radio comes in an article in *PM*, Monday, April 30, under the byline of James T. Howard. Commenting on contrast between the false Armistice Day of 1918, caused by a premature news flash, and the similar occurrence of last Saturday (28), Mr. Howard recognizes radio's powerful influence as a social force with the following observations:

"... Regardless of who was at fault, the reports spread around the world bringing joy, then disappointment. There was a difference, however, between the false Armistice Day of 1918 and the V-E Day of 1945. In 1918 newspapers rolled out their extras and the celebration was going full blast before new extras dampened the festivities. In 1945, there were radio stations to flash the news that V-E Day was here, and then to recall the tidings before the dancing in the streets really was under way. . . ."

INTER-AMERICAN RADIO CONFERENCE POSTPONED

The State Department advises that the Brazilian Government has decided to postpone to September 3, 1945, the Third Inter-American Radio Conference which was scheduled to take place in Rio de Janeiro on June 1, 1945. The Conference is being postponed in order to afford the governments participating in the Conference more time to prepare their preliminary proposals for the Conference.

PHILCO SETS UP TELE-NET DIVISION

A new division of Philco Radio and Television Corporation has been announced to handle all Philco television broadcasting, station and network operations.

This announcement follows closely recent inauguration of a television network by Philco from Washington to Philadelphia.

Federal Communications Commission Docket

HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, May 7.

Federal Communications Commission Action

APPLICATIONS GRANTED

- WIBX—Scott Howe Bowen, deceased (transferor), Estate of Scott Howe Bowen, Margaret P. Bowen, executrix (transferee), WIBX, Inc. (licensee), Utica, N. Y.—Granted consent to involuntary transfer of control of WIBX, Inc., licensee of Station WIBX from Scott Howe Bowen, deceased, to estate of Scott Howe Bowen, Margaret P. Bowen, executrix; no monetary consideration. (B1-TC-435)
- KWBU—Century Broadcasting Co., Corpus Christi, Texas—Granted extension of special service authorization for a period of six months from May 9, 1945, to operate on 1030 kc., with 50 KW power, directional antenna, local sunrise to local sunset; Commissioner Durr dissenting. (B3-SSA-118)
- Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—Granted construction permit for new experimental television relay broadcast station to be used in connection with applicant's commercial television broadcast station WPTZ, Philadelphia. (B1-PVB-143)
- Philco Radio & Television Corp., area of Philadelphia, Pa. (W3XPA, W3XPC, W3XP).—Granted construction permit to increase power to 40 watts, add A3 emission, change antenna and transmitter, and change area to area of Washington, Philadelphia and New York. (B1-PVB-144 through 146)
- Philco Radio & Television Corp., Portable-Mobile, (W3XPD, W3XPE, W3XPF, W3XPG, W3XPH, W3XPI, W3XPK).—Granted modification of construction permits for seven experimental relay stations to change power to 40 watts (peak) visual, 40 watts aural, change type of transmitter and antenna, extend commencement and completion dates to 60 days from date of grant and 180 days thereafter, respectively, and change areas to Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia. (B1-MPVB-119 through 125)
- Philco Radio & Television Corp., Portable—area of New York, N. Y. (W2XPR).—Granted modification of construction permit (which authorized a new experimental television broadcast station) to increase power to 40 watts and A3 emission, change area to Washington, Philadelphia and New York, change transmitter, and extend commencement and completion dates to 60 days from date of grant and 180 days thereafter, respectively. (B1-MPVB-126)
- KINY—Edwin A. Kraft, Juneau, Alaska.—Granted license to cover construction permit, as modified, which authorized increase in power, installation of new transmitter, and changes in antenna (B-L-1790); granted conditionally. Granted authority to determine operating power by direct measurement of antenna power. (B-Z-1571)

The Ohio State University, Columbus, Ohio.—Granted construction permit for new relay broadcast station to be used with standard Station WOSU. (B2-PRY-299)

W7XTE—Temple V. Ehmsen, Portland, Oreg.—Granted modification of construction permit which authorized new developmental broadcast station, for extension of completion date only, from June 30 to December 30, 1945. (B5-MPEX-14)

Cowles Broadcasting Co., Des Moines, Iowa.—Granted petition to intervene in the hearing now scheduled for May 16 on application of KFNF, Inc., Shenandoah, Iowa, for renewal of license, and application of Henry Field and Midwest Broadcasting Co., Shenandoah, for transfer of control of licensee corporation.

LICENSE RENEWALS

Granted renewal of following station licenses for the period ending August 1, 1946:

KWIL, Central Willamette Broadcasting Co., Albany, Oreg.; WGAC, The Twin States Broadcasting Co., Augusta, Ga.; WIBU, William C. Forrest, Poynette, Wisc.; WCRW, Clinton R. White, Chicago, Ill.

Granted renewal of following station licenses for the period ending February 1, 1946:

KWNO, M. H. White and H. R. Wiecking, d/b as Winona Radio Service, Winona, Minn.; WDSM, WDSM, Inc., Superior, Wisc.; KGDE, Charles L. Jaren, Fergus Falls, Minn.

Granted renewal of following station licenses for the period ending May 1, 1948:

WGGA, Blue Ridge Broadcasting Co., Gainesville, Ga.; WHN, Marcus Loew Booking Agency, New York, N. Y.; WTAM, National Broadcasting Co., Cleveland, Ohio; KLRA, Arkansas Broadcasting Co., Little Rock, Ark.

DESIGNATED FOR HEARING

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah—Designated for hearing under policy of January 16, 1945, application for construction permit to change frequency from 1340 to 590 kc., increase power from 250 watts unlimited to 250 watts night, 1 KW day, and install new transmitter. (B5-P-3854)

KXL—KXL Broadcasters, Portland, Oreg.—Designated for hearing application for modification of license to change hours of operation from limited time—WSB to unlimited time. (B5-ML-1212)

MISCELLANEOUS

WALV—Thomas Garland Tinsley, Jr., Richmond, Va.; and WBBL, Grace Covenant Presbyterian Church, M. A. Sitton, agent, Richmond, Va.—Adopted memorandum opinion granting application of Thomas Garland Tinsley, Jr., for modification of construction permit to make changes in antenna, change transmitter and studio location of Station WALV (B2-MP-1798), and granting application of Grace Covenant Presbyterian Church for modification of construction permit (which authorized change in frequency, hours of operation, move of transmitter, changes in equipment and antenna) for approval of transmitting equipment and authority to use presently licensed antenna and transmitter site of Station WBBL (B2-MP-1799). The Commission further ordered that construction permits as above modified should be issued subject to the condition that permittees shall, when materials and personnel become available, file appropriate applications to complete construction in accordance with Commission's Rules and Regulations and Standards of Good Engineering Practice.

WKVM—American Colonial Broadcasting Corp., Arecibo, P. R.—Adopted memorandum opinion granting modification of construction permit for approval of antenna and approval of transmitter and studio location, and ordered that a construction permit as thus modified should issue. (B-MP-1784)

WBHD—Southside Virginia Broadcasting Corp., Petersburg, Va.—Adopted memorandum opinion granting application for modification of construction permit for change in equipment and approval of transmitter site and antenna system, and ordered that a construction permit as thus modified should issue. (B2-MP-1791)

WOKO—WOKO, Inc., Albany, N. Y.—Adopted order issuing special temporary authorization for the continued operation of Station WOKO until further order of the Commission (petition for rehearing having been filed). (Docket 6486; B-203)

WTAW—Agricultural and Mechanical College of Texas, College Station, Texas.—Adopted order denying application for construction permit.

WOKO—WOKO, Inc., Albany, N. Y.—Adopted order denying petition for rehearing directed against the Commission's action denying application for renewal of license of Station WOKO; and further ordered that the special temporary authorization for the continued operation of Station WOKO be extended until 3 a. m., Thursday, May 31, 1945. (Commissioner Denny not participating.)

The following applications for construction permits for new high frequency FM broadcast stations were placed in pending file in accordance with Commission policy adopted February 23, 1943:

Jack M. Draughon and Louis R. Draughon, d/b as WSIX Broadcasting Station, Nashville, Tenn. (B3-PH-474); Review Publishing Co., Alliance, Ohio (B2-PH-475); Lynchburg Broadcasting Corp., Lynchburg, Va. (B2-PH-476); Roanoke Broadcasting Corp., Roanoke, Va. (B2-PH-477)

WTAW—Agricultural and Mechanical College of Texas, College Station, Texas.—Adopted order denying petition for a grant without hearing of application for construction permit to change frequency from 1150 to 1470 kc. and hours of operation from daytime to unlimited time, and designated said application for hearing, to be consolidated with hearing on applications of H. C. Cockburn, tr/as San Jacinto Broadcasting Co. for a new station at Houston, Texas (Docket 6725), Reporter Broadcasting Co. for construction permit to change frequency of Station KRBC, Abilene, Texas, to 1470 kc. (Docket 5968), and Calcasieu Broadcasting Co. for construction permit to change frequency of KPLC, Lake Charles, La., to 1470 kc. (Docket 6664)

APPLICATIONS FILED AT FCC

1050 Kilocycles

WPAG—Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—License to cover construction permit (B2-P-3595 as modified) which authorized construction of a new standard broadcast station.

WPAG—Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

NEW—George E. Miller, J. Myron Honigman and Lou Poller, d/b as Baron Broadcasting Co., Wilkes-Barre, Pa.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. AMENDED: to substitute P. J. McCall for J. Myron Honigman as a member of the partnership.

1340 Kilocycles

NEW—Richard Field Lewis, Jr., and Grant Pollock, a partnership, d/b as Berkeley Broadcasting Co., Martinsburg, W. Va.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

1400 Kilocycles

WNEX—Macon Broadcasting Co., Macon, Ga.—License to cover construction permit (B3-P-3688 as modified) which authorized a new standard broadcast station.

WNEX—Macon Broadcasting Co., Macon, Ga.—Authority to determine operating power by direct measurement of antenna power.

WCNC—Albemarle Broadcasting Co., Elizabeth City, N. C.—Construction permit to move transmitter and studio to Norfolk, Va.

WKWK—Community Broadcasting, Inc., Wheeling, W. Va.—Authority to determine operating power by direct measurement of antenna power.

1450 Kilocycles

NEW—Indiana Broadcast, Inc., Indiana, Pa.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

FM APPLICATIONS

NEW—George A. Mayoral, William Cortada and Ramon Cortada, New Orleans, La.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47100 kc.**, with coverage of 13,300 square miles. AMENDED: to change coverage to 8,000 square miles, specify site, equipment.

NEW—New Jersey Broadcasting Co., Inc., Newark, N. J.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49100 kc.**, with coverage of 6,200 square miles. AMENDED: to change name of applicant to Atlantic Broadcasting Co., Inc.

NEW—Hudson Broadcasting System, Inc., Mt. Vernon, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47900 kc.**, with coverage of 2,500 square miles (formerly submitted in name of United Broadcasting System, Inc.).

NEW—Robert F. Wolfe & Margaret Wolfe, a partnership, d/b as Robert F. Wolfe Company, Fremont, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **49700 kc.**

NEW—Myles H. Johns, Milwaukee, Wis.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46500 kc.**, with coverage of 6,950 square miles.

TELEVISION APPLICATIONS

NEW—The Connecticut Television Co., Greenfield Hill, Conn.—Construction permit for a new commercial television broadcast station to be operated on Channel #8 (**162000-168000 kc.**), ESR 1810. AMENDED: to change requested frequency to Channel #8 **186000-192000 kc.** as proposed in the reallocation and change transmitter site to Booth Hill, Conn., and antenna changes.

W2XCS—Columbia Broadcasting System, Inc., New York, N. Y.—Modification of construction permit (B1-PVB-110 which authorized new experimental television station) for extension of completion date from 5-12-45 to 11-12-45.

MISCELLANEOUS APPLICATIONS

W4XAP—Voice of Alabama, Inc., Birmingham, Ala.—License to cover construction permit (B3-PEX-48) for a new developmental broadcast station.

NEW—Everette C. Atkerson, Birmingham, Ala.—Construction permit for a new developmental broadcast station to be operated on **43700 and 87,400 kc.**, 250 watts power, and special emission for FM.

WENH—WJR, The Goodwill Station, area of Detroit, Mich.—Construction permit to change frequencies from **1646, 2090, 2190, 2830 kc.** to **30820, 33740, 35820, 37980 kc.**, change power from 150 watts to 100 watts and make changes in equipment.

NEW—The Journal Company (The Milwaukee Journal), Richfield, Wis.—Construction permit for a new developmental broadcast station to be operated on **91000 kc.**, power of 500 watts and special emission for FM.

Federal Trade Commission Docket

COMPLAINTS

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

Food Display Machine Corp.—A complaint alleging misrepresentation in connection with the sale of a safety razor blade sharpener designated Razoroll has been issued against Food Display Machine Corporation, 620 North Michigan Avenue, Chicago, and its president, Adam H. Kulikowski. The corporate respondent trades as Razoroll Company. (5308)

Rachel Johnson, 1118 Freeman Ave., Kansas City, Kansas, is charged in a complaint with misrepresentation in connection with the sale of preparations designated "Mme. Rachel Johnson's Pomade Hair Grower" and "Mme. Rachel Johnson's Hair Grower." (5310)

Northwest Dried Fruit Association, Portland, Oreg., and its members and officers are charged in a complaint with engaging in a conspiracy to restrain trade and create a monopoly in the sale of dried prunes.

The Association is composed of trade associations and their members and other parties variously engaged in growing, packing and selling fruit, including prunes, and comprises practically the whole of the industry which is located in Washington, Oregon, Idaho and California.

The complaint names the following association members as respondents: Oregon Prune Exchange, Portland, selling agent for a number of fruit growers associations; Washington Growers Packing Corporation, Vancouver, Washington, packing and sales agent for prune producers in the State of Washington; and Rosenberg Bros. & Co., San Francisco and Portland, engaged in buying, packing and selling dried prunes. (5311)

Sprague Military Institute—A complaint alleging misrepresentation of a correspondence course in military procedure, advertised as enabling students to enter the service "as veterans instead of as raw recruits," has been issued against Harold R. Lister and Margaret Lister, trading as Sprague Military Institute, 307 North Michigan Avenue, Chicago. The so-called "Military Institute" is an affiliate of Blackstone College of Law, another correspondence school operated by Lister at the same address. (5304)

Steri-Seal, 329 East Long Street, Columbus, Ohio, is charged in a complaint with misrepresentation in connection with the sale of devices designated Steri-Seal for use as caps on nursing bottle nipples. (5309)

Stone Manufacturing Company is charged in a complaint with disseminating advertisements which misrepresent the therapeutic properties of the ozone-generating devices he sells and which fail to reveal their possible harmful effects. The devices are sold under the names Stone's Ozone Producer and Stone's Ozone-Ray Producer. (5307)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

American Flag Co., 73 Mercer St., New York, manufacturer of flags, pennants and banners, has been ordered to cease and desist from failing to disclose, and misrepresenting, the fiber content of certain of its products, in violation of the Federal Trade Commission Act, and from misbranding others in violation of the Wool Products Labeling Act. (5261)

Cramp Shipbuilding Co.—An order to cease and desist has been entered against a group of respondents found to have conspired in the submission of fictitious and collusive bids for supplying material for rehabilitating the shipyards of the Cramp Shipbuilding Company, Philadelphia, when it was under contract to construct naval vessels for the Government. (4802)

E. Griffiths Hughes, Inc.—An order to cease and desist from disseminating false advertisements concerning a medicinal preparation designated "Kruschen Salts" has been entered against E. Griffiths Hughes, Inc., 26 Forbes St., Rochester, N. Y. (4711)

Humania Hair Goods and Specialty Co., 303 Fourth Ave., New York, has been ordered to discontinue the dissemination of false advertisements concerning cosmetics and hair preparations which he sells in interstate commerce. (5249)

Samuel R. Israel and Al Goldstein, trading as House of Royalsun, 5 West 36th St., New York, engaged in the sale of knitting yarn, has been ordered to discontinue representing, through use of the words "Shetland," "Saxony," "Scotch" or any other terms indicating foreign origin, or otherwise, that yarns manufactured from domestic products are imported or made from imported products. (5078)

Al Rosenfeld, Inc., 9 East 38th St., New York, and its officers, Al Rosenfeld and S. Theodore Lande, engaged in the sale of perfumes and toilet preparations, have been ordered to discontinue using trade and brand names of French origin to designate or refer to products of domestic make. (5051)

STIPULATIONS

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

American Trading Co., 505 Elm St., Cincinnati, manufacturing and distributing fur garments, have stipulated in connection with the advertising or invoicing of their products to cease and desist from the use of the terms "Hud-Seal," "Sealine," "Beaverette" or any other fictitious animal designation or coined fur-connoting term as descriptive of their products; or using any animal or purported animal name for fur which is not the true name of the animal producing the fur; provided that if the fur is so dyed as to simulate another fur . . . that fact shall be set forth as an integral part of the designation, and if the name of the animal whose fur is so simulated be given, such name shall be immediately followed by and compounded with the word "dyed," together with the true name of the animal producing the fur as the last word of the description—all words or designations to be in like type and equally conspicuous. (4021)

Bastian Bros. Co., 1600 Clinton Ave., North, Rochester, N. Y., manufacturer of fraternity and school jewelry, entered into a stipulation to discontinue misrepresenting the gold content of rings and other jewelry. (4042)

Bibles For Victory, Inc.—A stipulation to discontinue representing that metal-covered Bibles and Catholic prayer books will afford physical protection to members of the armed forces who carry them, has been entered into by Bibles For Victory, Inc., 1141 Broadway, New York, and Isaac Steinbrook, general manager of the corporation. (4025)

Camille, Inc., Bernardsville, N. J., entered into a stipulation to discontinue certain misrepresentations in connection with the sale of Camille Cake Mascara and Camille Cream Mascara. (4017)

Colorcrete Industries, Inc., Holland, Mich., manufacturing a product designated "Colorcrete" for application to concrete and masonry, and engaged in its sale and distribution, together with machines to mix and spray the product, has stipulated to cease and desist from certain misrepresentations of the product. (4047)

Eagle Druggists Supply Co., Inc.—A stipulation has been approved in which Eagle Druggists Supply Co., Inc., 43 West 23rd St., New York, jobber of druggists' supplies, agrees to cease and desist from certain misrepresentations in connection with the sale of rayon Protex-U Dental Floss, which was advertised as being made of synthetic silk and having "extra strength." (4043)

Kol-Saver Sales Co.—Under a stipulation entered into a copartnership trading as Kol-Saver Sales Co., Albert Lea, Minn., has agreed to cease misrepresenting the effectiveness of a coal saving

device designated Kol-Saver, which consists of a supplemental grate for use in coal burning furnaces. Members of the copartnership who signed the stipulation are Richard A. Trow, Ingwald G. Olson, E. H. Mickelson, Edwin Johnson, William O. Lindahl and Robert C. Trow. (4034)

Mammoth Mail Order House—A stipulation to discontinue certain misrepresentations in connection with the sale by mail order of wearing apparel has been entered into by Samuel Schweiger and Harry Arkin, trading as Mammoth Mail Order House and as Southerners' Bargain House, 412 Grand St., New York. (4015)

National Drug Co., 4663 Stenton Ave., Philadelphia, manufacturer and distributor of pharmaceuticals, stipulated that it will stop representing it has the exclusive patent right to make, use and sell a sulfanilamide allantoin ointment it sells under the name of Allantomide. The preparation is recommended as a treatment for wounds, scalds, burns, abscesses and ulcers. (4026)

Nim-Pah Products Co., Las Vegas, Nevada, stipulated that they will cease and desist from misrepresenting the therapeutic property of a medicinal preparation designated Nim-Pah and from disseminating advertisements which fail to reveal the potential danger in its use. (4019)

Franklin Simon & Co., operating a department store at Fifth Ave. and 38th St., New York, stipulated that in connection with the sale of women's coats it will discontinue using the words "Camel Hair" or "Camel" as descriptive of a fabric not composed of camel hair. (4016)

S-K Research Laboratories, Inc., Phoenix, Ariz., engaged in the sale and distribution of a medicinal preparation designated "Adreno-Mist," represented as being a remedy for asthma, has stipulated to cease representing that Adreno-Mist, or any similar product, is a competent treatment or adequate remedy for the relief of asthma, or that it could afford more than a temporary relief from the paroxysms of asthma. (4045)

Twin City Shellac Co., Inc., 338 Flushing Ave., Brooklyn, engaged in the sale and distribution of Dan-Dee No Rubbing Floor Wax, entered into a stipulation to cease and desist from representing that the product lasts twice as long as ordinary wax or has enduring properties in excess of competitive products of standard quality; or that it is a heavy duty wax so constituted as to withstand strain, exposure or wear of an unusual nature, or that its luster improves with wear. (4020)

FTC EXPORT INVESTIGATION

The Federal Trade Commission has ordered an investigation under the Export Trade Act (Webb-Pomerene Law) to determine whether General Milk Company, Inc., an export trade association, 19 Rector Street, New York, and its stockholder-members, officers and directors have entered into agreements and engaged in restraint-of-trade practices in violation of law. The corporation is registered with the Commission as an association which engages solely in the export of milk products.

Stockholder-members of the association are Carnation Company, Milwaukee, and Pet Milk Company, St. Louis. Officers are E. H. Stuart, Seattle, president; W. T. Nardin, St. Louis, and H. J. Mountrey and L. H. Wilson, both of New York, vice presidents; L. C. Gunther, New York, vice president and treasurer; L. A. DeBow, New York, secretary; and P. G. Kinzer, Milwaukee, and J. A. Latzer, St. Louis, directors.

The Export Trade Act authorizes the organization of cooperative associations in export trade and requires that they file with the Commission copies of their organization papers and current reports as to their operations. Under the terms of the Act, such an association shall be engaged solely in export trade and shall

not restrain the trade of a domestic competitor, artificially or intentionally enhance or depress prices in this country, or substantially lessen competition or otherwise restrain trade in the United States.

The notice of investigation states that if the Commission, upon investigation, shall conclude that the Export Trade Act has been violated, it will make recommendations to General Milk Company, Inc., for the readjustment of its business in order that the association may thereafter maintain its organization and management and conduct its business in accordance with law.

The date of the opening of the investigation will be announced later.

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Radio On V-E Day

Long awaited V-E Day came to the Nation on May 8, and broadcasters throughout the land went into action to keep the people abreast of events, with appropriate entertainment dovetailed into the news programs.

Although it is too early to collect and digest a wide and comprehensive resume of public reaction to radio's handling of the situation, indications are that approval was general; instinctively the people again turned to radio for leadership in keying V-E observance to proper pitch in a situation that called for jubilation tempered with sober realization that war still lies ahead in another part of the world.

Especially notable was the part played by broadcasters in dampening premature public demonstrations. Information enough to confirm peace as an accomplished fact came over the millions of the Nation's receivers, but in general there were few spots where listeners ignored reiterated cautioning that only formal proclamation from the President would make things official.

By the time President Truman came on the air at 9:00 a. m. on the now memorable morning of Tuesday, May 8, with formal confirmation, emotion had been so tempered and conditioned that no spontaneous outbursts were apparent. The feared "celebration" became an orderly observance by a thankful people who now turn their eyes toward the troubled waters of the Pacific and its erupting islands.

President Truman's announcement came in simple unadorned wording, designating the then current day, May 8, as V-E Day, and setting aside the ensuing Sunday, May 13, as a day of thanksgiving. Other world-leaders were on the air with brief talks.

Later announcements by Government departments cancelled out the brownout and curfew, indications were that other bans would be lifted, rationing would be less stringent in its general pattern, good news came fast. A feeling of relieved tension was observable everywhere, but the public took things in stride. For this radio is credited with its proper share of appreciation for performing with distinction in its major role as a great social force.

Ryan's V-E Day Statement

(As released by NAB News Bureau, May 8)

Announcement of V-E Day brought the following statement from J. Harold Ryan, President of the National Association of Broadcasters:

"The announcement that the United Nations in a combination of free peoples have brought about official cessation of hostilities in Europe and that V-E Day is here is a source of deep satisfaction to the people of America. Under different circumstances there would be widespread rejoicing. However, our inclination to rejoice is tempered

by a sobering realization of the cost of the victory and of the responsibilities which lie ahead. The road to Tokyo is, according to our military leaders, a long and a hard one, certain to involve the loss of many more brave men. There is much yet ahead of us in dealing with the remnants of our European enemy.

"This is a time for solemn contemplation and a renewed determination to rid the world of the forces of aggression and to bring about a basis for a lasting peace among all nations.

"The broadcasters of America take just pride in the role which they have played in keeping our people informed, in relieving, through entertaining and instructive programs, the tension incident to war, in carrying to our military forces throughout the world specially prepared inspirational programs in the interest of morale, and in assisting the Government in its monumental task of maintaining civilian production and morale. We pledge a continuation of Radio's all-out effort."

Porter Comments

"V-E DAY EMPHASIZES THE TASKS AHEAD

FCC Chairman Paul A. Porter, commenting upon V-E Day, issued the following statement:

"I do not anticipate any substantial changes in the policies of the Federal Communications Commission until the Stars and Stripes are firmly planted in Tokyo.

"We are in constant touch with the War Production Board and are aware of their plans for the gradual reconversion of plant and facilities for the production of communications equipment. It does not appear that there is any immediate prospect for relaxation of the Commission's existing freeze policies.

"Demands upon the communications industry for the Pacific War will apparently continue to be heavy for some time to come. The Commission will coordinate its licensing functions closely with the realities of production and when it becomes possible to make available manpower and materials for new construction or the improvement of existing facilities, all interested parties will have a full and equal opportunity to have their matters considered by the Commission. Ample notice will be given concerning any change of existing policies or procedures.

"Broadcasting has distinguished itself during the first phase of this war. Other communication services have performed miracles in the face of great obstacles. All are agreed that there is no occasion for relaxation until final victory is achieved."

OWI Outlines Home Front Job

Continued determination in carrying the war right into the Japs' front yard is urged by Office of War Information in a special release to broadcasters.

Stating that our fighting forces will need the complete support of every American on the home front to hasten
(Continued on next page)

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

the end of the war in the Pacific, OWI suggests the following:

"1. Urge your listeners to give thanks for Victory in Europe by re-dedicating themselves to the job that lies ahead in the Pacific—the complete defeat and unconditional surrender of Japan.

"2. Remind them that in the opinion of top authorities in the Navy, War and State Departments, the Battle for Japan will be one of the most bitter and most difficult in history. Give them some of the reasons on which this opinion is based.

"3. Tell your listeners that until this war is completely and finally won, our fighting forces will need the all-out support of every American at home. Urge them to give this support by doing the following things:

"a. Stay on that war job—

"b. Keep buying more and more war bonds—and hold on to them—

"c. Keep supporting all home front activities and observing all wartime regulations—price controls, rationing, volunteer service, salvage drives—until our enemy Japan is completely and finally defeated."

Censorship Relaxed

News censorship is to continue, according to an announcement issued by Byron Price, Director of Censorship on Tuesday (8). "The end of German resistance alters security requirements materially," said Mr. Price, "although it by no means erases the need for, or importance of, voluntary censorship."

According to the release a new, shorter Code will soon be issued. Meantime, the present Code which is the edition of December 1, 1943, is amended, effective at once, in the following respects:

1 (a)—WEATHER—Eliminate.

1 (d)—DAMAGE BY ENEMY LAND OR SEA ATTACKS—Eliminate but note reference immediately following.

1 (e)—ACTION AT SEA—Eliminate and substitute following:

"Information about the sinking or damaging from war, causes of war or merchant vessels in any waters; information about actual or impending enemy attacks on the continental United States."

1 (f)—ENEMY AIR ATTACK—Eliminate.

1 (j)—SABOTAGE—Eliminate.

1 (k)—PRODUCTION—Eliminate and substitute following:

"New or secret weapons, identity and location of plants making them; secret designs, formulas, processes or experiments connected with the war. "Rate of production of materiel used in or for specialized military operations.

"Movement or transportation of war materiel."

1 (m)—WAR PRISONERS, INTERNEES, CIVILIAN PRISONERS—Eliminate and substitute the following:

"Information as to arrival, movements, confinement or identity of military prisoners from war zones."

SECTION II, PROGRAMS—Eliminate in entirety.

SECTION III, FOREIGN LANGUAGE BROADCASTS—Eliminate in entirety.

With regard to foreign language programs, however, broadcasters should remember that all provisions of the Code still in effect apply equally to all broadcasts including those in languages other than English. A vigilant check should be maintained over foreign language broadcasts at all times.

The identification and location of all American military units in Europe may be broadcast up to and including May 8, 1945, but their subsequent movements require appropriate authority under the Armed Forces section of the Code.

A continuance of the excellent cooperation received from the American broadcasters since the war began is earnestly requested.

Newspapers Comment

Newspapers have quite generally been most complimentary in their comments upon radio's V-E Day coverage. A few of those already noted follows:

(From *New York Times*, May 8, 1945)

"This morning at 9 o'clock, President Truman's official V-E Day proclamation will be carried by a huge network in this country and Canada, augmented by high-power international short-wave transmitters capable of reaching every country on earth.

"If President Truman's address ends while Prime Minister Churchill is still speaking, the latter will be picked up from London. Otherwise Mr. Churchill's address will be recorded and broadcast after President Truman finishes.

"Marshal Stalin's proclamation in Moscow also may be on the air.

"The network set-up to carry the V-E Day ceremonies, radio men said, may surpass in size any other system ever assembled to carry a single program. It will be headed in this city by WEA, WOF, WJZ, WABC, WMCA, WNYC, WHN, WNEW, WEVD, WQXR, WLIB, WINS and WPAT.

"A similar system will be set up this afternoon at 3 o'clock to carry an address by King George VI from London, who will also be heard over the international short-wave system of the British Broadcasting Corporation.

"Radio men called it 'next to impossible' to estimate the full scope of the radio facilities that will carry the two programs, but were of the opinion that at least 75 per cent of the broadcasters in the United States would be included."

(From *Washington Post*, May 9, 1945)

(Column by Mark Sullivan)

". . . The public, now forming its impression of a new President, got opportunity from his radio address. The newsmen, in his direct presence at the press conference, got more. It was what would have been to many men an occasion for strain. Within a few minutes, just as soon as the press conference should be over, he was to go on the radio with an address of world-wide importance. But neither the shortness of the time for what he had to say to the newsmen, nor the imminence of his radio address, led to any tension on Mr. Truman's part.

"To most persons, the mere imminence of going before the microphone, even for an ordinary address, might have been an occasion for jittery anxiety. In Mr. Truman's case, not at all. In compressing what he felt he should say to newsmen into a strictly limited 20 minutes or so, he was brisk, but not hurried. In his conduct of the press conference, he made an impression of business-like command of the situation and of its details. When, a few

(Continued on next page)

minutes before 9, one of his aides spoke up to remind him that the time was getting close, he took the reminder in with his brain, rather than with his nerves. Quickly, yet carefully, and preserving complete clarity, he epitomized what he had to say to the newsmen into the necessary time. Then, again with briskness but without hurry, he, with his aides, left the office to go to the White House room in which the radio apparatus had been set up."

(From N. Y. Times, May 9, 1945)

"Radio staged its greatest show yesterday—a round-the-world V-E Day celebration that must have reached vast numbers of listeners in every country on earth. On no other occasion in the quarter-century history of broadcasting have so many watts of radio power been shot into space within a few hours to carry so many words on a single theme—victory.

"President Truman's proclamation of the German surrender at 9 o'clock yesterday morning got a record high of 64.1 in audience ratings. This was announced later in the day by C. E. Hooper, Inc., of New York, the radio 'poll' concern. Based on normal radio-program measurement methods, such a rating would mean that at least '36,500,000 adults' in the United States heard the President.

"The previous radio highspot, measured also by Hooper, was the 59.6 rating given to President Roosevelt's speech on Dec. 8, 1941, the day after Pearl Harbor, when he asked a joint session of Congress for a declaration of war against Japan.

Many Groups of Listeners

"The rating for President Truman yesterday, it was said, was higher because so many persons in war plants, schools and places of public assembly listened collectively over public address systems. According to the same measurement system, President Truman received a rating of only 32 on April 16, his first broadcast as Chief Executive, and 41.2 on April 25, when he addressed the delegates at the opening of the United Nations Conference in San Francisco.

"After the V-E Day proclamation, which veteran radio men estimated was carried over more broadcasting stations and carried more widely than any other single program, the national networks put on a 'show' of truly world-wide scope.

"One moment the listener might be tuned to a street pick-up from Times Square and the next be listening to the comments of a general nearly 10,000 miles away. Space and time, it seemed, meant nothing to those who had arranged the big broadcast.

"Feeding word pictures from near and far to the 'program pooling system' set up in advance by the War Department in cooperation with the National Broadcasting Company, the Columbia Broadcasting System, WOR-Mutual System and the WJZ-American Broadcasting Company, were such international short-wave station systems as Press Wireless, Radio Corporation of America, American Telephone and Telegraph, International Telephone and Telegraph, and the Government system centered in the Pentagon Building, Washington. . . ."

Liberty Bell Sounds

(As released by NAB News Bureau, May 8)

Old Liberty Bell rang out again today in prophetic fulfillment of the biblical verse encircling its crown which commands: "Proclaim Liberty throughout all the land unto all the inhabitants thereof."

On this V-E Day its ringing was not confined to those within immediate hearing as on that memorable occasion in 1776 when it first rang out Freedom's challenge. Aided by 169 years of scientific advancement, it was carried to the farthest reaches of the land by electrical transcription via several hundred radio stations.

Last August, under the auspices of the National Association of Broadcasters, the sound of the bell was recorded, and impressions made and sent to the radio stations of the nation for use on V-E Day.

Broadcasting went to war on July 23, 1940. Almost 18 months before Pearl Harbor NAB, cooperating with the U. S. Civil Service Commission, started clearing announcements to locate skilled workers for civilian jobs in the Army and Navy.

On December 7, 1941, immediately upon receipt of word of the Pearl Harbor attack NAB President Miller wired President Franklin D. Roosevelt dedicating the entire broadcasting industry to all-out war service.

With NAB acting as a coordinating agency, broadcasting became the main link between government war agencies and the people.

In the first or European phase every station has faithfully and effectively fulfilled the pledge of all-out war service. The facilities of these stations have been at the instant command of every war agency to carry important messages to the people.

These facilities still are pledged to all-out war service until V-J Day is realized.

"Let's Go To Town" to Continue

The industry campaign to provide 30-minute hometown shows for broadcast to soldiers and sailors overseas is to be continued at least for an additional 5 months. This was decided this week after telephone conversations with Armed Forces Radio Service, Los Angeles.

It was pointed out that since the "Let's Go to Town" shows produced by domestic broadcasters have become outstandingly successful and popular with our fighting men, that they are all the more important today. Many soldiers serving in the European Theatre of Operations, who have been contemplating a trip home, are going to be disappointed. Moreover, these shows will be appreciated by additional fighting men in the Pacific area. "They're good for both groups."

WKY Will Produce Global Show

Gayle V. Grubb, general manager, WKY, Oklahoma City, offered to do a "Let's Go to Town" show. His offer has been gratefully accepted.

2 HURDLES FACE CIVILIAN RADIO START

With the passing of VE-Day, broadcasters, the radio manufacturing industry and the public are confronted with a variety of reports, rumors and speculations as to when civilian radio production will be resumed.

For the purpose of quick understanding, simplified facts are given herewith. WPB has come up with reconversion plans which are reportedly satisfactory to manufacturers. They call for increased civilian production as military demand recedes.

But this alone will not get radios and radio components. If the military demand were to fall to zero today manufacturing circles report there would be no set production. This is attributed to OPA's reported insistence on the maintenance of the March, 1942, ceiling. That is where matters stand as of Thursday, May 10.

Under WPB's Radio and Radar Division plan general limitation order L-265 would be retained until scheduled military orders for electronic equipment recede below 90 per cent of the average monthly delivery rate for the first quarter of 1945.

When that time occurs Radio and Radar Division has recommended to WPB's Committee for Period One—(the

(Continued on next page)

period between the end of German resistance and surrender of Japan) that L-265 be revised to permit unrestricted production of components, including tubes for replacement purposes and all electronic end equipment except broadcasting, receiving and reproducing equipment for entertainment purposes.

Under the Radio and Radar Division's plan, L-265 would be revoked when scheduled military requirements recede below 75 per cent of the delivery rate for the first quarter of 1945 and a two-band rating system would be continued to assure preference for military and highly essential civilian requirements over other civilian deliveries.

L. J. Chatten, Radio and Radar chief, said that with this plan the following purposes will be served:

1. Practically unrestricted sale of such components as are needed for repair and replacement purposes;
2. The needed protection of military production will be accomplished;
3. Production and distribution of a very limited quantity of non-military end equipment will be channeled into the most essential uses. (Communications, marine, police, railroad, etc.)
4. The above results will be accomplished with a minimum of paper work.

NAB FILES BRIEF IN FCC HEARING

John Morgan Davis, General Counsel for NAB, has filed a brief on behalf of the Association in the matter of the promulgation of rules and regulations concerning the filing of financial, ownership, and other reports of broadcast licensees. This is Docket No. 6756.

The oral arguments with respect to this proposed change in FCC rules are scheduled to be heard on Monday, May 21. At that time NAB, through its General Counsel, expects to make a further argument. Following is the brief submitted by the Association:

The National Association of Broadcasters respectfully submits this Brief on the above-entitled matter in an endeavor to assist the Commission in reaching a fair and equitable determination of the issues involved.

The National Association of Broadcasters is a non-profit corporation, the object of which is "to foster and promote the development of the art of radio broadcasting; to protect its members in every lawful and proper manner from injustices and unjust exactions; to foster, encourage and promote laws, rules, regulations, customs and practices which will be for the best interests of the public and the radio industry."

Membership is voluntary and active memberships are limited to licensees of radio stations and to national networks. As of May 1, 1945, the Association had 665 active members, composed as follows:

647—Standard Licensees
15—FM Licensees
2—Networks
1—Television Licensee

The National Association of Broadcasters desires to express its appreciation of the Commission's efforts to clarify its rules and regulations and to simplify the method of reporting to the Commission information necessary to the proper exercise of its licensing function. Specifically we endorse the bringing of Rule 43.1 of Part 43 into Part 1 of the Rules and Regulations under Special Provisions Relating To Radio. We endorse further the setting forth in the Proposed Rules of the particular forms involved. This undoubtedly will assist licensees.

We advocate strongly that the Commission will deem it appropriate to adopt the practice, heretofore followed in Application forms, of relieving licensees of filing again and again documents and information which already have been filed with and are available to the Commission.

There are certain points in these proposed Regulations upon which we believe agreement with the Commission can be reached prior to the time for oral argument. They will not be dealt with at length in this Brief other than to indicate their nature. They involve words, phrases and terms which do not clearly indicate to us or adequately define for us the information desired.

Rule 1.301 Financial Report

This appears to be merely a clarification of existing Rule No. 1.361. It works a hardship on the licensee in that it requires the preparation of a financial report prior to the filing of the licensee's Federal Income Tax Return and its State Corporation Reports.

If the reports to the Commission involved the same factual data as the Federal Income Tax Returns then it would appear to be appropriate to provide for the same date for filing of both reports. On the other hand, if the data required to be filed with the Commission is more detailed, then an additional period of time should be provided for filing the Reports with the Commission. This amendment to the Rule would be to the advantage of both the licensee and the Commission.

Rule 1.302 Filing of Contracts

This Rule appears to constitute a great improvement over Rule 43.1; however, it contains several ambiguities which are conducive to misunderstanding as to what is specifically required thereunder.

Rule 1.303 Ownership Reports

(a) Annual Ownership Reports:

Under Rule 1.303 (a) the licensee would be required to file an annual ownership report on or before March 1 of each year with the first report to be filed on or before September 1, 1945. If the rule is adopted promptly, the September 1 deadline will not prove to be a hardship to the average individual corporate licensee of simple corporate structure, however, it could be impossible of performance in the case of a corporation of widely-held ownership or of complicated corporate structure.

We are fully cognizant of the duty of the Commission to obtain full information as to the control of licensees. It must be recognized, however, that it is conceivable that a licensee may not be able to require legally all of its stockholders to furnish it with the information called for by this Rule. This problem would be corrected partially by the inclusion hereunder of the clause relative to corporations owning 25% or more of the voting stock which is contained under Rule 1.303 (b) and which begins "Provided, however, etc."

It is respectfully submitted that Rule 1.303 (b) makes it unnecessary to provide for Annual Reports each March 1, since it is incumbent on the licensee to report all changes on interim reports within 30 days of the occurrence of such change.

Rule 1.301-1.304 Publicity

It is not clear that the adoption of the proposal to open for public inspection the information contained under these Rules will serve any useful purpose. In proposing its adoption the Commission has not pointed out the public necessity which requires the opening for public inspection, or any indication of the public benefit, which will result from such public inspection. We can well appreciate why the Commission, as the government agency charged with the licensing responsibility has a bona fide purpose of its own in requiring the information to be filed by licensees and to use such information for its own guidance. Why it is necessary to go beyond this and throw all such material open to public inspection, and thus violate the usual

(Continued on next page)

KMA to Open Council Bluff Drive

Top flight talent of KMA, Shenandoah, will go to Council Bluffs on Saturday, May 12, to launch the 7th War Loan.

They will stage shows at the Masonic Temple auditorium and at the Strand Theatre. The Masonic Temple show is set for 8:30-9:45. The half-hour portion, 9:00-9:30, will be broadcast over KMA. The Strand Theatre show is set for 11:00-12:00 p.m.

Special Events at KROW

Monday through Friday a program originating at a leading Oakland bank devoted entire quarter-hour periods to the 7th War Loan.

A half-hour show, in conjunction with the Oakland Junior Chamber of Commerce, is to present an outstanding program honoring citizens participating in the 7th War Loan.

On the fire, is a baseball broadcast from the Oakland ball park, the entire proceeds from the game to be turned over to 7th War Loan Drive. Purpose of the game is advance promotion for the 7th.

WNYC—New York

WNYC's public address equipment is being loaned to all agencies holding war bond rallies in various parts of New York City.

Station broadcasts all special events and receptions at City Hall in connection with war loan. Hourly news headlines are followed with taglines such as: "The war in the Pacific is not over yet . . . buy war bonds and make the war news good news."

KTMS—Santa Barbara

KTMS broadcast Victory Bond Rally from stage of Granada Theatre 7:00-7:30 p.m., Friday, May 4; donated 45 spots and 10 quarter-hour programs to Bing Crosby-Bob Hope golf match at Montecito Country Club to launch 7th War Loan Drive. During the warmup period, scheduled 14 one-minute proclamations by leading citizens.

WBML—Macon

WBML uses Baukhage daily news shows to plug bonds.

WTTM—Trenton

On today's (11) one-hour Breakfast Club broadcast listeners were to be reminded four times to buy bonds during the 7th War Loan. Also today, station was to broadcast a 5-minute skit in advance promotion of the drive.

WIBG—Philadelphia

Prior to May 1, station broadcast four special shows featuring speakers from the Philadelphia War Bond Headquarters. Two more special interviews were broadcast between May 1-12.

WMRC—Greenville

On May 8, WMRC, Greenville, S. C., broadcast an hour program of "Thanksgiving" from the ball park, 7:00 to 8:00 p.m. Main theme was the coming 7th War Loan. Mayor, county officials and other leading citizens pointed out that the best way for the home front to show its gratitude for victories in Europe and in the Pacific was to make the 7th War Loan an outstanding success.

rule of safeguarding business secrets of private industry, certainly is not apparent. True, if the rule related only to common carriers the purpose served by making such material public is rather obvious. That would be consistent with the accepted concept of regulation of natural monopolies where rates charged the general public are affected by the business arrangements and practices of the carrier. Under the Communications Act, however, broadcasting stations are specifically excluded from the common carrier category and it is believed that the common carrier concept of full disclosure to the public of all matters affecting the maintenance and operation of a business should not be extended into this field. So long as the Commission has full knowledge of such matters it is inconceivable to us how any useful purpose will be served by making this material available for public inspection.

Indeed the Congress has recognized the propriety of safeguarding the privacy of business information in that income tax returns are treated as confidential information available only to the Treasury Department. If the information furnished the Federal Communications Commission were to be opened for public inspection the safeguards set up by the Congress for income tax returns would be nullified insofar as the broadcasting industry is concerned and for many of the individuals engaged therein.

In addition it would enable competitors to obtain information which might be used to the great disadvantage of the licensee. It would seem highly advantageous to the Commission to have the information it needs supplied freely without fear on the part of the licensee that such information may be used against it by its competitors.

Since there is the possibility of damage to licensees by having this information disclosed, it is our view that the Commission should hesitate to adopt such a rule in the absence of a very strong showing for its need.

INDUSTRY IS READY FOR MIGHTY 7TH

The broadcast industry is all set for the 7th War Loan and is determined to bring it to a successful finish.

Many broadcasters have expressed satisfaction with the plan for "Telling the World" of radio's part in the Mighty Seventh.

All it takes is regular, "on time" reports from stations according to plan previously outlined to managers.

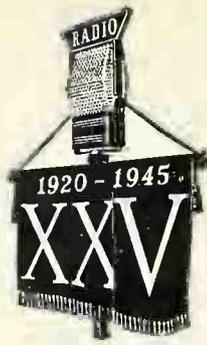
Several items below cover events during the "warm up" period, May 1-12, as well as events to come.

KOVC—Valley City

"The 7th Is Up Next" was title of a quarter hour station sponsored program over KOVC, Valley City, N. D., during the warmup period May 1-12. Herman Stern, state retail chairman, just returned from a state-wide tour, in the interest of the 7th War Loan, appealed for more advertising by local merchants. He also called attention to the excellence of the window display contest in the last drive, pointing out that a number of Valley City windows placed in the state competition and that three, awarded honors in the regional contest in Omaha, will be judged in the national competition. "We bought bonds to send them over, now let's buy bonds to bring them back," was the slogan used in the broadcast.

Twenty-Six Bond Days Already Scheduled

Under direction of the station's chief executive, Robert E. Ingstad, KOVC is selling local merchants complete sponsorship of war bond messages for an entire day. Over 26 merchants have already signed up to sponsor a complete day's programming of announcements and programs. In other words, on a particular day, one merchant takes over a full day's sponsorship.



FULL NATIONWIDE OBSERVANCE OF KIWANIS RADIO WEEK, MAY 13-19

Special Anniversary Bulletin No. 9 with REPORTS

On the eve of Kiwanis Radio Week, Kiwanis International reported from Chicago that 100% participation in the observance was virtually assured from Kiwanis Clubs in cities of the United States and Canada where there are radio stations.

Special Twenty-fifth Anniversary Bulletin No. 9 is included with this week's NAB REPORTS, giving further details and the text of the speech which J. Harold Ryan, NAB President, will deliver before the Kiwanis Club of Omaha, Nebraska, on May 16, entitled, "Broadcasting and the Business Man." The speech is marked for release on Monday noon, May 14, and may be quoted from by other broadcasters beginning with the first meetings of the week.

A copy of the citation has been received at NAB headquarters. Each one will be inscribed with the name of a local station and signed by the president of the local Kiwanis Club. The citation bears the official Kiwanis seal and the radio industry's Twenty-fifth Anniversary symbol. The New York City Kiwanis Club will present citations to the four major networks and the New York City stations.

NEW ENGLAND STATIONS LAUNCH "SONG OF THE WEEK"

All of New England's 51 radio stations in District Number One of the NAB are prepared to launch radio's first cooperative "Song of the Week" promotion, commencing May 13 and continuing through May 26.

Executives representing five New England stations completed details of the plan last week and selected *Someday, Somewhere* as the first song to be featured in the promotion. The idea of setting up radio's "Song of the Week" campaign developed from a similar plan successfully carried out by Walter Haase, general manager of WDRC, Hartford, in his local area.

With Paul Morency, chairman of NAB District Number One, presiding, the committee drew up its plans and, after auditioning a string of current hits, selected *Someday, Somewhere* as the tune to be featured.

In addition to Mr. Haase and Mr. Morency, who is general manager of WTIC, Hartford, the committee included Ted Hill, WTAG, Worcester, Kingsley Horton, WEEI, Boston, Wayne Latham, WSPR, Springfield, and N. J. Mathers, WHDH, Boston. The committee will change each month so that all stations participating in the promotion will have the opportunity of selecting the "Song of the Week."

Plans include the selection of a song to be featured for a period of two weeks with stations agreeing to have the tune performed a minimum of twice each day or 15 times each week. A new song will be selected each month and featured in the same manner for a period of two weeks.

Special emphasis will be placed by each station on introducing and identifying the selected tune as "radio's song of the week." Programming of the tune will not be limited to live performances but will include transcriptions and phonograph records.

Publishers of the songs selected are cooperating in the promotion to the fullest extent in setting up direct sales exploitation in the more than 500 retail music outlets in the New England area. Publishers will also supply orchestrations and professional copies of the selected songs to stations gratis.

Music stores and dealers will be informed of the promotion, and display material, window cards and streamers, and other sales helps will be provided by the publishers.

JUNIOR LEAGUE COMMENDED

Commenting on a series of transcribed children's story-book programs designed by the Association of the Junior Leagues of America, Jack Gould in the May 6 issue of *N. Y. Times* pays tribute to the Junior League on its sympathetic understanding of the broadcaster's viewpoint.

A reprint of Mr. Gould's remarks follows in part:

"... The league's approach encompasses the practical side as seen from the standpoint of the broadcaster, a side which very probably is instrumental in the whole project's success. Recognizing that the broadcasting station is a business operation and that its owner must seek a maximum number of listeners at all times, the league stresses that once a chapter is granted sustaining time, it must do its utmost to attract and hold the audience. Unless the league is able to deliver, it is hardly fair to expect the broadcaster to do so.

"This involves not only the presentation of a listenable program but the concurrent task of community-wide promotion of every type. Posters, bulletins, brochures, letters, parent-teacher meetings and 'personal selling' are all part of the agenda. In some communities the policy has been singularly successful, the Junior League program enjoying better ratings than competing network fare.

"The moral for other public-spirited groups anxious to receive time on the air would seem self-evident: it is for them to learn the technique of radio if they would ask to use it. Having done just that, the Association of the Junior Leagues is reaping the well-deserved benefits and, incidentally, providing a most valuable lesson for broadcaster and listening alike."

INFORMATION REQUESTED

Several member stations have communicated with NAB with respect to an inquiry received from the Protestant War Veterans of the U. S., through Edward J. Smythe, Chairman of the National Executive Committee. The letter requests the names and addresses of Protestant religious broadcasters using the station's facilities and states that the information is needed for pending national legislation. NAB is endeavoring to gather all possible information which will be available to stations upon request. Meanwhile it is suggested that stations withhold reply.

FCC 1943 STATISTICS AVAILABLE

The annual publication of the Federal Communications Commission entitled "Statistics of the Communications Industry in the U. S." for the year ended December 31, 1943, is now on sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. The price is 35 cents a copy.

This publication contains pertinent facts concerning wire communications companies compiled from the annual and monthly reports filed with the Commission and also considerable financial and operating data relating to standard broadcast stations and networks.

CAB NOW HAS ENGINEER

The appointment of Mr. Henry S. Dawson as Chief Engineer was announced by the Canadian Association of Broadcasters on Thursday (10).

In announcing Mr. Dawson's appointment, CAB officials stated that the membership of the Association, at their annual meeting, had expressed the view that the rapid technical development of the broadcasting industry necessitated the creation of the new post. As a result of this point of view, the Technical Committee of the Association was asked by the membership to secure a suitable person for the new post and their decision has resulted in the appointment of Mr. Dawson. Mr. Dawson has already assumed his new duties and will be responsible for studying data and research on national and international activities in the broadcasting industry. He will advise the Association on all technical matters connected with the present broadcasting structure, together with developments in frequency modulation and television.

Mr. Dawson will also be the technical member representing the Canadian Association of Broadcasters on the Canadian Radio Technical Planning Board established some months ago for the purpose of studying and recommending to the Department of Transport, Radio Control, on matters pertaining to the use of the radio frequencies.

A graduate in electrical engineering from Cornell University, Ithaca, Mr. Dawson brings to his new position experience in broadcast engineering gained with the Canadian Marconi Company, Rogers Radio Tubes Limited, and as Chief Engineer of CFRB.

Loaned by CFRB at the outbreak of war to the National Research Council, Mr. Dawson has served since November, 1940, with Research Enterprises Limited as a project engineer, and latterly as Assistant Chief Engineer. While associated with Research Enterprises Limited, Mr. Dawson gained experience and knowledge of new techniques and developments in radio frequencies and equipment which are as yet on the secret list of military security.

Mr. Dawson is a member of the Association of Professional Engineers of Ontario and the Institute of Radio Engineers. He was President of the Toronto section Institute of Radio Engineers in 1940-41.

WISCONSIN U SETS 3 SUMMER INSTITUTES

The University of Wisconsin has scheduled three separate radio "institutes" during the regular summer term.

The 8-Weeks Institute and Workshop, June 25-August 17, presents a group of radio courses designed to provide instruction and training in writing, announcing, acting and studio operations; training in the technique of classroom use of radio; and an understanding of radio as a social force.

The resident instructional staff is to be augmented by visiting specialists including:

William N. Connolly, advertising manager, S. C. Johnson & Co., sponsors of "Fibber McGee and Molly"; Albert Crews, production director, NBC, Chicago; William B. Lewis, radio director, Kenyon & Eckhardt Agency, New York City; Russ. G. Winnie, assistant manager, WTMJ, Milwaukee; Morton Wishengrad, staff writer, NBC, New York City.

The Better Listening Institute is scheduled for July 23-28. During this time there will be presented a series of short courses, lectures, discussions and demonstrations for persons interested in more effective use of radio as an instrument of public service.

The FM Radio Education Institute is a two weeks affair, July 29-August 11.

This Institute is designed to bring together persons concerned with the development of FM educational broadcasting.

Additional information may be obtained from H. B. McCarty, director, Division of Radio Education, station WHA, Madison 6, Wisconsin.

KTUC CHECKS 20,100 SETS OF AUTO BRAKES

KTUC, Tucson, set up a brake testing station in that city on April 30, to offer quick service to those having their brakes tested in compliance with the National Brake-Check program.

A letter from Manager Lee Little of KTUC states that as of May 8, 20,100 automobiles had been checked at the station.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, May 14. They are subject to change.

Wednesday, May 16

Consolidated Hearing

KFNF—KFNF, Incorporated, Shenandoah, Iowa—Renewal of license; **920 kc.**, 500 watts night, 1 KW day. Shares with KUSD $\frac{7}{8}$ time.

KFNF—Henry Field, transferor, Midwest Broadcasting Company, transferee, Shenandoah, Iowa—Transfer of control of licensee corporation. KFNF, Inc.; **920 kc.**, 500 watts night, 1 KW day. Shares with KUSD $\frac{7}{8}$ time.

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary); **1000 kc.**, 5 KW (main), 1 KW (auxiliary), unlimited.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary); **950 kc.**, 5 KW main, DA-night, 1 KW auxiliary, unlimited.

Friday, May 18

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license; **590 kc.**, 5 KW, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license; **1510 kc.**, 10 KW, unlimited, DA-night.

Federal Communications Commission Action

APPLICATIONS GRANTED

WFIN—Findlay Radio Co. (Assignor), Fred R. Hover, tr/as Findlay Radio Co. (Assignee), Findlay, Ohio.—Granted consent to voluntary assignment of license of station WFIN, to Fred R. Hover, tr/as Findlay Radio Company, who owns 96.7 percent of its outstanding capital stock. (B2-AL-488).

WGBB—Harry H. Carman, Freeport, N. Y.—Granted modification of license to change hours of operation from S-WFAS to unlimited time.

WBHD—Southside Virginia Broadcasting Co., Petersburg, Va.—Granted request to change call letter assignment of station WBHD to WSSV.

WTMV—Mississippi Valley Broadcasting Co., Inc. (Assignor), Myles H. Johns, et al., d/b as Mississippi Valley Broadcasting Co. (Assignee), E. St. Louis, Ill.—Granted consent to voluntary assignment of license of station WTMV from Mississippi Valley Broadcasting Co., Inc., to Myles H. Johns.
(Continued on next page)

Penrose H. Johns, William F. Johns and William F. Johns, Jr., a partnership, d/b as Mississippi Valley Broadcasting Co., a newly formed partnership, for a consideration of \$105,000. (B4-AL-482)

WHNC—Henderson Radio Corp., Henderson, N. C.—Granted modification of construction permit which authorized a new standard broadcast station, for changes in antenna and extension of commencement and completion dates to 60 days after grant and 180 days thereafter. The authority herein is granted subject to approval by the Chief Engineer of the tubes in the last radio stage.

KCRA—Ewing C. Kelly, David R. McKinley and Vernon Hansen, d/b as Central Valleys Broadcasting Co., Sacramento, Calif.—Granted license to cover construction permit, authorizing a new station to operate on 1340 kc., 250 watts, unlimited time. Also granted authority to determine operating power by direct measurement of antenna power. The licensee hereunder is granted a waiver of Sec. 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; and (b) That an approved modulation monitor will be installed as soon as such equipment becomes available.

LICENSE RENEWALS

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, Owner), Rochester, N. Y.—Granted application for extension of completion date of construction permit as modified, from May 5 to May 19, 1945.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted renewal of license for the period ending August 1, 1946.

WAYX—Jack Williams, Waycross, Ga.—Granted renewal of license for the period ending February 1, 1946.

WFIN—Findlay Radio Co., Findlay, Ohio.—Granted renewal of license for the period ending Nov. 1, 1945.

The following stations were granted renewal of licenses for the period ending May 1, 1948:

WBZ, Boston, Mass.; WGNV, Newburgh, N. Y.; WCAR, Pontiac, Mich.; WIBC & Aux., Indianapolis, Ind.; WCAU, Philadelphia; WTIC, Hartford, Conn.; WLAC, Nashville, Tenn.; WHO, Des Moines, Iowa; WAPI, Birmingham, Ala.; WBZA, Boston, Mass.; KDKA, Pittsburgh, Pa. (Commissioner Durr voted for further inquiry before final action on the following stations: WBZ, WBZA, WCAU, WTIC, WLAC, WHO, KDKA, WAPI and KYW.)

The following stations were granted renewals for the period ending August 1, 1946:

KHBG, Okmulgee, Okla.; KWAT, Watertown, So. Dak.; KIUL, Garden City, Kans. (Commissioner Durr voting for further inquiry prior to final action on KYW.)

WBLJ—Dalton Broadcasting Corp., Dalton, Ga.—Granted renewal of license for the period ending February 1, 1946.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Granted renewal of license for the period ending November 1, 1947.

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Granted renewal of license for the period ending May 1, 1948. (Commissioner Durr voting for further inquiry prior to final action.)

KABF—McClatchy Broadcasting Co., Area of Sacramento, Cal.—Granted renewal of relay broadcast station license.

WAIE—Joe L. Smith, Jr., Area of Beckley, W. Va.—Granted renewal of relay broadcast station license.

MISCELLANEOUS

Hugh G. Shurtliff, Charles A. Shurtliff, Mareby Cardella (Della) Shurtliff, and Cleo Agnes Center, Santa Maria, Calif.—Adopted memorandum opinion granting construction permit for a new station to operate on 1450 kc., with power of 250 watts, unlimited time, subject to the condition that a construction permit will not be issued until applicants have satisfied the Commission with respect to the following within 90 days of conditional grant, in accordance with the procedural requirements announced in the public notice issued by the Commission on January 26, 1944: (1) By evidence in writing from the WPB that any authorization of that board necessary to carry the construction to completion has been obtained or that none is required; (2) that

the applicants are in a position to complete all construction necessary to the proposed operation within a reasonable period; and (3) acceptance of the grant upon these conditions has been submitted in writing within 20 days of the date of grant.

APPLICATIONS FILED AT FCC

1260 Kilocycles

WFBM—WFBM, Incorporated, Indianapolis, Ind.—License to cover construction permit (B4-P-3791) for changes in exciter unit of main transmitter.

WFBM—WFBM, Incorporated, Indianapolis, Ind.—License to cover construction permit (B4-P-3837) for a 1 KW auxiliary transmitter, using directional antenna night.

1230 Kilocycles

KVCV—Golden Empire Broadcasting Co., Redding, Calif.—Authority to determine operating power by direct measurement of antenna power.

1380 Kilocycles

KOTA—Black Hills Broadcast Co. of Rapid City, Rapid City, S. D.—Modification of construction permit (B4-P-3580, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use and move of transmitter) for extension of completion date from 6-4-45 to 9-4-45.

1340 Kilocycles

NEW—Richard W. Joy and Donald C. McBain, d/b as Palm Springs Broadcasting Co., Palm Springs, Calif.—Construction permit for a new standard broadcast station to be operated on 1340 kc., with power of 250 watts, and unlimited hours of operation.

1450 Kilocycles

NEW—The Observer Radio Co., Orangeburg, S. C.—Construction permit for a new standard broadcast station to be operated on 1450 kc., with power of 250 watts, and unlimited hours of operation.

FM APPLICATIONS

NEW—A. Frank Katzentine, Miami Beach, Fla.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47100 kc., with coverage of 1,519 square miles.

NEW—Dunkirk Printing Co., Dunkirk, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49900 kc., with coverage to be determined.

NEW—Recorder Publishing Corp., Greenfield, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48700 kc., with coverage of 3,825 square miles.

NEW—Southern California Associated Newspapers, Alhambra, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48700 kc., with coverage of 1,500 square miles.

NEW—Southern California Associated Newspapers, Glendale, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48300 kc., with coverage of 1,500 square miles.

NEW—San Pedro Printing and Publishing Co., San Pedro, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48500 kc., with coverage of 780 square miles.

MISCELLANEOUS APPLICATIONS

NEW—Sarkes Tarzian, Bloomington, Ind.—Construction permit for a new developmental broadcast station to be operated on 80000-100000 kc., with power of 500 watts, and special test emission.

(Continued on next page)

KSUI—The State University of Iowa, Iowa City, Iowa.—Modification of construction permit (B4-PED-28, as modified, which authorized a new non-commercial educational broadcast station) for extension of completion date from 7-16-45 to 1-16-46.

KAZA—WKY Radiophone Co., Oklahoma City, Okla.—Construction permit to change transmitter site from 8 miles W. on U. S. Highway 66, Oklahoma City, Okla., to Portable Area of Oklahoma City, Okla., and change antenna.

WNRE—National Broadcasting Co., Inc., Bound Brook, N. J.—License to cover construction permit (B1-PIB-45) as modified, which authorized a new international broadcast station.

Federal Trade Commission Docket

COMPLAINTS

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

Benson & Hedges, 435 Fifth Avenue, New York, is charged in a complaint with falsely representing that certain brands of cigarettes it sells are of English origin and manufacture. (5312)

Fada Radio & Electric Co., Inc., 30-20 Thomson Ave., Long Island City, N. Y., and its president, Jacob M. Marks, are charged in a complaint with misrepresentation in connection with the sale of radio sets. (5313)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Four manufacturers of fountain pens have been ordered to cease making unqualified representations that their pens are unconditionally guaranteed for the life of the user or for any other designated period, when a service charge is made for repairs or adjustments.

The respondent manufacturers named in the respective orders are W. A. Sheaffer Pen Co., Fort Madison, Iowa; The Parker Pen Co., Janesville, Wis.; Eversharp, Inc., Chicago, and L. E. Waterman Co., New York. (4337-4338-4590-4617)

Lemuel Firth, et al.—Nineteen owners and masters of fishing boats operating out of Gloucester, Mass., have been ordered to cease and desist from engaging in or continuing a restraint-of-trade agreement which the Commission found restricted the mackerel catch off Massachusetts and adjoining States and increased the price of mackerel to dealers and consumers.

The order is directed against the following respondents who operate practically all of the mackerel boats in the Atlantic fishing grounds in question and sell their catch to dealers in New Bedford, Gloucester and Boston, Massachusetts:

Lemuel Firth, Cyril Dyett, Jack Barrett, Frank Foote, Cy Tsyfer, Benedetto Randazza, Phillip Curcuru, Thomas Scola, Joseph Sinagra, Peter Scola, Joseph Parisi, Frank Mineo, Isodoro Tarantino, Peter Mercurio, Paul Scole, Gerome Frontiero, Philip Nicastro, Leo Favaloro, and Alphonse Mineo. (5065)

Freeman & Freeman—An order prohibiting misrepresentations concerning an automobile polish designated "Porcelainize" has been issued against Edwin M. Freeman, William A. Freeman, and Michael J. Freeman, trading as Freeman & Freeman, 696 South Broadway, Denver. (4735)

Illinois Herb Co., 542 South Dearborn Street, Chicago, has been ordered to cease disseminating false advertisements concerning 39 medicinal preparations and a hair tonic they sell in interstate commerce. (4460)

Jung Arch Brace Co., 312 East Court St., Cincinnati, engaged in the sale of various medicinal preparations and devices designed for the relief of foot or leg ailments, has been ordered to cease and desist from disseminating false advertisements concerning its products. (4767)

Scotch Woolen Mills, Chicago, has been ordered to discontinue misrepresenting its business status and the source of the fabrics from which it tailors garments for men and women. (940)

Sun Radio Service and Supply Corp., 938 F St., N. W., Washington, D. C., has agreed to stop representing that any radio set contains a designated number of tubes when one or more of the tubes referred to do not perform the recognized and customary functions in the detection, amplification and reception of radio signals. (03278)

STIPULATIONS

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

American Fluresit Co., Inc., 635 Rockdale Ave., Cincinnati, stipulated that it will discontinue misrepresenting the waterproofing properties of a cement product which it sells under the name of Fluresit Quick-Set Waterproofing. (03281)

Belle Neckwear Company, 1239 Broadway, New York, manufacturers of neckwear, stipulated that they will cease and desist from misrepresentation in connection with the sale of their "Royal Scot" brand of neckties advertised as having been "Woven in England." (4046)

Metalcrete Corporation, 2400 Mulberry Ave., Cleveland, Ohio, selling and distributing products for use as additives to or applications on concrete and masonry construction designated "Metalcrete Metallic Waterproofing," "Metalcrete Metallic Hardener," "Liquid Metalcrete" and "Integral Liquid Metalcrete," and a roofing compound designated "Graphilatum Liquid Roof Cement," has entered into a stipulation in which it agrees to desist from certain representations concerning its products. (4051)

Melville Co., Cincinnati, stipulated that in connection with the advertising and sale of wearing apparel they will discontinue the use of the word "free," or any term of similar meaning, to designate, describe or refer to wearing apparel or other items of merchandise which are not furnished gratuitously and unconditionally, or which are furnished as compensation for services rendered or for which the payment of money is required. (03280)

New York Art Service, 200 West 72nd St., New York, stipulated in connection with the sale of photographic enlargements. (03279)

Pacific Fine Arts, 1231 South Main St., Los Angeles, selling and distributing stationery designed for use by members of the military services, has stipulated that they will discontinue representing in any manner, contrary to the fact, that a correspondence pack, advertised by them as having engraved insignia and being of a good quality, with service insignia embossed in gold, contains 24 letterheads or any designated number of letterheads in excess of its actual content; using the word "engraved" or the word "embossed" as descriptive of printed lettering which is neither engraved
(Continued on next page)

nor embossed; and using the word "engraved" or any word of similar connotation as descriptive of insignia appearing on stationery which is not, in fact, engraved. (4052)

Perel & Lowenstein—A stipulation entered into by Joseph Perel and William P. Lowenstein, trading as Perel & Lowenstein, 144 South Main Street, Memphis, Tenn., has been amended with respect to the respondents' use of the word "gold" and similar terms in describing watch cases, rings or other jewelry. (3755)

Polan, Katz & Co., et al.—Stipulations to cease and desist from the use of unfair and deceptive practices in connection with the sale of umbrellas have been entered into by four firms.

Jesse N. Polan, Charles Katz and William L. Fox, trading as Polan, Katz & Company, Baltimore, manufacturers of umbrellas, stipulated that they will discontinue selling umbrellas, the coverings of which are made of or contain rayon, without disclosing such fact clearly and unequivocally in invoices, labeling and advertising matter. (4044)

The same agreement was entered into by the other firms, Louis H. Cohen and Jacob Cohen, trading as Louis H. Cohen Co., and George Umbrella Company, Inc., 35 West 35th St., New York

(4048); Mortimer Altshuler, trading as Sol Altshuler, 15 West 36th St., New York (4049); and Max Dorf, Samuel Finkelstein, Nathan Biderman and Fred Bohrman, trading as Liberty Umbrella Co., 36 West 32d St., New York. (4050)

FTC CASES CLOSED

The Federal Trade Commission has closed without prejudice the case growing out of the complaint issued against Stanley Sikoparija and Sophia Strboya Sikoparija, trading as Stanley's Drug Store, Orange, Texas. The respondents had been charged with disseminating false advertisements concerning certain medicinal preparations.

The Commission has also dismissed its complaint against Logan's, Inc., which had been charged with violation of the Wool Products Labeling Act in connection with the sale of women's ready-to-wear apparel. The complaint was dismissed because the corporation has been dissolved.

After the dissolution of Logan's, Inc., which had its principal place of business in Elmira, N. Y., the Commission issued a new complaint against the former owners and officers of the corporation and subsequently ordered them to cease and desist from violation of the Wool Act.



FCC DEFERS FM ALLOCATION DECISION

Allocation for Other Services Above 25 Mc. Is Announced

The Federal Communications Commission announced on May 17th its final frequency allocations to the non-governmental radio services in the portion of the spectrum between 25 and 30,000 megacycles with the exception of the 44 to 108 megacycle region of the spectrum, which is left unassigned at this time pending the outcome of measurements and tests of FM transmission during the coming summer.

This space will ultimately be allocated as follows: 36 megacycles to television, 18 megacycles to FM, 2 megacycles to facsimile, 4 megacycles to the amateurs and 4 megacycles to non-government fixed and mobile services. The precise allocation within this region to the above services remained undecided but the Commission indicated three possible alternative allocations for this region, which turn upon the exact location of FM. The three alternatives for FM are (1) 50-68 Mc., (2) 68-86 Mc., and (3) 84-102 Mc. The Commission also announced that with the cooperation of the radio industry it is immediately planning to proceed with tests during the summer which are designed to determine the best of the three alternatives. A joint committee, under the chairmanship of the Commission's Chief Engineer, and composed of engineers from the Commission and the radio industry, will conduct these tests.

The reason for not making a final decision at this time was that the Commission felt that further measurements were desirable before making a final allocation for FM. In this connection the Commission pointed out that its decision not to make a final allocation for FM at this time would not in any way hamper the future development of that service because the Commission has received advice from the War Production Board that the radio industry will not resume production of new AM, FM and television transmitters or receivers "in 1945 or even in the first part of 1946 unless Japan capitulates. This is not to say that a small quantity of receivers and possibly a few transmitters may not be made available. However, this will have little or no effect on the future expansion of AM, FM and television services."

These allocations will probably be ordered into effect service by service, with the Commission taking into account such factors as the availability of manpower and materials, the results of the Inter-American conference at Rio, and the preparation of the Commission's rules and standards. Of course, any allocations made by the Commission are subject to being changed to conform to the provisions of international agreements.

The allocation table which was released disclosed three principal changes from the proposed report which was issued last January and which was subsequently the subject of oral argument.

(1) The band in the 27 mc. region available for scientific, industrial and medical devices, including diathermy machines, was enlarged in accordance with the recommendation of the manufacturers of diathermy machines, from the 30 kilocycle channel width assigned in the proposed report to 270 kilocycles. The other allocations for the scientific, industrial and medical devices were left unchanged.

(2) Television has been assigned a thirteenth channel at 174 to 180 mc. In the proposed report this band had originally been assigned to air navigation aids. In addition, two of the three alternative allocations suggested for the region from 44 to 108 mc. would make possible the immediate use of all television channels. In the proposed report it was noted that the television channel from 72 to 78 mc. would not be usable until the aviation markers centered on 75 mc. were moved. Under alternatives 1 and 2 the band around 75 mc. has been assigned to services other than television and television has been given assignments which will not have to wait until other services move out. This would make available 13 channels below 300 mc., all of which could be assigned to television immediately. Of course, there is also available to television a very substantial amount of space above 400 mc. which will permit the development of color television and superior black and white television through the use of wider channels.

(3) In the proposed report 6 mc. were left unassigned with the statement that they would ultimately be assigned to television, FM, facsimile or the safety services, upon a showing of need.

The allocation table released May 17 makes the unassigned space available as follows: 2 mc. are added contiguous to the FM band of 18 mc. width wherever that band is finally placed. Initially these 2 mc. will be available for stations rendering a facsimile service exclusively, but manufacturers of FM receivers should include these 2 mc. in new FM receivers as eventually it is contemplated that facsimile may move above 400 mc., thus making these 2 mc. available for FM. In the proposed report no separate assignment was made for facsimile below 400 mc., except in so far as it was stated that FM stations might be authorized to employ facsimile during hours when they were not rendering aural broadcast service—a provision which is retained in the final report.

Following the announcement of the proposed allocations on January 16, 1945, Panel 4 on Standard Broadcasting of the Radio Technical Planning Board appeared at the Oral Argument and requested further consideration of the proposed facilities for relay broadcasting.

(Continued on next page)



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone National 2080

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

The panel, through its spokesmen, George Milne of the Blue Network and Howard S. Frazier, chairman, pointed out that 26 channels to be shared with relay press and other services were considered inadequate, especially in view of the fact that both relay press and relay broadcasting services would probably require the channels at the same time in covering events of national importance. The allocations as now released provide 36 relay broadcast channels instead of the originally proposed 26. In addition, these channels, in the lower band, are now shared only with the geophysical services. This sharing arrangement should not result in undue interference as the geophysical services in most cases do not operate in the areas where relay broadcasting would be utilized.

Twenty-four of the relay broadcast channels are provided between 25 and 30 megacycles and 12 channels are in the frequency band between 152 and 162 megacycles. However, the 12 channels in the higher frequency range will be shared with motion picture and forestry-conservation services in addition to geophysical services. Due to the propagation characteristics of the frequencies in the higher band, undue interference should not result from this sharing of channels.

The January 16 proposed allocation of the Commission provided for the experimental operation of ultra high frequency control links for AM satellite transmitters on an experimental basis on frequencies above 1900 megacycles. The Commission's allocation as announced makes no specific mention of these high frequency satellite control channels, but it is assumed the Commission will consider applications for this service on an experimental basis in order that standards may be developed for this service.

FARM BATTERY TROUBLES ARE OVER

In recent days battery manufacturers have sharply stepped up production of battery packs for battery operated farm radio sets, according to Arthur Stringer, NAB.

Increased shipments are already en route to distributors. The increase should mount quickly, he pointed out, because reconversion problems are not involved. As facilities become available, factories simply produce for the farm market instead of for the gentleman with top hat and striped pants.

SELECTIVE SERVICE PROCEDURE MODIFIED

Local draft boards have been informed by telegraph from National Selective Service Headquarters that effective May 15, 1945, it is no longer mandatory for draft boards to reopen the case of registrants upon receipt of a Form 42-A Special certified by the appropriate government agency. Draft boards are instructed to give weight to such certifications but the decision is now optional on the part of the local board as to whether or not the case

shall be reopened upon receipt of certification.

The new policy will be set forth in revised local board memorandums now in preparation. NAB will publish the revised regulations as a Selective Service Supplement when available.

ABOUT MANPOWER CHANGES

Although the European phase of the war is over, general relaxations of manpower controls are not in prospect until Japan is defeated, Paul V. McNutt, Chairman of the War Manpower Commission, announced May 11. However, he added, plans for progressive relaxation of manpower controls as rapidly as circumstances permit are being put into operation by the War Manpower Commission.

The Chairman's announcement followed unanimous approval by the WMC National Management-Labor Policy Committee of a transitional post-V-E-Day program, which will take into account day-to-day labor market conditions, and which will involve a change in the WMC system of area classification beginning July 1.

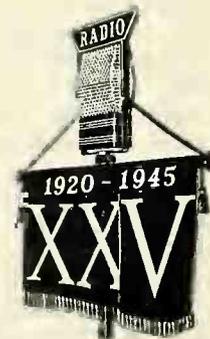
During the transition period between now and July 1, the policy of WMC will be as follows:

1. Manpower controls in Group III and IV areas *may* be lifted by area directors at any time during the transition period between now and July 1, after consultation with local management-labor committees.

2. Manpower programs that include employment stabilization programs, employment ceiling programs, priority referral for males, and the 48-hour week, will be maintained in Group I and II areas. In these areas, the area directors will keep a close check on changing labor market conditions and avoid allowing anything to interfere with the prompt reemployment of individuals being laid off from war production when other jobs are available. The area directors have been instructed to transmit immediately to headquarters any marked changes in manpower requirements in an area with recommendations for area reclassification.

3. If unemployment is appearing during the transition in Group I and II areas, area directors, pending the reclassification of areas, may make use of "blanket" or open referral cards, which permit workers to accept any job, and ceilings will be promptly adjusted or temporarily lifted. At the same time the United States Employment Service will actively solicit orders for jobs from all employers in order to alleviate any unemployment.

"After July 1 there will be some relaxation of manpower checks on new and expanded civilian production," Mr. McNutt said. It is suggested that you contact your local WMC area director for developments in your area.



KIWANIS CITATION REPRODUCED IN SPECIAL BULLETIN

The Citation which was presented to stations and national networks by Kiwanis clubs throughout the United States and Canada this week—"Kiwanis Radio Week"—

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has been reproduced as Special Twenty-fifth Anniversary Bulletin No. 10, accompanying this issue of NAB REPORTS.

Reports which continue to arrive at NAB Headquarters reflect the magnitude of this testimonial to broadcasting from one of the world's greatest public service organizations, Kiwanis International.

The National Broadcasting Company accepted its Citation in a thirty-minute program from New York City, Wednesday, May 16, 12:30-1:00 P. M., EWT, sharing honors with the broadcasting industry and Irving Berlin, who was selected by the New York Kiwanis Club as the outstanding citizen of the year. Berlin music was featured on the program, especially his tunes of the last war and this. Irving Berlin accepted in a network switch to Hollywood. Clarence Menser, NBC Vice-President in Charge of Programs, accepted for the network and on behalf of the radio industry as a whole, as covered in the Citation.

Kiwanis International is planning an elaborate report of the "Kiwanis Radio Week," extra copies having been promised NAB for distribution to the industry with an early issue of NAB REPORTS.

GLOBAL SHOW CHEERS FIGHTERS ON OKINAWA

A station on the Atlantic and one on the Pacific this week report appreciated reception of "Let's Go to Town" programs.

On April 30, a soldier on Okinawa reported the Charleston, S. C. program, prepared by WTMA and WCSC, John M. Rivers, licensee of the latter station, Task Force Commander.

The Pacific coast station whose voice was heard 'round the world was KFXM, San Bernardino, Calif.

So inspired was the Charleston Private over his hometown show that he wrote a two-page typewritten letter to "Mother and Dad" telling about it.

He was bedded down for the night on rock gravel when he heard a chorus of voices calling his name. There was a group around a radio silently but wildly beckoning him to hear something on the set . . . he lunged into the circle, clamped on the proffered earphones and "you could have knocked me over with one of mother's Sally Lunn's.

"Gee, the thrill that ran over me when a good old Charleston accent floated out of the 'phones . . . the most beautiful part of the program came when they switched St. Michaels chimes on and I listened to them playing 'Auld Lang Syne' . . . so there I sat, shivering in a dark, windswept stream-bed, deep in the heart of these Okinawan mountains on the other side of the world, actually feeling, for a few wonderful moments that I was back in my beloved Carolina low country metropolis. It was short, only about thirty minutes, but believe me, WCSC is really on the ball. The President of the Charleston Ministerial Union spoke and said for us the Benediction. So I stumbled back to my tent and slept better than I have since we landed in the third wave on Easter."

San Bernardino Boy Hears Show in Foxhole

Howard Baichly, office manager, KFXM, who appeared on the San Bernardino program, has received a large number of letters and more telephone calls from sons, brothers and nephews of overseas soldiers and sailors who heard the program.

Cpl. A. C. Martinez heard the show "in a foxhole with my radio". He reminded Mr. Baichly that he used to be emcee for a kiddies program on Saturday night and that he was one of the kiddies.

Dick Crawford, a former employee of KFXM, wrote from England to congratulate Mr. Baichly on the bit he did for San Bernardino in the "Let's Go to Town" series.

"I thought you might be interested," he said, "to know that your voice travelled almost 'round the world. We

NAB BOARD MEETS

The Board of Directors met in Omaha on Wednesday and Thursday (16-17). All members were present except William B. Ryan, Arthur Westlund, Frank M. Russell and Don Elias, who were excused on account of illness or previous engagements.

A full agenda confronted the Board. Among other topics discussed were certain By-Law amendments. The Board at its session on Wednesday adopted the recommendation of its By-Law Amendment Committee, headed by Paul W. Morency, 1st District Director (WTIC), to submit to the membership for referendum vote in connection with the final ballot for Directors-at-large, two proposed amendments. The full text of these amendments will be mailed to the membership next Thursday, along with the final ballot in the director-at-large election. They will also be published in full in next week's issue of the REPORTS.

played it on the American Forces network here in England. We then played it on BBC's Allied Expeditionary Forces program, of which we supply fifty per cent of the shows, and this went to France and to Germany. Lastly, we short-waved it to the China, Burma, India theatre."

Soldier Crawford has been three years with the Second Armored Division, a year of which was spent in Africa. He returned to radio in the Army about 15 months ago. "Little did I think when I was getting my start at KFXM I would ever end up behind a BBC mike," he concluded.

Charles C. Craig was Task Force Commander of the KFXM show.

INDUSTRY AND GOVERNMENT TO REVIEW RIO AGENDA

The telecommunications Division of the State Department has called a conference of industry and government for 9:30 a.m., Wednesday, May 23, in room 474, State Department.

At this meeting it is planned to review the specific items appearing in the agenda for the Third Inter-American Radio Conference in Rio de Janeiro, September 3.

The agenda proposes a considerable number of specific subjects besides opening up the possibility of revision of any of the parts of the Habana Convention or its accompanying Agreement or Santiago revision.

OKAY ON "MAN IN STREET"

In response to many queries from stations on the question of whether "man in street" programs are now permitted under revised censorship code, a conference with officials of the Office of Censorship has elicited information to the effect that they are no longer interested in imposing restrictions on programs. The statement *eliminate in entirety* (NAB REPORTS, Vol. 13, p. 186) is to be inter-

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preted literally in its relation to the section previously applying to programs. Simply eliminate section II from the code. "Man in Street" broadcasts are permitted.

Censorship further advises that new code will soon be distributed.

WOUNDED WANT COMMERCIALS

(From *Printers' Ink*, April 27, 1945)

"Radio commercials, newspaper and magazine advertisements and other forms of promotion are part of the familiar scene that G.I.'s miss and want. Because of that hunger for advertising, Red Cross worker Eleanor Merriam on the U. S. Army Hospital Ship *Blanche F. Sigman* worked out a 'commercially sponsored' broadcast for the ship's laundry and the usual Saturday broadcast carried the commercial of Spencer Gemski, Inc., named after two men in charge of the laundry. Wounded G.I.'s, according to reports, welcomed the commercial because it seemed a forerunner of the familiar broadcasts they would soon be enjoying."

AVERY TO ADDRESS CITY COLLEGE OF N. Y. CONFERENCE

Lewis H. Avery, NAB director of broadcast advertising, will address the Radio and Business Conference of the City College of New York School of Business and Civic Administration, May 22-23.

Title of the conference is "Advancing Business Through Radio." Avery will be joined by leading broadcasters, retailers, agency men, researchers and economists in the two-day session.

Conference attendance is limited to persons in the Metropolitan area and those who may have other business in New York on May 22 or 23.

OHIO STATE MAKES EDUCATIONAL PROGRAM AWARDS

COLUMBUS, O., MAY 15.—Awards in the ninth American Exhibition of Educational Radio Programs, sponsored by Ohio State University's Institute for Education by Radio, were announced here today by Dr. I. Keith Tyler, director of the institute.

The judges were Judith Waller, Central Division, National Broadcasting Company, Chicago; Edwin F. Helman, Station WBOE, Cleveland Board of Education; and Mark L. Haas, Station WJR, Detroit.

This trio studied 115 recordings, which had been chosen as the best of several hundred examined by an earlier screening committee.

In announcing their awards, the judges said:

"We feel that the time has come, after all these years, to judge school broadcasts by the standards of good radio production. Schools, universities, educational organizations, and local stations have less money to spend than networks or clear-channel stations; but simplicity, originality, good judgment, and discriminating standards can be as effective as a large budget."

The list of awards for entries by regional networks, regional or clear-channel stations, or national or regional organizations is as follows:

Religious Broadcasts. First Award: "Salute to Valor," planned and produced by National Council of Catholic Men; broadcast over WEAFF, New York and NBC.

Honorable Mentions (two): "Pulpit in a Foxhole," planned, produced and broadcast by WNEW, New York. "Victorious Living," planned and produced by International Council of Religious Education, broadcast over local and regional stations.

Agricultural Broadcasts. No First Award.

Honorable Mentions (two): "Ohio Farm and Home

Hour," planned and produced by Ohio State University Agricultural Extension Service, broadcast over WOSU, Columbus. "Farming with Kenneth Yeend," planned, produced and broadcast by KIRO, Seattle.

Women's Programs. First Awards (two): "Consumer Time," planned and produced by the War Food Administration, Washington, broadcast over WRC, Washington, and NBC. "Martha Deane Program," planned, produced and broadcast by WOR, New York.

Cultural Programs. First Awards (three): "Stage 45," broadcast over CBL, Toronto, and CBC. "Mulrooney's New Year's Party," broadcast over CBL, Toronto, and CBC. "Montreal Drama," broadcast over CBM, Montreal, and CBC.

Honorable Mention: "Words at War," planned by Council on Books in Wartime, broadcast over WEAFF, New York, and NBC.

Public Discussion Programs. First Awards (two): "America's Town Meeting of the Air," planned and produced by Town Hall, Inc., broadcast over WJZ, New York, and the Blue Network. "University of Chicago Round Table," planned and produced by the University of Chicago, broadcast over WMAQ, Chicago, and NBC.

Honorable Mention: "St. Louis Speaks," planned, produced, and broadcast by KMOX, St. Louis.

Personal and Family Life Programs. First Award: "Our Children," planned and produced by WHA, University of Wisconsin; broadcast over WHA, Madison, and WLBL, Stevens Point.

Honorable Mention: "The Baxters," planned by National Congress of Parents and Teachers, broadcast over WMAQ, Chicago, and NBC.

Special Mention: "Alcoholics Anonymous," planned, produced and broadcast by WMJ, Detroit.

News Interpretation Programs. First Award: H. V. Kaltenborn, presented by Pure Oil Company over WEAFF and NBC.

Programs in Furtherance of the War or the Peace. First Awards (three): "America Unlimited," planned, produced and broadcast by WGN, Chicago. "The March of Minnesota," planned and produced by Minnesota Resources Committee, broadcast over WCCO, Minneapolis, and Minnesota network. "Russian War Relief Presents," planned and produced by Russian War Relief, Inc., for broadcast over local stations.

Honorable Mention: "Voice of the Army," planned and produced by Recruiting Publicity Bureau, U. S. Army, Governor's Island, for broadcast over local stations.

Children's Programs for Listening Out of School. First Award: "Books Bring Adventure," planned and produced by Association of Junior Leagues of America for broadcast over local stations.

Honorable Mention: "Story-Book Time," planned, produced and broadcast by WLB, University of Minnesota, Minneapolis.

Programs for Use in School by Primary Children. First Award: "Your Story Parade: Texas School of the Air," planned and produced by Texas State Department of Education, broadcast over WBAP, Fort Worth, and Texas Quality Network.

Honorable Mention: "Old Tales and New," planned, produced and broadcast by WLB, University of Minnesota, Minneapolis.

Programs for Use in School by Elementary Children. First Award: "Standard School Broadcast," planned and produced by Standard Oil Company of California, broadcast over KPO, San Francisco, and NBC Pacific Coast network.

Honorable Mention (two): "Exploring the News: Wisconsin School of the Air," planned and produced by WHA, University of Wisconsin; broadcast over WHA, Madison, and WLBL, Stevens Point. "Once Upon a Time in Ohio: Ohio School of the Air," planned and produced by Ohio

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School of the Air, broadcast over WOSU, Ohio State University, Columbus.

Programs for Use in School by Junior and Senior High Pupils. First Award: "Conserving Canada," produced by Canadian Broadcasting Corporation, broadcast over CBL, Toronto, and CBC network.

Awards for entries by a LOCAL STATION OR ORGANIZATION are:

Cultural Programs. First Award: "WNYC American Music Festival—1945," planned, produced and broadcast by WNYC, New York.

Special Mention: "New World A-Coming," planned, produced and broadcast by WMAC, New York, in cooperation with City-Wide Citizens Committee on Harlem.

Public Discussion Programs. First Award: "Free Speech Forum," planned, produced and broadcast by WMCA, New York, in cooperation with the New York Newspaper Guild.

Personal and Family Life Programs. No First Award. Honorable Mention: "Let's Talk about Children," planned, produced and broadcast by WEEI, Boston.

News Interpretation Programs. First Award: "History in the Making," planned and produced by the University of Colorado and the Rocky Mountain Radio Council, broadcast over KVOD, Denver.

Honorable Mention: "News Parade," planned, produced and broadcast by WNEW, New York.

Children's Programs for Listening Out of School. First Award: "Story Time," planned and produced by Colorado State College of Education and Rocky Mountain Radio Council, broadcast over KLZ, Denver.

Programs for Use in School by Elementary Children. No First Award.

Honorable Mention: "News Today—History Tomorrow," planned and produced by Rochester public schools, visual education department, broadcast over WHAM, Rochester.

Programs for Use in School by Junior and Senior High Pupils. First Award: "Our America," planned and produced by Radio Council of the Chicago public schools, broadcast over WBEZ, Chicago.

Honorable Mention: "Behind Today's News," planned, produced and broadcast by WIP, Philadelphia.

"MANAGEMENT IN THE PUBLIC INTEREST" MAILED THIS WEEK

The NAB Public Relations book, "Management in the Public Interest," is going in the mails this week to all NAB members.

Within a few days, approximately 5,000 of the books will be shipped out to fill station orders for extra copies which are headed for public distribution.

Of the first printing, a limited quantity remains subject to order at \$1.25 per copy. Only orders from members of the National Association of Broadcasters may be accepted.

948 STANDARD BROADCAST STATIONS

During the month of April 1945, the FCC licensed one station to operate and issued three new construction permits. A comparative table of the number of standard broadcast stations by months, follows:

| | 1944 | | | | | | | | | | | | 1945 | | | |
|-------------------|-------|--------|--------|--------|---------|--------|--------|--------|--------|--------|--------|--------|-------|--|--|--|
| | May 1 | June 1 | July 1 | Aug. 1 | Sept. 1 | Oct. 1 | Nov. 1 | Dec. 1 | Jan. 1 | Feb. 1 | Mar. 1 | Apr. 1 | May 1 | | | |
| Operating | 909 | 910 | 912 | 913 | 912 | 914 | 916 | 919 | 919 | 921 | 923 | 924 | 925 | | | |
| Construction | 11 | 13 | 12 | 13 | 16 | 15 | 15 | 18 | 24 | 24 | 22 | 21 | 23 | | | |
| | 920 | 923 | 924 | 926 | 928 | 929 | 931 | 937 | 943 | 945 | 945 | 945 | 948 | | | |

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, May 21. They are subject to change.

Monday, May 21

Oral Argument Before the Commission En Banc
In the Matter of Promulgation of Rules and Regulations concerning the Filing of Financial, Ownership and Other Reports of Broadcast Licensees.

Monday, May 21

WMC—Memphis Publishing Company, Memphis, Tenn.—Renewal of license; 790 kc., 5 KW (main), 500 watts (auxiliary), unlimited (main) (DA-night), auxiliary purposes only (auxiliary).

Wednesday, May 23

Further Hearing

KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Renewal of license; 1020 kc., 1 KW, limited.

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Renewal of license; 1110 kc., 10 KW, unlimited, DA-night and day.

Wednesday, May 23

Oral Argument Before the Commission

REPORT NO. B-209:

WOV—Arde Bulova and Harry D. Henshel, Transferors, Murray Mester and Meyer Mester, Transferees, New York, N. Y.—Transfer of control of WOV; 1280 kc., 5 KW (main), 1 KW (auxiliary), shares WHBI (WHBI 1/7; WOV 6/7 D.A.)

Federal Communications Commission Action

APPLICATIONS GRANTED

WJMC—Walter C. Bridges (assignor), WJMC, Inc. (assignee), Rice Lake, Wisc.—Granted consent to voluntary assignment of license of station WJMC from Walter C. Bridges to WJMC, Inc., a newly formed corporation, for a consideration of \$20,000 for 200 shares of common capital stock. (B4-AL-483)

KEUB—Eastern Utah Broadcasting Co., Price, Utah—Granted authority to change call letters of station from KEUB to KOAL.

Midwestern Broadcasting Co., Cadillac, Mich.—Granted request to assign call letters WATT to new station authorized April 17, 1945.

The Journal Company (The Milwaukee Journal), Milwaukee, Wisc.—Granted construction permit for a new developmental broadcast station to be located at the transmitter site of applicant's FM station WMFM, Richfield, Wisc. Frequencies and power to be assigned by the Chief Engineer. Emission: AO and special for FM. (P4-PES-70)

Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Granted request to change call letters of new high frequency broadcast station from WLBG to WIBG-FM.

WJXN—Ewing Broadcasting Co., Jackson, Miss.—Granted license to cover construction permit authorizing a new station

(Continued on next page)

to operate on 1490 kc., 250 watts, unlimited time. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's rules and regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. (B3-L-1877) Also granted authority to determine operating power by direct measurement. (B3-Z-1632)

WJAX—City of Jacksonville, Jacksonville, Fla.—Granted license to cover construction permit which authorized installation of an auxiliary transmitter. (B3-L-1878)

WPAG—Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—Granted license to cover construction permit which authorized a new station to operate on 1050 kc., 250 watts, daytime. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's rules and regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. Also granted authority to determine operating power by direct measurement. (B2-L-1881; B2-Z-1686)

WKWK—Community Broadcasting, Inc., Wheeling, W. Va.—Granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1685)

WGBS—The Fort Industry Co., Miami, Fla.—Granted authority to determine operating power by direct measurement of antenna power. (B3-Z-1644)

KXO—Valradio, Inc., El Centro, Calif.—Granted authority to determine operating power by direct measurement of antenna power. (The license is granted subject to the condition that, at the expiration of the present national emergency, the licensee shall file an application for construction permit for authority to install a new antenna and ground system which will meet the minimum requirements of the Commission's Rules and Standards. (B5-Z-1681)

W4XAP—Voice of Alabama, Inc., Birmingham, Ala.—Granted license to cover construction permit for new developmental broadcast station; frequencies that may be assigned by the Commission's Chief Engineer; 250 watts power. The license is granted upon an experimental basis only and upon the express condition that it is subject to change or cancellation by the Commission at any time without advance notice or hearing if in its discretion the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the operation of this station on the frequency authorized is or will be in the public interest beyond the express terms hereof. (B3-LEX-20)

DOCKET CASE

The Commission announces adoption of a Decision and Order (Docket No. 6746), granting the application of The Brockway Company for a construction permit for a new station at Massena, New York, to operate on frequency 1340 kilocycles, 250 watts, unlimited time, subject to the condition that a construction permit will not be issued until The Brockway Company has satisfied the Commission with respect to the following within 90 days of conditional grant, in accordance with the procedural requirements announced in the public notice issued by the Commission on January 26, 1944:

(1) By evidence in writing from the WPB that any authorization of that board necessary to carry the construction to completion has been obtained or that none is required;

(2) That The Brockway Company is in a position to complete all construction necessary to the proposed operation within a reasonable period; and

(3) Acceptance of the grant upon these conditions has been submitted in writing within twenty days of notice of grant.

LICENSE RENEWALS

WBAM—Bamberger Broadcasting Service, Inc., New York, N. Y.—Granted renewal of high frequency FM broadcast station for the period ending June 1, 1946, subject to changes

in frequency assignment which may result from proceedings in Docket No. 6651.

WABF—Metropolitan Television, Inc., New York, N. Y.—Granted renewal of high frequency FM broadcast station for the period ending June 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

WSBF—South Bend Tribune, South Bend, Ind.—Granted renewal of high frequency FM broadcast station for the period ending June 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y., T-New Scotland, N. Y.—Granted renewal of high frequency FM broadcast station for the period ending May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

W2XEO—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted renewal of ST broadcast station license for the period ending April 1, 1946.

The following stations were granted renewal of licenses for the period ending May 1, 1948:

WCAZ, Carthage, Ill.; KGDM, Stockton, Calif.; KSL, Salt Lake City; WQXR, main and auxiliary, New York City; KEX, Portland, Ore. (Comr. Durr voting for temporary license and further inquiry).

KSL—Radio Service Corp. of Utah, Salt Lake City, Utah—Granted extension of special service authorization to operate with two Federal Telegraph (F-124-A) tubes instead of two Western Electric (298-A) tubes in the last radio stage, for the period during which Order 107 is in effect, but in no event beyond May 1, 1948.

WCAX—WCAX Broadcasting Corp., Burlington, Vt.—Granted renewal of license for the period ending May 1, 1946 (Comr. Durr voting for temporary license and further inquiry).

WIBX—WIBX, Inc., Utica, New York—Granted renewal of license for the period ending February 1, 1946 (Comr. Durr voting for temporary license and further inquiry).

The following stations were granted renewal of licenses for the period ending August 1, 1946:

WMFG, Hibbing, Minn.; KGBS, Harlingen, Texas; WEBQ, Harrisburg, Ill.; WBBL, Richmond, Va.; KICD, Spencer, Iowa.

MISCELLANEOUS

WSTM—Charles P. Blackley, Staunton, Va.—Adopted memorandum opinion ordering issuance of construction permit pursuant to Commission's order of December 19, 1944, authorizing a conditional grant of application for a new station to operate on 1400 kc., 250 watts, unlimited time.

Herman Anderson, Tulare, Calif.—Adopted memorandum opinion ordering reinstatement of construction permit for a new station to operate on 1240 kc., 250 watts, unlimited time, conditionally granted on December 5, 1944, and set aside December 12, 1944.

WTAQ—WHBY, Inc., Green Bay, Wisc.; WHBY—WHBY, Inc., Appleton, Wisc.—Granted petition requesting finding that the operation of said stations is not in conflict with Sec. 3.35 (Multiple Ownership Rules of the Commission), and granted renewal of license for WHBY, Appleton, for the period ending February 1, 1946, and WTAQ, Green Bay, for the period ending November 1, 1945.

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.; KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Adopted orders ordering cancellation of the hearing on applications for renewal of licenses and removed applications from the hearing docket. These applications were designated for hearing on the issues relating to Sec. 3.35, the Multiple Ownership Rules, which have now become moot because transfer of control of station KPAS has been effected.

The Conn. Television Co., Booth Hill, Conn.—Retained in the pending file application for new television station.

State Teachers College at West Chester, Pa., West Chester, Pa.—Placed in the pending file application for new noncommercial educational broadcast station.

(Continued on next page)

The following applications for new FM broadcast stations were placed in the pending file in accordance with Commission policy of February 23, 1943:

Robert F. Wolfe Co., Fremont, Ohio; Hudson Broadcasting System, Inc., Mt. Vernon, N. Y.; Hagerstown Broadcasting Co., Hagerstown, Md.; The Haverhill Gazette Co., Haverhill, Mass.; Mark K. Wilson, Chatanooga, Tenn.; Augusta Broadcasting Co., Augusta, Ga.; Myles H. Johns, Milwaukee, Wis.

W2XCS—Columbia Broadcasting System, Inc., New York City.—Granted modification of construction permit authorizing a new experimental television broadcast station, for extension of completion date from 5-12-45 to 11-12-45. (B1-MPVB-128)

APPLICATIONS FILED AT FCC

970 Kilocycles

WFLA—The Tribune Company, Tampa, Fla.—Acquisition of control of licensee corporation by A. W. Curry and R. Keith Kane, Trustees under the will of John Stewart Bryan (deceased), D. Tennant Bryan, John Stewart Bryan, Jr. and Amanda Bryan Kane through purchase of 106 shares common stock by A. W. Curry and R. Keith Kane, Trustees under the will of John Stewart Bryan (deceased) from J. S. Mims, Truman Green, J. C. Council, H. L. Mims, Chas. Frank Hamilton and George P. Webb.

1120 Kilocycles

NEW—T. V. Tidmore, tr/as Pottsville Broadcasting Co., Pottsville, Pa.—Construction permit for a new standard broadcast station to be operated on 1120 kc., power of 250 watts and limited hours of operation.

1240 Kilocycles

WSSV—Southside Virginia Broadcasting Corp., Petersburg, Va.—License to cover construction permit (B2-P-3763 as modified) for a new standard broadcast station.

WSSV—Southside Virginia Broadcasting Corp., Petersburg, Va.—Authority to determine operating power by direct measurement of antenna power.

1340 Kilocycles

WNBH—E. Anthony & Sons, Inc., New Bedford, Mass.—Authority to determine operating power by direct measurement of antenna power.

1370 Kilocycles

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, owner, Rochester, N. Y.—License to cover construction permit (B1-P-2924 as modified) which authorized change in frequency, increase in power, installation of new transmitter, directional antenna for day and night use and move of transmitter.

WSAY—Brown Radio Service and Laboratory (Gordon B. Brown, owner), Rochester, N. Y.—Authority to determine operating power by direct measurement of antenna power.

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Modification of construction permit (B1-P-2924, as modified, which authorized change in frequency, increase in power, installation of directional antenna for day and night use and new transmitter, and move of transmitter) for extension of completion date from 5-5-45 to 5-19-45.

1450 Kilocycles

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Construction permit to make changes in transmitting equipment.

KFMB—Worcester Broadcasting Corp., San Diego, Calif.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

NEW—Durham Radio Corp., Durham, N. C.—Construction permit for a new high frequency (FM) broadcast station

facilities not specified. AMENDED: to specify frequency of 46900 kc., coverage of 14,200 square miles, transmitter site and antenna.

NEW—Oshkosh Broadcasting Co., Oshkosh, Wis.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44500 kc., with coverage of 3,810 square miles. AMENDED: to change name to Myles H. Johns, William F. Johns, Jr., William F. Johns and Frederick W. Renshaw, d/b as Oshkosh Broadcasting Company.

NEW—Joe L. Smith, Jr., Beckley, W. Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43900 kc., with coverage of 25,020 square miles.

NEW—Piedmont Broadcasting Corp., Danville, Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47900 kc., with coverage of 15,100 square miles.

NEW—Laurence W. Harry, Fostoria, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 49300 kc., coverage of 1,043 square miles.

TELEVISION APPLICATIONS

W3XPD—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-121 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPE—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-117 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPF—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-118 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPG—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB 119 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPH—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-120 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPI—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-122 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPK—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-123 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPL—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-143) for a new Experimental Television Relay Broadcast Station.

NEW—Oregonian Publishing Co., Portland, Oregon—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (78000-84000 kc.), ESR 677.

MISCELLANEOUS APPLICATIONS

NEW—The Pennsylvania State College, State College, Pa.—Construction permit for a new noncommercial educational broadcast station to be operated on 42100 kc., power of 10 KW and special emission for FM.

NEW—Georgia School of Technology, area of Atlanta, Ga.—Construction permit for a new relay broadcast station to be operated on 1646, 2090, 2190 and 2830 kc., power of 150 watts and A3 emission.

(Continued on next page)

Federal Trade Commission Docket

COMPLAINT

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

Nutri-Vac Co.—A complaint has been issued charging the Nutri-Vac Co., 7433 West Blanchard St., Milwaukee, with disseminating false advertisements concerning the therapeutic properties of a vitamin preparation designated Nutri-Vac. (5314)

STIPULATIONS

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

Case-Littell Co., 1017 East 40th St., Seattle, engaged in the sale of furniture, agrees that it will cease and desist from representing as the customary or regular prices or values of articles of furniture or other merchandise, amounts which are fictitious and in excess of those at which such articles are regularly and customarily offered for sale in the usual and normal course of business; or representing that a purchaser at the price offered him saves the difference between such sales price and the purported regular price. (4055)

Feed Supplies, Inc., and **Killer-Diller Corporation**, both of Milwaukee, engaged in the sale of a preparation designated **Kil-Balm**, stipulated that they will discontinue representing that the product will rid buildings or homes of rats or mice or cause such rodents to crawl outside to die. (03283)

Frankford Umbrella Manufacturing Co., Inc., 1201 Race St., Philadelphia, entered into a stipulation to discontinue offering for sale or selling umbrellas, the coverings of which are made of or contain rayon without clearly and unequivocally disclosing in invoices, labeling and advertising matter that the covering material is rayon. (4054)

Hope, Inc., 138 West 25th St., New York, engaged in the sale of **Hope Laxative**, has entered into a stipulation to cease and desist from representing that the preparation acts gently or does not cause griping, and from disseminating any advertisement which fails to reveal that the preparation should not be used in the presence of symptoms of appendicitis; provided, however, that such advertisement need only contain the statement: "CAUTION: Use only as directed," if the directions for use on the label or in the labeling contain a warning to the same effect. (03282)

David Korn & Co., Inc., 105 Madison Ave., New York, engaged in the sale of women's rayon slips and nightgowns, stipulated that it will cease and desist from representing that its garments are fagoted or sewn with nylon thread when such is not a fact, and from using the word "nylon" in any manner tending to convey the belief that the garments are made of nylon when actually they are composed of other material or fibers. (4053)

Keenan Laboratories, Frostproof, Florida, entered into a stipulation to cease and desist from making the representations in connection with the sale of a medicinal preparation designated "Key-Mins." (03285)

Richman Chemical Products Co., 2526 West Van Buren Street, Chicago, engaged in the sale of **Royal Block Welding Compound**, entered into a stipulation to discontinue representing by the use of the words "weld" or "welding" in connection with the trade name of the product, or otherwise, that it will effect a weld or fusion of metal parts. (03284)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Associated Merchandising Corp., 1440 Broadway, New York, and 21 member corporations which individually operate department stores in large cities throughout the country, have been ordered to discontinue knowingly inducing and receiving discriminatory prices on purchases of merchandise from manufacturers, producers and suppliers; in violation of Section 2(f) of the Robinson-Patman Act.

A.M.C. was created and is operated by the respondent members, the Commission finds, as an agency and means whereby they are enabled to act collectively to obtain special allowances and discounts on purchases of merchandise for their respective stores. In one year the combined sales of the stores approximated \$425,000,000, and, according to the Commission's findings, about 25% of all the merchandise handled by the stores is purchased by or with the aid of A.M.C. Respondent members of A.M.C. are:

Abraham & Straus, Inc., Brooklyn; **L. S. Ayres & Co.**, Indianapolis; **Bloomingdale Bros., Inc.**, New York; **The Herzfeld-Phillipson Co.**, Milwaukee; **Bullock's, Inc.**, Los Angeles; **Burdine's, Inc.**, Miami, Fla.; **The Dayton Co.**, Minneapolis; **The Emporium-Capwell Co.**, San Francisco and Oakland, Calif.; **Wm. Filene's Sons Co.**, Boston; **B. Forman Co.**, Rochester, N. Y.; **Joseph Horne Co.**, Pittsburgh; **J. L. Hudson Co.**, Detroit; **Hutzler Brothers Co.**, Baltimore; **The F. & R. Lazarus & Co.**, Columbus, Ohio; **The Rike Kumler Co.**, Dayton, Ohio; **The John Shillito Co.**, Cincinnati; **Stix, Baer & Fuller Co.**, St. Louis; **Strawbridge & Clothier**, Philadelphia; **The Wm. Taylor Son & Co.**, Cleveland; **Thalhimer Brothers, Inc.**, Richmond, Va.; and **R. H. White Co.**, Boston. (5027)

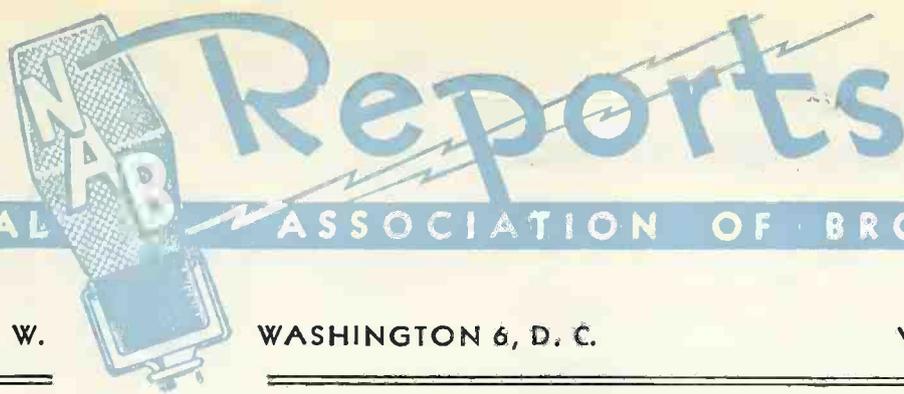
Giljan Medicine Company, Inc., Keith Building, Cincinnati, and its officers, **Henry S. Dunlap**, **George Remus** and **Blanche Watson**, have been ordered to cease and desist from disseminating false advertisements concerning a medicinal preparation they sell under the names "Giljan" and "Giljan Laxative Compound." The order is also directed against **The Key Advertising Company**, Cincinnati, which prepared and disseminated the objectionable advertisements. (5216)

Ocean Food Products Co.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of canned food products has been issued against **Charles P. Halfhill**, **Theodore A. Halfhill**, **Harry J. Halfhill** and **Harry J. Halfhill, Jr.**, trading as **The Halfhill Co.** and as **Ocean Food Products Co.**, 714 West Olympic Blvd., Los Angeles. (5267)

FTC DISMISSES COMPLAINT

The Federal Trade Commission has dismissed without prejudice its complaint charging **Institute of Mentalphysics**, 213 South Hobart Blvd., Los Angeles, and **Edwin J. Dingle**, president, with false and misleading representations in connection with the sale of correspondence courses of instruction in matters pertaining to health, success, and well-being.

It appears from the evidence that the representations challenged in the Commission's complaint relate to the teachings and doctrines of the **Church of the Holy Trinity**, located at Los Angeles, California. The respondents relied upon the defense that the subject matter falls within the principle announced by the Supreme Court in *U. S. v. Ballard*, 322 U. S. 882, and that, consequently, the representations are not within the Commission's jurisdiction.



Committee to Name NAB Operating Head

T. A. M. Craven, former FCC Commissioner and now an NAB Director-at-Large, heads a committee of six to secure an operating head for NAB.

The Board of Directors meeting in Omaha last week, Wednesday and Thursday (16-17), devoted a large part of the time to a consideration of the NAB presidency.

G. Richard Shafto reported that the Committee to Select a President had investigated over thirty persons whose names had been suggested. He stated that there were two who would make an acceptable permanent head of NAB but that neither would be available until after the war was finally concluded.

Acting upon the Shafto Committee suggestion, the Board moved to draft Paul W. Morency, WTIC, veteran 1st District Director, as interim president for a one-year term from July 1. A wire, signed by all Board members present, was sent to L. Edmund Zacher, president, Travelers Insurance Company, owner of WTIC. A one-year leave of absence was asked, but an unfavorable reply was received.

It was following this that the Board elected a six-man committee consisting of T. A. M. Craven, G. Richard Shafto, John J. Gillin, Jr., J. Leonard Reinsch, Dr. Frank Stanton and William B. Way. The committee later named Commander Craven as Chairman.

President J. H. Ryan, having reiterated his determination to relinquish the post on July 1, the committee is expected to meet at an early date to consider a temporary operating head.

While the presidential consideration took up a large portion of the two-day session, the Board dealt with a number of other matters.

Two proposed By-Law amendments were recommended to the membership for referendum vote. These follow:

PROPOSED AMENDMENT NUMBER 1

Article VII, Section 2, be amended by striking therefrom the following language: "operating power to govern these classifications;" that in lieu of the words stricken the following shall be inserted: "as used herein the term 'large station' shall be deemed to include all standard broadcast stations in Class 1-A and Class 1-B and in Class 2 above 5,000 watts power, and FM stations in Class C, and television stations. The term 'medium station' shall be deemed to include standard broadcast stations in Class 2 above 250 watts power and up to and including 5,000

(Continued on next page)



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAational 2080

J. H. Ryan, President

C. E. Arney, Jr., Secretary-Treasurer

Lewis H. Avery, Director of Broadcast Advertising; Robert T. Bartley, Director of Government Relations; Helen A. Cornelius, Asst. Director of Broadcast Advertising; John Morgan Davis, General Counsel; Willard D. Egolf, Director of Public Relations; Howard S. Frazier, Director of Engineering; Dorothy Lewis, Coordinator of Listener Activity; Paul F. Peter, Director of Research; Harlan Bruce Starkey, Chief, News Bureau; Arthur C. Stringer, Director of Promotion.

watts power, and all standard broadcast stations in Class 3-A and Class 3-B, and FM stations in Class B. The term 'small station' shall be deemed to include all standard broadcast stations in Class 2 of 250 watts power and all standard broadcast stations in Class 4, and FM stations in Class A."

PROPOSED AMENDMENT NUMBER 2

ARTICLE III

MEMBERSHIP

Section 1. No change.

Section 2. No change.

Section 3. ASSOCIATE MEMBERS. Any individual, firm, or corporation engaged in any business or profession directly connected with radio broadcasting but not such as to come within the requirements for Active membership, or any individual, firm, or corporation which has filed with the Federal Communications Commission an application for, or has been granted a construction permit, but does not come within the requirements for Active membership shall be eligible to become an Associate member in the Association.

Associate members shall not be entitled to any vote.

Section 4. VOTING. Each Active member in the Association whose dues are not more than one month in arrears shall appoint and designate in writing to the Secretary-Treasurer, upon call, the name of one person to be its representative in the Association and who shall represent, vote and act for the member in all of the affairs of the Association. The person thus designated must be an owner, a partner, an officer, or an executive whose time is devoted principally to the business of such active member. There shall be one vote for each Active membership. Provided that this provision shall not preclude the appointment to standing or special committees of other persons actively employed by any member station.

Section 5. DURATION OF MEMBERSHIP AND RESIGNATION. Membership in the Association shall continue and be in full force and effect until some person legally qualified to act for the member shall give proper notice in writing to the Secretary-Treasurer of the Association of the intention of the member to withdraw from membership, or as otherwise provided in these By-Laws. All rights of membership shall terminate upon the submission of a withdrawal notice.

No member whose dues are in arrears may be reinstated in membership unless all sums due and owing the Association are paid in full.

Violation of the By-Laws shall be considered sufficient cause for the suspension or termination of membership. Such suspension or termination of membership shall be by a two-thirds vote of the entire membership of the Board of Directors; provided, that a statement of charges shall

have been mailed by registered post to the person designated as the representative of the member at least 15 days before final action is taken thereon. This statement shall be accompanied by a notice of the time and place of the meeting of the Board of Directors at which the suspension or termination will be considered and a representative of the member shall have the opportunity to appear and present any defense before final action is taken.

Section 6. NON-PAYMENT OF DUES. Any member who for a period of four months has failed to pay the dues incident to his membership and for which proper billing has been made by the Secretary-Treasurer, shall automatically be dropped from membership.

For good and sufficient cause the Secretary-Treasurer may extend the period of delinquency but in no case shall such an extension total more than an additional four months.

ARTICLE IV

DISTRICTS

(Same as present Article III, Section 4.)

ARTICLE V

DUES

Section 1. (Same as present Section 1, Article IV.)

Section 2. CERTIFICATION. Annually, on the call of the Secretary-Treasurer of the Association, each Active member shall certify, in accordance with the provision of Section 1 of this Article, the class into which its volume falls; provided, that any active member who for any reason is unable to determine the net receipts from the sale of time received in the previous calendar year, shall continue to pay dues upon the basis of the previous classification until such time as his certification can conveniently be made, in which event any change in the amount of dues attaching to such active membership shall be retroactive to the beginning of the calendar year.

Section 3. For the purposes of determining dues, the stations shall be classified as to range of income as follows:

| Class | Range of Income |
|-------|-------------------------|
| A | \$ 0 - \$ 15,000 |
| B | 15,001 - 36,000 |
| C | 36,001 - 60,000 |
| D | 60,001 - 80,000 |
| E | 80,001 - 120,000 |
| F | 120,001 - 160,000 |
| G | 160,001 - 200,000 |
| H | 200,001 - 300,000 |
| I | 300,001 - 400,000 |
| J | 400,001 - 500,000 |
| K | 500,001 - 600,000 |
| L | 600,001 - 700,000 |
| M | 700,001 - 800,000 |
| N | 800,001 - 900,000 |
| O | 900,001 - 1,000,000 |
| P | 1,000,001 - 2,000,000 |
| Q | 2,000,001 - 4,000,000 |
| R | 4,000,001 - 6,000,000 |
| S | 6,000,001 - 8,000,000 |
| T | 8,000,001 - 10,000,000 |
| U | 10,000,001 - 12,000,000 |
| V | 12,000,001 - 16,000,000 |
| W | 16,000,001 - 20,000,000 |
| X | Over 20,000,000 |

The Board of Directors shall determine each year the monthly dues applicable to each of the above classifications, and the schedule of dues so adopted shall be mailed to each member station at least 30 days prior to the beginning of the fiscal year to which the schedule is applicable.

All dues shall be payable in advance annually, semi-annually, quarterly, or monthly.

Section 4. Effective January 1, 1942, Active members

(Continued on next page)

"TELLING THE WORLD" REPORT NO. 1

Local Originations in Support 7th War Loan During Warmup

Period May 1-12

(Excluding Network and National Spot)

| | | |
|-------------------------|-----------|--------|
| Treasury Salutes | 15 Min-ET | 4,594 |
| Music for Millions | 15 Min-ET | 1,123 |
| Sing for the 7th | 5 Min-ET | 216 |
| Treasury Song for Today | 5 Min-ET | 52 |
| Spots | Live & ET | 38,203 |
| Other Programs: | 2-Min | 350 |
| | 3-Min | 484 |
| | 5-Min | 1,895 |
| | 10-Min | 144 |
| | 15-Min | 2,606 |
| | 25-Min | 31 |
| | 30-Min | 62 |
| | 45-Min | 2 |
| | 1-Hr | 16 |
| | 1¼-Hrs | 2 |
| | 1½-Hrs | 2 |
| | 2-Hrs | 2 |
| | 2¾-Hrs | 2 |

Stations went all out for the 7th right on schedule—May 13. No. 2 reports, now on hand, for May 13-19 prove it. Watch for this tabulation next week.

Have You Sent NAB Your "Telling the World" Reports?

No. 3 is due May 28

No. 4 is due June 4

Please send No. 1 and 2 if you haven't done so

whose stations are located in the territories or insular possessions of the United States shall for the duration of the war pay dues upon the basis of 50 per cent of the dues provided in Section 1 of this Article.

Section 5. The Board of Directors shall determine the dues for various classes of Associate Membership.

DIRECTORS-AT-LARGE ELECTION

A. J. Eckhardt, resident partner of Ernst & Ernst, under whose direction the directors-at-large referendum is being conducted, has reported to the secretary-treasurer the outcome of the first or primary balloting. Over 500 votes were cast with the following result:

Two large station directors were elected. J. Leonard Reinsch, WSB, WHIO, WIOD, and J. Harold Ryan, WWVA, each received a majority of all votes cast and were declared elected.

One medium station director was elected. T. A. M. Craven, WOL, vice president of the Cowles Broadcasting Company, achieved election, having received a majority.

Nominated to contest in the final balloting of the remaining medium station director post are: G. Richard Shafto, WIS; C. T. Hagman, WTCN; and Clarence Leich, WGBF.

None of the nominees in the small station classification received a majority. The final election ballot will therefore contain the names of the four accorded the highest number of votes. These are: Matthew H. Bonebrake,

KOCY; Dietrich Dirks, KTRI; Clair R. McCollough, WGAL; and Marshall Pengra, KRNR.

The final ballots in this director-at-large referendum which will also involve two by-law amendment proposals, were mailed to the membership today (25) by Ernst & Ernst. All ballots are returnable by June 14.

NAB OPPOSES DISCLOSURE AT ORAL ARGUMENT

At the oral argument held before the Federal Communications Commission, Monday, May 21st, the National Association of Broadcasters submitted a Supplemental Brief in which recommendations for the clarification of the Commission's proposed rules 1.301-1.304 were made.

Among other things it was proposed that the date for filing Annual Reports to the FCC should be postponed until April 1st of each year, instead of March 1st as heretofore. Clarification of language in Section 1.302 was proposed which would call specifically only for contracts relating to ownership, management or control of the licensee and contracts relating to network service, transcription network service and sales of time for purpose of resale (amounting to two hours or more per day).

In connection with the ownership report, the Brief supported changes which would call for information on any corporation above the licensee which either controls or owns 20% or more of the stock of the licensee. In the case of second-removed companies it was proposed that only infor-

(Continued on next page)

mation regarding those companies which control the holding company or which own 25% or more of the holding company's stock be reported. This would meet the statutory requirements regarding alien ownership. It was proposed further that annual ownership reports be eliminated in view of the fact that interim reports are called for.

John Morgan Davis, General Counsel for the Association, made the oral argument before the Commission. He said that the Association would not oppose the making public of the ownership reports provided no competitive information was disclosed, such as the date of execution and expiration of contracts. He vigorously opposed, however, the making public of financial reports and of contracts which licensees have entered into. He pointed out that there was a clear distinction in the Communications Act between common carriers and broadcast stations and that for the Commission to make public the financial reports of broadcast stations would nullify the Congressional intent of retaining the privacy of Income Tax returns. He reviewed the unfortunate experience during two previous occasions when Income Tax returns were made public and stated that the Congress which repealed the provision of the tax laws which made public the Returns was the same Congress which passed the Communications Act of 1934.

Following closely the Brief which NAB filed previously (NAB REPORTS—May 11, 1945—page 188) he said that unless the Commission had some compelling reason why these matters should be made public it should refrain from doing so.

At the conclusion of Mr. Davis' presentation he pointed out that disclosing the information on file with the Commission to the public would add nothing to the Commission's knowledge. He said "consequently, it would seem that no useful purpose would be served except to cater to idle curiosity or to the malicious ideas perhaps of some person attempting to cash in on the information gathered from the Commission's files."

Commissioner Clifford J. Durr questioned Mr. Davis as follows:

Commissioner Durr: What use do you think the Commission should make of this information which it collects for its own purposes?

Mr. Davis: It should use it in its discharge of its duties in properly regulating the ether.

Commissioner Durr: I don't know what you mean. That is a broad general statement. You said that the public is interested only in the outcome and that they could rely on the Commission to represent them in seeing that a good public service was rendered.

Mr. Davis: That is right.

Commissioner Durr: For what purpose do you think the Commission should use this information which it has, if it is not made available to the public? I would like for you to be specific, if you can.

Mr. Davis: It is rather difficult for me to go behind the scenes of the Commission and attempt to show you in what manner it should be used. It is my belief that there are many problems which arise in the proper regulation of the broadcasting industry for which purposes the Commission can utilize this information, giving the Commission a broader knowledge of the entire operation of the industry, and in specific cases of the operation of the particular station which it happens to be interested in at that moment.

Commissioner Durr: Do you think it should be used merely for the purpose of determining whether a station is financially qualified?

Mr. Davis: I think that is the major purpose for which it should be used.

Commissioner Durr: Do you think that has any bearing on the quality of service which a station renders?

Mr. Davis: Well, it can have some bearing.

Commissioner Durr: You believe, I assume, in the maximum of regulation by the public and the minimum by the Commission?

Mr. Davis: In the sense of programming, very definitely.

Commissioner Durr: How is the public going to regulate unless it is fully informed?

Mr. Davis: It doesn't seem to me that the public could ever base any regulation of programming on knowledge of the financial condition of a particular station.

Commissioner Durr: Don't you think that the public should be in position to require more in the way of a better quality of program service from a station that has the resources to give better service than a station which doesn't have the resources?

Mr. Davis: It has been my experience that the public doesn't care, that when it wants certain things from a radio station it gets them. It makes its wants known very definitely and the station will do its best to comply with the wishes of the public.

Commissioner Durr: Do you think the public gets just what it wants from radio stations?

Mr. Davis: I have a very strong feeling on that point, sir. I have watched them in operation from the programming angle as well as from the legal side, and I think they are pretty well capable of taking care of themselves as far as programs are concerned.

But I think, from the angle of regulation, the Commission itself is entitled to this information and can do a better job because of it.

Commissioner Durr: Don't you think the public would be in better position to demand a better quality of program if they had information as to how much a station is spending in producing programs?

Mr. Davis: I don't believe so. My feeling is that the average person doesn't care what the radio station is spending. A station may spend very little and yet have very fine programs or programs that interest its listeners. Now, the actual expenditure of money on programming doesn't insure good programs—never has and never will, and I believe that the public, with its limited knowledge—

Commissioner Durr: (Interposing) The failure to spend money on programs is likely to produce a lower quality of programs than a program that does have money spent on it. Isn't that right?

Mr. Davis: Well, that is a matter we think we could probably get examples on both sides of the fence. I believe that some stations do a grand job of programming with the minimum of expenditure and other stations by spending any amount of money never get anywhere.

Commissioner Durr: Do you think the amount of money stations spend on programs has nothing to do with the quality of programs that come out?

Mr. Davis: Has very little to do with it.

Commissioner Durr indicated other uses to which he thought the financial information might be put in his questioning of Mr. Pierson. The following exchange took place:

Commissioner Durr: Do you think the competitive system requires that there be competition for frequency?

Mr. Pierson: That there be competition among broadcasters for frequencies?

Commissioner Durr: Yes.

Mr. Pierson: Only so far as there are enough frequencies to satisfy all of them.

Commissioner Durr: Don't you think competition for frequencies might be stimulated if the public knew what a broadcaster was earning on his frequency?

Mr. Pierson: Mr. Durr, I really don't believe you need to encourage people to file broadcast applications. I think you have far more than can be granted now.

and later questioned Mr. Pierson as follows:

Commissioner Durr: I understand you to say you thought that the Commission might permit the inspection of these records upon special application if the person making the inspection should show that he had a real legitimate interest in looking at the files.

Mr. Pierson: I think the only instances in which it should be would be where it was necessary for the proper dispatch of the Commission's business to make public certain information that bears upon a proceeding before the Commission.

(Continued on next page)

Commissioner Durr: You also said you didn't think the public would be inclined to look at these records in any event, because they are too complicated and voluminous.

Mr. Pierson: I mean the public that would be examining the information—

Commissioner Durr: Suppose someone should come to the Commission and say, "I represent a group in such and such a city, and there is only one radio station there and I have been trying to get time on the radio station for this organization of mine which have specific purposes to serve, and the radio station says they can't afford to do it because they are all sold out and not making any money, and I would like to check upon the records to see whether that is the situation, because if I find they can afford financially to make a little time available, I will put the heat on them?"

Mr. Pierson: I would require that person to file a written request.

Commissioner Durr: You think that type of application should be granted?

Mr. Pierson: I think if there was no ulterior motive behind it, perhaps. I think if it were going to be used in the specific instance you gave where there was only one station— There, we have a monopoly, anyway, and perhaps my argument wouldn't apply.

Commissioner Durr: Suppose there are two or three stations and they have the same experience with all of them, say none of the stations will give time on the air?

Mr. Pierson: I think, of necessity, the Commission would have to weigh of the good faith of the one making the request against the unfairness to the broadcaster revealing it, and the possibility that it might be used by the broadcaster's competitor to take advantage.

Commissioner Durr: You think if we are convinced of the good faith of the person requesting, we should grant that type of request?

Mr. Pierson: I think so. I think there will be so few that you won't have much trouble with it.

Several attorneys appeared for a number of other licensees and networks, all of whom supported, in general, the position of NAB.

It is anticipated that the Commission will issue its Order within the next few weeks.

NEW CENSORSHIP CODE

Accompanied by a statement by the NAB board of directors, notice of a relaxed code has been sent to all broadcasters from the Office of Censorship. Revision standardizes code for radio and all publications.

A reprint of the statement from NAB board, and the revised code, follows:

STATEMENT, NAB BOARD OF DIRECTORS

"We have beaten one enemy in a small area, we have to defeat as tough an enemy in an immense area. The war against Japan is a major war. American lives are yet at stake and American boys still fight for the United States of America.

"Some changes have been made in the code of wartime practices for American broadcasters because of the changed war situation. Some relaxations of other wartime controls result from what already has been accomplished. But this is no time to quit. We cannot forget our boys in the Pacific for whom the war is not over, for whom death is ever near and for whom home is far away.

"Great opportunity and great responsibility still face the American broadcasters—responsibility to protect the safety and speed the progress of our armed forces, opportunity to continue to do this through voluntary censorship.

"The American broadcasters thus far have made a success of voluntary censorship in this nation at war, a success that is a glowing part of the important and vital total contribution of American radio toward the national war effort and final victory.

"Continued cooperation in voluntary censorship and careful attention to security matters are necessary until the last shot is fired against the enemy—and there is no replying shot. We commend this necessity to the con-

science and the conscientiousness of every American broadcaster."

Code of Wartime Practices

(Edition of May 15, 1945)

All media of publication and radio are asked not to publish or broadcast information in the following classes *except when such information is made available for publication or broadcast by appropriate authority or is specifically cleared by the Office of Censorship:*

(As used throughout this Code the term "Pacific-Asiatic area" means the Far Eastern combat zone, including the southwestern Alaskan peninsula, and the land and water areas of the entire Pacific Ocean except the coastal waters of South America, and extending westward on land and sea to and including Aden, Capetown, and the east coast of Africa. See map on back cover.)

WAR PLANS

Secret war plans, or diplomatic negotiations or conversations which concern military operations.

ENEMY ATTACKS

Information about actual or impending enemy attacks on continental United States.

ARMED FORCES

Identity, movement, or prospective movement of Allied Army, Navy, or Marine Corps units which are in, have been alerted for, or are on their way to, the Pacific-Asiatic area from American territory anywhere; those moving or about to move directly from Europe to the Pacific-Asiatic area.

Exact composition, character and equipment of Allied troops which are in, or preparing for, service in the Pacific-Asiatic area.

Identification of members of the Allied Armed Forces with military or naval units or ships, when such units or ships are in, or en route to, or are returning from, the Pacific-Asiatic area.

Identification of combat casualties until made available by the War or Navy Department or next of kin.

SHIPS

Identity, location, character, description, movements, and prospective movements of naval vessels, transports, and convoys.

Identity, location, cargoes, and movements of merchant vessels.

Existence of mine fields or other harbor defenses, including secret guides to navigators.

Dates of launchings and commissionings of naval vessels.

Information about the sinking or damaging from war causes of war or merchant vessels.

PLANES

Disposition, composition, movements, missions, or strength of Allied military air units within or proceeding to or from the Pacific-Asiatic area; military activities of commercial air lines in the Pacific-Asiatic area.

Information concerning new and current military aircraft and related items of equipment.

FORTIFICATIONS AND INSTALLATIONS

Location and description of fortifications, coast defense emplacements, anti-aircraft guns and other air defense installations, including defense installation details of public airports used for military purposes; location or description of camouflaged objects.

PRODUCTION

New or secret weapons, identity and location of plants making them; secret designs, formulas, processes or experiments connected with the war.

Rate of production of matériel used in or for specialized military operations.

Movement or transportation of war matériel.

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MILITARY INTELLIGENCE

Information concerning war intelligence or counter-intelligence, operations, methods or equipment of the United States, its allies, or the enemy.

Secret detection devices.

Secret United States or Allied means or systems of military communications.

WAR PRISONERS

Information as to arrival, movements, confinement or identity of military prisoners from the Pacific-Asiatic area.

TRAVEL

Advance information on routes, times, and methods of travel by the President.

Movements of ranking Army, Navy, and Marine officers to, from, or within the Pacific-Asiatic area.

PHOTOGRAPHS AND MAPS

Photographs or maps conveying any of the information specified in other sections of this Code; aerial photographs of harbors, war plants, military or vital defense installations.

Notes and Reminders

Combat Zone Interviews and Letters.—Interviews with service men or civilians involving combat zones (including accounts of escapes) should be submitted before publication or broadcast either to the Office of Censorship or the appropriate Army or Navy public relations officer.

Letters from combat areas are censored in the field only for home consumption, not for publication or broadcast. When such letters are published or broadcast, information in conflict with provisions of this Code should be eliminated. Special care should be used in handling escape accounts to eliminate all escape details and information which might lead to reprisals or endanger future escapes.

Accredited Military and Naval Correspondents.—No provisions in this Code modify obligations assumed by accredited correspondents who accompany Army or Navy forces or are given special accrediting by the War or Navy Department to visit restricted areas in the United States. The accrediting department concerned is the censorship agency for all resultant material.

War News Coming Into the United States.—Generally, war information originating outside United States territory may be published or broadcast if its origin is made plain (no material conflicting with the Code should be added in rewriting information received from abroad).

Information from the United Kingdom which has not been cleared by British Censorship should not be published or broadcast if it conflicts with this Code.

Material sent across the United States-Canadian border should contain nothing that conflicts with censorship restrictions of the country in which it originates.

"MILEPOSTS"

RALEIGH, N. C.—WPTF announces "Carolina Mileposts," a quarter-hour program, dramatizing stories behind the historical markers on North Carolina's highways and city streets.

The program is broadcast from the radio workshop of the University of North Carolina at Chapel Hill.

RELIGIOUS BROADCASTING BOOKLET ISSUED

(As released by NAB News Bureau, May 21)

As an aid to religious broadcasters in using the great potentialities of radio, E. Jerry Walker, staff consultant on radio for the International Council of Religious Education, has written a guide in booklet form for those who prepare and present religious programs. This manual, entitled "Religious Broadcasting," has been published by the National Association of Broadcasters.

"On the whole," says Mr. Walker in offering this booklet to those using radio for religious purposes, "the radio

industry is only too happy to give its services without compensation for religious broadcasts. Such program time is counted as a public service to the listener. It is for the religious broadcaster to match this gift with the very best in carefully prepared and presented religious programs."

A perusal of this pamphlet gives evidence of careful and conscientious attention paid to a delicate subject by the writer who has coupled a comprehensive knowledge of techniques in broadcasting and the problems of those engaged in religious endeavor who would use this powerful means of reaching the people.

The pamphlet carefully covers all phases of religious programs from basic planning to program presentation and is commended to religious bodies for examination.

FCC ANNOUNCES PROPOSED ALLOCATION BELOW 25 MC

On May 21, the Federal Communications Commission announced the proposed allocation in the portion of the radio spectrum below 25,000 kc. Of particular interest to broadcasters is the proposal to establish one additional broadcast channel on 540 kc and the allocation of 120 channels for direct international short-wave broadcasting, some of which will be available to stations in the United States, and the Commission's proposal to continue relay broadcast service in the portion of the spectrum between 1.6 and 3 mc.

Panel 4 of the Radio Technical Planning Board had urged the extension of the broadcast band to include 530 and possibly 520 kc. The Panel also stressed the importance of retaining frequencies for relay broadcasting in the 1.6 to 3 mc region for use by this service over comparatively long distances. The Commission states that oral argument will be held before the Commission en banc beginning June 20, 1945, if written requests for oral argument are received on or before June 6, 1945. All persons who have filed requests to be heard in oral argument are asked to file with the Commission on or before June 13, 25 copies of the brief or any exhibits proposed to be introduced at the oral argument.

Under date of May 21, Howard S. Frazier, chairman of Panel 4, mailed copies of the Commission's proposed report to members and alternates of the Panel, together with a request that they express their views after reviewing the Commission's proposed allocation in connection with the standard broadcast service. No decision has yet been made as to whether or not the Panel will participate in the oral argument. Some members of the Panel have expressed disappointment that the Commission has not proposed the extension of the broadcast band beyond 540 kc. The portion of the proposed allocation covering standard broadcasting is reprinted below in its entirety.

SECTION 7—STANDARD BROADCAST SERVICE AND OTHER BROADCAST SERVICES

(Relay, St. Satellite Control, Development and Experimental)

I—STANDARD BROADCAST SERVICE

The standard broadcast band extends at the present time from 550 to 1600 kc. No proposal was made to enlarge this band by adding frequencies above 1600 kc. Below 500 kc, it was suggested that the frequencies 520, 530, and 540 kc be added.

The use of 520 and 530 kc for standard broadcasting would involve serious problems of interference with auto alarms on the international distress frequency 500 kc. Moreover, most of the radio receiving sets being used today are not equipped to tune to 520 and 530 kc and it is not practicable to modify these receivers (Tr. 935, 938, 981; Ex. 156, pp. 24 and 25). For these reasons the Commis-

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sion does not propose to assign 520 and 530 kc for standard broadcast purposes.

So far as 540 kc is concerned, the use of this frequency would likewise involve problems of interference to the international distress frequency 500 kc. However, with respect to 540 kc, it is believed that the interference problems can be solved by assigning 540 kc for use at appropriate geographical locations and by limiting the intensity of the signals in coastal areas (Tr. 942, 954-956, 958; Ex. 157). Moreover, the evidence shows that with respect to 540 kc, approximately 54% of existing home standard broadcast receivers are capable of tuning to this frequency (Tr. 947, 3678). The Commission, therefore, proposes to assign 540 kc for standard broadcast purposes. However, this frequency at the present time is used for government purposes and it is not known how soon it can be made available for broadcast use.

II—OTHER BROADCAST SERVICES

(Relay, St. Satellite Control, Developmental and Experimental)

Of the several services included under this category, only the relay broadcast service requested allocations below 25 megacycles.

Twelve frequencies are now allocated for relay broadcast below 25 megacycles and these are arranged in groups of 4 each, as shown in the following tabulation. The number of authorizations outstanding as of October 1, 1944, is indicated in parentheses under each group.

| Group A | Group B | Group C |
|---------|---------|---------|
| (kc) | (kc) | (kc) |
| 1622 | 1606 | 1646 |
| 2058 | 2074 | 2090 |
| 2150 | 2102 | 2190 |
| 2790 | 2758 | 2830 |
| (110) | (82) | (69) |

In relay broadcast allocation, one group, including all four frequencies, is assigned to each station (Tr. 3669-3671; Ex. 428).

Panel 4 of RTPB recommended that all of the above frequencies be retained for relay broadcast and that assignments be made in blocks in order to avoid interference from other services (Tr. 3685). Exhibit 156 submitted by Panel 4 of RTPB includes a report of a committee in which it is proposed that 20 channels, 10 kc wide, be provided in four blocks of 5 channels each, in the range between 1600 and 3000 kilocycles.

It is not possible at this time to propose definite allocations for relay broadcasting below 25 megacycles. However, in the light of the testimony indicating a continuing need for relay pickup frequencies having transmission characteristics suitable for operation over comparatively long distances, it is proposed to make provision for the service, on a shared basis, in the following ranges of frequencies. The number and width of the channels will be left for future determination.

| |
|------------------|
| 1605 to 1800 kc. |
| 2100 to 2250 kc. |
| 2250 to 2300 kc. |
| 2700 to 2850 kc. |

In connection with International Broadcasting, it appears the FCC and the Interdepartment Radio Advisory Committee are not in complete accord. Under date of May 21, IRAC Chairman, Captain E. M. Webster, USCG, has transmitted to the Secretary of State the committee's proposed allocation below 25 mc which coincides with the proposals released by the FCC. However, in the letter of transmittal, Captain Webster states as follows:

"It will be noted that this revision includes bands for direct high frequency international broadcasting, a service which was not provided for in the original proposal of 15 June 1944. In this connection, the Interdepartment Radio Advisory Committee respectfully invites attention to its report of 15 June 1944, in which it stressed the fact that from an engineering standpoint adequate frequencies could not be allocated for direct high frequency interna-

tional broadcasting without depriving other services of their needs. In support of this position, the Interdepartment Radio Advisory Committee endorses the attached August 17, 1944, Report on International Broadcasting Questions prepared by the Technical Subcommittee of the Department of State Special Committee on Communications and transmitted on 4 September 1944 to the International Broadcasting Subcommittee of the Special Committee on Communications, and is of the opinion that:

- "1. Direct international broadcasting will not furnish as good a quality signal to the listener as will the indirect or relay method where satisfactory domestic broadcasting service is available.
- "2. Assignment to direct international broadcasting of the frequency space proposed would materially curtail essential services such as those involving safety of life.
- "3. Because the frequency space proposed is insufficient to make adequate direct international broadcasting facilities available to all countries, perpetuation in aggravated form of the present practice of operating broadcast stations in derogation of the General Radio Regulations will result and will operate to the detriment of other services.

"However, noting the principle adopted by the Special Committee on Communications of the Department of State that direct short wave broadcasts originating in the United States should be continued after the war on a daily basis, and taking into account the feeling of the Commission that it is under obligation to indicate frequencies for direct international broadcasting, the Interdepartment Radio Advisory Committee in its table includes the bands for this service proposed by the Commission."

In contrast to the IRAC views on International Broadcasting, the FCC News Release reads in part as follows:

"No technique such as the transmission of U. S. broadcasts over point-to-point facilities for rebroadcast over domestic stations in foreign countries can take the place of direct broadcasting from the United States to listeners abroad, according to the Commission's report."

Portions of Section 5 of the proposed allocation covering International Broadcasting follows:

Need for Allocation

The Director of the Office of War Information (Tr. 654-658) and the Coordinator of Inter-American Affairs (Tr. 659-663) testified to the great utility of U. S. international broadcasting in making the voice of the United States audible directly to listeners throughout the world in time of war. In time of peace, the need for such direct contact with listeners everywhere will be different, but no less essential. The United States has assumed and proposes to continue a role in world affairs, and international broadcasting is one of the means whereby that role may be made known and understood everywhere. The furthering of international understanding and amity hereafter will require international broadcasting as urgently as it has been required during wartime. Other means of international communication, including the transmission of U. S. broadcasts via point-to-point facilities to foreign countries for rebroadcast there over domestic stations, have a role to play; but no such technique can take the place of direct broadcasting from the United States to listeners abroad, without the need for reliance on intermediate facilities of any kind. Accordingly, the Commission is of the opinion that U. S. international broadcasting on a direct basis should be continued on the fullest scale commensurate with other needs for the frequencies involved.

Position in the Spectrum

All witnesses who appeared in respect to International Broadcasting agreed that the present shortwave broadcast bands between 6000 kilocycles and 26,600 kilocycles should be retained for international broadcasting. All of the witnesses were likewise unanimous in recommending the plan prepared by RTPB, Panel 8, which requested a total

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of 56 frequencies for U. S. International broadcasting. The proposed 56 channels would be in blocks of eight adjacent channels on the low-frequency ends of each of the present shortwave broadcast bands. This arrangement was chosen so that stations within the United States would have control of adjacent channel interference. The RTPB plan recommended retaining the basic general plan that is now in use for wartime operation of international broadcast facilities whereby all frequencies are pooled between east and west coast transmitters in order to make the most efficient use of each frequency for the greatest number of U. S. international stations. A plan of world wide coverage was proposed that would serve the greater part of the land areas of the world from the east and west coasts of the United States by the use of 26 (consisting of thirteen pairs) of the 36 existing transmitters now operating in the Psychological Warfare Service. The remaining ten transmitters would be used as standby units for frequency changes, or for parallel operation on the same frequency to obtain greater effective power. RTPB, Panel 8, proposed use by all U. S. international broadcast stations of the maximum power obtainable, and a minimum power requirement of 50 kw.

Commission Proposal

The Commission proposes the following allocation for international broadcasting on a world-wide basis:

| | |
|---------------------------|---------------------------|
| 6000 to 6200 kilocycles | 15100 to 15300 kilocycles |
| 9500 to 9700 kilocycles | 17700 to 17900 kilocycles |
| 11700 to 11900 kilocycles | 21500 to 21700 kilocycles |

The above is the present allocation for the 6.1, 9.6 and 11.8 megacycle bands. In order to make all bands the same width, 50 kilocycles have been deleted from the 15.2 megacycle band and 100 kilocycles have been added to the 17.8 megacycle band consisting of 50 kilocycles on each end of the present band. The present 21 megacycle band has been narrowed 100 kc by the deletion of 50 kc from each end.

One band above 25 megacycles has heretofore been allocated for international broadcasting. This is the band from 25,600 to 26,600 Kc. This band appears to be useful only during the maximum of the 11-year sunspot cycles. Few, if any, receivers able to cover this band are in the hands of the public. Little U. S. international broadcasting has ever been carried on over these frequencies and little regularly scheduled international broadcasting, if any, by other nations. The propagation characteristics of the 25 Mc region are not such as to make it useful for long-distance service which must be maintained over long periods of time. It appears better suited to low-power intermittent services which can tolerate small amounts of intermittent interference. For these reasons the Commission is discontinuing the 25 Mc international broadcast band. It is the opinion of the Commission that discontinuing this band will in no way handicap international broadcasting, a service of great significance with respect to both U. S. policy and international amity.

In regard to the RTPB's proposal of assigning a block of eight channels for U. S. international broadcast stations on the low end of each of the proposed bands, the Commission in conjunction with the State Department will make efforts to secure this arrangement in international conferences hereafter. In any event, the Commission will make every effort in an international conference to obtain an equitable share of frequency assignments for U. S. international broadcasting.

In regard to the RTPB consideration of radio-type and facsimile transmission by international broadcast stations, the report indicated that simultaneous transmission of aural programs and radio-type or facsimile by methods of multiple modulation will degrade the service due to phase or hum modulation where selective fading is involved. Accordingly, the Commission does not propose to allow simultaneous transmission of radio-type or facsimile with program transmission by means of multiple modulation at this time. However, if at a later date the objectionable technical features of this mode of transmission are overcome, the Commission will give further consideration to authorizing such operation. In regard to the use of radio-type or facsimile on international broad-

cast stations for broadcast purposes during non-listening hours, the Commission will consider amending its rules to allow such operation in special cases where a showing is made for the need of the operation.

SATELLITE TRANSMITTERS FOR AM

One of the recommendations made by Panel 4 on Standard Broadcasting to the Federal Communications Commission during the allocation hearings was the establishment of satellite AM broadcast transmitters in populous areas where additional signal strength would be advantageous. The Panel proposed that these satellite transmitters be connected by ultra high frequency relay links, thus overcoming some of the technical obstacles that have tended to discourage the establishment of satellite transmitters in the past. The Commission's allocations as announced appear to provide for these ultra high frequency connecting links on an experimental basis until adequate standards for this service can be determined.

At a recent meeting of the Executive Committee of the RMA Transmitter Section, it was decided to establish an RMA subcommittee for the purpose of recommending standards for AM Satellite Transmitters and the ultra high frequency connecting link. Chairman M. R. Briggs of the RMA Committee for AM Broadcast Transmitters has appointed Howard S. Frazier, NAB Director of Engineering and chairman of Panel 4, RTPB, chairman of the subcommittee for Satellite Transmitter Standards. This subcommittee is now in process of organization and it is anticipated the membership of the committee will be announced in the near future. Engineers desiring to participate in this work are invited to communicate with Mr. Frazier at NAB.

DEPARTMENT OF STATE PREPARES FOR RIO DE JANEIRO CONFERENCE

A meeting of the Preparatory Telecommunications Conference was held by the Department of State on May 23 in Washington. The Conference reviewed the specific items appearing in the agenda for the Third Inter-American Radio Conference in Rio de Janeiro on September 3, 1945. The agenda proposes a considerable number of specific subjects in addition to opening up the possibility of revision of the Havana Convention, its accompanying agreement and the Santiago revision thereof.

Francis Colt deWolf, Chief, Telecommunications Division, Department of State, in opening the meeting stated that much preparatory work is necessary in order to have proposals ready in behalf of the United States Government to forward to the other nations for consideration prior to the Rio Conference. The proposed agenda for the Rio Conference as transmitted by the Brazilian Government reads as follows:

The Brazilian Government, having in view the convenience of giving greater amplitude to the Inter-American Radio Communications Convention concluded and signed in Habana on the 13th of December 1937, and to the Agreement which accompanies it, already revised at the Conference held in Santiago, Chile, in January 1940, proposes that in addition to the matters that are the object of such acts, there be taken up at the conference the following:

Agenda

1. In the revision of the Convention, to examine the possibilities of its amplification with the object of:
 - a. Including all forms of telecommunications.
 - b. Forming an Inter-American Telecommunications Union and organizing a respective secretariat along the lines of the central office of the International Telecommunications Union, with the

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consequent closing of the present Inter-American Radio Office (OIR).

- c. Changing the present Inter-American Radio Communication Agreement title to that of Inter-American Radio Communication Regulation.
 - d. Defining the limits of the American Region.
 - e. Standardizing the time in telecommunication services on the American continent.
2. In the revision of the Agreement, to establish the general principles to be observed in the distribution and utilization of radio frequencies, as well as the standards of good engineering practice, especially with reference to the stability of frequencies and width of wave bands.
 3. To settle the points of view of the American Governments with reference to the matters which may be the object of the next International Conferences on Telecommunications, and which specially interests all of the American nations, and to draft the respective proposals.
 4. Confer on the possibility of calling an international meeting for the solution of short wave radio broadcasting problems.
 5. Discuss rates to be applied to inter-American telecommunication services, on the following points:
 - a. Reduction of rates.
 - b. General standardization of rates in the American region.
 - c. Unification of rates for plain language and CDE traffic, and other possible revisions in the classification rates.
 - d. Elimination of the gold franc as a basis of payment, and choice of a possible substitute.
 - e. Adoption of an equivalent rate in local currency, so that north and south bound rates may be equalized.
 - f. Reduction of terminal rates and other charges for telecommunications services.
 6. Discuss a proposal presented by the Canadian Government to the effect that the North American Regional Broadcasting Agreement, signed in Habana in 1937 be extended for a period of two years.

Howard S. Frazier represented NAB at the meeting and is serving on several of the preparatory committees.

FCC FM PROPAGATION TESTS

A special committee to work with FCC staff in conducting FM transmission tests has been organized by Chief Engineer George P. Adair of the Federal Communications Commission. This committee held its first meeting in Washington on May 24. The following persons were invited to serve: Major Edwin H. Armstrong, Dr. D. E. Noble, Dr. W. R. G. Baker, Dr. T. T. Goldsmith, Raymond Guy, Dr. William B. Lodge, David B. Smith, Dr. C. M. Jansky, Everett Dillard, Dr. Harold H. Beverage, Dr. Charles R. Burrows, G. F. Leydorf, Cyrus T. Read, D. C. Summerford, A. Earle Cullum, Jr., J. R. Poppele, Frank Marx, Dr. H. W. Wells, G. E. Gustafson, Frank A. Gunther, P. B. Laiser, Robert Higgy, George Lang, Carl H. Wesser and Irving Robinson.

Other persons who feel they may be able to contribute to the FCC testing program were invited to apply for membership on the committee.

In opening the meeting, the FCC chief engineer asked industry cooperation in furnishing personnel and equipment necessary to conduct further transmissions in the portion of the spectrum proposed for FM service between 44 and 108 mc during the coming months.

The Commission, in announcing the final allocation above 25 mc recently, deferred final decision as to just how the portion of the spectrum between 44 and 108 mc should be apportioned between the FM and television services. The purpose of the tests is to provide the Commission's Engineering Department with additional factual data before a final decision is made in connection with the three proposed FM allocations now under consideration

by the Commission. The proposals under consideration for the final FM allocation are (1) 50-68 mc, (2) 68-86 mc, and (3) 84-102 mc. The tests as planned will require additional operating hours for certain FM and television sound channel transmitters, in addition to the proposed installation of several experimental transmitters on the higher frequencies.

It was also announced that the Commission is now establishing temporary monitoring stations near Roanoke, Virginia, and Montgomery, Alabama, for the recording of the FM test transmissions.

IMPROVEMENT OF POSTWAR RECEIVERS

Several weeks ago, John V. L. Hogan, president of WQXR, New York, brought to the attention of the Radio Manufacturers Association the reduced selectivity and sensitivity of some broadcast receivers in the portion of the broadcast band 1500-1600 kc. In reply to Mr. Hogan's communication, RMA has released the following statement on this subject:

"We would like to point out that it has been one of the aims of the RMA Standardization Committee on Variable Capacitors to help effect an improved performance, particularly at the high end of the broadcast band.

"In the case of the RMA Class B capacitor, which is used almost exclusively in the type of receivers under discussion, we have adopted a new oscillator capacity variation which 'tracks' the r.f. section considerably better than the old 'curve' which was calculated when the broadcast band range was quite limited.

"We have also improved the stability of the condenser as well as that of the trimmer condenser throughout its useful range.

"Although other components affect selectivity and sensitivity and in subject application their design is a compromise between cost and optimum performance, the RMA Standard variable capacitor will have improved performance over the pre-war units at no cost increase due to this improvement."

INTERNATIONAL RADIO NOISE STANDARDS

An agreement for international cooperation, looking toward the ultimate establishing of standards in connection with the complex problems of radio noise presages far-reaching advances in the future. This agreement has been set up between the American Standards Association, the British Standards Institution, and the Australian Standards Association through the medium of the United Nations Standards Coordinating Committee, according to an announcement made today by Herbert J. Wollner, Secretary-in-Charge of the New York Office of the United Nations Committee.

The increasing use of electronic devices, and of motor-operated gadgets, from vacuum cleaners to generators, is causing extreme interference with radio reception. When improperly installed, fluorescent lights can cause serious interference with radio reception. Considering that a physician's diathermy machine on the East coast of the United States has been found to cause disturbances on radio reception on the West coast, it is easy to recognize the importance of this new activity. The intricate electrical systems in a long range multi-engined aircraft, if improperly designed, can seriously interfere with radio reception over a wide pathway. It is evident, therefore, that efforts directed toward the eventual elimination of radio interference must become international in scope.

The Anglo-American leadership in this important work can now be announced as a result of the decision of the American Standards Association to collaborate. The ASA recently advised the New York Office of the United Nations Standards Coordinating Committee that it is prepared to collaborate with the British Standards Institution and

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the Australian Standards Association with the ultimate objective in mind of arriving at an international basis for the suppression of radio interference. Much ground, however, must be covered before this will all come to pass. First, there will need to be extensive exchange of information, experience, data, and the like. After scientists and engineers on both sides of the Atlantic, and down under, have explored and investigated sufficiently, some decision will presumably be made upon a standard method for measuring radio interference. Then, after full agreement has been reached, a standard method for suppressing radio interference can be looked for.

COMMISSIONERS TO INSPECT RR-RADIO

Five FCC Commissioners will leave May 25 to make a special inspection of railroad radio communications now in experimental use on the Chicago, Burlington & Quincy Railroad between Chicago and Denver.

Commissioners Norman S. Case, Ray C. Wakefield, C. J. Durr, E. K. Jett, and Charles R. Denny, Jr., and members of the Commission's staff will make the round-trip run aboard the Burlington between Chicago and Denver, returning to Washington May 31.

Commissioner Paul A. Walker made a similar inspection on a test run conducted by the Burlington between Chicago and Denver last August.

The Burlington is currently experimenting with equipment which operates in the newly assigned band of frequencies for railroad communications. Special attention will be given to the operation of the system over rough terrain and to its various uses in enhancing efficiency and safety of train operations.

COMPONENT PARTS MAY BE BOTTLENECK

In a letter addressed to the Radio Manufacturers Association, Samuel J. Novick, president of the Electronic Corporation of America, has focused attention upon the great demands that will be placed upon the productive capacity of the plants manufacturing condensers, resistors, transformers and other components which are essential to the manufacture of all radio equipment.

Mr. Novick suggests that RMA develop a plan for organizing the production and delivery of these components so that they will be available in reasonable balance to all manufacturers of radio receivers and transmitting equipment. He points out that unless some control is established over the distribution of components, some manufacturers will be unable to resume production of civilian radio equipment while others may receive these parts in quantities in excess of their immediate needs.

Of further interest to broadcasters is the statement of John Creutz, Chief, Domestic Radio Section of the WPB Radio and Radar Division, while addressing the committee organized by the FCC to conduct FM transmission tests during the coming summer. Mr. Creutz pointed out the heavy radio and electronic requirements of the Pacific war and said control of radio manufacturing would be relaxed when military requirements dropped below seventy-five per cent of the industry's productive capacity.

Federal Communications Commission Docket

HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, May 28. It is subject to change.

Friday, June 1

WGBF—Evansville On The Air, Inc., Evansville, Ind.—Renewal of license; 1280 kc., 1 KW night, 5 KW day, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

- WFBM—WFBM, Inc., Indianapolis, Ind.—Granted license to cover construction permit which authorized changes in exciter unit of main transmitter.
- WFBM—WFBM, Inc., Indianapolis, Ind.—Granted license to cover construction permit which authorized a 1 KW auxiliary transmitter, using DA night.
- KVCV—Golden Empire Broadcasting Co., Redding, Calif.—Granted authority to determine operating power by direct measurement of antenna power.
- KSUI—The State Univ. of Iowa, Iowa City, Iowa.—Granted modification of construction permit which authorized a new noncommercial educational broadcast station, for extension of completion date from July 16, 1945 to January 16, 1946.
- WJR—WJR, The Goodwill Station, Detroit, Mich.—Granted construction permit to change frequencies of relay station to 30820, 33740, 35820, 37980 kc; change power from 150 watts to 100 watts, and make changes in equipment.
- KAZA—WKY Radiophone Co., Oklahoma City, Okla.—Granted construction permit to change transmitter site of relay broadcast station from 8 miles west of U. S. Highway 66, Oklahoma City, to Portable, area of Oklahoma City, Okla., and change antenna.
- WNBH—E. Anthony & Sons, Inc. (assignor), Bristol Broadcasting Co., Inc. (assignee), New Bedford, Mass.; WOGB, Hyannis, Mass.—Granted consent to voluntary assignment of licenses of stations WNBH and WOGB from E. Anthony & Sons, Inc., to Bristol Broadcasting Co., Inc., a wholly owned subsidiary; the consideration to be 210 shares of the stock of assignee with a book value of \$58,800 to be exchanged for the stations' properties valued at approximately \$58,821. (B1-AL-479 and B1-AL-480)
- WJPR—John R. Pepper (assignor), Thomas Henry Golding, Sr., et al., d/b as Radio Services Co. (assignee), Greenville, Miss.—Granted consent to voluntary assignment of license to station WJPR from John R. Pepper to Thomas Henry Golding, Sr., Thomas Henry Golding, Jr., and Frank Wilson Baldwin, and Emmet Holmes McMurray, Jr., a partnership, d/b as Radio Services Co., for a consideration of \$75,000. (B3-AL-475)
- KGKB—East Texas Broadcasting Co. (assignor), James G. Ulmer (assignee), Tyler, Texas.—Granted consent to voluntary assignment of license of station KGKB from East Texas Broadcasting Company to James G. Ulmer, by the purchase of 3.6 per cent of outstanding capital stock from Minnie B. Ulmer (wife) and James G. Ulmer, Jr. (son) for \$900. (James G. Ulmer, Sr., owned 96.4 per cent.) (B3-AL-484)
- American Broadcasting Co., Inc., New York, N. Y.—Granted extension of permit under Section 325(b) of the Communications Act to transmit programs to stations CFCF and CBL and other Canadian stations of the Canadian Broadcasting Corp. (B1-FP-137)
- WJJD, Inc., Chicago, Ill.—Granted construction permit for new developmental broadcast station to be located in Chicago, Ill., for the purpose of conducting a program of research in the various phases and possibilities of FM broadcast operation with multiplex operation; frequencies to be assigned by the Commission's Chief Engineer; A0, A4, Special emissions (FM); power 3 KW. (B4-PEX-61)
- Miami Valley Broadcasting Corp., Dayton, Ohio.—Granted construction permit for new developmental broadcast station to be located in the area of Dayton, Ohio, for the purpose of research in the problems of FM broadcasting; frequencies to be assigned by Commission's Chief Engineer; A0, A3, Special emission for frequency modulation; power 1 KW. (B2-PEX-62)

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Courier-Journal & Louisville Times Co., Louisville, Ky.—Granted construction permit to increase power of developmental broadcast station W9XEK from 1 to 10 KW, add A4 emission, change frequency from 45500 kc. to frequencies to be assigned by the Commission's Chief Engineer, and change transmitter. (B2-PEX-66)

The Crosley Corp., Cincinnati, Ohio.—Granted modification of license to change classification of station W8XFM from Temporary Class 2 Experimental High Frequency to Developmental broadcast station. (B2-MLEX-14)

Sherron Metallic Corp., Brooklyn, N. Y.—Granted construction permit for new experimental television broadcast station to be located in Brooklyn, N. Y.; frequencies to be assigned by Commission's Chief Engineer; power, 10 KW visual (peak) and aural. (B1-PVB-142)

WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted construction permit to make changes in antenna system. (B1-PH-473)

LICENSE RENEWALS

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Granted renewal of license for the period ending August 1, 1946.

WBIR—American Broadcasting Corp., Knoxville, Tenn.—Granted renewal of license on a temporary basis for a period of 60 days.

WMRO—Martin R. O'Brien, Aurora, Ill.—Granted renewal of license for the period ending November 1, 1945.

The following stations were granted renewal of licenses for the period ending February 1, 1947:

WLBC, Muncie, Ind.; WEIM, Fitchburg, Mass.; KXRO, Aberdeen, Wash.; KFRE, Fresno, Calif.; WTRC, Elkhart, Ind.

WLDS—Stephenson, Edge & Korsmeyer, Jacksonville, Ill.—Granted renewal of license for the period ending May 1, 1948.

Licenses for the following stations were further extended upon a temporary basis, pending determination upon application for renewal, for the period ending August 1, 1945:

KASA, Elk City, Okla.; KDAL, Duluth; KELO, Sioux Falls, S. Dak.; KFBC, Cheyenne, Wyo.; KFJB, Marshalltown, Iowa; KFMB, San Diego; KMAC, San Antonio; KOCA, Kilgore, Texas; KSWO, Lawton, Okla.; KTUL, Tulsa, Okla.; KWJB, Globe, Ariz.; KWOS, Jefferson City, Mo.; KWRC, Pendleton, Ore.; KXOX, Sweetwater, Texas; KPFA, Helena, Mont.; WCBT, Roanoke Rapids, N. C.; WCLO, Janesville, Wisc.; WFOY, St. Augustine, Fla.; WGRM, Greenwood, Miss.; WIBG, Philadelphia, Pa.; WINK, Fort Meyers, Fla.; WINN, Louisville, Ky.; WJBC, Bloomington, Ill.; WJBY, Gadsden, Ala.; WJMC, Rice Lake, Wisc.; WJTN, Jamestown, N. Y.; WLGA, LaGrange, Ga.; WNEW and auxiliary, New York City; WOLS, Florence, S. C.; WOV and auxiliary, New York City; WPAT, Paterson, N. J.; WPRA, Mayaguez, P. R.; WROX, Clarksdale, Miss.; WSAY, Rochester, N. Y.; WTOL, Toledo, Ohio; WSBC, Chicago.

Licenses for the following stations were extended upon a temporary basis only, pending determination upon application for renewals, for the period ending August 1, 1945:

KAND, Corsicana, Texas; KGFV, Kearney, Neb.; KHMO, Hannibal, Mo.; KHUB, Watsonville, Calif.; KOCY, Oklahoma City; KPDN, Pampa, Texas; KROC, Rochester, Minn.; KVOL, Lafayette, La.; KWFC, Hot Springs, Ark.; WALL, Middletown, N. Y.; WAIR, Winston-Salem, N. C.; WAML, Laurel, Miss.; WBRW, Welch, W. Va.; WCBI, Columbus, Miss.; WDAK, Columbus, Ga.; WEBR and auxiliary, Buffalo, N. Y.; WFBG, Altoona; WEXL, Royal Oak, Mich.; WGAA, Cedartown, Ga.; WGAU, Athens, Ga.; WHAT, Philadelphia; WJPF, Herrin, Ill.; WJPR, Greenville, Miss.; WKEY, Covington, Va.; WLAK, Lakeland, Fla.; WMBO, Auburn, N. Y.; WLBK, Bowling Green, Ky.; WMFF, Plattsburg, N. Y.; WNBH, New Bedford, Mass.; WSAJ, Grove City, Pa.; WSTV, Steubenville, Ohio; WTEL, Philadelphia; WTAL, Tallahassee, Fla.; WWPG, Palm Beach, Fla.; KBND, Bend, Ore.; KOME, Tulsa, Okla.; KRJF, Miles City, Mont.; KROS, Clinton, Iowa; KVSF, Santa Fe, N. M.; KWOC, Poplar Bluff, Mo.; WCLS, Joliet, Ill.; WFIG, Sumter, S. C.; WGH, Newport News; WLAV, Grand Rapids, Mich.; KCKN, Kansas City, Kans.; KFYO, Lubbock, Texas; KGEZ, Kalispell, Mont.; KMYR, Denver, Colo.; KRMD, Shreveport, La.; KSUB, Cedar

City, Utah; KUIN, Grants Pass, Ore.; KVIC, Victoria, Texas; KVOX, Moorhead, Minn.; KWLM, Willmar, Minn.; WBRE, Wilkes-Barre, Pa.; WBRK, Pittsfield, Mass.; WCMI, Ashland, Ky.; WDMJ, Marquette, Mich.; WEMP, Milwaukee, Wisc.; WFHR, Wisconsin Rapids, Wisc.; WGTM, Wilson, N. C.; WINX and syn. amplifier, Washington, D. C.; WIZE, Springfield, Ohio; WLNH, Laconia, N. H.; WRAW, Reading, Pa.; WSAV, Savannah, Ga.; WSOY, Decatur, Ill.

Licenses for the following High Frequency Broadcast Stations were extended upon a temporary basis only, pending determination upon applications for renewal of licenses, for the period ending August 1, 1945, subject to changes in frequency assignments which may result from proceedings in Docket No. 6651:

WABC-FM, New York; WBBM-FM, Chicago; WGFM, Schenectady; WDLM, Chicago; WPEN-FM, Philadelphia; WCAU-FM, Philadelphia; WBZA-FM, Springfield, Mass.; WBZ-FM, Boston; KDKA-FM, Pittsburgh, Pa.

W2XWE—WOKO, Inc., Albany, N. Y.—License for facsimile broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending July 1, 1945.

WMWA—WOKO, Inc., Inc., area of Albany, N. Y.—License for relay broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending July 1, 1945.

MISCELLANEOUS

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Granted joint petition for continuance of hearing on applications for renewal of licenses now scheduled for May 18, and continued same to June 18, 1945.

KGA—Louis Wasmer, Inc., Spokane, Wash.—Granted joint petition for continuance of hearing on applications for renewal of licenses now scheduled for May 18, and continued same to June 18, 1945.

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Granted motion for continuance of hearing now scheduled for May 16 on applications for renewal of licenses, and continued same to July 16, 1945.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted motion for continuance of hearing now scheduled for May 16 on applications for renewal of licenses, and continued same to July 16, 1945.

Midwest Broadcasting Co., Milwaukee, Wisc.—Granted petition for leave to intervene and enlarge the issue in re the application of WREN, Topeka, Kans., for construction permit to increase night power, move transmitter, etc.

Murray Mester and Meyer Mester—Granted motion requesting postponement of the oral argument now scheduled for May 23 on the Commission's proposed findings of fact and conclusions of March 27 in re consent to transfer control of station WOV from Arde Bulova and Harry D. Henshel to Murray Mester and Meyer Mester, and postponed said argument to June 13, 1945.

David A. Brown and Herbert W. Brown, copartners, d/b as Central Valley Radio, Lodi, Calif.—Granted motion for leave to amend application so as to change the frequency specified in application for new station from 1600 to 1570 kc., with 250 watts power, daytime only, and removed application, as amended, from hearing docket. (B5-P-3693; Docket 6726)

H. Ross Perkins and J. Eric Williams, d/b as New Haven Broadcasters, New Haven, Conn.—Granted motion for dismissal without prejudice of application for construction permit for new station to operate on 1170 kc., 1 KW power, daytime only. (B1-P-3216; Docket 6355)

WLEU—WLEU Broadcasting Co., Erie, Pa.—Adopted decision and order denying petition for rehearing directed against the order of the Commission dated April 10, 1945, granting the petition of WERC, Erie, Pa., for reconsideration and grant of its application for construction permit to change frequency to 1230 kc., license to cover same, and authority to determine operating power by direct measurement.

WOKO—WOKO, Inc., Albany, N. Y.—Adopted order extending special temporary authorization for continued operation of

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station WOKO until 3 a. m., Friday, August 31; further extensions will be granted from time to time upon application by WOKO, Inc., and a showing that it is prosecuting its appeal with due diligence. (Docket 6486)

The Philco Radio and Television Corporation was granted licenses to cover 8 construction permits which authorized new experimental television relay broadcast stations, to operate upon an experimental basis only, subject to changes in frequency assignments which may result from proceedings in Docket 6651, and upon the express condition that they are subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises. Nothing herein shall be construed as a finding by the Commission that the operation of these stations upon the frequencies authorized is or will be in the public interest beyond the express terms hereof; portable-mobile, area of Central Md., N. E. Md., S. E. Penna. and District of Columbia; power 40 watts aural, 40 watts visual; frequencies 204,000-216,000 and 230,000-242,000 kcs.

The following applications for FM broadcast stations were placed in the pending file in accordance with the Commission's policy of February 23, 1943:

Geo. A. Mayoral, et al., New Orleans; James E. Doss, Jr., Tuscaloosa, Ala.; Dunkirk Printing Co., Dunkirk, N. Y.; San Pedro Printing & Publishing Co., San Pedro, Calif.; Southern California Associated Newspapers, Alhambra, Calif.; Southern California Associated Newspapers, Glendale, Calif.; Recorder Publishing Corp., Greenfield, Mass.; A. Frank Katzentine, Miami Beach, Fla.

The amended applications for FM broadcast stations were retained in the pending file:

Atlantic Broadcasting Co., Inc., Newark, N. J.; Durham Radio Corp., Durham, N. C.; Oshkosh Broadcasting Co., Oshkosh, Wisc.

WMC—Memphis Publishing Co., Memphis, Tenn.—The Commission, on its own motion, ordered continuance of the hearing on application for renewal of license of WMC, from May 21 to June 21, 1945.

APPLICATIONS FILED AT FCC

620 Kilocycles

WIBZ—Maine Broadcasting Co., Inc., Bangor, Maine.—Modification of license to change from employing directional antenna day and night to employing directional antenna for night use only.

1230 Kilocycles

NEW—O. E. Richardson, R. W. Widdel & S. C. Strasburg, d/b as "Voice of Marion", Marion, Ind.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation. Amended: re change in transmitter site.

1270 Kilocycles

KFJZ—Tarrant Broadcasting Co., Fort Worth, Texas.—Transfer of control of license corporation from Ruth G. Roosevelt Eidson to Texas State Network, Inc.—99%.

1290 Kilocycles

WKNE—WKNE Corporation, Keene, N. H.—Acquisition of control of licensee corporation by M. S. Wilder through purchase of 190 shares new common stock—38%.

1400 Kilocycles

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—Acquisition of control of licensee corporation by William R. Taft and Archie G. Taft through transfer of 35 shares common stock from Lee E. Mudgett to William R. Taft.

WCNC—Albemarle Broadcasting Co., Norfolk, Va.—Construction permit to move transmitter and studio from Elizabeth City, N. C., to Norfolk, Va. Amended: to change proposed location of transmitter.

1450 Kilocycles

KABC—Alamo Broadcasting Co., Inc., San Antonio, Texas.—Transfer of control of licensee corporation from Charles F. Roeser, S. W. Richardson, Ruth G. Roosevelt Eidson and Elliott Roosevelt to Texas State Network, Inc.—69.9%.

NEW—Indiana Broadcast, Inc., Indiana, Penna.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. AMENDED: re changes in antenna.

1490 Kilocycles

KNOW—Frontier Broadcasting Co., Inc., Austin, Texas, and Waco, Texas.—Transfer of control of licensee corporation from S. W. Richardson and Charles F. Roeser to Texas State Network, Inc.—50%.

FM APPLICATIONS

NEW—Elias I. Godofsky, Brooklyn, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated with a coverage of about 8,500 square miles.

NEW—The Fort Hamilton Broadcasting Company, Hamilton, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 49500 kc., with coverage of 1,810 square miles.

NEW—Unity Corporation, Inc., Toledo, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 46700 kc., with coverage of 10,224 square miles.

NEW—Orlando Daily Newspapers, Inc., Orlando, Fla.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45700 kc., with coverage of 8,000 square miles.

NEW—The Akron Radio Corp., Akron, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 48100 kc., with coverage of 10,069 square miles.

TELEVISION APPLICATIONS

NEW—Palmer K. and Lois C. Leberman, New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel #10 (186-192 megacycles), with ESR of 3960 for visual and 2820 for aural.

NEW—Philco Radio and Television Corp., Springfield Twp., Pa.—Construction permit for a new experimental television broadcast station to be operated on 524000-544000 kc., power of 1 KW and special emission.

MISCELLANEOUS APPLICATIONS

W10XP—Philco Radio and Television Corp., area of Washington, D. C., Philadelphia, Pa., and New York, N. Y.—License to cover construction permit (B1-PVB-146) which authorized increase in power, change in emission and area.

W10XPA—Philco Radio and Television Corp., area of Washington, D. C., Philadelphia, Pa., and New York, N. Y.—License to cover construction permit (B1-PVB-144) which authorized increase in power, change in emission and area.

W10XPR—Philco Radio and Television Corp., area of Washington, D. C., Philadelphia, Pa., and New York, N. Y.—License to cover construction permit (B1-PVB-102 as modified) for a new experimental television relay broadcast station.

W10XPC—Philco Radio and Television Corp., area of Washington, D. C., Philadelphia, Pa., and New York, N. Y.—License to cover construction permit (B1-PVB-145) which authorized increase in power, change in emission and area.

WPIK—Potomac Broadcasting Corp., Alexandria, Va.—Modification of construction permit (B2-P-3615 which authorized construction of new standard broadcast station) for approval of antenna and transmitter site. Amended re changes in transmitting equipment, antenna and transmitter site.

NEW—William Henry Alford, Winston-Salem, N. C.—Construction permit for a new developmental broadcast station to be operated on 48100 kc., with power of 160.7 watts and A3 and FM emission. AMENDED: to change emission from A3 and FM to A0 and A1.

Federal Trade Commission Docket

COMPLAINTS

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

A. Davis & Sons, Inc., 225 West 37th Street, New York, and its officers, Milton E. Davis and Charles S. Davis, are charged with violation of the Federal Trade Commission and Wool Products Labeling Acts in connection with the sale of women's coats, suits and other wearing apparel. (5322)

Kay Preparations, Inc., 522 Fifth Avenue, New York, and its president, John Stillman, are charged in a complaint with disseminating false advertisements concerning their "Kay" line of cosmetics. (5318)

New Power Publications, and Eva Schlossberg, both of 441 Lexington Avenue, New York, are charged in a complaint with misrepresentation in the advertising and sale of books entitled "Lightning Ju-Jitsu" and "Adventures of the Great Crime Busters." (5317)

Gerald A. Rice, 418 Spokane Hotel, Spokane, Washington, is charged in a complaint with misrepresenting that the correspondence school business he operates under the name of Office of Civil Preparation is connected with the United States Government. (5321)

Standard Cloak & Suit Co.—A complaint alleging violation of the Wool Products Labeling Act and the Federal Trade Commission Act has been issued against Standard Cloak and Suit Co., 2013 Fourth Ave., Seattle, engaged in the manufacture and sale of women's coats and suits composed in whole or in part of wool, reprocessed wool or reused wool. (5315)

Wander Co.—A complaint has been issued charging the Wander Company, 180 North Michigan Avenue, Chicago, with disseminating false advertisements concerning the therapeutic properties of Ovaltine, a food preparation designed to be consumed as a beverage. The respondent company has a factory in Villa Park, Illinois. (5316)

William Witol & Company—A complaint alleging the dissemination of false advertisements of cosmetics has been issued against Witol, Inc., National Products Outlet, Inc., and William Witol, all of 2 Brookville Boulevard and Oliver Avenue, Valley Stream, Long Island, New York. Witol, who trades as William Witol & Company, owns and controls the two respondent corporations and is the principal officer of each. (5319)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATIONS

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

American Beauty Products Company, 2226 North Racine Avenue, Chicago, stipulated that it will discontinue the dissemination of false advertisements concerning the therapeutic properties of certain vitamin preparations it sells in interstate commerce. (4061)

Geltman Sponging Company, 2320 Superior Avenue, Cleveland, Ohio, engaged in processing fabrics for manufacturing and merchandising concerns, entered into a stipulation to discontinue representing or furnishing others with the means of representing that the fabrics it treats with a chemical compound designated Durotize are rainproof or have been rendered effectively water-proof. (4059)

Juel Company, 3716 North Clark Street, Chicago, stipulated that he will cease and desist from publishing any advertisement which fails to reveal that the preparation he sells under the names "(New Color) Hair Dye," "Juel Hair Dye" or "Jet Black Hair Dye" is a hair dye and that all hair dyes should be used with caution; that the preparation should be kept out of the eyes, mouth, ears and skin eruptions; that if there is a skin eruption on the scalp the preparation should not be used or reused; that it is for external use only and that it should not be used on the eyebrows or eyelashes; provided, however, that such advertisements need contain only the statement, "CAUTION: Use only as directed," if the directions for use on the label or in the labeling contain a warning to the same effect. (03286)

Kaufman Fur Company, Inc., 302 South Market Street, Chicago, agrees to stop using the term "civet cat" or the word "civet" or terms of like meaning to designate or describe furs or fur garments made of the peltries of the little spotted skunk or of any peltries other than civet peltries. (4062)

Kedmont Manufacturing & Waterproofing Company, 53 West Jackson Boulevard, Chicago, entered into a stipulation to discontinue certain representations in connection with the sale of materials used in the treatment of concrete and masonry surfaces. The copartners agree to cease and desist from representing that Preservatex insures floors permanently, that Durotex permanently increases the tensile and compressive strength of concrete, that Terrazzotex provides a permanent floor treatment; and from using any other representation tending to convey the belief that any such product is permanent or everlasting or affords permanent or everlasting protection to walls, floors or structures. (4063)

Sidney Blumenthal & Company, Inc., 1385 Broadway, New York, distributor of textile fabrics, stipulated that it will cease and desist from advertising, labeling, invoicing or selling products composed in whole or in part of rayon without clearly disclosing such fact by use of the word "rayon"; and when a product is composed in part of rayon and in part of other fibers, or material, from failing to disclose in immediate connection with the word "rayon," and in equally conspicuous type, each constituent fiber of the product in the order of its predominance by weight, beginning with the largest single constituent. (4057)

Superior Soap Corporation, 121 Nostrand Avenue, Brooklyn, stipulated that it will cease representing in any manner that a soap which does not contain olive oil to the exclusion of all other oils is an olive oil soap. (4060)

Thomas E. Sullivan, trading as Dr. Sullivan's Springfield Chick Hatchery, Springfield, Minnesota, stipulated that, in connection with the sale and distribution of chicks, he will discontinue using in his advertising, trade literature or otherwise, terms or expressions such as "R.O.P. Sired," "R.O.P. Quality Bred Chicks," "This Grade of R.O.P. White Leghorns," or terminology of like import that conveys the impression that his chicks are R.O.P. (Record Of Performance) or that they are sired by U.S.R.O.P. males. (4064)

Turbanway, Inc.—A stipulation to cease and desist from certain representations in connection with the sale of Miracurl Expansion (Forming) Lotion and Miracurl Contraction (Fixing) Solution has been entered into by Turbanway, Inc., 270 Madison Avenue, New York. (4058)



1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 22, June 1, 1945

"Telling the World" Report No. 2

Local Originations in Support 7th War Loan

Period—May 13-20

(Excluding Network and National Spot)

| | | |
|--------------------|-----------|--------|
| Sing for the 7th | 5-min ET | 3,183 |
| Treasury Salutes | 15-min ET | 3,069 |
| Music for Millions | 15-min ET | 2,534 |
| Treasury Song | 5-min ET | 52 |
| Buy Buy Bonds | 3-min ET | 269 |
| Buy Buy Bonds | 4-min ET | 52 |
| Spots | Live & ET | 65,106 |
| | 2-min | 1,174 |
| | 3-min | 175 |
| Programs | 5-min | 731 |
| | 6-min | 41 |
| | 10-min | 371 |
| | 15-min | 1,123 |
| | 20-min | 21 |
| | 25-min | 10 |
| | 30-min | 425 |
| | 45-min | 46 |
| | 55-min | 2 |
| | 1 hour | 57 |
| | 1¼ hours | 27 |
| | 1½ hours | 10 |
| | 2 hours | 2 |
| | 2½ hours | 2 |
| | 3 hours | 2 |
| | 7 hours | 1 |

No. 4 Report is due June 4

No. 5 Report is due June 11

Please send Nos. 1, 2 and 3 if you haven't done so



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAional 2080

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

CENSORSHIP RELAXED

Office of Censorship has sent to all broadcasters first amendment to May 15th revised code. Notice of this revision is contained in a release signed by Byron Price, Director of the Office of Censorship, and reads as follows:

"Effective at once the second sentence of the 'Ships' section of the Press and Radio Code (Edition of May 15, 1945) is amended to read as follows:

"Identity, location, cargoes and movements of merchant vessels within or proceeding to or from the Pacific-Asiatic area."

"This clears for publication and broadcast information of every type regarding merchant shipping in the Atlantic, its adjacent seas, and the western coastal waters of South America, except for vessels bound to or from the Japanese war zone.

"The identity and movements of war ships including transports remain restricted, but there is no objection to publishing or broadcasting the identity and arrival of transports from Europe in Atlantic or Gulf ports after they have reached quarantine.

"Since it is unlikely that other changes in the Code will be made in the near future, I suggest that to save printing expense the foregoing amendment be written into your copies."

Announcement also comes from Supreme Headquarters, Allied Expeditionary Force, Paris, that censorship in the European theater of operations has been discontinued "except for major troop movements and details connected therewith and such other matters of high military importance as may require reference to the supreme commander."

Lifting of the European restrictions came as a surprise to correspondents, who had been told that censorship division of SHAEF would maintain relaxed control over all news sent from the European theater for a longer period of time.

Explanation of just what matters would be considered of sufficient importance to be referred to General Eisenhower for clearance was not immediately forthcoming.

FCC STATEMENT OF POLICY INTERPRETED

The Federal Communications Commission today released copies of two letters which interpret the Statement of Policy issued on January 16, 1945, with respect to new construction of standard broadcast stations, where an application is made for the frequency assigned to an existing station or a frequency made available by the Commission's refusal to renew a license.

The first letter addressed to Mr. Andrew G. Haley, Earle Building, Washington 4, D. C., and signed by the direction of the Commission, T. J. Slowie, Secretary, follows:

"This will reply to your letter of May 12, 1945 request-

ing information regarding the procedure which the Commission proposes to follow in the consideration of applications for the operating assignment made available by the Commission's refusal to renew the license of Station WOKO, Albany, N. Y.

"The Statement of Policy issued on January 16, 1945, restricting the construction of new standard broadcast facilities does not preclude the consideration on the merits of an application for a frequency made available by the refusal of the Commission to renew the license of an existing station. Such an application will not be placed in the pending file but will be given current consideration on all aspects of the proposal.

"You are also advised that in such a case the policy on new construction does not require specification as to availability of equipment."

The second letter, also signed by direction of the Commission, T. J. Slowie, Secretary, and addressed to Missionary Society of St. Paul the Apostle, 415 West 59th Street, New York 19, N. Y., is reprinted below:

"An examination has been made of the application which you have submitted for a standard broadcast station to operate on 1130 kc with 10 kw unlimited time in New York City. It is noted that this application requests the operating assignment now used by the Greater New York Broadcasting Corporation, licensee of Station WNEW.

"Since you have requested the facilities of an existing station, a determination of your application will necessarily involve a comparison of the service which you propose to render with that now being furnished by that licensee. An essential part of this comparison will necessarily be engineering considerations, such as the area and population to be served, the interference that may result to stations on the same or adjacent channels, and the general conformance of your proposal to the Standards of Good Engineering Practice and the engineering phases of the Commission's Rules and Regulations.

"A review of your application reveals that no engineering data have been furnished which would enable the Commission to make the foregoing comparative examination. No specification has been made of the transmitter site or the directional antenna pattern, if any to be employed, and as a result it will not be possible to compute the proposed coverage, the interference effects, 'blanketing' areas and many similar matters. Since these omissions are of material consequence your application cannot be regarded as complete within the meaning of Section 1.72 of the Rules and Regulations and therefore cannot be accepted for filing at this time.

"With respect to the question as to whether or not the applicant must have necessary materials on hand you are advised that the policy announced on January 16, 1945, does not require specification as to availability of equipment where the request is for the frequency of an existing station. Such an application would not be placed in the pending file but would be given current consideration on all aspects of the proposal.

"Due to the omissions previously mentioned, the application is being returned herewith as incomplete."

RADIOS PREFERRED TO TELEPHONES

Minnesota Poll of Public Opinion, conducted by the *Minneapolis Sunday Tribune*, indicates that 63% of the people polled prefer radios over telephones in the home, with a corresponding 27% showing opposite preference, according to results published in that paper on May 20. Those polled were asked the question "If you had to do without either a telephone or radio in your home, which one would you rather give up?"

HEAR QUINCY GLOBAL SHOW IN FAR EAST

The Quincy, Illinois, "Let's Go to Town" program, was heard in the Philippines at 8:30 p. m., Friday, May 18, according to word received by C. Arthur Fifer, task force commander, and program manager, WTAD. Notification was made by an Army Lieutenant who resides in the Quincy area.

KTSW ANNUAL COLLEGE AWARD GOES TO GIRL

EMPORIA, KAN.—KTSW sent another radio-minded college student summer institute way with all expenses paid when Maxine Burke, a junior at Emporia State Teachers College, received the station's annual award for "demonstrated interest and ability in the field of radio and definite promise of contribution to the industry."

Miss Burke has been active this past year in the Radio Office at Emporia State which produced a series of daily educational programs over KTSW, beamed to the rural school classrooms of that area.

Armed with summer radio institute experience, Miss Burke will become a key figure in next year's expanded program which, with the supervision of the Kansas State Department of Education, will be heard over the Kansas State Network to a potential of six thousand, five hundred Kansas rural schools.

RYAN THANKS NATION'S PAPERS

(As Released by NAB News Bureau, May 27)

Reaffirming the determination of broadcasters to remain united with a free press in preserving "uncensored and unimpeded the channels of communication which are the heritage of a free people" J. Harold Ryan, president of the National Association of Broadcasters today sent the following message to the newspapers of America:

"We of the broadcasting industry wish to express our appreciation to the newspapers of America for the manner in which they recognized our performance in the public interest on VE Day.

"Truly our facilities and our ability as broadcasters were taxed to the utmost on this momentous occasion. Three events of the past year have called upon our every resource in the proper discharge of our public trust. These three events were D Day, the loss of Franklin Delano Roosevelt and VE Day.

"The acknowledgments of our friends and contemporaries, the newspapers of America, which resulted from the performance of our duty and privilege as broadcasters during those fateful hours, will live long in our memory.

"A free radio in its twenty-fifth year desires to renew with a free press the resolution to preserve uncensored and unimpeded the channels of communication which are the heritage of a free people."



GOOD REPORTS ON KIWANIS WEEK DELUGE NAB

The deluge of reports on Kiwanis Radio Week (May 13-19) observances that has been pouring in to NAB headquarters from towns and cities the nation over gives ample and mounting evidence that this was one of the finest and most complimentary events ever staged for the purpose of paying tribute to radio's place in American life as a great social force.

Many scripts and detailed reports of well-staged events continue to come in with each new delivery of the mail.

NAB is especially anxious to have a full report from all stations so that we may be informed of how Kiwanis Radio Week was observed in each community. If you have not already done so, please let us know if your program was on the air or if transcriptions were made at the meeting and later broadcast. If the program was on the air a copy of your script will be greatly appreciated. In any event please send us a letter describing the success of your local Kiwanis Radio Week.

You will find it desirable to turn this matter over to your publicity or promotion department to send on to NAB since this material will be used in industry-wide Twenty-fifth Anniversary publicity some time during the current year.

REINSCH TO FRISCO WITH PRESIDENT TRUMAN

Announcement has been made at the White House that J. Leonard Reinsch, managing director of Cox stations and member of NAB board of directors and legislative committee, will journey to San Francisco with President Truman on the Chief Executive's soon expected visit to the UNCIO conference now in progress in that city.

FARM SAFETY PROGRAM AWARDS

In connection with National Farm Safety Week, July 22-28, the National Safety Council is presenting program awards to stations and networks for Distinguished Service to Safety. These awards will go to a national network, a regional network and to a station under 50,000 watts and to a station of 50,000 watts or more.

Judges for the awards will be Wallace Kadderly, Chief of the Radio Section, United States Department of Agriculture; John J. Lacey, Director of Information, American Farm Bureau Federation; and Maynard H. Coe, Director of the Farm Division of the National Safety Council.

Full information may be had by writing to the National Safety Council, 20 North Wacker Drive, Chicago 6, Ill.

SHEEP JOIN STAFF

DAYTON, OHIO—Due to manpower shortage, WHIO has purchased 50 sheep to serve as lawnmowers for the grounds at the transmitter.

Stations wishing to emulate are cautioned to plant reasonable facsimiles of wolves in valued shrubbery.

SOLDIER TAKES OVER KTSM FOR DAY

EL PASO, TEX.—Marking its third anniversary, the Anti-aircraft Training Center at Fort Bliss celebrated the festive occasion by filling various key posts in El Paso with military personnel. The Mayor's chair was filled by a man in uniform as were the editor's positions of the newspapers and the managers' chairs of the local radio stations. Karl O. Wyler, manager, KTSM, had as his "stand-in" for the day, Sgt. Stan Stankowski.

VETERANS OVER 40 ELIGIBLE FOR DISCHARGE

Station managers may be interested in knowing that former employees who are now in the Army and who have reached their 40th year may apply for a discharge from the Army.

Such enlisted men must make application in writing to their immediate commanding officers. This lowers the previous age limit which made eligible for discharge men of 42 years and over.

Federal Communications Commission Docket

HEARINGS

No broadcast hearings were scheduled before the Commission during the week beginning Monday, June 4.

There was no regular Commission meeting this week because of the absence from Washington of the majority of the Commission.

Federal Communications Commission Action

APPLICATIONS GRANTED

- WNBH—E. Anthony & Sons, Inc., New Bedford, Mass.—Granted authority to determine operating power by direct measurement of antenna power.
- WTBO—Associated Broadcasting Corp., Cumberland, Md.—Granted construction permit to make changes in transmitting equipment.
- Philco Radio & Television Corp., Area of Washington, D. C., Philadelphia, Pa., and New York. Portable-Mobile.—Granted licenses to cover three construction permits for increase in power and changes in emissions and area of three experimental television relay broadcast stations; conditions; and subject to changes in frequency assignments which may result from proceedings in Docket 6651. (B1-LVB-57, 58, 60)
- Philco Radio & Television Corp., Area of Washington, D. C., Philadelphia, Pa., and New York. Portable-Mobile.—Granted license to cover construction permit which authorized a new experimental television relay broadcast station; conditions; and subject to changes in frequency assignments which may result from proceedings in Docket 6651. (B1-LVB-59)
- Potomac Broadcasting Corp., Alexandria, Va.—Granted request for extension of time to June 12, 1945, within which to comply with the procedural conditions in conditional grant for a new station.

MISCELLANEOUS

- WIBU—William C. Forrest, Poynette, Wisc.—Adopted order dismissing petition for rehearing directed against the action of the Commission on January 16, 1945, granting without hearing the application of Francis M. Kadow (WOMT), Manitowoc, Wisc., for construction permit to increase power to 250 watts on frequency 1240 kc., and make changes in transmitter.

The following applications for new high frequency FM broadcast stations were placed in the pending file in accordance with Commission's policy of February 23, 1943:

Laurence W. Harry, Fostoria, Ohio; The Akron Radio Corp., Akron, Ohio; Orlando Daily Newspapers, Inc., Orlando, Fla.; Joe L. Smith, Jr., Beckley, W. Va.; Piedmont Broadcasting Corp., Danville, Va.

The Penna. State College, State College, Penna.—Placed in the pending file application for new noncommercial educational broadcast station.

Licenses for the following relay broadcast stations, heretofore extended on a temporary basis, were further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending August 1, 1945:

KFAA, Area of Dallas; KNED, Area of Fort Worth; WADA, Area of Charleston, W. Va.; WAUT, Evansville, Ind.; KIEL, Area of Seattle; KFBL, Area of Cheyenne, Wyo.; KFBM, Area of Cheyenne; WQER, Area of Atlanta, Ga.; WHMK, Hagerstown,

Md.; WJEK, Area of Hagerstown, Md.; KAXY, KEJR, Area of Fort Worth; WABG, Area of Memphis, Tenn.; WAOE, Area of Aurora, Ill.; WAIN, Area of Peoria, Ill.; WEKH, Area of Peoria, Ill.; KBTA, Area of Duluth, Minn.; KBTB, Duluth; WAXL, Area of Kinston, N. C.; WAIJ, WAIY, Area of Utica, N. Y.; WTNK, Area of Trenton, N. J.

WATA—Ashland Broadcasting Co., Area of Ashland, Ky.—Extended license for relay broadcast station upon a temporary basis only, for the period ending August 1, 1945, pending determination upon application for renewal.

WJWA—Birney Imes, Jr., Area of Columbus, Miss.—Extended license for relay broadcast station upon a temporary basis only, for the period ending August 1, 1945, pending determination upon application for renewal.

APPLICATIONS FILED AT FCC

1060 Kilocycles

KYW—Westinghouse Radio Stations, Inc., Philadelphia, Pa.—Construction permit to install new directional antenna system. Amended re corporate structure.

1110 Kilocycles

WBT—Columbia Broadcasting System, Inc., Charlotte, N. Car.—Voluntary assignment of license to Southeastern Broadcasting Company.

1150 Kilocycles

KSWO—Byrne Ross and R. H. Drewry, d/b as KSWO Broadcasting Co., Lawton, Okla.—Assignment of license to Oklahoma Quality Broadcasting Co., a co-partnership composed of R. H. Drewry, J. R. Montgomery, Ted R. Warkentin and Robert P. Scott.

1280 Kilocycles

KIT—Carl E. Haymond, Yakima, Wash.—License to cover construction permit (B5-P-3781) which authorized changes in transmitting equipment.

1400 Kilocycles

WHBC—The Ohio Broadcasting Co., Canton, Ohio—License to use formerly licensed RCA 250-D transmitter as an auxiliary with power of 250 watts.

1490 Kilocycles

KXOA—Lincoln Dellar, Sacramento, Calif.—License to cover construction permit (B5-P-3663) for a new standard broadcast station.

KXOA—Lincoln Dellar, Sacramento, Calif.—Authority to determine operating power by direct measurement of antenna power.

1600 Kilocycles

NEW—Herbert W. Brown and David A. Brown, d/b as Central Valley Radio, Lodi, Calif.—Construction permit for a new standard broadcast station to be operated on 1600 kc., power of 250 watts and unlimited hours of operation. Amended to request frequency of 1570 kc. and daytime hours of operation.

NEW—Charlotte Broadcasting Co., Charlotte, N. C.—Construction permit for a new standard broadcast station to be operated on 1600 kc., with power of 1 KW, unlimited hours of operation, employing directional antenna day and night. Amended: re stockholders.

FM APPLICATION

NEW—KXL Broadcasters, Portland, Ore.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44700 kc., with coverage of 16,300 square miles.

TELEVISION APPLICATIONS

NEW—Westinghouse Radio Stations, Inc., Boston, Mass.—Construction permit for a new commercial television broadcast station to be operated on Channel #5 (84000-90000 kc.), ESR 1610. Amended re corporate structure.

- NEW—Westinghouse Radio Stations, Inc., Philadelphia, Penna.—Construction permit for a new commercial television broadcast station to be operated on Channel #7 (102000-108000 kc.), ESR 1420. Amended re corporate structure.
- NEW—Westinghouse Radio Stations, Inc., Pittsburgh, Penna.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50000-56000 kc.), ESR 2260. Amended re corporate structure.
- NEW—North Jersey Broadcasting Co., Inc., Clifton, N. J.—Construction permit for a new experimental television broadcast station to be operated on 514000-530000, 900000-920000, 1302000-1325000 kc., power of 5 KW.

MISCELLANEOUS APPLICATIONS

- W3XMB—Maryland Broadcasting Co., Baltimore, Md.—Modification of construction permit (B1-PEX-46, which authorized a new developmental broadcast station) for extension of completion date from 6-30-45 to 8-22-45.
- NEW—Raytheon Manufacturing Co., New York, N. Y.—Construction permit for a new developmental broadcast station to be operated on 88000 to 102000 kc., power of 10 KW and special emission.
- NEW—Evangelistic Mission, Pontiac, Mich.—Extension of authority to transmit programs from Pontiac, Mich., to Canadian Station CKLW, Windsor, Ontario, Canada.
- NEW—Jackson City Board of Education, Jackson, Ohio—Construction permit for a new non-commercial educational broadcast station to be operated on frequency according to the overall Ohio State plan, with power of 250 watts, and special emission for FM.
- NEW—Scripps-Howard Radio, Inc., area of Cincinnati, Ohio—Construction permit for a new relay broadcast station to be operated on 31220, 35620, 37020 and 39260 kc., power of 10 watts and A3 emission.
- WCBE—Columbia Broadcasting System, Inc., area of Charlotte, N. C.—Voluntary assignment of license to Southeastern Broadcasting Company.
- WEHI—Columbia Broadcasting System, Inc., area of Charlotte, N. C.—Voluntary assignment of license to Southeastern Broadcasting Company.
- NEW—KMMJ, Inc., Grand Island, Nebr.—Construction permit for a new relay broadcast station to be operated on 30820, 33740, 35820 and 37980 kc., with power of 50 watts and A3 emission.

Federal Trade Commission Docket

COMPLAINTS

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

Eastern Wine Corporation, Bronx Terminal Market Bldg., Bronx, New York, is charged in a complaint with making "tie-in" sales of wine to retailers. (5325)

National Educators Society, Inc., or as National Educators Society (Incorporated), with places of business at 1510 Yecker Avenue, Kansas City, Kansas, and 72 Vernon Terrace, East Orange, N. J., is charged in a complaint with misrepresentation in connection with the sale of a card index system. The index is sold under the name of International Index System and consists of a topical compilation of free publications, including books, maps and other source material suitable for school work and supplied by national and international governmental agencies, educational institutions and commercial firms. (5326)

National Retail Furniture Assn.—A complaint alleging a conspiracy to suppress competition and restrain trade in the inter-

state sale of furniture has been issued against National Retail Furniture Association, 666 Lake Shore Drive, Chicago, and its officers, directors and member trade associations. (5324)

Practical Nurses' Guild, Inc., Insurance Exchange Bldg., Sioux City, Iowa, and J. R. McLain, who is president of the corporation and directs its policies and activities, are charged in a complaint with misrepresentation in connection with the sale of a correspondence course of instruction in practical nursing. Elsie Hess, a sales representative of the corporation, is also named as a respondent. (5323)

CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

National Progress League, 104 South Michigan Avenue, Chicago, and its officers, Frank J. Mackey, president, and Harold C. Sherman, secretary, have been ordered to discontinue using the name and prestige of the Military Order of the Purple Heart, an organization of war veterans, to promote the sale of history books entitled "Progress of Nations" and "Forward March." Mackey also is president of a corporation known as Disabled American Veterans of the World War Rehabilitation Department, which published the books. (4721)

STIPULATION

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

Spiegel, Inc., Chicago, entered into a stipulation to cease and desist from representing that Grayvita Tablets, a vitamin preparation containing calcium pantothenate as its principal ingredient, will prevent or end gray hair or restore natural color to hair.

The company also agrees to stop representing that restoration of the natural color of hair has been effected in 88% or any other definitely stated percentage of those to whom calcium pantothenate was administered in tests. (03287)

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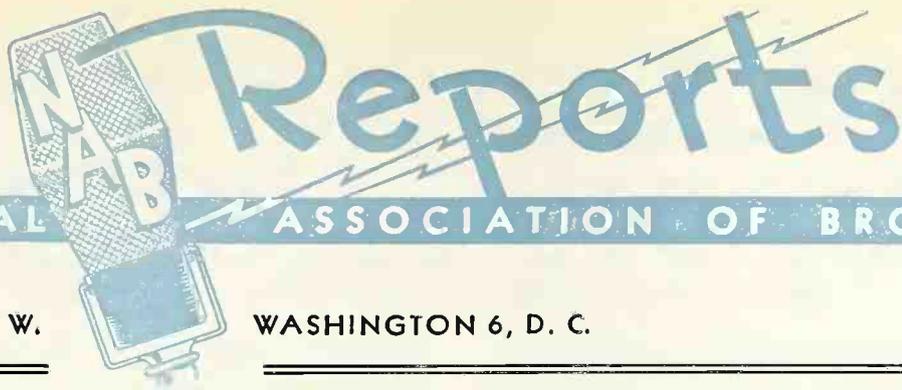
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“Telling the World” Report No. 3

Local Originations in Support 7th War Loan

Period—May 20-26

(Excluding Network and National Spot)

| | | |
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| Sing for the 7th | 5-min ET | 3,780 |
| Treasury Salutes | 15-min ET | 3,172 |
| Music for Millions | 15-min ET | 2,977 |
| Treasury Song | 5-min ET | 52 |
| Buy, Buy Bonds | 3-min ET | 597 |
| Spots | Live & ET | 63,777 |
| | 2-min | 1,174 |
| | 3-min | 412 |
| | 4-min | 62 |
| Programs | 5-min | 1,236 |
| | 7-min | 31 |
| | 10-min | 330 |
| | 15-min | 1,246 |
| | 25-min | 14 |
| | 30-min | 340 |
| | 35-min | 2 |
| | 45-min | 28 |
| | 50-min | 8 |
| | 1 hour | 45 |
| | 1¼ hours | 21 |
| | 1½ hours | 18 |
| | 2 hours | 14 |
| | 2¾ hours | 2 |
| | 3 hours | 14 |
| | 5 hours | 2 |
| | 15¼ hours | 1 |

No. 5 report is due June 11

No. 6 report is due June 18

Please send Nos. 4, 3, 2, 1 if you haven't done so

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

RAISES CONSTRUCTION LIMIT TO \$1,000

The manner in which amendment of Limitation Order L-41 to allow more freedom on small construction jobs will affect the broadcast industry was outlined May 31 by officials of the War Production Board's Radio and Radar Division.

Construction in connection with a broadcast station may now be undertaken without WPB permission where the amount involved is not more than \$1,000. Previous maximum was \$200. This applies to alterations to an existing building and to the conversion of a building to a new use as well as to the construction of new buildings. The cost of new equipment being installed must be included in the cost of the job.

The kind of installation that must be considered construction under the terms of L-41 is set forth in Interpretation 9 of the order. Under the interpretation, the construction of a new radio station is covered by the order. Also covered is the installation of equipment that requires putting new wiring in a building and the installation of equipment for which a base or foundation must be built.

The installation of any piece of equipment purchased under WPB authorization is exempt from the restrictions of the order. However, it has not been the practice of WPB to issue ratings for the purchase of equipment for new radio stations.

Except for the increase in the amount of construction that can be done without specific authorization, officials said, WPB policies governing authorizations for construction in connection with broadcast stations have not been changed. Authorization for construction of new stations will only be considered for areas not now receiving primary service under Federal Communications Commission standards and when the applicant has made satisfactory showing as to the source of his equipment.

Consideration can still be given applications for construction in connection with existing stations, but only where the construction is necessary to continue the service being provided by the station. Generally speaking, applications cannot be considered where it is desired to provide additional facilities.

Other Amendments

Amendments to General Limitation Order L-265, which governs electronic equipment, were also announced by the War Production Board.

In general, the amendments are in line with WPB's established policy of removing controls when they are no longer needed.

Chief among these is the elimination from the coverage of the order of certain items that do not make use of electronic components and which are not produced generally on facilities now being used for the production of

electronic equipment. Among these are radio antennas, blank recording discs and spring-motor acoustic phonographs.

COURT BLASTS ATTEMPTED CENSORSHIP

Expressing the hope that this is the last time that a Government agency will attempt to compel the acceptance of its literary or moral standards relating to material admittedly not obscene, the United States Court of Appeals, District of Columbia, handed down its decision in the "Esquire" case.

The Postmaster General had revoked the second class mailing privileges of "Esquire" because it was in the "border-land zone"—not on the ground of obscenity.

"The theory of the ruling depriving Esquire of second-class mailing privileges, while at the same time permitting it to be mailed at higher rates, is stated by the Postmaster General as follows: 'A publication to enjoy these unique mail privileges * * * is bound to do more than refrain from disseminating material which is obscene or bordering on the obscene. It is under a positive duty to contribute to the public good and the public welfare.'"

The Court held that

"No doubt such a duty exists. But it does not follow that an administrative official may be delegated the power first to determine what is good for the public to read and then to force compliance with his ideas by putting editors who do not follow them at a competitive disadvantage. It is inconceivable that Congress intended to delegate such power to an administrative official or that the exercise of such power, if delegated, could be held constitutional. Congress established the second class mailing privileges because it believed that periodicals which disseminated public information, literature, art or science deserved to be encouraged on account of their contribution as a class to the public good. But the American way of obtaining that kind of contribution is by giving competitive opportunity to men of different tastes and different ideas, not by compelling conformity to the taste or ideas of any government official."

The Court further asserted:

"But mail privilege is not a special privilege. It is a highway over which all business must travel. The rates charged on this highway must not discriminate between competing businesses of the same kind. If the Interstate Commerce Commission were delegated the power to give lower rates to such manufacturers as in its judgment were contributing to the public good the exercise of that power would be clearly unconstitutional. Such a situation would involve freedom of competitive enterprise. The case before us involves freedom of speech as well.

"Little more need be said to decide this case. Nevertheless, since we hope that this is the last time that a government agency will attempt to compel the acceptance of its literary or moral standards relating to material admittedly not obscene, the voluminous record may serve as a useful reminder of the kind of mental confusion which always accompanies such censorship."

The Court cited the testimony of various witnesses to indicate the mental confusion which resulted from trying to determine what is or is not obscene and what is decent, or indecent and said "Yet it is difficult to make such judgments with a feeling of certainty which one should have when the result of one's decision is to cost a publication \$500,000 annually."

The Court further said

"The three examples cited above effectively illustrate the intellectual standards required for the kind of censorship exercised in this case."

(Continued on next page)

"We intend no criticism of counsel for the Post Office. They were faced with an impossible task. They undertook it with sincerity. But their very sincerity makes the record useful as a memorial to commemorate the utter confusion and lack of intelligible standards which can never be escaped when that task is attempted. We believe that the Post Office officials should experience a feeling of relief if they are limited to the more prosaic function of seeing to it that 'Neither snow nor rain nor heat nor gloom of night stays these couriers from the swift completion of their appointed rounds.'"

MORE TUBES FOR HOME RADIO SETS

Just short of 6,000,000 tubes for home radio sets were produced during the first quarter of 1945. The April quarter, on the basis of April and May figures, will show a good increase over the previous quarter. Third quarter is expected to register a substantial increase.

FM, TBA REQUEST IMMEDIATE ALLOCATIONS

The Television Broadcasters Association and FM Broadcasters, Inc., have filed requests with the Federal Communications Commission for immediate adoption of the FCC alternate allocation proposal number 1.

Alternative allocation proposal number 1 of the FCC would assign the 50-68 megacycles band to FM broadcasters with television beginning at 68 megacycles. The FCC plans for transmission tests during the coming summer for the purpose of securing additional data on high frequency propagation characteristics are going forward. Already there are reports of sporadic E transmission which was prevalent during the summer of 1944.

INFLUENCE OF FM EDUCATIONAL STATIONS

Large scale development of educational broadcasting by school owned stations may take some listeners from commercial stations, was the belief expressed by John W. Studebaker, U. S. Commissioner of Education, at the third annual conference of the Northeastern Radio Council, recently held in Schenectady.

At the same time the Commissioner did not believe educational broadcasting would detract from the importance of public service programs of commercial stations. Dr. Studebaker stated that he considers the commercial broadcaster to be a factor of continuing and increasing importance in the whole scheme of education. And his responsibility will not be diminished by the induction of educational FM stations. As to the number of FM stations, the Commissioner had this to say:

"If plans of 29 different states materialize there will be established between 500 and 800 educational FM stations in this country distributed in such a way that they will be capable of providing a diversified educational broadcast service to at least 85 per cent of our total national population."

Delegates to the conference were guests at dinner of Schenectady's broadcast stations, WGY, WSNY, WGFM and WBCA. One session of the Council was devoted to a consideration of the educational use of television and the meeting was held in the studio of General Electric's television outlet, WRGB.

RAYTHEON EXPERIMENTAL RADIO RELAYS APPROVED

A significant type of experimentation looking toward the development of a broad-band microwave radio relay system was approved when the Federal Communications Commission granted the Raytheon Manufacturing Com-

pany construction permits for five experimental radio relay stations to be installed between Boston and New York City. The stations will be located at New York City, Lexington, Mass., Bristol and Tolland, Conn., and Webster, Mass.

The construction permits authorize five new Experimental Class 2 point-to-point radio stations to develop new techniques for the transmission and relaying of high definition and color television programs, high-fidelity FM programs, and telegraph, telephone and facsimile communications. An important phase of the experimental program provides for the development of a system of aeronautical safety communications, aircraft traffic control and an automatic reporting service on the positions of aircraft which would be provided simultaneously with transmission of FM and television programs and other point-to-point communications.

The stations will operate with a maximum power of 100 watts on frequency bands to be assigned by the Commission's Chief Engineer.

The radio relay system proposed by Raytheon is similar to those under construction at Boston and New York by the American Telephone & Telegraph Company and at Washington, D. C., New York City, Schenectady and New Scotland, N. Y., by International Business Machines Corporation and the General Electric Company. Similar experimental grants had been made earlier by the Commission to the Federal Telephone and Radio Corporation for construction of three Experimental Class I radio stations near New York City to develop new radio relay systems and to the Western Union Telegraph Company for a chain of four broad-band ultra- and super-high frequency relay stations between New York City and Camden, N. J.

In authorizing the experimentation by Raytheon between New York and Boston, the Commission points out this does not mean that it has made a determination that it will hereafter authorize the company to use these stations commercially or to engage in the activities of a communication common carrier for hire.

LIKE WHOM GLOBAL SHOW

WHOM is currently receiving "thank you" letters from U. S. soldiers and sailors in all parts of the world for the Jersey City "Let's Go to Town" program, produced under the direction of Task Force Commander Craig Lawrence.

A number of letters also were received by the Jersey City Board of Education. The director of physical training in the Jersey City schools participated in the program.

Rochester Produces 3rd Global Show

Armed Forces Radio Service acknowledges receipt of the third "Let's Go to Town" show produced by Rochester, N. Y., radio stations. Gunnar Wiig, WHEC, is Task Force Commander.

4TH ESTATE SPEAKS OUT OVER WGY

Editorial opinion of publishers of daily newspapers in the WGY area are being presented in a series of WGY broadcasts titled the "Voice of the Fourth Estate."

The publisher, his editors or prominent fellow citizens are brought together for a round-table discussion of a topic selected by the publisher. A variety of topics will be covered from national problems like juvenile delinquency or veterans' benefits to purely local needs such as improved hospital facilities. The newspaper crusading for a war memorial, such as that of the Rome Sentinel for a Fort Stanwix Memorial, has an opportunity to further its cause by radio promotion.

NAB COOPERATION IN OWI OVERSEAS OPERATION PRAISED

Elmer Davis, Director of the Office of War Information, in a letter this week to Howard S. Frazier, NAB Director of Engineering, who has been on part-time loan to OWI since November, 1944, praised the latter's services in the recruitment and training of technical personnel for OWI overseas radio operations.

Employed by OWI only after release from broadcast stations, necessary experienced supervisory personnel were given advanced training at Bethany, Ohio, where several OWI international transmitters are located. Here they were put through a course of indoctrination and gained actual experience on high powered transmitters. Many of the men were recruited from radio manufacturers. Extensive training of new personnel provided manpower without drawing heavily on domestic broadcast stations.

Elmer Davis' letter follows:

"I wish to express my thanks to you for the very valuable services you have rendered this agency in helping us to solve one of our most difficult recruitment problems. With your cooperation and that of National Association of Broadcasters, which has made your services available, the recruitment of technical personnel for our radio operations overseas has been greatly speeded up.

"I am glad that we shall continue to profit by your advice and counsel as we continue the job of meeting our overseas requirements."

PUBLIC RELATIONS EXECUTIVE COMMITTEE MEETS IN NEW YORK

The NAB Public Relations Executive Committee will meet at the Roosevelt Hotel in New York City June 18-19, John Patt, WGAR, Chairman, has announced.

Topics for discussion include distribution of the book, "Management in the Public Interest," Radio's Twenty-fifth Anniversary, a proposed Academy of Radio Arts and Sciences, report of the Listener Activity Department and several agenda items bearing on public acceptance of radio.

Members of the Committee on Network Participation in Radio's Twenty-fifth Anniversary observance have been invited to meet with the Public Relations Committee. Members of the Network Committee are: Dr. Frank Stanton, CBS, New York, N. Y.; Frank E. Mullen, NBC, New York, N. Y.; Robert D. Swezey, Mutual Broadcasting System, New York, N. Y.; and Mark Woods, Blue Network Company, New York, N. Y.

District Public Relations Chairmen who plan to be in New York at that time have been invited to attend the meeting.

Public Relations Executive Committee members are: John F. Patt, WGAR, Cleveland, Ohio, Chairman; Edgar L. Bill, WMBD, Peoria, Ill.; Harry Kopf, NBC, Chicago, Ill.; George Crandall, CBS, New York, N. Y.; Michael R. Hanna, WHCU, Ithaca, N. Y.; Craig Lawrence, WHOM, New York, N. Y.; Leslie W. Joy, KYW, Philadelphia, Pa.; Karl O. Wyler, KTSM, El Paso, Texas; and Lewis Allen Weiss, KHJ, Hollywood, Calif.

NAB Board Liaison Committee members are: Paul W. Morency, WTIC, Hartford, Conn., Chairman; John J. Gillin, WOW, Omaha, Neb.; and J. O. Maland, WHO, Des Moines, Iowa.

NAB CODE COMMITTEE MEETS JUNE 20-21

The NAB Code Committee will meet at the Roosevelt Hotel June 20-21, Lee Wailes, KYW, Chairman, has announced.

Proposed Code revisions will come in for further study, including the recommendations of the NAB Sales Man-

agers Executive Committee. Current operating problems involving the Code will be discussed.

Members of the Code Committee are: Lee B. Wailes, KYW, Philadelphia, Pa., Chairman; Richard H. Mason, WPTF, Raleigh, N. C.; Jan Schimek, CBS, New York, N. Y.; Edgar L. Bill, WMBD, Peoria, Ill.; William S. Hedges, NBC, New York, N. Y.; Eugene P. O'Fallon, KFEL, Denver, Colo.; Herbert Hollister, KANS, Wichita, Kans.; and William B. Quarton, WMT, Cedar Rapids, Iowa.

Members of the NAB Board Liaison Committee are: Kolin Hager, WGY, Schenectady, N. Y., Chairman; Don S. Elias, WWNC, Asheville, N. C.; Frank M. Russell, NBC, Washington, D. C.; Paul W. Morency, WTIC, Hartford, Conn.; and Campbell Arnoux, WTAR, Norfolk, Va.

Federal Communications Commission Docket

HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, June 11. It is subject to change.

Wednesday, June 13

Oral Argument Before the Commission

REPORT No. B-209:

WOV—Arde Bulova and Harry D. Henshel, Transferors, Murray Mester and Meyer Mester, Transferees, New York, N. Y.—Transfer of control of Wodaam Corporation (WOV); 1280 kc., 5 KW (main), 1 KW (auxiliary), shares WHBI (WHBI 1/7; WOV 6/7, DA).

Federal Communications Commission Action

APPLICATIONS GRANTED

KOTA—Black Hills Broadcast Co. of Rapid City, Rapid City, So. Dak.—Granted modification of construction permit, which authorized change in frequency, increase in power, etc., for extension of completion date from 6-4-45 to 9-4-45.

KNAK—Granite District Radio Broadcasting Co., Salt Lake City, Utah—Granted license to cover construction permit which authorized a new station to operate on 1400 kc., 250 watts, unlimited time. The licensee is granted a waiver of Sec. 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. Also granted authority to determine operating power by direct measurement of antenna power.

WNEX—Macon Broadcasting Co., Macon, Ga.—Granted license to cover construction permit which authorized a new station to operate on 1400 kc., 250 watts, unlimited time. The licensee hereunder is granted a waiver of Sections 3.55(b) and 3.60 of the Commission's rules and regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will

(Continued on next page)

be installed as soon as such equipment becomes available. Also granted authority to determine operating power by direct measurement.

KFMB—Worcester Broadcasting Corp., San Diego, Calif.—Granted authority to determine operating power by direct measurement of antenna power.

WJBC—Arthur Malcolm McGregor, et al., d/b as radio station WJBC (assignor); Arthur Malcolm McGregor and Hugh L. Gatley, a partnership, d/b as radio station WJBC (assignee), Bloomington, Ill.—Granted consent to involuntary assignment of license of station WJBC from Arthur Malcolm McGregor, Dorothy Charlotte McGregor (deceased), and Hugh L. Gatley, a partnership, d/b as radio station WJBC, to Arthur Malcolm McGregor and Hugh L. Gatley, a partnership, d/b as radio station WJBC, a newly formed partnership. No monetary consideration is involved. (B4-AL-487)

WALV—Thomas Garland Tinsley, Jr., Richmond, Va.—Granted authority to use call letters WLEE instead of WALV heretofore assigned.

A. H. Belo Corp., Dallas, Texas—Granted construction permit for new portable developmental broadcast station to use frequencies to be assigned from time to time by the Commission's Chief Engineer; power 1 KW.

Raytheon Manufacturing Co., New York City—Granted construction permit for a new developmental broadcast station; frequencies to be assigned by the Commission's Chief Engineer from time to time; power 10 KW.

Raytheon Manufacturing Co., New York City—Granted construction permit for a new developmental broadcast station; frequencies to be assigned by the Commission's Chief Engineer from time to time; power 5 KW (peak).

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending February 1, 1947:

WFHR, Wisconsin Rapids, Wisc.; **KVIC**, Victoria, Texas; **KWLM**, Willmar, Minn.; **WBRE**, Wilkes Barre, Pa.; **WGTM**, Wilson, N. C.; **WSOY**, Decatur, Ill.; **KUIN**, Grants Pass, Ore.; **KWOC**, Poplar Bluff, Mo.; **WCMI**, Ashland, Ky.; **KBND**, Bend, Ore.*; **WDMJ**, Marquette, Mich.*; **WBRK**, Pittsfield, Mass.*

WCLO—Gazette Printing Co., Janesville, Wisc.—Granted renewal of license for the period ending February 1, 1946.

KASA—Southwest Broadcasting Co., Elk City, Okla.—Granted renewal of license for the period ending August 1, 1946.

WLAG—LaGrange Broadcasting Co., LaGrange, Ga.—Granted renewal of license for the period ending August 1, 1946.

KWRC—Western Radio Corp., Pendleton, Ore.—Granted renewal of license for the period ending August 1, 1946.

WFOY—Fountain of Youth Broadcasting Co., St. Augustine, Fla.—Granted renewal of license for the period ending August 1, 1946.*

The following stations were granted renewal of licenses for the period ending February 1, 1947:

WINX, Washington, D. C.; **KCKN**, Kansas City, Kans.; **WEMP** (Main and Aux.), Milwaukee, Wisc.; **KVOX**, Moorhead, Minn.; **WSAV**, Savannah, Ga.; **KRJF**, Miles City, Mont.; **KROC**, Rochester, Minn.; **WSAJ**, Grove City, Pa.; **KROS**, Clinton, Ia.; **WRAW**, Reading, Pa.*; **WLNH**, Laconia, N. H.*; **KGEZ**, Kalispell, Mont.*

MISCELLANEOUS

The following applications for FM broadcast stations were placed in the pending files in accordance with the Commission's policy of February 23, 1943:

Unity Corp., Inc., Toledo, Ohio; **The Fort Hamilton Broadcasting Co.**, Hamilton, Ohio; **Elias I. Godofsky**, Brooklyn, N. Y.

The following applications for Commercial Television stations were placed in the pending files in accordance with Commission's policy of February 23, 1943:

Oregonian Publishing Co., Portland, Ore.; **A. Frank Katzentine**, Miami Beach, Fla.; **Palmer K. and Lois C. Leberman**, New York City.

* Commissioner Durr voted for further inquiry.

Murray Mester and Meyer Mester, New York City—Granted petition for postponement of oral argument now scheduled for June 13, to July 25, in re application for transfer of control of **Wodaam Corp.**, **WOV**, New York City, from **Arde Bulova** and **Harry D. Henshel** to **Murray Mester and Meyer Mester**.

KWKW—Southern Calif. Broadcasting Co., Pasadena, Calif.—Denied petition for partial grant of its application for construction permit (B5-P-3710, Docket 6737), to change frequency to **830 kc.**, using 1 KW only. (Original application requested change in frequency from **1430 to 830 kc.**, increase in power from 1 to 5 KW, install new transmitter and antenna, and change transmitter site).

APPLICATIONS FILED AT FCC

1130 Kilocycles*

WDGY—Dr. George W. Young, Minneapolis, Minn.—Involuntary assignment of license from Dr. George W. Young, deceased, to **Mae C. Young**.

1190 Kilocycles

WLIB—WLIB, Inc., Brooklyn, N. Y.—Transfer of control of licensee corporation from **Dorothy S. Thackrey** to **Theodore Corporation** 100 shares common stock—100%.

1230 Kilocycles

KBTM—Jay P. Beard, tr/as **Regional Broadcasting Co.**, Jonesboro, Ark.—Voluntary assignment of license to **Jay P. Beard and Veda F. Beard**, d/b as **Regional Broadcasting Company**.

1240 Kilocycles

NEW—**Norwich Broadcasting Co.**, a partnership, composed of **H. Ross Perkins** and **J. Eric Williams**, Norwich, Conn.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, with power of 250 watts and unlimited hours of operation.

1450 Kilocycles

WAGM—**Aroostook Broadcasting Corp.**, Presque Isle, Me.—Construction permit to increase power from 100 watts to 250 watts and hours of operation from specified hours to unlimited time, install new transmitter and antenna, and change location of transmitter.

1460 Kilocycles

WMPS—**Memphis Broadcasting Co.**, Memphis, Tenn.—Voluntary assignment of license to **WMPS, Inc.**

FM APPLICATIONS

NEW—**Radio Station WMFR, Inc.**, High Point, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.1 mc.**, with coverage of 5,030 square miles. Amended: to change name of applicant to **James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth** and **Molly H. Lambeth**, d/b as radio station **WMFR, Inc.**

WEHS, NEW—**WHFC, Inc.**, Chicago, Ill.—Modification of construction permit (B4-PH-36, as modified, which authorized a new high frequency (FM) broadcast station) for extension of completion date from 7-8-45 to 10-8-45.

NEW—**Miami Valley Broadcasting Corp.**, Dayton, Ohio.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47.1 mc.**, with coverage of 11,311 square miles.

NEW—**Midwest F.M. Network, Inc.**, Grand Rapids, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.9 mc.**, with coverage of 6,850 square miles.

NEW—**Midwest F.M. Network, Inc.**, Fort Wayne, Ind.—Construction permit for a new high frequency (FM) broadcast

(Continued on next page)

station to be operated on 45.9 mc., with coverage of 7,850 square miles.

NEW—Midwest F.M. Network, Inc., Peoria, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45.9 mc., with coverage of 7,600 square miles.

TELEVISION APPLICATIONS

W2XJT—William B. Still, tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—Modification of construction permit (B1-PVB-100 as modified, which authorized a new experimental television broadcast station) for extension of completion date from 6-30-45 to 8-31-45.

MISCELLANEOUS APPLICATION

NEW—First Baptist Church, Pontiac, Mich.—Extension of authority to transmit programs to radio station CKLW, Windsor, Ontario, Canada.

Federal Trade Commission Docket

COMPLAINTS

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

William J. Ellison, Inc., custom tailors at 545 Fifth Ave., New York, and the corporation's president and treasurer, Albert A. Chapman, are charged in a complaint with violation of the Wool Products Labeling Act and the Federal Trade Commission Act in connection with the sale of men's suits and overcoats. (5327)

Central University, 6030 Lowell Ave., Indianapolis, offering mail-order courses for the study of various subjects of higher learning, such as science, sociology, languages, history and theology, is charged in a complaint with misrepresentation. (5326)

STIPULATIONS

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

Ace Cutlery Company, Ellicottville, N. Y., and Peter J. Michels, Inc., Brooklyn, N. Y., selling barber tools under the trade designation "C-MON," have stipulated to cease and desist from misrepresentations concerning their products. The respondents have cooperatively engaged in the preparation of advertising matter printed in trade publications and magazines, with picturizations of razors, hones, strops and allegedly hand-made shears, and the words "Manufactured at Ellicottville, N. Y., by Carl Monkhouse" and "Nationally Distributed by PETER J. MICHELS, INCORPORATED," although neither owned, operated nor absolutely controlled the plant or factory in which the products were manufactured. (4067)

Aloha Novelty Co., 5431½ Whittier Boulevard, Los Angeles, and Ben J. Saeta, trading as Courtesy Sales Co., 7409 Beverly Boulevard, Los Angeles, advertising, bottling and distributing perfumes, have stipulated to cease certain misrepresentations of their products. (4071)

Coast to Coast Umbrella Company, 40 West 29th Street, New York, manufacturing, reconditioning and distributing umbrellas

primarily for use by women, has stipulated to cease certain misrepresentations of his products. The respondent has obtained old, worn, second-hand and used umbrella frames which he caused to be remodeled or reconditioned and to be recovered with a fabric material so as to have an appearance of newness, and has sold them without disclosing that they were not new. (4068)

George C. Dates & Associates, 1715 North American Building, Philadelphia, engaged in the sale and distribution of various cosmetic and drug preparations for use as applications to the hair and scalp, designated "Sebol," "Shampoo DX-2," "Hydrosul" and "Dioxynol," have stipulated to cease certain misrepresentations concerning the preparations. (4066)

Gra-No-Mor Co., 248 Winchester St., Brookline, Mass., agrees to discontinue certain misrepresentation in connection with the sale of Gra-No-Mor Hair Coloring and Tri-Pl-Oil Hair Tonic. (03228)

Hayes' Hi-Grade Hatchery, Twin Falls, Idaho, selling and distributing poultry chicks, has stipulated to cease certain misrepresentations of his products. (4070)

Hollywood Credit Clothing Co., Inc., operating a retail clothing store at 703 Seventh St., N. W., Washington, D. C., entered into a stipulation to cease and desist from using the words "camels," "camels hair," or any other term of similar meaning as a designation for or as descriptive of a product not composed entirely of the hair of the camel. (03289)

Morton's—A copartnership trading as Morton's, a retail clothing store at 312 7th Street, N. W., Washington, D. C., entered into a stipulation to discontinue using the word "Shetland" or any simulation thereof to designate or describe sweaters or other products not composed wholly of wool of Shetland sheep raised on the Shetland Islands or on the contiguous mainland of Scotland. (4065)

National Manufacture & Stores Corporation, trading as Lawrence Furniture Co., Forsyth Building, Atlanta, operating a chain of retail furniture stores in a number of southern States, including a department store under the name Lawrence Furniture Co. in Memphis, Tennessee, has stipulated to cease and desist from certain misrepresentations of jewelry sold by it. (4069)

Spiegel, Inc., Chicago, entered into a stipulation to cease and desist from representing that Grayvita Tablets, a vitamin preparation containing calcium pantothenate as its principal ingredient, will prevent or end gray hair or restore natural color to hair.

The company also agrees to stop representing that restoration of the natural color of hair has been effected in 88% or any other definitely stated percentage of those to whom calcium pantothenate was administered in tests. (03287)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Alaska Fur Trappers, Inc., and Max Friedman, president of the corporation, 36 West 35th Street, New York, selling and distributing fur products, have been ordered to cease and desist from misrepresentations concerning their products. (5199)

Liquid Tight Paper Container Assn.—Eight manufacturers of cylindrical liquid tight paper containers and the trade association of which they are or were members have been ordered to cease and desist from participating in or continuing a combination

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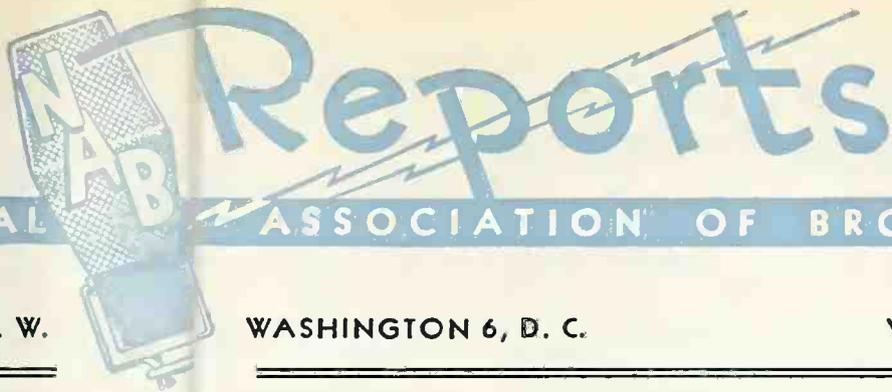
and conspiracy to restrain trade and suppress price competition in the sale of their products. The order is directed against the following respondents:

Liquid Tight Paper Container Association, 1532 Lincoln-Liberty Building, Philadelphia, and its secretary and manager, George J. Lincoln, Jr.; Boothby Fibre Can Co., 84 Linden Park St., Boston; George T. Hynes, trading as Champion Container Co., Third and Somerset Sts., Philadelphia; Fonda Container Co., Inc., St. Albans, Vt.; Menasha Products Co., Menasha, Wis.; Minkoff & Rosenfield Brothers, Inc., trading as Miro Container Co., 537 DeKalb Ave., Brooklyn; Russell Box Co., Kalamazoo, Mich.; Sealright Co., Inc., Fulton, N. Y., and Sutherland Paper Co., Kalamazoo, Mich.

Menasha Products Co., Russell Box Co. and Boothby Fibre Can Co. are no longer members of the Association and the last-named corporation has discontinued active business operations. (4675)

FTC COMPLAINT DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint against John M. O'Lane, B. M. O'Lane and Edith P. Cortell, trading as Universal Fingerprint Systems, Ltd., Seattle, Wash. The respondents had been charged with misrepresentation in the sale of correspondence courses of instruction in fingerprinting and other subjects connected with crime detection.



"Telling the World" Report No. 4

Local Originations in Support 7th War Loan

Period—May 27-June 2

(Excluding Network and National Spot)

| | | |
|--------------------|-----------|--------|
| Sing for the 7th | 5-min ET | 3,657 |
| Treasury Salutes | 15-min ET | 3,121 |
| Music for Millions | 15-min ET | 3,001 |
| Treasury Songs | 5-min ET | 50 |
| Buy, Buy Bonds | 5-min ET | 10 |
| Spots | Live & ET | 76,560 |
| | 2-min | 1,719 |
| | 3-min | 639 |
| Programs | 5-min | 762 |
| | 10-min | 319 |
| | 15-min | 1,514 |
| | 20-min | 67 |
| | 25-min | 40 |
| | 30-min | 484 |
| | 35-min | 2 |
| | 45-min | 32 |
| | 50-min | 8 |
| | 1 hour | 35 |
| | 1¼ hours | 21 |
| | 1½ hours | 21 |
| | 2 hours | 10 |
| | 2¾ hours | 1 |
| | 11 hours | 1 |
| | 15 hours | 1 |
| | 17 hours | 1 |

No. 6 report is due June 18

No. 7 report is due June 25

Please send Nos. 5, 4, 3, and 2 if you haven't



NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NATIONAL 2080

J. H. Ryan, President

C. E. Arney, Jr., Secretary-Treasurer

Lewis H. Avery, Director of Broadcast Advertising; Robert T. Bartley, Director of Government Relations; Helen A. Cornelius, Asst. Director of Broadcast Advertising; John Morgan Davis, General Counsel; Wil- lard D. Egoli, Director of Public Relations; Howard S. Frazier, Director of Engineering; Dorothy Lewis, Coordinator of Listener Ac- tivity; Paul F. Peter, Director of Research; Harlan Bruce Starkey, Chief, News Bureau; Arthur C. Stringer, Director of Promotion.

FLASH—ELECTION RESULTS

Complete official returns compiled by Ernst & Ernst under whose direction the referendum vote for Directors-at-Large, Network Directors and By-Law amendments is being conducted, disclose the following results:

Frank M. Russell, NBC, and Dr. Frank Stanton, CBS, have been confirmed as Network Directors; G. Richard Shafto, WIS, has been elected as Director-at-Large for medium stations. Elected as Directors-at-Large for small stations are Matthew H. Bonebrake, KOCY, and Clair R. McCollough, WGAL.

In addition to the foregoing, J. Leonard Reinsch, WSB, and J. Harold Ryan, WWVA, Executive Vice President of the Fort Industry Company, and present NAB President, will serve as Directors-at-Large for large stations and T. A. M. Craven for medium stations for the one-year term beginning July 1—these three having received a majority of the votes cast in the first balloting.

The two amendments to the By-Laws proposed by the Board of Directors were overwhelmingly approved by the membership vote.

The newly elected Directors-at-Large will assume their duties on July 1 when the reorganization of the Board takes place. In next week's NAB REPORTS complete infor- mation with reference to the personnel of the new Board will be given.

WILLS NOMINATED TO FCC

President Truman has sent the name of former Governor William H. Wills (Republican, Vermont) to the Senate to succeed Norman S. Case as a member of the Federal Communications Commission. Mr. Case has been a mem- ber of the Commission since 1934. His term expires on June 30. The term for Mr. Wills is for seven years from June 30.

COMMUNICATIONS SUBCOMMITTEE NAMED

The Communications Subcommittee of the House Com- mittee on Interstate and Foreign Commerce has been named by Chairman Clarence F. Lea (D), Calif., and Representative Charles A. Wolverton (R), N. J., Ranking Minority Member of the Committee. The Subcommittee is made up of 7 Democrats, 6 Republicans and 1 American Labor Party member, under the chairmanship of Repre- sentative Alfred L. Bulwinkle (D), N. C. The membership follows:

DEMOCRATS

- Alfred L. Bulwinkle, N. C.,
Chairman
- Virgil Chapman, Ky.
- J. Percy Priest, Tenn.
- George G. Sadowski, Mich.
- Richard F. Harless, Ariz.
- John W. Murphy, Penna.
- John B. Sullivan, Mo.

REPUBLICANS

- Charles A. Wolverton, N. J.
- Pehr G. Holmes, Mass.
- B. Carroll Reece, Tenn.
- Charles A. Halleck, Ind.
- Clarence J. Brown, Ohio
- Leonard W. Hall, N. Y.

AMERICAN LABOR

- Vito Marcantonio, N. Y.

FLORIDA LABOR LAW INVALID

In the case of *Hill et al. v. State of Florida*, decided June 11, 1945, the Supreme Court of the United States in a majority opinion written by Mr. Justice Black invalidated Sec. 4 and Sec. 6 of a Florida Statute (House Bill No. 142, Laws of Fla. 1943, 21968, 565) regulating labor union activities.

It was held that Sec. 4 and Sec. 6 of the Fla. Act are invalid since the National Labor Relations Act and such sections of the Fla. Act "cannot 'move freely within the orbit of their respective purposes without infringing upon one another.'"

Section 4 of the Florida Act as stated by the Court, provides,

"that no one shall be licensed as a 'business agent' of a labor union who has not been a citizen of the United States for more than 10 years, who has been convicted of a felony, or who is not a person of good moral character. Applica- tion for a license as a 'business agent' must be accompanied by a \$1.00 fee and a statement signed by officers of the union setting forth the agent's authority. The statute then provides that the application be held for 30 days to permit the filing of objections to the issuance of a license. A Board composed of the Governor, the Secretary of State, and the Superintendent of Education, then passes on the application, and if it finds the applicant measures up to the standards of the act, as it sees them, it authorizes the license to be issued, to 'expire on December 31 of the year for which issued unless sooner surrendered, suspended, or revoked.' Section 2 (2) defines 'business agent' as 'any person who shall for a pecuniary or financial consideration act or attempt to act' for a union 'in soliciting or receiving from any employer any right or privilege for employees' * * * or 'in the issuance of membership or authorization cards, work permits, or any other evidence of rights granted or claimed in, or by, a labor organization * * *'."

The Court in this connection states:

"The declared purpose of the Wagner Act, as shown in its first section, is to encourage collective bargaining, and to protect the 'full freedom' of workers in the selection of bargaining representatives of their own choice. To this end Congress made it illegal for an employer to inter- fere with, restrain or coerce employees in selecting their representatives. Congress attached no conditions whatso- ever to their freedom of choice in this respect. Their own best judgment, not that of someone else, was to be their guide.

"'Full freedom' to choose an agent means freedom to pass upon that agent's qualifications.

"Section 4 of the Florida Act circumscribes the 'full freedom' of choice which Congress said employees should possess. It does this by requiring a 'business agent' to prove to the satisfaction of a Florida Board that he meas- ures up to standards set by the State of Florida as one who, among other things, performs the exact function of a collective bargaining representative. To the extent that Section 4 limits a union's choice of such an 'agent' or bargaining representative, it substitutes Florida's judg- ment for the workers' judgment.

"Thus, the 'full freedom' of employees in collective bar- gaining which Congress envisioned as essential to protect the free flow of commerce among the states would be, by the Florida statute, shrunk to a greatly limited freedom. No elaboration seems required to demonstrate that Section

(Continued on next page)

4 as applied here 'stands as an obstacle to the accomplishment and execution of the full purposes and objections of Congress.'

Section 6 of the Florida Act, as stated by the Court,

"requires every labor union 'operating' in the state to file a written report with the Secretary of State, disclosing its name, the location of its offices, and the names and addresses of its officers."

The Court goes on to say:

"Section 6, as here applied, stands no better. The requirement as to the filing of information and the payment of a \$1.00 annual fee does not, in and of itself, conflict with the Federal Act. But for failure to comply, this union has been enjoined from functioning as a labor union. It could not without violating the injunction and also subjecting itself to the possibility of criminal punishment even attempt to bargain to settle a controversy or a strike. It is the sanction here imposed, and not the duty to report, which brings about a situation inconsistent with the federally protected process of collective bargaining. This is true because if the union or its representatives acted as bargaining agents without making the required reports, presumably they would be liable both to punishment for contempt of court and to conviction under the misdemeanor section of the act. Such an obstacle to collective bargaining cannot be created consistently with the Federal Act."

McDOWELL LEAVES FCC FOR KPRO

RIVERSIDE, CALIFORNIA—Bill Gleeson, President and General Manager of the Broadcasting Corporation of America—operators of Radio Station KPRO in Riverside and San Bernardino, California, has just announced that Mr. James McDowell will join the staff of his organization on July 1st, as Public Relations Director.

Mr. McDowell for the past 10 years has been a lawyer in the Law Department of the Federal Communications Commission, handling broadcast station transfers, and for some years the Field Attorney of the FCC.

Prior to entering government service, Mr. McDowell served two terms as District Attorney in Illinois and later as Deputy U. S. District Attorney in Cook County, Chicago, where he handled such famous cases as the Al Capone and Samuel Insull prosecutions.

FORTY-EIGHT HOUR WEEK

For those member stations who are operating on a 48-hour week a recent ruling of the War Manpower Commission will be of interest.

The War Manpower Commission states first, the wartime work week of forty-eight hours will remain mandatory in group 1 areas of labor stringency but its continuation in other areas will be within the discretion of area manpower directors. Second, individual exemptions from the forty-eight hour requirement will be available to employers whose production is cut back significantly, and temporary exemptions will be granted if necessary. All such exemption applications should be made to the area manpower director who has detailed instructions on the factors to be taken into consideration in passing on such requests.

NATIONAL WAR LABOR BOARD RULING

Employers may now raise wage rates up to 55¢ per hour without War Labor Board approval pursuant to the Board's revised General Order No. 30. Up until now the limit to which wages could be raised without approval was 50¢. The change in rate does not mean that employers must raise wage rates to 55¢ but only that they may do so now without approval. The revised General Order applies to salary rates as well as wage rates. Thus salaries subject to WLB jurisdiction may be raised also. For example,

using a 40-hour week, no approval is required to raise such salary from \$20.00 to \$22.00 per week.

Increases to 55¢ per hour need not be offset against the 5¢ and 10¢ limitation of the War Labor Board's standard clause for granting merit and length of service increases under General Order No. 31.

Although there has been no official ruling we understand that increases to 55¢ per hour may be made retroactively to May 23, 1945, which is the approval date of the revision of General Order No. 30, but may not be made retroactively to any earlier date unless approval is secured.

UNION CERTIFICATION: WHEN LOST

The National Labor Relations Board prepared a statement last week setting forth the steps by which employers who believe that a union certified as their bargaining agent no longer represents the majority of employees, may obtain a review of the certification.

Two steps were specified: first, the employer may petition the Board to obtain a construction of the certification; second, he may refuse to bargain with the certified union until charges of a refusal to bargain have been adjudicated by the Board either formally or informally.

The Board also stated: "If he elects to follow the latter procedure, the employer may with impunity disregard the certification until the issue has been determined and he has been directed to bargain. In this connection, we wish to point out that if the employer's objection to the certification is well grounded, the Board will, administratively and without issuing a complaint or conducting a hearing, hold that the certification is no longer binding. Thus it is fair to say that when the Board issues a certification it does not ordinarily define its application in all conceivable factual situations but expects that in normal course any substantial questions which thereafter arise concerning its operative effect will be brought before the Board for determination as above indicated."

The Labor Relations Board revealed that it had agreed with the War Labor Board that where the question arose in a dispute before the War Labor Board such question would be referred to the Labor Relations Board. Mr. George W. Taylor, Chairman of the War Labor Board, stated that it does not have authority to entertain employer petitions questioning the majority status of a bargaining agent. If there is prima facie evidence the union has lost its majority, the Board would decline to process the case until the union had gone to the Labor Relations Board to have the matter of representation cleared up.

PANEL 4 MEMO—BRIEF ON ALLOCATIONS

The following Memorandum Brief, signed by Howard Frazier, Chairman, Panel 4, on Standard Broadcasting of the Radio Technical Planning Board, has been submitted to the Federal Communications Commission:

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C.

Docket No. 6651

In the Matter of:

ALLOCATION OF FREQUENCIES TO THE VARIOUS CLASSES OF
NON-GOVERNMENTAL SERVICES IN THE RADIO SPECTRUM
FROM 10 KILOCYCLES TO 30,000,000 KILOCYCLES

This Memorandum Brief in the above entitled matter is respectfully submitted by Panel 4 on Standard Broadcasting of the Radio Technical Planning Board. It is the desire of the Panel to assist the Commission in bringing about the maximum utilization of radio frequencies suitable for standard broadcasting.

(Continued on next page)

Report of Proposed Allocation below 25,000 kc., Docket 6651

On May 21, 1945, the proposals of the Commission in regard to standard broadcasting set forth on pages 45 and 46 of the above entitled report were transmitted to the membership of the Panel together with a request that they express their views on the proposed allocation to the chairman of the Panel for guidance in the preparation of this brief.

Proposal to Enlarge the Standard Broadcast Band

During the course of the hearing, testimony was presented to the Commission on behalf of the Panel supporting two proposals for the enlargement of the standard broadcast band. The first proposal, the addition of 540 and 530 kc channels to the standard broadcast band was supported unanimously by all three subcommittees of the Panel. The second proposal, that three additional channels be added to the broadcast band, namely 540, 530 and 520 kilocycles, was strongly supported by the Allocation and the Transmitter Committees of the Panel. The Receiver Committee, comprised largely of engineers representing receiver manufacturers, did not support the second proposal but recommended that the broadcast band be extended only to and including 530 kilocycles (Tr. 938, 939, 940; Exhibit 156, pp. 23, 25 and 31). In connection with the proposed use of the 530 and 520 kilocycle channels the proposed report of the Commission, page 45, reads as follows:

"The use of 520 and 530 kc for standard broadcasting would involve serious problems of interference with auto alarms on the international distress frequency 500 kc. Moreover, most of the radio receiving sets being used today are not equipped to tune to 520 and 530 kc and it is not practicable to modify these receivers (Tr. 935, 938, 981; Ex. 156, pp. 24 and 25). For these reasons the Commission does not propose to assign 520 and 530 kc for standard broadcast purposes."

A careful review of the record, upon which the proposed report is based, does not reveal any factual data as to the interference that might be caused to auto alarms operating on the international distress frequency of 500 kc. Two witnesses testified on this subject. The first was William B. Lodge, Director of General Engineering for the Columbia Broadcasting System, who testified that he was not familiar with the design of auto alarms and that his only information on this subject was hearsay evidence (Tr. 987). The second witness was Howard C. Looney, who is Chief of the Marine Section of the Safety and Special Services Division, Engineering Department, Federal Communications Commission, who placed in the record regulations covering the use of auto alarms and the Commission's technical requirements for these devices. This witness, in response to a question from the Chairman concerning possible interference with auto alarms from broadcast stations, stated as follows:

"That is a matter of considerable investigation and study and at this time I would not like to make recommendation in that respect, Mr. Fly." (Tr. 3706)

Later, the same witness in response to a question from the chairman of Panel 4 stated that the evidence he had placed in the record was not sufficient to form the basis for a determination of interference to auto alarms from broadcast operations on 530, 520 kc (Tr. 3708). On the other hand, Paul F. Godley, an expert on allocation matters testifying on behalf of Panel 4 in support of the Panel's proposal to extend the broadcast band, discussed this interference problem in considerable detail. Mr. Godley suggested the use of "very modest power" on the 520, 530 kc channels and stated that in his opinion possibility of interference to auto alarms could be overcome by power and geographical restrictions on the licensing of stations for these channels. Mr. Godley also pointed out that even with very severe restrictions on the power of such stations that their broadcast coverage would be extensive on these lower frequencies. (Tr. 950 to 964, Exhibit No. 157.)

The proposed report also states that "most of the radio

receiving sets being used today are not equipped to tune to 530, 520 kc." This conclusion is substantiated by the record. However, there is considerable evidence in the record that most FM receivers will be sold in combination with an AM receiver which was the practice before the war. The testimony of several witnesses substantiates this point. (Cotter, Tr. 1056-1062; Brown, Tr. 1105; Smythe, Tr. 4611 and Reed, Tr. 4712.)

The testimony of Dallas W. Smythe of the FCC is particularly pertinent as he placed in the records statistical data on the number and types of FM receivers which have been manufactured. Mr. Smythe testified (Tr. 4611) that a total of 395,755 sets or units were manufactured, of which 365,648 were FM-AM combinations, or approximately 92 per cent of all previously manufactured FM units have been combined with AM receivers. During the course of the hearing, many witnesses testified as to the anticipated widespread growth of FM broadcasting in the post war period and the demand for FM receivers. Thus the conclusion can logically be drawn that most radio homes will be rapidly equipped with new AM-FM combination receivers during the post war period. This public demand for new combination receivers and the general obsolescence of existing receivers, due to wartime manufacturing restrictions, make the present period an ideal time to prepare for the *future expansion* of the standard broadcast band.

It is recognized that other services are now operating in the portion of the spectrum between 540 and 520 kc and that it might not be possible to entirely clear this spectrum space for broadcast purposes in the near future. However, it is respectfully suggested that receivers capable of receiving these frequencies can be placed in the hands of the public during the next few years if the Commission *now declares its intent* of eventually including these frequencies in the standard broadcast band. The Panel 4 Receiver Committee, comprised almost entirely of engineers representing receiver manufacturers, has evidenced a willingness to redesign post war receivers to include the 530 kc channel in the standard broadcast band. (Exhibit 156, page 25.) Only two dissenting votes in the Receiver Committee were cast against this recommendation. Therefore, since the record indicates that manufacturers can and will modify AM receiver designs and the inclusion of the 540 kc channel necessitates redesign of many receivers, it is respectfully requested that the Commission reconsider its previous decision in respect to the 530 kc channel. It is probable that a thorough study of the interference problems in connection with auto alarms and the use of 530 kc channel for broadcasting might indicate that 520 kc can safely be used for broadcast services, at least in the interior of the continent where better than average conductivity is found and the need for broadcast service over vast distances is greatest.

Relay Broadcast Service

The Commission's proposed report states that the Commission intends to provide channels between 1,600 and 3,000 kc for this service over comparatively long distances. The Panel endorses the Commission's proposal to provide for this very necessary service and expresses the hope that the Commission will be able to provide an adequate number of channels of proper width for this purpose.

Studio Transmitter Links

Frequencies for this service have been allocated in the portion of the spectrum above 25,000 kc. Panel 4 recommended during the course of the hearing that these facilities be made available to all aural broadcasters on an equal basis with broadcast services other than standard. The allocation above 25,000 kc as announced and the proposed allocation below 25,000 kc are not clear as to the broadcast services which will be authorized to utilize radio studio-transmitter facilities. Therefore, the Panel respectfully calls the Commission's attention to its original recommendation in this regard and it is again urged that all aural broadcast services be permitted to enjoy the advantages of such facilities.

(Continued on next page)

Satellite Stations

The Commission's Report of the Allocations from 25,000 kc to 30,000,000 kc, dated May 25, 1945, provides for the ultra high frequency control of satellite transmitters on frequencies above 1,000 mc on an experimental basis. The Panel is gratified that the Commission has provided for the future development of this service. The Panel's proposal to extend the standard broadcast band and the recommendation that ultra high frequencies be utilized for satellite control provide, in the opinion of the Panel, the most logical methods of improving standard broadcast service. Both of these proposals were also endorsed by the Small Market Stations Committee of the National Association of Broadcasters. This committee, the membership of which is predominantly representative of local stations, is well aware of the need for improving the existing coverage of stations of this class. It is the intention of the Panel to assist in the development of standards for the ultra high frequency satellite control service.

Respectfully submitted,

Panel 4, on Standard Broadcasting
of the
Radio Technical Planning Board
By HOWARD S. FRAZIER, *Chairman*.

June 12, 1945
Washington, D. C.

UNRRA ISSUES CLIP SHEET

United Nations Rehabilitation Relief Administration today (15) inaugurates a radio clip sheet service for women directors.

According to Marvin Beers, UNRRA radio chief, all material will be drawn from reports and correspondence of field workers engaged in relief operations abroad. UNRRA is classed as an international organization and for this reason does not clear its releases through OWI.

HEARS MIAMI GLOBAL SHOW IN GERMANY

The Miami "Let's Go to Town" show, produced under the direction of F. W. Borton, WQAM, Task Force Commander, was heard in Europe about April 28. A hometown boy, Sgt. F. K. Danks, first to write his appreciation, said:

"Miami has been my home since 1926 and I want you to know I enjoyed hearing all the news about everything—particularly sitting here in a German town that is just a shadow of its former self." He said reception was excellent and that program was heard over "our AEF station."

ANNIVERSARY WAR BOND AUCTION

Hutchinson, Kans.—KWBW observed its tenth anniversary on the air May 28 by incorporating a War Bond auction into the birthday theme.

More than 100 prizes totaling an approximate value of \$3,000.00 were given by Hutchinson merchants to be auctioned.

One hungry bidder purchased \$200,000.00 worth of bonds in order to procure for himself a 21-pound ham. The donator of this ham agreed to cook it for the ravenous high bidder.

NEBRASKA BROADCASTERS MEET

The Nebraska Broadcasters Association held their annual meeting in Fremont on May 26th.

Among the several resolutions unanimously adopted was the following:

"We hereby request the NAB to use its efforts to convince the FCC to cease disqualifying public service programs as such because they may be sponsored; and to ask

the FCC to revise its rules for determining sustaining and commercial broadcasting periods."

Art Thomas, WJAG, Secretary of the Nebraska Association, states in a letter to NAB that he has been asked to explain that the above quoted resolution "is not intended to be inclusive. For instance it does not cover stations whose business has materially increased since their last application."

RUSSIAN RADIO

Stating that in Russia "the public may hear only a program chosen by the authorities," June 16 issue of the *N. Y. Times* carries a story under the byline of Charles Friedman who reports on Soviet radio, now operating a total of more than 100 stations.

Mr. Friedman sees Premier Stalin attaching the same importance to radio as did Lenin who is said to have sensed its importance as a potential instrument of controlled propaganda, and who is quoted in the *Times* as having called it the "newspaper without paper and without distance."

In striking contrast with the American system of free radio and the American tradition of freedom of speech, is Mr. Friedman's description of the single, government-controlled Russian network. Mr. Friedman says:

"The broadcasts of the central station in Moscow are relayed by dozens of other stations and thousands of 'radio centers' in all cities and large settlements. These centers, at which the public may hear only a program chosen by the authorities, are hooked up to more than 5,000,000 loudspeakers. By Stalin's direct orders, a new and up-to-date station, described as the most powerful medium-wave station in the world, was constructed in the capital during the war."

SEE PUBLIC SERVICE ERA COMING

Editor & Publisher of June 9 carries a report by a research firm which analyzed a survey which was made to determine the advertising value to sponsors of newspaper cooking schools.

Contained in the report is the following comment:

"In the years ahead we are definitely entering a service era and the more service, industry, including newspaper publishers, can render to their community from the standpoint of self-enlightened interest should be the most effective concept and one that in the long haul will do most for the newspaper . . ."

The report suggested that cooking schools be replaced with "home economic forums," to be held once each month.

TEACHERS RADIO INSTITUTE

KANSAS CITY, MO.—The first KMBC Radio Institute for Teachers opened its doors this week as authorities on radio in education congregated in Kansas City for the three weeks' course. Advance registration, which had long since reached the capacity figure of 300, found teachers in attendance from throughout the heart of America.

Sponsored in cooperation with the Kansas City public schools, and the University of Kansas, the KMBC Radio Institute is dedicated to giving educators a better understanding of broadcasting's place in the American way of life, to teach them how to make more effective use of radio for class work, and to show them how to evaluate radio programs in terms of the educational needs of students.

Well-known broadcasting authorities scheduled to speak at the Institute include C. E. Hooper on the subject of "Research and Evaluation"; Capt. W. C. Eddy, U. S. Navy retired, commanding officer, Radio Materiel School, Chicago, on "Radio's Advancing Horizons"; and CBS executives including Dr. Lyman Bryson, director of education,

(Continued on next page)

on "Educational Radio"; John J. Karol, sales manager, on "The Business of Radio"; and Bill Downs, famed war correspondent, on "News in Radio."

Faculty members of the Institute include Kenneth G. Bartlett, director of the radio workshop, Syracuse University; Marguerite Fleming, director, drama and radio workshop, South High School, Columbus, Ohio; Mortimer Frankel, associate script editor, CBS; Edgar B. Gordon, professor of music, University of Wisconsin; Ola B. Hiller, director of radio, Pontiac Public Schools; George Jennings, acting director, radio council, station WBEZ, Chicago public schools; Harold B. McCarty, director WHA, the Wisconsin School of the Air; Elizabeth Goudy Noel, senior specialist in training techniques, U. S. Office of Education, Washington, D. C.; and Margaret Snyder Perko, writer for the Wisconsin School of the Air.

Staff members of KMBC will also participate in the daily sessions from June 11-29. Arthur B. Church, president, is ex officio director of the Institute; Dr. Charles F. Church, director of education, is director.

KFI ON PUBLIC SERVICE

LOS ANGELES, CAL.—KFI General Manager, W. B. Ryan, states that "the numerous expressions of approbation that KFI receives each season from listeners regarding the Los Angeles Philharmonic Young Artists' Competition leads us to believe that the program series fulfills its intended purpose of serving the public through the medium of radio.

"More than 100 talented young instrumentalists have had the opportunity to perform symphonic works with orchestra accompaniment. Of this number four have appeared later in solo concerts with the Los Angeles Philharmonic Orchestra."

KFI's Young Artists' Competition program won the 1944 George Foster Peabody Award as the "most outstanding radio program for youth in America."

STANDARD STATION APPLICATIONS LISTED

The Federal Communications Commission has released a complete list of pending applications for new standard broadcast stations. This release lists the applicants by state and city and indicates the frequency, power and time of operation covered by the application. Copies of the list which is designated "News Release 82712, June 7, 1945" may be obtained from the Commission.

951 STANDARD BROADCAST STATIONS

During the month of May 1945, the FCC licensed three stations to operate and issued three new construction permits. A comparative table of the number of standard broadcast stations by months, follows:

| | 1944 | | | | | | | | | | | | 1945 | | |
|---------------------------|--------|--------|--------|---------|--------|--------|--------|--------|--------|--------|--------|-------|----------------------------------|--------|--------|
| | June 1 | July 1 | Aug. 1 | Sept. 1 | Oct. 1 | Nov. 1 | Dec. 1 | Jan. 1 | Feb. 1 | Mar. 1 | Apr. 1 | May 1 | June 1 | June 1 | June 1 |
| Operating | 910 | 912 | 913 | 912 | 914 | 916 | 919 | 919 | 921 | 923 | 924 | 925 | 928 | | |
| Construction | 13 | 12 | 13 | 16 | 15 | 15 | 18 | 24 | 24 | 22 | 21 | 23 | 23 | | |
| | <hr/> | | | | | | | | | | | | | | |
| | 923 | 924 | 926 | 928 | 929 | 931 | 937 | 943 | 945 | 945 | 945 | 948 | 951 | | |
| 53 Commercial FM Stations | | | | | | | | | | | | | 9 Commercial Television Stations | | |
| June 1, 1945 | | | | | | | | | | | | | | | |
| Operating | 46 | | | | | | | | | | | | Operating | 6 | |
| Construction | 7 | | | | | | | | | | | | Construction | 3 | |
| | <hr/> | | | | | | | | | | | | | <hr/> | |
| | 53 | | | | | | | | | | | | | 9 | |

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, June 18. They are subject to change.

Wednesday, June 20

Oral Argument before the Commission en banc
To be held in the Auditorium of the National Museum, 10th Street and Constitution Avenue

Report of Proposed Allocations below 25,000 kc.

In the Matter of Allocation of Frequencies to the various classes of non-governmental services in the radio spectrum from 10 kc. to 30,000,000 kc.

NEW—Fred O. Grimwood, Bloomington, Ind.—C. P., 1490 kc., 100 watts, unlimited.

Thursday, June 21

WMC—Memphis Publishing Company, Memphis, Tenn.—Renewal of license, 790 kc., 5 KW (main), 500 watts (aux.), unlimited (main), auxiliary purposes only (aux.), DA-night.

Federal Communications Commission Action

APPLICATIONS GRANTED

KPHO—Central Newspapers, Inc. (transferor), Rex Schepp (transferee), Phoenix Broadcasting, Inc. (licensee), Phoenix, Ariz.—Granted consent to acquisition of control of Phoenix Broadcasting, Inc., licensee of station KPHO, by Rex Schepp (who owns 33.3% of outstanding stock) for a consideration of \$17,333 for 21.66% of outstanding capital stock. (B5-TC-437.)

KFMB—O. L. Taylor (transferor), Jack O. Gross (transferee), Worcester Broadcasting Corp., San Diego, Calif.—Granted consent to voluntary acquisition of control of Worcester Broadcasting Corp., licensee of station KFMB, by Jack O. Gross, for a consideration of \$103,857 for 3,750 shares, or 50% of the outstanding capital stock of licensee. (B5-TC-419.)

The Board of Education of Newark in the County of Essex, Newark, N. J.—Granted construction permit for new non-commercial educational broadcasting station; unlimited time; 1 KW power.

WSSV—Southside Va. Broadcasting Corp., Petersburg, Va.—Granted license to cover construction permit for a new station to operate on 1240 kc., 250 watts, unlimited time. The licensee hereunder is granted a waiver of Sections 3.55 (b) and 3.60 of the Commission's rules and regulations upon the following conditions (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) That approved frequency and modulation monitors will be installed as soon as such equipment becomes available. Also granted authority to determine operating power by direct measurement of antenna power.

Fred H. Hover, d/b as Findlay Radio Co., portable, area of Findlay, Ohio.—Granted construction permit for new relay broadcast station; frequencies: 30830, 33740, 35830 and 37980 kc., 25 watts.

(Continued on next page)

KMMJ, Inc., Grand Island, Neb.—Same except 50 watts, and to be used with applicant's standard station KMMJ.

KHQ-KGA—Louis Wasmer, Inc., Louis Wasmer, Spokane, Wash.—Granted petition for continuance of hearing on applications for renewal of licenses of stations KHQ and KGA, now scheduled for June 18, and continued same to July 18, 1945.

LICENSE RENEWALS

WCKY—L. B. Wilson, Inc., Cincinnati, Ohio.—Granted renewal of license for the period ending May 1, 1948.

KFBI—The Farmers & Bankers Broadcasting Corp., Wichita, Kans.—Granted renewal of license for the period ending May 1, 1948.

WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—Granted renewal of license for the period ending Feb. 1, 1947.

KXOX—Sweetwater Radio, Inc., Sweetwater, Texas.—Granted renewal of license for the period ending August 1, 1946.

WPRR—Puerto Rico Advertising Co., Mayaguez, Puerto Rico.—Granted renewal of license for the period ending May 1, 1948.

DESIGNATED FOR HEARING

Orangeburg Broadcasting Corp., Orangeburg, S. C.; The Observer Radio Co., Orangeburg, S. C.—Designated for consolidated hearing to be heard with application of Augusta Broadcasting Co., Charleston, S. C., the applications of Orangeburg Broadcasting Corp. and The Observer Radio Co., all requesting frequency 1450 kc., 250 watts, unlimited time.

MISCELLANEOUS

KEEW—Radio Station KEEW, Ltd., Brownsville, Texas.—Denied special service authorization to operate on 910 kc., with 250 watts power, unlimited time, for the period ending 3 a. m. EST, Dec. 1, 1945.

John M. Spottswood, Key West, Fla.—Denied petition requesting waiver of proof of performance requirement attached to conditional grant of April 24, 1945, for a new station.

The following application for new high frequency FM broadcast stations were placed in the pending files in accordance with Commission policy of February 23, 1934:

Evergreen Broadcasting Corp., Seattle, Wash.; KXL Broadcasters, Portland, Ore.

The following applications for new commercial television broadcast stations were retained in the pending files:

Westinghouse Radio Stations, Inc., Boston, Mass., Philadelphia, Pa., and Pittsburgh, Pa.

Albert E. Buck and Merle H. Tucker, a partnership, d/b as Rio Grande Broadcasting Co., Gallup, N. M.—Adopted memorandum opinion and order granting construction permit for a new station to operate on 1230 kc., with power of 250 watts, unlimited time, subject to the condition that the applicant shall be required to install frequency and modulation monitors of types to be approved by the Commission as soon as such equipment shall become available upon the market and subject to the further condition that a construction permit will not be issued until the applicant has satisfied the Commission with respect to the following within 90 days of conditional grant, in accordance with the procedural requirements announced in public notice issued by the Commission on January 26, 1944: (1) By evidence in writing from the War Production Board that any authorization of that board necessary to carry the construction to completion has been obtained or that none is required; (2) That the applicant is in a position to complete all construction necessary to the proposed operation within a reasonable period; and (3) Acceptance of the grant upon these conditions has been submitted in writing within 20 days of the date of grant.

APPLICATIONS FILED AT FCC

580 Kilocycles

WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Authority to determine operating power by direct measurement of antenna power.

1140 Kilocycles

KGDM—E. F. Peffer, Stockton, Calif.—Authority to make changes in automatic frequency control unit.

1380 Kilocycles

KOTA—Black Hills Broadcast Company of Rapid City, Rapid City, S. Dak.—License to cover construction permit (B4-P-3580 as modified) for change in frequency, increase in power, installation of new transmitter and directional antenna for night use and move of transmitter.

KOTA—Black Hills Broadcast Company of Rapid City, Rapid City, S. Dak.—Authority to determine operating power by direct measurement of antenna power.

1400 Kilocycles

WHGB—Herbert Kendrick and G. L. Hash, d/b as Harrisburg Broadcasting Company, Harrisburg, Penna.—License to cover construction permit (B2-P-3677 as modified) for a new standard broadcast station.

WHGB—Herbert Kendrick and G. L. Hash, d/b as Harrisburg Broadcasting Company, Harrisburg, Penna.—Authority to determine operating power by direct measurement of antenna power.

1450 Kilocycles

WBBL—Grace Covenant Presbyterian Church, M. A. Sitton, Agent, Richmond, Va.—License to cover construction permit (B2-P-3638 as modified) for change in frequency, increase in power, changes in equipment and hours of operation.

WBBL—Grace Covenant Presbyterian Church, M. A. Sitton, Agent, Richmond, Va.—Authority to determine operating power by direct measurement of antenna power.

1490 Kilocycles

WSAP—Portsmouth Radio Corp., Portsmouth, Va.—License to cover construction permit (B2-P-3742) for installation of new vertical antenna.

WSAP—Portsmouth Radio Corp., Portsmouth, Va.—Authority to determine operating power by direct measurement of antenna power.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Construction permit to install a Composite 250 watt transmitter at present site to be operated as an auxiliary transmitter with power of 250 watts.

FM APPLICATION

NEW—Debs Memorial Radio Fund, Inc., New York, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48.7 mc., with coverage of 8,600 square miles. Amended to change coverage to 7,273 square miles, changes in antenna, change transmitter and studio location.

TELEVISION APPLICATIONS

W2XMT—Metropolitan Television, Inc., New York, N. Y.—Modification of construction permit (B1-PVB-40 as modified which authorized construction of new experimental television station) for extension of completion date from 6-30-45 to 9-30-45.

NEW—Metropolitan Television, Inc., New York, N. Y. (P. O. 749, Lexington Ave.)—Construction permit for a new commercial television station to be operated on Channel #8 (162-168 mc.), with ESR of 721. Amended to change frequency from Channel #8 (162-168 mc.) to Channel #8 (186-192 mc.) as proposed in reallocation, and make changes in equipment and antenna.

NEW—Earle C. Anthony, Inc., Los Angeles County, Calif.—Construction permit for a new experimental television broadcast station to be operated on Channel #2 (60-66 mc.), power of 4 KW (peak), and A5 emission.

NEW—Television Productions, Inc., Los Angeles, Calif. (P. O. 5451 Marathon St.)—License for a new commercial television broadcast station to be operated on Channel #4 (78-84 mc.), with power of 4 KW visual, 1 KW aural, and A5 and Special for FM emission.

NEW—KSTP, Inc., St. Paul, Minn.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50 to 56 mc.) with ESR of 1961.

MISCELLANEOUS APPLICATIONS

- NEW—The KCKN Broadcasting Co., Kansas City, Mo.—Construction permit for a new developmental broadcast station to be operated on 49.9 and 99.8 mc., power of 1 KW, and A0 and Special emission.
- NEW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Construction permit for a new developmental broadcast station to be operated on 49.7, 49.9 and 99.8 mc., power of 1 KW, and A0 and Special emission.
- NEW—Emerson Radio & Phonograph Corp., New York, N. Y. (P. O. 111 Eighth Ave.)—Construction permit for a new developmental Broadcast station to be operated on 100 mc., with power of 500 watts and FM emission.
- W3XLA—Everett L. Dillard, tr/as Commercial Radio Equipment Co., Portable, area of Washington, D. C.—Modification of construction permit (B1-PEX-44, which authorized a new Satellite Developmental Broadcast Station) for extension of completion date from 6-16-45 to 9-15-45.
- NEW—Associated Broadcasting Corp., Grand Rapids, Mich.—Extension of authority to transmit programs from Grand Rapids Michigan, to CKLW, Windsor, Ontario, Canada, for the period beginning 6-27-45.
- NEW—Textile Broadcasting Co., Greenville, S. C. (Portable)—Construction permit for a new relay broadcast station to be operated on 33.38, 35.02, 37.62 and 39.82 mc., power of 2 watts and A3 emission.
- W3XWT—Allen B. DuMont Laboratories, Inc.,—Washington, D. C.—License to cover construction permit (B1-PVB-105) which authorized reinstatement and changes in transmitter site, power, emission and type of equipment.
- W9XLA—KLZ Broadcasting Company, Denver, Colo.—License to cover construction permit (B5-PEX-41) for change in class of station from Temporary Class 2 Experimental High Frequency to Developmental Broadcast.
- W9XLA—KLZ Broadcasting Co., Portable, area of Denver, Colo.—Modification of construction permit (B5-PEX-42, which authorized a new Satellite Developmental Broadcast Station) for extension of completion date from 7-4-45 to 1-4-46.
- WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—License to cover construction permit (B1-PH-473) for changes in antenna.

Federal Trade Commission Docket

COMPLAINTS

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

American Sales Co. et al.—A complaint alleging misrepresentation in the sale of secondhand wearing apparel has been issued against Isidore Gendelman and Samuel Gendelman, trading as American Sales Co., Universal Bargain House, and National Sales Co., 367 Sutter Ave., Brooklyn. (5331)

Italian Accordion Mfg. Co.—Misrepresentation in connection with the sale of accordions is alleged in a complaint issued against Walter Zulawinski and Louise Zulawinski, trading as Italian Accordion Manufacturing Company and as Italia & P. Soprani Accordion Manufacturing Company, 323 West Polk Street, Chicago. (5330)

Kleerex Co., 2005 South Michigan Ave., Chicago, is charged in a complaint with disseminating advertisements which represent falsely that the medicinal preparation they sell under the name of Kleerex is an effective treatment for pimples and will cause pimples to dry up and disappear overnight.

The respondents are granted 20 days to answer the complaint. (5332)

Lankenau Company—A complaint has been issued charging Henry Lankenau, Richard Lankenau and Harry Lankenau, trading as Lankenau Company, 1450 Broadway, New York, with falsely representing that they are the manufacturers of the wool and rayon fabrics they sell in interstate commerce. (5328)

Pixacol Company, Post Office Box 3583, Cleveland, Ohio, is charged in a complaint with disseminating false advertisements concerning Pixacol, a medicinal preparation. (5329)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATION

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

Rose Fur Co., 20 West 27th St., New York, entered into a stipulation to cease using any animal or purported animal name or designation for fur or fur garments which is not the true name of the animal producing the fur; provided, that if the fur is so dyed as to simulate another fur, that fact shall be set forth as an integral part of its designation, and if the name of the animal whose fur is so simulated be given, such name shall be immediately followed by and compounded with the word "dyed," together with the true name of the animal producing the fur as the last word of the description, all words of the designation to be in like type and equally conspicuous. (4075)



Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 25, June 22, 1945

“Telling the World” Report No. 5

Local Originations in Support 7th War Loan

Period—June 3-9

(Excluding Network and National Spot)

| | | |
|--------------------|-----------|---------|
| Sing for the 7th | 5-min ET | 4,088 |
| Treasury Salutes | 15-min ET | 3,193 |
| Music for Millions | 15-min ET | 3,203 |
| Treasury Songs | 5-min ET | 52 |
| Buy, Buy Bonds | 3-min ET | 299 |
| Spots | Live & ET | 100,919 |
| | 2-min | 2,163 |
| | 3-min | 608 |
| Programs | 5-min | 968 |
| | 10-min | 422 |
| | 15-min | 1,473 |
| | 20-min | 21 |
| | 25-min | 32 |
| | 30-min | 587 |
| | 35-min | 1 |
| | 45-min | 20 |
| | 50-min | 5 |
| | 1 hour | 82 |
| | 1½ hours | 14 |
| | 2 hours | 15 |
| | 3 hours | 5 |
| | 6¼ hours | 1 |
| | 7 hours | 1 |

No. 7 Report is due June 25

No. 8 Report is due July 2

Please send Reports Nos. 6, 5, 4, and 3 if you haven't



The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAational 2080

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

"RADIO COMMERCIALS MEAN AMERICA", SAYS EISENHOWER

General Dwight D. Eisenhower, Supreme Commander of the Allied Forces in the European Theater, received a rousing reception from Washingtonians on Monday (18). In the course of his talk at the luncheon tendered him by Washingtonians at the Statler, General Eisenhower is reported in the Washington "Evening Star" as having said in part, "Were I a speaker instead of a soldier, there's one thing I would try to do today. I would try to describe the feelings of the soldier who returns home from the war after a long time.

"We have long been in countries where we didn't understand the language, and later when we were in Germany, not only were we unable to understand the language, but the faces were hostile and sullen.

"You don't know what it means to hear language that clicks sweetly in our ears—to hear commercials on the radio—and in all it means America to us.

"To all the men who have considered themselves almost expatriates, it means coming home. They have earned the gratitude of their country, and from what I saw today, they are going to have it."

BOARD PERSONNEL CHANGES

While no definite date has as yet been fixed for the next meeting of the Board of Directors, July 1 has been designated as the beginning of an "NAB year." At that time four new Directors-at-Large and three newly elected District Directors will assume Board membership.

Re-elected as Directors-at-Large for the ensuing one-year term were J. Leonard Reinsch, WSB, in the large station classification, and T. A. M. Craven, WOL, for the medium stations. Re-elected District Directors were: 1st District, Paul W. Morency, WTIC; 9th District, Leslie C. Johnson, WHBF; 11th District, E. L. Hayek, KATE; 17th District, Harry R. Spence, KXRO.

Newly elected Directors-at-Large are: Harold Ryan, WWVA, and Executive Vice President of the Fort Industry Company, in the large station classification; G. Richard

Shafto, WIS, in the medium station classification; and Matthew H. Bonebrake, KOCY, and Clair R. McCollough, WGAL, for small stations.

Mr. Ryan is well known to all in the industry, having been a member of the Board for four years representing the 7th NAB District (Kentucky, Ohio), and having served the past 14 months as NAB President.

Mr. Shafto is no stranger to the Board, having served as District Director for the 4th District (D. C., Virginia, West Virginia, North Carolina, South Carolina) from 1942 to 1944. He was born in Clifford, New Jersey, in 1904 but when 10 years old removed, with his family, to Richmond, Virginia, where he completed his high school education. He studied technical radio and advertising at the Radio Institute, New Orleans, Georgia Tech and Columbia University. In 1923 he built Station WQAT at Richmond and during 1924 and 1925 was a shipboard radio operator. There followed two years of service with Westinghouse in selling broadcast receivers. He then went with Graybar selling broadcast transmitters. In 1932 he became Manager of Radio Station WIS, Columbia, South Carolina. He is President of the Forest Lake Country Club and formerly a member of the Board of Kiwanis and the Chamber of Commerce of Columbia. He is former chairman of the Richland County Red Cross and served as OWI Regional Consultant. He is 4th District member and chairman of the NBC Stations Planning and Advisory Committee. He is an Episcopalian and was married in 1927. His hobbies are hunting, fishing and golfing. He succeeds Don S. Elias, WWNC, as medium station Director, Mr. Elias having declined renomination.

Mr. Bonebrake, who has long taken an active interest in NAB affairs but has not had previous experience on the Board, was born in Rolla, Missouri, in 1907. He graduated from the University of Missouri in 1929, following which he joined the advertising staff of the "Daily Oklahoma." He then became commercial manager of WKY where he served from 1931 to 1938. He joined in the organization and became manager of KOCY in 1938.

Mr. McCollough, in addition to being Executive Vice President and Director of WGAL, occupies the same position with WKBO, WDEL, WORK, WAZL and WEST, and is General Manager of the Mason-Dixon Radio Group, comprising these stations. He previously served on the NAB Board and has for the past two years been a member of the NAB Legislative Committee. He has always taken an active interest in the affairs of the industry. He is a strong advocate of close cooperation and a united front within the industry as well as the obligation of all broadcasters to give the public consistent public service.

George D. Coleman, WGBI, replaces Roy Thompson, WFBG, as Director for the 3rd District (Pennsylvania, Delaware, Maryland). Mr. Coleman was born in Scranton, Pennsylvania in 1899. He was educated in Scranton Public Schools and Penn State Extension College. His first employment was with the Hudson Coal Company and later he accepted a position with the General Electric Company, Schenectady. In 1929 he became manager of Frank Megargee's radio store in Scranton and in 1932 was appointed General Manager of WGBI. He has been active in civic affairs and is First Vice President of the Scranton Rotary Club; Vice Chairman of the Radio Committee of the American Legion, Department of Pennsylvania; and Director of the Scranton Better Business Bureau. He is married to the former Ruth Lenore LaBar and is the father of a son, Ronald, aged 8. He resides in Clarks Summit, Pennsylvania.

James D. Shouse, WLW, returns to the Board as 7th District Director (Kentucky, Ohio). He previously served as Director-at-Large for large stations for two consecutive one-year terms. Mr. Shouse was born at Newcastle, Kentucky. He graduated from Miami University, following

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which he taught school for two years. He was then affiliated with "Liberty" Magazine for a term of four years and with CBS for six years. For one year following that he was with Stack-Goble Advertising Agency and left that position to assume the General Managership of CBS-owned KMOX at St. Louis, where he served for one year. He then became General Manager of the Crosley broadcasting activities where he has served since 1937. Under his management Station WLW has won 15 national awards. In 1943 he was sent to London as special consultant of the Office of War Information. He succeeds Nathan Lord of WAVE, who was not a candidate for re-election.

William B. (Bill) Smullin, KIEM, replaces Arthur Westlund, KRE, as 15th District Director, Mr. Westlund having declined renomination. Mr. Smullin was born in Pennsylvania in 1907. At an early age he removed with his family to the Hood River Valley at Parkdale, Oregon, where he received his early schooling. He attended Willamette University at Salem, Oregon, and graduated in the class of '29. He was manager and then editor of the college paper. Following his university graduation he became managing editor of the Southwestern Oregon News, Marshfield, and was successively advertising manager of the Oregon Grange Bulletin, Portland, and then became President-Manager of the Redwood Broadcasting Company (KIEM). He also operates the Coast Broadcasting Company and is Secretary-Treasurer and Director of the Southern Oregon Broadcasting Company (KUIN). He married Patricia Duell of Spokane and is the father of two children, Shirley, 12, and William David, 3. He is a member of the Executive Committee of the California Aviation Committee and past President of the Eureka Chamber of Commerce and the Kiwanis Club. He is Vice Chairman of the North California State Chamber of Commerce, Transportation Committee, and presently is Director of the Eureka Chamber of Commerce, Campfire Girls, Boy Scouts, Kiwanis, Red Cross, YWCA and USO. He is a member of the San Francisco Press Club, the Masons, Shrine, Eastern Star, NAA and an associate member of IRE. He is also Secretary-Treasurer-Director of the Santa Clara Broadcasting Company, San Jose, as yet non-operating.

In addition to these new faces upon the Board, Martin B. Campbell, WFAA, replaces Hugh A. L. Half, WOAI, who resigned in March. Mr. Campbell had, previous to Mr. Half's resignation, been elected as 13th District Director for the two-year term beginning July 1.

Fred W. Borton, President of WQAM, was elected by the Board to succeed John C. Bell, WBRC, who was compelled to resign as 5th District Director on account of ill health. Mr. Borton assumed his duties at the Board meeting held in Omaha in May. He had previously been elected by referendum vote to represent the 5th District for the two-year term beginning July 1.

Following is a complete list of the Board of Directors for the ensuing "NAB year," beginning July 1:

| | |
|------------|---|
| District 1 | Paul W. Morency, WTIC Hartford, Connecticut |
| District 2 | Kolin Hager, WGY Schenectady, New York |
| District 3 | George D. Coleman, WGBI Scranton, Pennsylvania |
| District 4 | Campbell Arnoux, WTAR Norfolk, Virginia |
| District 5 | F. W. Borton, WQAM Miami, Florida |
| District 6 | Hoyt B. Wooten, WREC Memphis, Tennessee |
| District 7 | James D. Shouse, WLW Cincinnati, Ohio |
| District 8 | John E. Fetzer, WKZO Kalamazoo, Michigan |

| | |
|-------------|--|
| District 9 | Leslie C. Johnson, WHBF Rock Island, Illinois |
| District 10 | John J. Gillin, Jr., WOW Omaha, Nebraska |
| District 11 | E. L. Hayek, KATE Albert Lea, Minnesota |
| District 12 | William B. Way, KVOO Tulsa, Oklahoma |
| District 13 | Martin B. Campbell, WFAA Dallas, Texas |
| District 14 | Hugh B. Terry, KLZ Denver, Colorado |
| District 15 | William B. Smullin, KIEM Eureka, California |
| District 16 | William B. Ryan, KFI Los Angeles, California |
| District 17 | Harry R. Spence, KXRO Aberdeen, Washington |

Directors-At-Large

| | |
|-----------------|---|
| Large Stations | J. Leonard Reinsch, WSB Atlanta, Georgia J. Harold Ryan, WWVA Wheeling, West Virginia |
| Medium Stations | T. A. M. Craven, WOL Washington, D. C. G. Richard Shafto, WIS Columbia, South Carolina |
| Small Stations | Matthew H. Bonebrake, KOCY Oklahoma City, Oklahoma Clair R. McCollough, WGAL Lancaster, Pennsylvania |
| Network—CBS | Frank Stanton, CBS New York, N. Y. |
| Network—NBC | Frank M. Russell, NBC Washington, D. C. |

IN MEMORIAM

Judge Sykes

Judge Eugene Octave Sykes, who as much as any one man set the course of the American System of Broadcasting, passed away Thursday afternoon, June 21, at his Washington home.

"The Judge" as he was affectionately known throughout the radio industry was an original appointee to the Federal Radio Commission and the first Chairman of the Federal Communications Commission.

His constructive criticism during the early days of the industry did much to establish and encourage the growth of broadcasting as it now exists in America.

NAB PLEADS FOR OWI RADIO BUREAU

Harold Ryan, NAB President, appeared before the subcommittee of the Senate Appropriations Committee on Friday (15) to plead for the restoration in the budget of an item sufficient to maintain the Radio Bureau of the Domestic Branch of the Office of War Information.

By House action the OWI budget had been cut to \$17,000,000 as against a request for \$42,000,000. This drastic cut would, according to Elmer Davis, OWI Director, have necessitated the abandonment of the entire Domestic

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Branch, including the Radio Bureau. Mr. Ryan's testimony follows:

"This Association is a voluntary organization comprising the owners and operators of domestic broadcast stations. Of the 928 stations now in operation 649 are active members of NAB. They represent every type of broadcasting and stations of every power, large, medium and small.

"Prior to the declaration of the war this Association had adopted an industry policy under which all government programs and announcements were broadcast without any charge whatsoever. With the advent of the war a most chaotic condition developed in the matter of requests from government agencies upon individual stations for time. The several agencies had no means of knowing what requests for radio time were being made by other agencies with the result that demands were being made upon the stations for time far in excess of the amount that could be broadcast without destroying the effectiveness of the messages and producing confusion in the minds of the listeners. A situation developed under which the stations were unable to determine which of these requested programs and announcements should take precedence.

"This Association, therefore, assisted in the organization of a radio section in the Office of Facts and Figures which was the predecessor of the Office of War Information. When the Domestic Branch of the Office of War Information was created a Radio Bureau was made a separate unit.

"Through this Bureau an orderly method of handling the programs and announcements coming from various war agencies was perfected. Allocation plans covering both networks and individual stations were worked out. Requests from all of the war agencies are channelled through the Radio Bureau of the Office of War Information and decision is made as to the relative importance to the war effort of the material submitted. The stations and the

networks set aside a definite portion of their time daily for these OWI approved announcements and programs. Thus those matters which are first in importance are given priority over others of lesser importance.

"As a result a maximum of efficiency is achieved and the radio stations are enabled to conduct their operations with full knowledge of the amount of time they will be called upon to devote to war effort announcements and programs. In event the activities of the Radio Bureau are impaired or terminated for any reason during the war it is certain that an even more chaotic condition than that existing prior to the development of the Radio Bureau would result. Immediately all of those agencies which have been clearing their material through OWI will undoubtedly send it direct to the stations. The volume will be so great that no station can carry all of it and there will be a wide variance of opinion as to the order of importance of the items submitted.

"It is clear, then that such a condition would seriously impair the war effort. Unquestionably a tremendous contribution has been made to a better understanding by the public of the important war activities because of the coordination of war messages by the Radio Bureau of the OWI.

"It may be argued that such a clearing bureau could or should be maintained by the industry. This, however, would not be possible unless some means of compelling the compliance by governmental agencies with the bureau's decision was instituted. It is almost certain that compliance could not be gotten by voluntary action. The objections to compelling government agencies to clear material through a private agency are obvious.

"Some idea of radio's participation in the war information campaigns conducted by the Domestic Radio Bureau of OWI may be gained from an examination of the following tabulation:

Radio Participation in War Information Campaigns—1944

A Summary of Campaigns Conducted by OWI Domestic Radio Bureau with Time and Talent Contributed by Advertisers, Networks and Stations.

| OWI FACILITIES | No. of Programs | No. of War Messages | | Est. "Listener- Impressions" Per Week | Est. Annual Value of Time & Talent (Net) |
|---|-----------------|---------------------|-----------|---------------------------------------|--|
| | | Per Week | Per Year | | |
| 1. Network Allocation Plan..... | 410 | 210 | 10,920 | 460,000,000 | \$39,000,000** |
| Sponsored..... | 260 | | | | |
| Sustaining..... | 150 | | | | |
| 2. Special Assignment Plan..... | ... | 50 | 2,575 | 95,000,000 | 8,449,000** |
| 3. Nat'l Spot & Regional Network Allocation Plan..... | 185 | 1,617* | 84,048 | 24,000,000 | 2,774,000** |
| 4. Station Announcement Plan: | (Stations) | | | | |
| Network Affiliates..... | 621 | 26,082 | 1,356,264 | ..... | ..... |
| Independent..... | 272 | 17,136 | 891,072 | ..... | ..... |
| Total..... | 893 | 43,218 | 2,247,336 | 63,000,000 | 15,861,000 |
| 5. Special Events..... | 32 | ..... | ..... | ..... | 57,600** |
| 6. Women's Radio War Program Guide..... | 1,000 | ..... | ..... | ..... | ..... |
| Total..... | ..... | 45,095 | 2,344,879 | 642,000,000 | \$66,141,600 |

*Represents number of station-broadcasts per week.

**Figures represent commercial value of time and talent of programs carrying OWI assigned messages.

Typical OWI Radio Campaigns in 1944

| Campaigns | Weeks | Programs | Station Announcements | Est. Listener Impressions | Est. Value of Time & Talent |
|---------------------------------|-------|----------|-----------------------|---------------------------|-----------------------------|
| WAC Recruiting..... | 43 | 600 | 112,144 | 1,318,256,000 | \$2,700,000 |
| Prepare for Winter..... | 10 | 484 | 43,218 | 583,725,000 | 1,500,000 |
| Victory Gardens..... | 16 | 274 | 36,330 | 1,095,480,000 | 805,000 |
| Red Cross War Fund..... | 10 | 431 | 93,765 | 1,166,205,000 | 2,000,000 |
| Fourth War Loan..... | 5 | 472 | 87,994 | 1,390,543,000 | 2,574,000 |
| War Production Comes First..... | 4 | 226 | ..... | 519,798,000 | 1,000,000 |
| Cadet Nurse Corps..... | 13 | 223 | 25,515 | 625,695,000 | 1,250,000 |
| Income Tax Regulations..... | 8 | 315 | 10,248 | 686,345,000 | 1,314,000 |
| Sixth War Loan..... | 4 | 817 | 25,012 | 1,675,297,000 | 2,812,840 |
| National War Fund..... | 5 | 421 | 41,514 | 787,616,000 | 1,500,000 |

"We most earnestly request that your honorable committee report favorably the restoration in the budget of the funds necessary to maintain on an efficient basis the

Radio Bureau of the Domestic Branch of the Office of War Information for the duration of the war."

FEDERAL AID FOR PUBLIC AIRPORTS

"Hazards" to airports included in a national plan for the development of public airports proposed by the Administrator of Civil Aeronautics, under S. 2 in the U. S. Senate and H. R. 3170 are defined as structures or objects of natural growth located on or in the vicinity of a public airport which obstructs the air space required for the flight of aircraft or in landing or taking off of aircraft.

A project sponsor who desired to develop an airport included in the national plan and is unable to secure the necessary land and landing areas free from hazards may call upon the Administrator to exercise "eminent domain" procedures. The court in which such condemnation proceedings is instituted has jurisdiction to determine whether the acquisition desired is "necessary." If successful the Administrator is authorized to turn over to the project sponsor the condemned property.

The House Bill provides for hearings before the Administrator by Public Agencies (including the FCC) which may have reasonable objections to the proposed plan. NAB is attempting to secure a provision giving a right of hearing before the Administrator for stations which would be adversely affected by any such plan.

The Senate Bill introduced by Senator Pat McCarran (D-Nevada) which has been reported favorably by the Committee on Commerce may be called up for consideration by the Senate the week of June 26.

The House Bill is still under consideration by a subcommittee of the House Committee on Interstate and Foreign Commerce.

PUBLIC RELATIONS COMMITTEE MEETS

(As released by NAB News Bureau, June 20)

The Public Relations Executive Committee of the National Association of Broadcasters met in New York on Monday and Tuesday (18-19). In attendance were Edgar L. Bill, WMBD, Peoria; George Crandall, CBS, New York; Craig Lawrence, WHOM, New York; Leslie W. Joy, KYW, Philadelphia; Michael R. Hanna, WHCU, Ithaca; Willard D. Egolf, public relations director of the National Association of Broadcasters and secretary of the Committee, and J. Harold Ryan, NAB president.

Committee members unable to attend were John F. Patt, WGAR, Cleveland; Harry Kopf, NBC, Chicago; Karl O. Wyler, KTSM, El Paso; and Lewis Allen Weiss, KHJ, Hollywood.

The Committee received and discussed a report on distribution of the recently published NAB public relations book, *Management in the Public Interest*. The report indicated that a copy of the book has gone to all NAB members and rapidly is being distributed to national organizations and persons of national prominence. Mr. Egolf stated that 5,000 extra copies of the book have been ordered by stations.

The Committee discussed ways and means of increasing public distribution of *Management in the Public Interest* to the possible extent of 25 or 30 thousand copies through NAB stations. Expressions of approval were voiced by all Committee members who inspected numerous letters of commendation which have been received at NAB headquarters from top-flight industry executives and heads of national organizations. These letters unanimously extolled *Management in the Public Interest* as an excellent public relations work.

The Committee carefully considered the desirability of compiling a list of case histories as exemplified in the various illustrations contained in *Management in the Public Interest* into a manual for the use of station operators. These case histories would not be limited to those who sent in photos but would be solicited from all stations.

It was decided to round out a complete library of photos on radio's war activities, these to be published in a book similar to *Management in the Public Interest*. Suggested title of this new book is "Radio in the War." Major part of this book would be devoted to radio's war job on the home front.

Much time was devoted to discussion of Twenty-fifth Anniversary activities. A report was made on Kiwanis Radio Week. One hundred per cent participation by Kiwanis Clubs was reported by Kiwanis International which had sent many pictures of Citation presentations in towns throughout the country. Many other details of Twenty-fifth Anniversary observance were discussed. It was pointed out that radio is very busily engaged in the war effort and that the "*Pledged to Victory*" theme is the salient feature of Twenty-fifth Anniversary observance. Previously discussed plans for a Twenty-fifth Anniversary week which had been tentatively scheduled for the coming Fall were definitely shelved so that the industry may more effectively train its sights on V-J Day with a view to bringing it to an earlier realization.

Meeting with the Committee for the purpose of discussing participation of radio manufacturers in broadcasters' Twenty-fifth Anniversary observance were John S. Garceau, Director of Personnel and Public Relations for the Farnsworth Radio and Television Company; W. B. McGill, Director of Advertising, Westinghouse Radio Stations, Inc., and Philip Lesly, Vice President of Theodore Sills and Company, RMA Public Relations Counsel.

Much time was spent considering the Lee and Losh suggestion for Radio Academy Awards. Mr. E. T. B. Harris of Lee and Losh explained the plan in minute detail to the Committee. The Committee suggested several modifications.

Frances Farmer Wilder, Consultant on Daytime Serials for the Columbia Broadcasting System, gave a summary of the findings of the CBS Survey on Daytime Serials. This summary was received with great interest by the Committee. A complete discussion of audience reaction to radio in general ensued.

A report on listener activity was made by a liaison subcommittee of the Public Relations Committee. This Committee, consisting of George Crandall, Craig Lawrence, Michael Hanna and Leslie Joy, Chairman, had previously conferred with Dorothy Lewis, NAB Director of Listener Activity. Mrs. Lewis has recently returned from the San Francisco Conference.

The Committee considered a suggestion made by William B. Way, Vice President of KVOO, Tulsa and Director for NAB District 12, who has proposed that stations be supplied with a newspaper mat service dealing with the American system of broadcasting. Steps were considered for furtherance of this program. Committee consensus was that an expanded budget would be necessary.

CODE COMMITTEE MEETS

The NAB Code Committee was in session in New York for the second day of its scheduled two-day meeting (June 20-21) as NAB REPORTS went to press.

A full report of this meeting will be carried in next week's issue of REPORTS.

COURT HEARS NABET CASE

A hearing on the petition of the National Labor Relations Board for a decree to compel NBC and the American Broadcasting Company (Blue) to recognize the Board's certifications of the National Association of Broadcast Electricians and Technicians (NABET) as the bargaining

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agent for platter turners was held before the Second Circuit Court of Appeals (New York) last week.

The court consists of Judge Thomas W. Swan, presiding, and Judges Harris B. Chase and Charles E. Clark. NLRB was represented by Alvin J. Rockwell, its General Counsel. John T. Cahill and Franklin S. Wood appeared respectively for NBC and the American-Blue. AFM, while not officially represented, put in an appearance through Henry A. Friedman, assistant to Joseph A. Padway, General Counsel.

The action was brought by NLRB pursuant to provisions of the Wagner Act and is designed to put the full force of a judicial decision behind the NLRB order awarding jurisdiction over platter turners in NBC and American-Blue stations outside of Chicago to NABET. An early ruling is expected.

"RIGHT-TO-WORK" LAW UPHELD

A special three-judge Federal court declares as constitutional a "Right-to-Work" amendment to the Federal Constitution.

The amendment provides that:

"The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization; provided, that this clause shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer."

The court distinguishes between this constitutional amendment and state statutes which ban picketing or require union organizers to buy a license before doing business. The Florida amendment does not conflict with the Wagner Act either, the court decides. Nowhere does it deny the right to organize or to bargain collectively; it recognizes that right. All it does is to declare that membership in a union shall not be a condition of getting or keeping a job, presumably extending to people not union-minded a right they lacked under some conditions prior to the adoption of the amendment.

The court, among other things, makes the following statements:

* * * "Instead of preventing or abridging the rights of speech, press, assembly, and petition, the amendment seeks to preserve it to those who do not join a labor union as well as to those who do." * * *

* * * "There is no prohibition against a citizen belonging to any union that he chooses, but the prohibition seems to be against requiring membership in the union in order for a citizen to be eligible for work." * * *

* * * "The Florida constitutional amendment prohibits no one from joining a union but undertakes to declare that it shall not be a condition precedent to the right to work. It does not deny the labor union member the equal protection of the law, but appears to be designed to give to the non-union worker a protection of law which he had not theretofore enjoyed."

COURT BANS UNION-MANAGEMENT COMBINATIONS

The Supreme Court of the United States in the case of *Allen Bradley Company et al vs. Local Union No. 3, IBEW*, rendered a decision on Monday (18) under which agreements between electrical equipment manufacturers of metropolitan areas, contractors, and electrical workers' union to boycott out-of-area and non-union goods constitute a combination in restraint of trade and a monopoly over the electrical industry in violation of the Sherman Anti-trust Act and, in view of union participation with business men who had power to eliminate competition among themselves, the situation is not within the exemptions afforded unions under Clayton and Norris-LaGuardia

Acts; declaratory judgment and injunction against union must be amended so as to enjoin only those prohibited activities in which union engaged in combination with non-labor groups.

PANEL 4, RTPB, HEARD IN ORAL ARGUMENT

Supplementing the brief filed with the Federal Communications Commission on June 13, on behalf of Panel 4, Standard Broadcasting, of the Radio Technical Planning Board (NAB REPORTS—page 235) Howard S. Frazier, chairman of the Panel, appeared before the Commission on Wednesday (20).

The complete text of Mr. Frazier's statement follows:

On behalf of Panel 4 on Standard Broadcasting of the Radio Technical Planning Board, may I take this opportunity to express to the Commission our appreciation of the Commission's action in adopting several of the recommendations which we submitted. I refer to the extension of the broadcast band to include 540 kc; the experimental authorization of high frequency controlled satellite transmitters; facilities for the relay broadcast service and studio-transmitter links for aural broadcast stations.

With respect to relay broadcasting, I have been asked by members of the Panel to again call to the Commission's attention the importance of the 1600 to 3000 kc region for this service over comparatively long distances. The proposed allocation states, "Number and width of channels will be left for future determination." I wish to reiterate our plea that an adequate number of channels in this region of proper width be provided for this very important service.

With reference to the Panel's proposal to extend the broadcast band to either 530 or 520 kc, may I read the following excerpts from the testimony of Dr. Charles B. Aiken, a technical consultant, at the Informal Engineering Conference held by the Federal Communications Commission in June of 1936. Dr. Aiken was appearing at that time on behalf of the National Association of Broadcasters. I read from Dr. Aiken's statement.

"It must be admitted that the present American broadcast band is overcrowded, and yet the clamor for new frequency assignments steadily increases. The public has enthusiastically supported the majority of the stations in existence, and would certainly support more. There are many rural parts of the country that need additional service, especially during the day, when signals from a distance cannot be heard. Such regions can be served only by more stations or more power, or both.

"Another fault to be found with the present system of allocation arises from the fact that broadcasting has been forced to use certain frequencies not well suited to its needs. While aware of the technical shortcomings of these frequencies, the Industry has made every effort to utilize them as fully as possible, and, under direction of the Federal Communications Commission, has built up a system unequalled anywhere in the world.

"RURAL COVERAGE.—Obviously, rural areas should receive as good service as it is possible to give them. Not only the United States, but Canada and Mexico as well, contain large regions which can best be served by relatively long distance broadcasting. It would appear therefore, that our needs for long range transmission are better established than are those of any European nation except Russia. Although faced with the difficult problems raised by the clash of national interests, these nations have succeeded in allocating their broadcast services where they can be most effective, while the North American nations have completely failed in efforts to secure such allocations.

"A more satisfactory broadcast structure can be obtained only by the assignment of new groups of frequencies. One group below 550 kc would do much to improve rural coverage in the United States and Canada, but would be of less use to Mexico because of the high noise levels and low latitudes.

"It is well known that, for a given radiated power, the

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radius of ground-wave coverage decreases rapidly as the frequency is increased, and that the zone of serious fading also draws in toward the transmitter. . . . There is a tremendous change in ground-wave coverage with frequency, and it is therefore not surprising that there should be general agreement that the higher frequencies (of the standard broadcast band) are not well suited to broadcasting. . . . The high frequencies can be used for local coverage only, and the problem of delivering a satisfactory service to large suburban regions and to rural areas can be solved only by the efficient use of longer waves.

"The United States, Canada, and Mexico are large countries having well developed needs for rural coverage. The longest waves are perhaps less interesting to Mexico, because of the high noise levels which commonly exist on the low frequencies in southern latitudes, but Canada and the northern part of the United States present coverage problems which can best be solved by the use of low-frequency broadcasting. The European countries have long recognized the advantages of such services, even though no one nation except Russia has anything like such distances to cover as are regularly met with in North America. In spite of conflicting national interests and in spite of the great value which is accorded to the military services by all European countries, their administrations have realized the tremendous importance of broadcasting and the technical value of long waves for rendering efficient service. As a result, a continent which has less need for it, has evolved a fairly satisfactory structure employing frequencies from 153 to 546 kc., while the continent which, from the standpoint of national boundaries, geographical distances, and economic capabilities, has the most obvious need for low-frequency broadcasting stations has succeeded in acquiring none below 540 kc. That this is an unfortunate state of affairs can hardly be denied."

I have taken the liberty of quoting so extensively of Dr. Aiken's report because I feel that his testimony is just as pertinent and to the point today as it was nine years ago.

As we pointed out in our Memorandum Brief filed with the Commission on June 13 there is reason to believe that the radio listeners in the post-war period will purchase great quantities of AM-FM combination receivers. Also many listeners will purchase new AM receivers, due to the obsolescence brought about by the wartime years during which no new receivers were manufactured for civilians. This prediction is fully sustained by testimony presented during the course of the hearing. It is the opinion of the Panel that most of these new receivers, which will go into production in the very near future, can be designed to include 530 as the lower limit of the standard broadcast band if the Commission now declares its intent to further expand the broadcast band when the frequencies can be made available for broadcast service.

SUPREME COURT DECIDES WOW CASE

The Supreme Court of the United States on Monday (18) handed down its decision in the case involving the license and ownership of Radio Station WOW, Omaha. The full text of the decision in so far as it pertains to all but jurisdictional questions follows:

No. 593.—OCTOBER TERM, 1944

On Writ of Certiorari to the Supreme Court of the State of Nebraska

Radio Station WOW, Inc. (a Nebraska Corporation),
Woodmen of the World Life Insurance Society (a Nebraska Corporation), De E. Bradshaw, *et al.*, Petitioners,
vs.

Homer H. Johnson.

[June 18, 1945.]

MR. JUSTICE FRANKFURTER delivered the opinion of the Court.

This case concerns the relation of the Federal Communications Act, 48 Stat. 1064, 47 U. S. C. § 151 *et seq.*, to the power of a State to adjudicate *conflicting claims to the property used by a licensed radio station*. At the outset,

however, our power to review the decision below is seriously challenged.

The facts relevant to the jurisdictional problem as well as to the main issues are these, summarized as briefly as accuracy permits. Petitioner, Woodmen of the World Life Insurance Society, a fraternal benefit association of Nebraska, owns radio station WOW. The Society leased this station for fifteen years to petitioner, Radio Station WOW, Inc., a Nebraska corporation formed to operate the station as lessee. After the Society and the lessee had jointly applied to the Federal Communications Commission for consent to transfer the station license, Johnson, the respondent, a member of the Society, filed this suit to have the lease and the assignment of the license set aside for fraud. While this suit was pending, the Federal Communications Commission consented to assignment of the license, and the Society transferred both the *station properties* and the *license* to the lessee. Thereafter the Society answered that "the Federal Communications Commission . . . has and concedes that it has no jurisdiction over the subject matter of plaintiff's action, except jurisdiction to determine the transfer of the license to operate said radio station, which jurisdiction after full and complete showing and notwithstanding objections filed thereto, was exercised in the approval of the transfer of said license to the defendant Radio Station WOW, Inc., and further order to the Society to execute and perform the provisions of said lease by virtue of which the possession of said lease property has now been delivered to the lessee, all as more particularly herein found." Respondent's reply admitted "that the Federal Communications Commission has and concedes that it has no jurisdiction over the subject matter of plaintiff's action except jurisdiction to determine the transfer of the license to operate said radio station." The trial court found no fraud and dismissed the suit.

The Supreme Court of Nebraska, three Judges dissenting, reversed and entered judgment for respondent, directing that the lease *and license* be set aside and that the original position of the parties be restored as nearly as possible. 144 Neb. 406, 13 N. W. 2d 556. The judgment further ordered that an accounting be had of the operation of the station by the lessee since it came into its possession and that the income less operating expenses be returned to the Society. On motions for rehearing the petitioners asserted that only the Federal Communications Commission and the federal courts had jurisdiction over the subject matter, not the Nebraska courts. These motions were denied in an opinion in which the Nebraska Supreme Court stated, "We conclude at the outset that the power to license a radio station, or to transfer, assign or annul such a license, is within the exclusive jurisdiction of the Federal Communications Commission. . . . The effect of our former opinion was to vacate the lease of the radio station and to order a return of the property to its former status, the question of the federal license being a question solely for the Federal Communications Commission. Our former opinion should be so construed." The claim that the Nebraska courts had no jurisdiction over the subject matter of the action was thus dealt with: "The fact that the property involved was used in a licensed business was an incident to the suit only. The answer of the defendants, heretofore quoted, squarely contradicts the position they now endeavor to assume. Their position is unsound on its merits and, in addition thereto, it was eliminated from the case by the pleadings they filed in their own behalf." 144 Neb. 432, 14 N. W. 2d 666. Because of the importance of the contention that the State court's decision had invaded the domain of the Federal Communications Commission, we granted certiorari. In the order allowing certiorari we directed attention to the questions whether the judgment is a final one and whether the federal questions raised by the petition for certiorari are properly presented by the record. 323 U. S. 705.

This brings us to consider what federal questions are here. The court below decreed the transfer of property used as a radio station. It conceded that it had no jurisdiction over the transfer of the license under which WOW was operating. That is a matter which Congress has put in the keeping of the Federal Communications Commission. Petitioner claims that the court's decree in effect involves an exercise of the very authority which the Court dis-

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avowed. This presents a federal question which was duly made below, and we must consider it.

But it is not open to us to consider independently the claim that the Federal Communications Act has withdrawn from the State court jurisdiction over the physical properties of the station and given it to the Federal Communications Commission. The Society's answer admitted that this controversy was outside the jurisdiction of the Commission except as it related to the transfer of the license, and respondent joined in this view. Only after the Nebraska Supreme Court's original opinion did petitioners, by motions to dismiss the suit and for rehearing, claim that the Nebraska courts were wholly without jurisdiction over the controversy. In its opinion on rehearing the Nebraska Supreme Court rejected this claim as "contrary to the pleadings filed" in the trial court, and also denied it on its merits. "The answer of the defendants, heretofore quoted," that court wrote, "squarely contradicts the position they now endeavor to assume. Their position is unsound on its merits and, in addition thereto, it was eliminated from the case by the pleadings they filed in their own behalf." Questions first presented to the highest State court on a petition for rehearing come too late for consideration here, unless the State court exerted its jurisdiction in such a way that the case could have been brought here had the questions been raised prior to the original disposition. *Simmerman v. Nebraska*, 116 U. S. 54; *Godchaux Co. v. Estinopal*, 251 U. S. 179; *American Surety Co. v. Baldwin*, 287 U. S. 156. Here the Nebraska Supreme Court held that the federal question had dropped out as a matter of pleading and also denied its merits.

This brings the situation clearly within the settled rule whereby this Court will not review a State court decision resting on an adequate and independent non-federal ground even though the State court may have also summoned to its support an erroneous view of federal law. "Where the judgment of the state court rests on two grounds, one involving a federal question and the other not . . . and the ground independent of a federal question is sufficient in itself to sustain it, this Court will not take jurisdiction." *Lynch v. New York*, 293 U. S. 52, 54-55. One of the petitioners, Radio Station WOW, Inc., seeks to avoid the force of this rule by suggesting that its answer did not make the concession as to the limited jurisdiction of the Federal Communications Commission upon which the Nebraska court relied. But it is not for us to consider the correctness of the non-federal ground unless it is an obvious subterfuge to evade consideration of a federal issue. See *Neilson v. Lagow*, 12 How. 98, 109-111. It may be Nebraska State practice that the answer of one defendant binds the others, or that failure to raise a question in the pleadings precludes its consideration on rehearing. These are matters of State law and not our concern. Cf. *Fair Haven R. R. Co. v. New Haven*, 203 U. S. 379, 386.

The federal question that remains is whether, although the Nebraska court clearly recognized that the power to vacate a license and to authorize its transfer lies exclusively with the Federal Communications Commission, its decree in effect is inconsistent with such recognition. This is urged on two grounds. It is asserted that the Nebraska Supreme Court, by ordering the transfer of the licensed facilities from Radio Station WOW, Inc., to the Society although not having power to direct the transfer of the license, severed the licensed facilities from the license and therefore nullified the license. Secondly, it is urged that by ordering the parties "to do all things necessary" to secure a return of the license to the defrauded Society, the State court invaded the Commission's function.

The judgment, following the original opinion, ordered that "the transfer of the license to operate the station be vacated and set aside." On rehearing, the court made it quite plain that it was within the exclusive jurisdiction of the Communications Commission to vacate radio licenses and declared that its former opinion should be so construed. While it did not formally modify its judgment, it is reasonable to assume that the view which it unambiguously rejected in its opinion it did not mean to assert through its judgment. *Hotel Employees' Local v. Board*, 315 U. S. 437, 440-441; *Burke v. Unique Printing Co.*, 63 Neb. 264. But in matters of potential conflict between State and federal authorities, avoidance of needless friction no less than good draftsmanship counsels explicit and not merely

argumentative restriction of a State court's judgment within its powers.

In any event, we think the court went outside its bounds when it ordered the parties "to do all things necessary" to secure a return of the license. *Plainly that requires the Society to ask the Commission for a retransfer of the license to it and requires WOW not to oppose such transfer.* The United States, in a brief filed at our request, suggests that this provision of the decree would probably also disqualify WOW from "applying for a new license to operate a radio station in Omaha on the same frequency, should it become equipped to do so." To be sure, the Communications Commission's power of granting, revoking and transferring licenses involves proper application of those criteria that determine "public convenience, interest, or necessity". But insofar as the Nebraska decree orders the parties "to do all things necessary" to secure the return of the license it hampers the freedom of the Society not to continue in broadcasting and to restrict itself, as it properly may, to its insurance business. Equally does it prevent WOW from opposing a return to the Society, or, as the United States suggests, from seeking another license of its own. These are restrictions not merely upon the private rights of parties as to whom a State court may make appropriate findings of fraud. They are restrictions upon the licensing system which Congress established. It disregards practicalities to deny that, by controlling the conduct of parties before the Communications Commission, the court below reached beyond the immediate controversy and into matters that do not belong to it.

The most troublesome question raised by this case remains. While the decree of the State court concerning the transfer of the leasehold is, in view of the pleadings, not here as an independent question, due consideration of the federal question relating to the transfer of the license makes it proper to consider the bearing of a decree ordering an immediate transfer of the leasehold upon the status of the radio license. A proper regard for the implications of the policy that permeates the Communications Act makes disposition of licensed facilities prior to action by the Communications Commission a subsidiary issue to the license question. *We have no doubt of the power of the Nebraska court to adjudicate, and conclusively, the claim of fraud in the transfer of the station by the Society to WOW and upon finding fraud to direct a reconveyance of the lease to the Society. And this, even though the property consists of licensed facilities and the Society chooses not to apply for retransfer of the radio license to it, or the Commission, upon such application, refuses the retransfer.* The result may well be the termination of a broadcasting station. The Communications Act does not explicitly deal with this problem, and we find nothing in its interstices that dislodges the power of the States to deal with fraud merely because licensed facilities are involved. The "public interest" with which the Commission is charged is that involved in granting licenses. Safeguarding of that interest can hardly imply that the interest of States in enforcing their laws against fraud have been nullified insofar as licensed facilities may be the instruments of fraud.

On the other hand, if the State's power over fraud can be effectively respected while at the same time reasonable opportunity is afforded for the protection of that public interest which led to the granting of a license, the principle of fair accommodation between State and federal authority, where the powers of the two intersect, should be observed. Severance of the licensed facilities from the license so precipitously that the Federal Communications Commission is deprived of the opportunity of enabling the two to be kept together needlessly disables the Commission from protecting the public interest committed to its charge. This presents a practical and not a hypothetical situation. To carry out abruptly a State decree separating licensed facilities from the license deprives the public of those advantages of broadcasting which presumably led the Commission to grant a license. To be sure, such a license is merely a permit to serve the public and not a duty to do so. Therefore, as we have concluded, the State has not been deprived by federal legislation of the practical power

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to terminate the broadcasting service by a proper adjudication separating the physical property from the license. *We think that State power is amply respected if it is qualified merely to the extent of requiring it to withhold execution of that portion of its decree requiring retransfer of the physical properties until steps are ordered to be taken, with all deliberate speed, to enable the Commission to deal with new applications in connection with the station.* Of course, the question of fraud adjudicated by the State court will no longer be open insofar as it bears upon the reliability as licensee of any of the parties.

New situations call for new adaptation of judicial remedies. We have had occasion to limit the conceded jurisdiction of the federal courts in order to give State courts opportunity to pass authoritatively on State issues involved in federal litigation. See, e.g., *Spector Motor Co. v. McLaughlin*, 323 U. S. 101. It will give full play both to the powers that belong to the States and those that are entrusted to the Federal Communications Commission, where the two are intertwined as they are here, to enforce the accommodation we have formulated.

Accordingly *the judgment is reversed* and the cause remanded for further proceedings in conformity with this opinion.

Mr. Justice DOUGLAS concurs in the result.

Mr. Justice ROBERTS is of the opinion that the judgment should be affirmed.

Mr. Justice BLACK took no part in the consideration of this case.

Mr. Justice JACKSON, dissenting.

I am unable to agree with the Court's disposition of this case and will indicate briefly the reason.

Petitioner is incorporated under the laws of Nebraska and operates a radio station owned by the Woodmen of the World, an insurance society also organized under the laws of Nebraska. It is clear that the State of Nebraska has plenary power over the internal affairs of both of these corporations.

The Woodmen of the World, in addition to its insurance business, went into the radio business through radio station WOW. It became involved in controversies and eventually decided that it ought to get out of the radio operation.

From 1923 to 1928, it had carried the radio station at a loss but its net average earnings from 1936 to 1942 were \$194,724.14 per year. The property and facilities of the corporation were leased to a new corporation in 1942 for \$74,000.00 per year. The new corporation consisted of organizers whom the Court found sustained such a relation to the President of the insurance company who managed the negotiations on its behalf that the transfer constituted a constructive fraud on policy holders. It ordered that the transaction be undone and complete restitution be made. I take it that this judgment was fully within the competence of the State.

Meanwhile, the transferees had obtained approval of the Federal Communications Commission of the transfer of the license to them. Because of this, it is claimed that in some way the power of the State to undo this transaction is limited. Certainly no power has been conferred on the Federal Communications Commission to hear, try or determine the case of fraud between Nebraska stockholders and the officers of Nebraska corporations. The Commission has, of course, powers to look after the public interest in the transfer of stations.

There is possibility of conflict between the judgment rendered by the state court of Nebraska and the Federal Communications Commission and this possibility of conflict leads to the decision of the Court today. That conflict can occur only if the Federal Communications Commission shall hold that the federal public interest requires this radio station to be kept in the hands of those who are adjudged to be guilty of fraud and that the public interest cannot be served by those who have been adjudged to have been victims of that fraud although they had operated the station for many years with success and without any question as to the public interest. If the Communications Commission should render such a decision by refusing to retransfer the license in accordance with the judgment we would then have a question as to the faith and credit due the state court judgment and its effects in an adminis-

trative tribunal. I would deal with that sort of question not hypothetically, but when it arises and upon the record which is made before the Communications Commission.

But even if the Commission should decide that the federal interest requires this station to be operated by those who have obtained it by constructive fraud, I think the judgment of the state court of Nebraska would still be good. It has the power not only to compel restitution of property obtained from its corporations in violation of its laws but if by federal proceedings or otherwise the wrong doers have put some part of the value of this station beyond their power to recapture, the State has the right to compel them to account for its value. The State, it seems to me, has the right to strip the wrongdoers of every fruit of the wrong including the value of the federal license even if the license itself cannot be obtained.

For these reasons, I would affirm the judgment of the Nebraska courts and leave the problem of conflict to be dealt with when and if it arises.

WHIO EXECUTIVE DIES

Dayton, Ohio—Richard Brant Mead, for nearly forty years an executive in the James M. Cox organization and at the time of his death Secretary and Treasurer of the Miami Valley Broadcasting Company, operators of WHIO, died here June fifteenth.

Mr. Mead was also Secretary and Treasurer of other Cox interests including the Evening News Co., Dayton, and the Springfield Newspapers, Inc., of Springfield.

RED CROSS CITES INDUSTRY

The American Red Cross has again bestowed upon the National Association of Broadcasters, as representative of the radio industry, a Certificate of Honor for the distinguished achievements in the 1945 War Fund. The Certificate is issued in recognition of the services rendered by members of NAB in scheduling War Fund transcriptions and programs.

NBC CONTRACT REVISION O.K.d.

The Federal Communications Commission has made public the following letter regarding a proposed revision of NBC form of affiliation agreement for standard broadcast stations:

"National Broadcasting Company, Inc.
RCA Building, Radio City
New York 20, New York

Gentlemen:

"Receipt is acknowledged of your letter of May 18, 1945, setting forth the following provision which you intend to include in your affiliation contracts:

"“(2) From time to time you may desire to sell to us and we may desire to purchase from you specific periods of time, during hours other than those designated as network optional time, for the broadcasting of a particular series of network commercial programs for a designated advertiser. In the event such sale is consummated it is understood and agreed that, subject to our 28-day right of cancellation provided for in Paragraph (5) of Section III, you shall broadcast such series of programs for the duration of our commitment to deliver your station to such advertiser but in no instance shall you be so obligated for more than 52 weeks. We shall advise you of the expiration date of our initial commitment and of each renewal commitment subsequently made for your station to such advertiser and you shall notify us at least 35 days prior to each such date in the event you do not desire to broadcast a continuation of said series of programs. In the event you fail to so notify us we shall consider your station to be available for the immediately following renewal term of not more than 52 weeks should such advertiser elect to continue said series of programs over your station.

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Except as expressly provided to the contrary in this paragraph, your use and the broadcasting of such programs shall be subject to all the terms and conditions of this contract.'

"You request the Commission's opinion as to whether the foregoing provision is in conformity with the Commission's chain broadcasting regulations.

"The Commission has determined that the provision in question is not in contravention of the chain broadcasting regulations.

Very truly yours,

T. J. SLOWIE,
Secretary."

FORMER MANAGER HEARS OWN GLOBAL SHOW

When A. E. Spokes, WJTN, Task Force Commander, produced the Jamestown, N. Y., "Let's Go to Town" show, he had little hope that it would be heard by the station's former manager. But the very first letter verifying reception came from no other than "Manager" Si Goldman, now U. S. Army Corporal in Germany.

Si was doing his regular stretch as telephone operator when American Forces Network brought him the Jamestown home town show.

"It was a swell show," wrote Si. "Everyone did a super job. What a grand feeling to hear all those familiar voices and the organist from Hotel Jamestown."

PRICE EXTOLS FREE RADIO AND PRESS

Byron Price, Director of the Office of Censorship, made a strong plea for freedom of radio and the press in an address delivered before the Board of Editors of the Public Opinion Quarterly at Princeton, New Jersey, on June 13. Following is complete text of Mr. Price's remarks:

"Under a government by the people, the virility and general health of public opinion must be an object of perpetual concern to all good citizens. Under such a government, public opinion is no less than the bloodstream of the body politic. If the heartbeat weakens, if indolence or infection appears, the resulting agonies cannot fail to wrack the nation itself. Whoever keeps public opinion under the microscope, analyzes its tempo and questions every sign of malady, performs a paramount public service. In a sense even more significant than that sung by the poet, the proper study of mankind governing himself is always man.

"It need not discourage us that the doctors do not always agree either as to the symptoms or the cure. That also is the way of democracy, and surely it is preferable to a system under which one dictator makes all the diagnoses and writes all the prescriptions. The freshly-made graves of two European powers and the dying convulsions of their totalitarian colleague in Asia testify amply to the results attained by that school of medicine.

"By comparison, at least, this American democracy is doing very well indeed, even though we are not exactly free of cares and worries. Government by popular will attains its maximum stature only when it rests on a public opinion which is not only free, but is also informed and intelligent; and I know some are worried over the present level of our public information and public thinking. We were all shocked a couple of years ago when the New York Times informed us of the great vacuum of historical knowledge existing among college freshmen. We get a jolt now and then when we listen to the quiz programs or read in one of Dr. Gallup's surveys, in the midst of a national campaign, that nearly half the voters have forgotten the names of both vice-presidential nominees. It was not many years ago that one of the highest officials of the Federal Government told a voter he was 'too damn dumb' to understand public issues.

"Of such testimony we cannot be proud. Yet there is good cause to refuse to share the misgivings of the pessimists. I do not believe that in the aggregate the American citizen is dumb or badly informed. Surely, neither

ignorant guesswork nor clairvoyance alone could have brought the nation safely through one great crisis after another from the day of its birth. We have our shortcomings, as have all nations; but let it be recognized that the balance is heavily on the side of credit. There is room to doubt whether the election returns last November would have been changed appreciably if every voter had kept the names of Governor Bricker and Senator Truman on the tip of his tongue. And as for the college freshmen of 1943, and their reliability as citizens, have they not written on the world's battlefields a glorious and even immortal answer to all our questionings?

"It is only the perfectionist who expects every American to be a model for Utopia. We are a race, not of angels, but of men. When the whole story of our national eminence is told, and the issues decided wrongly by popular will are set opposite those decided rightly, the sum is an almost fabulous record of progress and attainment. We need not speak apologetically of public opinion in the United States. If we speak of it truly and understandingly, we shall speak proudly and confidently.

"This is not to say that there is no need to be diligent in protecting what we have, and seeking always for improvement. Because in a democracy public opinion holds the power of life and death over public issues and public men, we must do what we can to raise the level of public opinion ever higher; for the best is none too good. What can we do? I would like to suggest four requisites:

"1. Preservation of a free but responsible press and radio, devoted to the exact truth and to public service.

"2. Organized aid to public understanding, through schools and other agencies, so that the individual will know better how to read and listen capably.

"3. Acceptance of increased personal responsibility for public policy, on the part of individual citizens, not only on election day but through constant attention to public issues.

"4. A willingness on the part of public men to live in glass houses, to seek advice and accept it judiciously, and to answer inquiries by explaining reasons, rather than by merely enclosing a copy of a regulation.

"The first of these four requirements needs no advocacy. It is axiomatic that no public opinion of value can exist in a democracy without freedom of expression, including freedom to print. It is equally indisputable that public expression must be responsible expression if the ends of democracy are to be served, and that information must be placed before the public in clear and understandable words if the level of public opinion is to be elevated.

"Yet, this is not always easy. What city editor has not had the experience of intensively interviewing his own reporters so that he might understand an obscure or ambiguous passage, and reword it for the reader? Here again, due to human limitations, we never can hope for perfection. You may recall the passage from Arlo Bates: 'Bob, thinking of Betty, remarks to Jack that he does admire a pretty girl; and Jack, fondly recalling the features of Jane, receives the idea with all the variations which belong to an altogether different idea of feminine loveliness.' And again: 'No man has written much and written earnestly without experiencing moments of complete despair in regard to being able to convey to his readers what it is in his heart to say.'

"This is a problem which deserves more than the casual attention it frequently receives. The fact is that far too often, somewhere along the way, the thread of understanding between writer and reader, or between speaker and listener, breaks of its own weight. Much of the trouble may be put down to indifferent reading and listening; but still let the writer and speaker also beware. No matter where the blame, he who seeks to impart information has wasted time and effort unless the goods arrive in good condition at their destination. If they do not, the effort to improve public comprehension has failed at the point of its beginning.

"The second requirement is that when the goods do arrive, the consignee be in a position to receive them. Jefferson wrote to Yancey, '. . . where the press is free and every man able to read, all is safe.' But we may be quite sure that the father of the University of Virginia

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would insist on placing his own definition on the words 'able to read.' We may be sure he was not speaking merely of literacy. How often we hear it said: 'The newspaper certainly missed it today on the weather!' Nor would the case be so bad if the harassed editor had only to take the blame for the misjudgments of the Weather Bureau. Every day in a multiplicity of matters, great and small, he finds himself misunderstood, misquoted, and in the end maligned by careless and indifferent readers.

"In his present-day classic 'How to Read a Book,' Mortimer J. Adler has illuminated brilliantly—for those who can read—the pathway to understanding of the printed word. It is a pity he did not give more specialized attention to the proper reading of newspapers and magazines, and add a chapter also on listening to broadcasts. A comparatively small investment in that area could not fail to produce a large return in the stimulation of public understanding.

"The effort to promote better reading and listening, as a sure step toward a higher level of public opinion, should be an organized effort. I am not speaking now of classes in current affairs, or forums and round-tables. I mean organized instruction in the art of understanding definitely and exactly what the newspapers and the broadcasters are saying. It should not be difficult for schools and colleges to teach their students what the differences are—and they are basic differences—between news items, editorials, and newspaper or radio commentaries; to distinguish clearly whether a thing is stated as a fact, or as a quoted opinion; to read and listen, as Bacon recommended, 'not to contradict and confute; not to believe and take for granted; . . . but to weigh and consider.'

"If we grant that the purpose of education is to produce better citizens, then the place of such instruction as this in all of our schools cannot be exaggerated. Carlyle perceived this long ago when he said that 'all that a university . . . can do for us still is what the first school began—teach us to read.' Yet how many who rate themselves 'educated' are still today badly and often dangerously mixed in their facts because they have not really learned to read and listen.

"In the cultivation of better reading and listening the newspapers and the radio can themselves provide leadership to their own great advantage, as well as to the inestimable benefit of their country. The motion picture is fully capable of adding a third dimension by instructing its audiences how to observe. Nor is there a civic organization anywhere which could not well afford to give to this effort a part of the attention it now bestows on matters of less consequence to the welfare of community and nation. If we are to have a better informed public opinion in the troubled days ahead—and the need for the best cannot be denied—then the ordinary citizen must have the help which by united endeavor can be so easily provided.

"The third requirement for a higher level of public opinion rests on the individual himself. This he must do for his own salvation. He must take an interest in reading and listening, and he will be encouraged to do so if he has received the help he needs. He must be vocal. He must let his government know if he disagrees with its policy, not merely grumble to himself and to his neighbors. He must try to understand as many of the issues as possible and receive with an open mind, but not gullibly, what he reads and hears. And he must vote; for it is at the ballot box alone that public opinion comes to its final and triumphant usefulness. All of this also has been said many times before. It must continue to be said as long as the nation stands.

"There still is a fourth requirement, and it rests inescapably on the public official, high or low. Democratic governments which lose the common touch cease speedily to be democratic governments. The public official must work in the open if he is to contribute his part to the formation of sound public opinion. Not only his policies and his decisions, but the reasons for them, must be regarded as essentially public property. He must keep himself in a position to reply promptly and in understandable words when he is asked for information. He must think of himself for what he is, a public servant. He need not be timid or obsequious, but unless he really serves, he is not a good servant.

"In brief, public officials discharge their duties in the scheme of our democratic system only if they take the very broadest view of their public relations. This is a topic about which books could be written, but so much is self-evident: The effective conduct of public relations does not consist in hiring a good press agent. Every official act is public relations, and good administration is in itself the best brand of public relations. Every visitor, every letter is public relations. The most enterprising press agent this side of Heaven cannot save from a just public wrath the official who does his thinking in the closet, and neglects the golden opportunity of contact and discussion with the people, who are the authors and progenitors of public opinion.

"Taken together, the four objectives I have outlined contemplate a unity of effort and accomplishment which in itself is essentially democratic. Attainment of these objectives will not cure overnight all of the shortcomings of the human society. But it will help."

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings and scheduled to be heard before the Commission during the week beginning Monday, June 25. They are subject to change.

Monday, June 25

KJR—Fisher's Blend Station, Inc., Assignor; Birt F. Fisher, Assignee; Seattle, Wash.—Voluntary assignment of license of Station KJR and relay station KEGR; 950 kc., 5 KW (main), DA-night, 1 KW (auxiliary), unlimited.

Wednesday, June 27

WINS—Hearst Radio, Inc., Assignor; The Crosley Corporation, Assignee; New York, N. Y.—Voluntary assignment of license and construction permit.

Federal Communications Commission Action

APPLICATIONS GRANTED

KOIL—Charles T. Stuart and James Stuart (transferors), Stuart Investment Company (transferee), Central States Broadcasting Co. (licensee), Omaha, Neb.—Granted consent to voluntary transfer of control of Central States Broadcasting Co., licensee of station KOIL, from Charles T. Stuart and James Stuart to Stuart Investment Company. Transferors will exchange all outstanding capital stock of licensees of station KFOR (1000 shares) and Station KOIL (1000 shares); and transferee to deliver to transferors 2350 shares of its unissued common stock, each transferor to receive 50%. (B4-TC-433)

KFOR—Charles T. Stuart and James Stuart (transferors), Stuart Investment Company (transferee), Cornbelt Broadcasting Corp. (licensee), Lincoln, Neb.—Granted consent to voluntary transfer of control of Cornbelt Broadcasting Corp., licensee of station KFOR, from Charles T. Stuart and James Stuart to Stuart Investment Co. (B4-TC-432)

KSWO—Byrne Ross and R. H. Drewry, d/b as KSWO Broadcasting Co. (assignor), Oklahoma Quality Broadcasting Company, a co-partnership composed of R. H. Drewry, et al. (assignees), Lawton, Okla.—Granted consent to volun-

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tary assignment of license of station KSWO from Byrne Ross and R. H. Drewry, d/b as KSWO Broadcasting Co., to Oklahoma Quality Broadcasting Co., a co-partnership, composed of R. H. Drewry, J. R. Montgomery, Ted R. Warkentin and Robert P. Scott, a newly formed partnership. Byrne Ross is to be paid \$35,000 for his 50% interest in the assignor partnership and give R. H. Drewry a 53.5% interest in assignee for his 50% interest in assignor, plus payment by Drewry of \$2,555 to the assignee. (B3-AL-490)

Evangelistic Mission, Pontiac, Mich.—Granted extension of permit under Sec. 325 (b) of the Communications Act to transmit programs to Canadian Station CKLW, Windsor, Ontario, Canada.

Scripps-Howard Radio, Inc., Cincinnati, Ohio—Granted construction permit for new relay broadcast station to be used with standard station WCPO; frequencies 31220, 35620, 37020, 39260 kc., 10 watts.

W2XJT—William B. Still tr/as Jamaica Radio Television Co., Jamaica, L. I., New York—Granted modification of exp. television station CP conditionally, for extension of completion date only, from 6-30-45 to 8-31-45.

W2XMT—Metropolitan Television, Inc., New York City—Granted modification of construction permit for new experimental television station granted conditionally, for extension of completion date only, from 6-30-45 to 9-30-45.

WEHS—WHFC, Inc., Chicago, Ill.—Granted modification of construction permit authorizing new FM broadcast station, for extension of completion date only from 7-8-45 to 10-8-45.

W3XMB—Maryland Broadcasting Co., Baltimore, Md.—Granted modification of construction permit for new developmental broadcast station, for extension of completion date from 6-30-45 to 8-22-45.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—Granted license to cover construction permit which authorized change in frequency and change in class of station from temporary Class 2 experimental high frequency to developmental broadcast station, upon condition that it is subject to change or cancellation by the Commission at any time without advance notice or hearing if in its discretion the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the operation of this station on the frequency authorized is or will be in the public interest beyond the express terms hereof; frequency of 43.5 mc. and other frequencies that may be assigned by the Comm. from time to time; 1 KW.

DESIGNATED FOR HEARING

Frederic Le Mieux, 3rd, and Mrs. Edna Capo Le Mieux, d/b as Teche Broadcasting Co., New Iberia, La.; and George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a partnership, d/b as New Iberia Broadcasting Co., New Iberia, La.—Designated for consolidated hearing with application of New Iberia Broadcasting Company application of Teche Broadcasting Co., both applicants requesting frequency of 1240 kc., 250 watts, unlimited time.

LICENSE RENEWALS

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah—Granted renewal of license for the period ending February 1, 1947 (Comr. Durr voting for further inquiry).

KWJJ—KWJJ Broadcast Company, Inc., Portland, Ore.—Granted renewal of license for the period ending May 1, 1948.

KSWO—Byrne Ross and R. H. Drewry, d/b as KSWO Broadcasting Co., Lawton, Okla.—Granted renewal of license for the period ending May 1, 1947.

MISCELLANEOUS

Fred O. Grimwood, Bloomington, Ind.—Granted motion to continue hearing on application for construction permit for new station, now scheduled for June 20, and continued hearing to July 24, 1945. (Docket 6753)

WMC—Memphis Publishing Co., Memphis, Tenn.—On the Commission's own motion, continued hearing on application for renewal of license, now scheduled for June 21, to July 23, 1945. (Docket 6610)

Richard W. Joy and Donald C. McBain, d/b as Palm Springs Broadcasting Co., Palm Springs, Calif.—Adopted memorandum opinion granting application for a new station to operate on 1340 kc., 250 watts, unlimited time; conditions. Corinth Broadcasting Company, Inc., Corinth, Miss.—Adopted memorandum opinion and order granting petition for reconsideration and grant of its application for construction permit; and ordered that the application be granted conditionally for a new station to operate on 1230 kc., 250 watts, unlimited time.

The following applications for new high frequency FM broadcast stations were placed in the pending file in accordance with the Commission's policy of February 23, 1943:

Pacific Radio Advertising Service, Portland, Ore.; Miami Valley Broadcasting Corp., Dayton, Ohio; Midwest FM Network, Inc., Fort Wayne, Ind., Grand Rapids, Mich., and Peoria, Ill.

James E. Lambeth, et al., d/b as Radio Station WMFR, High Point, N. C.—Retained in the pending files amended application for new high frequency FM broadcast station.

WSAU—Northern Broadcasting Co., Inc., Wausau, Wisc.—Granted petition for leave to intervene in the hearing on application of WREN for construction permit to move transmitter and studio, increase night power from 1 to 5 KW and install directional antenna.

Fisher's Blend Station, Inc., assignor, Birt F. Fisher, assignee, Seattle, Wash.—Granted motion for continuance of hearing on application for voluntary assignment of license of station KJR and relay station KEGR, now scheduled for June 25, and continued same to July 25, 1945.

APPLICATIONS FILED AT FCC

560 Kilocycles

WQAM—Miami Broadcasting Co., Miami, Fla.—Construction permit to make changes in antenna system.

570 Kilocycles

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—License to cover construction permit (B1-P-3640) which authorized changes in directional antenna for daytime.

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—Authority to determine operating power by direct measurement of antenna power.

590 Kilocycles

WMBS—Fayette Broadcasting Corp., Uniontown, Pa.—Authority to determine operating power by direct measurement of antenna power.

620 Kilocycles

WKAQ—Radio Corporation of Puerto Rico, San Juan, P. R.—License to cover construction permit (B-P-3501), as modified, which authorized move of auxiliary transmitter to new site of main transmitter.

WKAQ—Radio Corporation of Puerto Rico, San Juan, P. R.—Determine operating power by direct measurement of antenna power.

680 Kilocycles

NEW—The Alamo Broadcasting Co., Inc., San Antonio, Texas—Modification of construction permit (B3-P-3599, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use, and change in transmitter location) for changes in transmitting equipment and extension of completion date from 7-13-45 to 60 days from date of grant.

890 Kilocycles

WHNC—Henderson Radio Corp., Henderson, N. C.—License to cover construction (B3-P-3641) as modified, which authorized a new standard broadcast station.

WHNC—Henderson Radio Corp., Henderson, N. C.—Authority to determine operating power by direct measurement of antenna power.

(Continued on next page)

1240 Kilocycles

WATT—Midwestern Broadcasting Co., Cadillac, Mich.—Modification of construction permit (B2-P-3810, which authorized a new standard broadcast station) for change in transmitter location.

1340 Kilocycles

WBAC—Robert W. Rounsaville, Cleveland, Tenn.—License to cover construction (B3-P-3689) for a new standard broadcast station.

WBAC—Robert W. Rounsaville, Cleveland, Tenn.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

NEW—Unity Corporation, Inc., Lima, Ohio (P. O. 1014 Edison Bldg., Toledo, Ohio)—Construction permit for a new high frequency (FM) broadcast station to be operated on 45.9 mc., with coverage of 5,920 square miles.

NEW—Eastern States Broadcasting Corp., near Bridgeton, N. J. (P. O. Carll's Corner, Bridgeton, N. J.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be selected in the 95 mc. band, with coverage of 9,900 square miles.

TELEVISION APPLICATIONS

NEW—Central Ohio Broadcasting Co., Columbus, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #8 (162-168 mc.), with ESR of 160. Amended: to change frequency to 186-192 mc. as proposed in reallocation.

NEW—Filene's Television, Inc., Boston, Mass.—Construction permit for a new commercial television broadcast station to be operated on Channel #7 (102 to 108 mc.), with ESR of 3160. Amended: to change frequency to Channel #9 (192-198 mc.) as proposed in reallocation.

NEW—Allen B. DuMont Laboratories, Inc., area of New York, N. Y.—Construction permit for a new experimental television relay broadcast station to be operated on experimental band 480-920 mc. to be determined by Chief Engineer, with visual power of 1 KW peak and aural power of 1 KW, and emission of A-5 for visual and A3, special for FM or other experimental sound.

NEW—Cincinnati Broadcasting Co., Cincinnati, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #7 (102-108 mc.), with ESR of 3940. Amended: to change frequency to Channel #9 (192-198 mc.) as proposed in reallocation.

W9XZC—Zenith Radio Corp., Chicago, Ill.—Modification of construction permit (B4-PVB-125, which authorized a new experimental television broadcast station) for extension of completion date from 8-19-45 to 2-19-46.

NEW—Hearst Radio, Inc., Milwaukee, Wis. (P. O. 25 W. 43rd St., New York, N. Y.)—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (78-84 mc.), with ESR of 1111.

MISCELLANEOUS APPLICATIONS

NEW—Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College, Baton Rouge, La.—Construction permit for a new non-commercial educational broadcast station to be operated on 43.9 mc., with power of 3 KW, and frequency modulation emission.

WJWC—J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co., area of Columbus, Ga.—Construction permit for reinstatement of B3-PRY-442 which authorized a new relay broadcast station.

KCBR—Columbia Broadcasting System, Inc., Delano, Calif.—License to cover construction permit (B5-PIB-62) which authorized a new international broadcast station.

NEW—National Broadcasting Co., Inc., Cleveland, Ohio (P. O. RCA Frequency Bureau, 60 Broad St., New York, N. Y.)—Construction permit for a new relay broadcast station to be operated on 1606, 2074, 2102, 2758 kc., with power of 150 watts, and A1, A2, and A3 emission.

NEW—Georgia School of Technology, area of Atlanta, Ga. (P. O. Box 674)—Construction permit for a new relay broadcast station to be operated on 1646, 2090, 2190, and 2830 kc., with power of 150 watts and A3 (special) emission. Amended: to change emission from A3 (special) to A3.

NEW—Stanley G. Boynton, Highland Park, Mich.—Extension of authority to transmit programs to CKLW, Windsor, Ontario, Canada, from Highland Park Baptist Church, each Sunday evening from 8 to 8:30 p. m., EST.

Federal Trade Commission Docket

COMPLAINTS

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

Athenson & Passin, Inc.—A complaint has been issued charging Athenson & Passin, Inc., 330 Seventh Ave., New York, manufacturer of fur garments, with misrepresenting certain products as being made of leopard peltries. (5334)

J. V. Blevins Brokerage Co.—Violation of the brokerage section of the Robinson-Patman Act is alleged in a complaint against James V. Blevins, trading as J. V. Blevins Co. and J. V. Blevins Brokerage Co., 155 Second Ave. S., Nashville, Tenn. The respondent is engaged in business as both a broker and a direct buyer of food products, turpentine, mineral oil, cottonseed oil, linseed oil and other merchandise. He also is engaged in business with Horace Norrell at Trussville, Ala., under the firm name of Blevins & Norrell Co. (5333)

Cohn-Hall-Marx Co.—Deception of the public as to the qualities and fiber content of fabrics designated "Cohama Nylon Fleece" and "Cohama's Super Rayon Lambskin" is alleged in a complaint issued against Cohn-Hall-Marx Co., 1412 Broadway, New York. (5335)

Shepherd Knit-Wear Co., Inc., 48 West 38th St., New York, manufacturer of knitted garments, is charged in a complaint with misrepresenting the country of origin and fiber content of sweaters. (5336)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATIONS

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

Casite Corp., Hastings, Mich., entered into a stipulation in which it agrees to stop representing that its preparation Casite, advertised for use as an additive to crankcase oil, will cause an automobile to start as readily in winter as in summer, or as easily in cold weather as in warm weather; that the product prevents oil from acting as a brake on the motor in winter; or that at winter temperatures the viscosity of oil to which the preparation has been added is comparable to that of oil of like grade at summer temperatures to which it has not been added. (4076)

Dermatological Products Corp., trading as Glenn Products Co., 110 Observer Highway, Hoboken, N. J., and Samuel Thomas, (Continued on next page)

Maurice C. Thomas and Philip C. Thomas, stipulated that they will discontinue misrepresenting the therapeutic properties of a medicated salve designated as Dr. Thomas' Ointment. The individual respondents are associated with the corporation in the manufacture of pharmaceutical products. (4074)

Helwig & Leitch, Inc., 101 North Haven St., Baltimore, manufacturer of household ammonia, has entered into a stipulation to discontinue using the statement, "This Ammonia is Extra Strength. Use Smaller Quantity Than Usual," in referring to its Majestic brand of ammonia. (4073)

Multi-Packer Distributing Co., and **Multi-Packer Manufacturing Corp.**, both of 6319 San Fernando Road, Glendale, Calif., entered into a stipulation to cease and desist from certain representations in connection with the sale of the "Multi-Packer," a machine designed for use in counting and packaging pills, capsules, tablets and like pharmaceutical products. (4077)

Remnant Shop, Sesser, Ill., entered into a stipulation to discontinue certain misrepresentations in connection with the sale of quilt pieces which he processes from remnants purchased from textile mills and junk dealers. (4072)

Sears, Roebuck & Co., Chicago, stipulated that it will cease and desist from representing or designating the tube capacity of

radio receiving sets as being greater than the number of tubes which perform the recognized and customary functions of radio tubes in the detection, amplification and reception of radio signals. (03290)

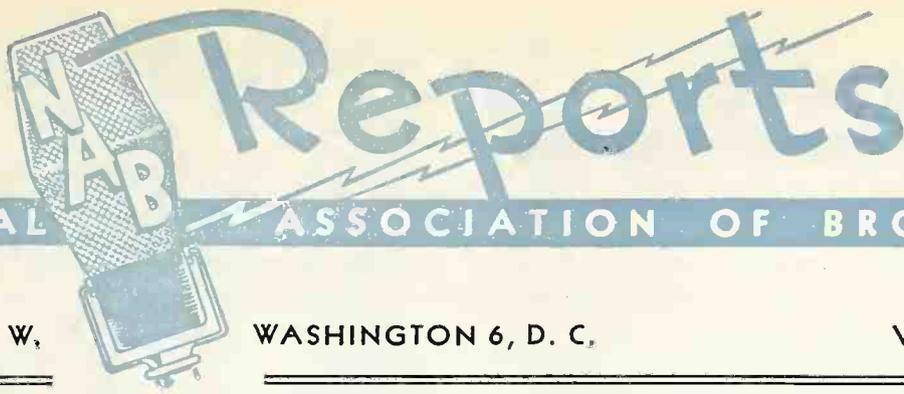
FTC COMPLAINTS DISMISSED

A complaint alleging misrepresentation in the sale of a medicinal preparation designated "Rest-Eez" has been dismissed by the Federal Trade Commission as to one of the respondents, Jan Rozen daal, 10 Rockefeller Plaza, New York. The other respondents named in the complaint are Frederick Latter and George D. Boinet, trading as Ter-O-Sul Products Co., Inc., and as Decimal Chemical Co., 18 East 17th St., New York. Boinet is trustee of the creditors of Ray Forest, who formerly operated the business.

The Commission denied a motion filed by Boinet to dismiss the complaint as to him or, in the alternative, to suspend hearings pending the discharge of Ray Forest from the military service.

Upon motions of the respondents, the Commission has dismissed its complaint charging Roofer Manufacturers' Association, Inc., Cuthbert, Ga., and New Jersey Lumbermen's Association, Inc., Newark, N. J., with misrepresenting the grade and dimensions of soft wood lumber products known as roofers.

The complaint also was directed against the members and officers of the two associations and certain independent lumber dealers in the States of New York and New Jersey.



NAB CODE PROVISION JEOPARDIZED

A decision of far-reaching importance to the broadcast industry was handed down by the Federal Communications Commission on Tuesday (26). The Decision and Order in the United Broadcasting Company (WHKC) case, which we print in full, jeopardizes the provisions of the NAB Code dealing with Controversial Public Issues and Membership Solicitation. The specific language of the Commission is: "The Commission, however, is of the opinion that the operation of any station under the extreme principles that no time shall be sold for the discussion of controversial public issues and that only charitable organizations and certain commercial interests may solicit memberships is inconsistent with the concept of public interest established by the Communications Act as the criterion of radio regulation."

This decision of the FCC may well undermine the effectiveness of the industry's attempt to institute a program of self-regulation, in so far as it relates to public issues of a controversial nature and membership solicitation.

The Commission observes that it is the duty of each station licensee to make sufficient time available "on a non-discriminatory basis" for full discussion of problems of public concern. This view is consistent with and in no sense contrary to that embodied in the Code since that document imposes upon each individual broadcaster the obligation of making time available without charge—which is clearly "on a non-discriminatory basis"—for the discussion of issues of a controversial character. The Commission's opinion "that the operation of any station under the extreme principles that no time shall be sold for the discussion of controversial public issues and that only charitable organizations and certain commercial interests may solicit membership is inconsistent with the concept of public interest * * *" appears to take issue with the Code recommendation. This development poses a problem of deep importance to every person in the industry.

The full text of the Decision and Order follows:

Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington 25, D. C.

Docket No. 6631

In re UNITED BROADCASTING COMPANY (WHKC),
COLUMBUS, OHIO

DECISION AND ORDER

BY THE COMMISSION:

1. The Commission has before it a joint motion filed by the International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, affiliated with the Congress of Industrial Organizations and Local 927, UAW-CIO, Columbus, Ohio (herein called the "UAW-CIO" or the petitioner), and the United Broadcasting Company, licensee of Station WHKC (herein called the licensee), requesting the Commission to adopt a Statement

of Policy which has been agreed upon by the parties, and to enter an order dismissing the proceedings.

2. The background of this matter may be set forth as follows: On June 2, 1944, the UAW-CIO filed a petition directed against the Commission's action granting the application of the licensee for renewal of license for operation of Station WHKC. The petition alleged that the licensee was throttling free speech and was therefore not operating in the public interest for the following reasons:

(a) The station had a policy not to permit the sale of time for programs which solicit memberships, discuss controversial subjects, race, religion, and politics.

(b) The station did not apply this practice uniformly, but on the contrary applied that policy "strictly to those with whom the management of Station WHKC disagrees, including petitioners, and loosely or not at all with respect to others."

(c) The station unfairly censored scripts submitted by petitioners.

Upon consideration of this petition and an opposition thereto filed by the licensee, the Commission designated the petition for hearing, and pursuant to the provisions of Sections 308(b) and 312(a) of the Communications Act of 1934, as amended, directed the station licensee to file with the Commission on or before the 5th day of August, 1944, a Statement of Fact concerning the operation of WHKC with particular reference to the allegations of the petition and as to whether the station had been operated in the public interest. The Commission further directed the licensee to be prepared at said hearing to offer evidence in support of its Statement of Fact. Pursuant to the Commission's action, the licensee filed its Statement of Fact and a hearing was held before a member of the Commission from August 16 through August 24, 1944.

3. The evidence adduced at the hearing showed that the station's policy upon which the petition was predicated was governed by the provisions of the Code of the National Association of Broadcasters. The Code is a voluntary one without legal effect upon the members of the National Association of Broadcasters. The purpose of the Code as stated in its foreword is "to formulate basic standards" for the guidance of broadcasters. At pages 3 and 4 it provides that no time shall be sold for the presentation of public controversial issues, with the exception of political broadcasts and the public forum type of programs; and that solicitation of memberships in organizations, whether on paid or free time, should not be permitted except for charitable organizations, such as the American Red Cross and "except where such memberships are incidental to the rendering of commercial services, such as an insurance plan either in respect to casualty, to life, or to property."

4. On October 20, 1944, the petitioner and the licensee filed the instant joint motion which contained the following agreed statement:

"The record of the hearing discloses that Station WHKC in the past had pursued a policy which it believed to be in the best interests of the public and at no time did the station believe that the application of this policy was contrary to the interests of labor. The record testimony further discloses that at the time of the hearing the station enunciated a revised policy which it had adopted prior to the hearing and which it intends to follow in the future. This policy is as follows:

(Continued on next page)



NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NATIONAL 2080

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

“(a) It will be the future policy of Station WHKC to consider each request for time solely on its individual merits without discriminations and without prejudice because of the identity of the personality of the individual, corporation, or organization desiring such time.

“(b) With respect to public issues of a controversial nature, the station’s policy will be one of open-mindedness and impartiality. Requests of all individuals, groups, or organizations will of necessity have to be considered in the light of the contribution which their use of time would make toward a well-balanced program schedule, which the station will try at all times to maintain in the interest of the people it serves.

“(c) Station WHKC will make time available, primarily on a sustaining basis, but also on a commercial basis, for the full and free discussion of issues of public importance, including controversial issues, and dramatizations thereof, in order that broadcasting may achieve its full possibilities as a significant medium for the dissemination of news, ideas, and opinions. And, in doing so, there will be no discrimination between business concerns and non-profit organizations either in making time available or restricting the use of such time. Non-profit organizations will have the right to purchase time for solicitation of memberships.

“(d) Station WHKC will, if it refuses time for public discussion, do so in writing showing reasons for such denial to the extent that requests for time are made in writing.

“(e) The censorship of scripts is an evil repugnant to the American tradition of free speech and a free press, whether enforced by a government agency or by a private radio station licensee. Broadcasts by candidates for public office may not be censored under the law. But as to all other broadcasts, Station WHKC will not censor scripts, or delete any matter contained in them, except for reasons which it believes to be in accordance with the law and existing regulations as set forth in its Statement of Policy and as explained and interpreted in the record testimony. (*See Editor’s Note.*) In the light of future experience this policy may be changed through action by the courts, the legislature or by rules of government bodies having jurisdiction over particular subject matter. It will be the policy of the station to adjust its practices to such changes, reflecting at all times the tolerance which the interest of the public renders essential.

“(f) The station will see that its broadcasts on controversial issues, considered on an overall basis, maintain a fair balance among the various points of view, i.e., over the weeks and months it will maintain such a balance with respect to local and network programs, both sustaining and commercial alike.

“The parties believe that the above statement of policy properly sets forth the duties of a licensee under the Communications Act of 1934 with respect to the availability of time for discussion of issues of public impor-

tance, the censoring of scripts by licensees, and the maintenance of an overall program balance.”

5. As indicated in paragraph 2 hereof, the present proceeding puts in issue the duties of a licensee, under the statutory mandate, to operate in the public interest, convenience, and necessity, to maintain an overall program balance by providing time on a non-discriminatory basis for discussion of public controversial issues and for the solicitation of memberships for non-profit organizations. It is recognized, of course, that the physical limitations on the amount of spectrum space available for radio broadcasting and the large demands upon radio stations for use of time make it impossible for every person desiring to use the facilities of a station to be granted this privilege. Under Section 3(h) of the Act, broadcast stations are expressly declared not to be common carriers. These facts, however, in no way impinge upon the duty of each station licensee to be sensitive to the problems of public concern in the community and to make sufficient time available, on a non-discriminatory basis, for full discussion thereof, without any type of censorship which would undertake to impose the views of the licensee upon the material to be broadcast. The spirit of the Communications Act of 1934 requires radio to be an instrument of free speech, subject only to the general statutory provisions imposing upon the licensee the responsibility of operating its station in the public interest.

6. No single or exact rule of thumb for providing time, on a non-discriminatory basis, can be stated for application to all situations which may arise in the operation of all stations. The Commission, however, is of the opinion that the operation of any station under the extreme principles that no time shall be sold for the discussion of controversial public issues and that only charitable organizations and certain commercial interests may solicit memberships is inconsistent with the concept of public interest established by the Communications Act as the criterion of radio regulation (CF in re the Mayflower Broadcasting Company, 8 FCC 338). The Commission recognizes that good program balance may not permit the sale or donation of time to all who may seek it for such purposes and that difficult problems calling for careful judgment on the part of station management may be involved in deciding among applicants for time when all cannot be accommodated. However, competent management should be able to meet such problems in the public interest and with fairness to all concerned. The fact that it places an arduous task on management should not be made a reason for evading the issue by a strict rule against the sale of time for any programs of the type mentioned.

7. The agreed Statement of Policy submitted by the parties herein appears to set forth generally a fair and non-discriminatory policy which WHKC, the licensee, has undertaken to apply to the presentation of controversial public issues and to the solicitation of memberships by non-profit organizations in the maintenance of overall program balance. On the basis of this undertaking, we are of the opinion that the joint motion should be granted and the proceeding dismissed, and IT IS SO ORDERED THIS 26th DAY OF JUNE, 1945.

FEDERAL COMMUNICATIONS COMMISSION.

T. J. SLOWIE,
Secretary.

Editor’s Note: The first two paragraphs of the Statement of Policy given by Carl M. Everson, WHKC manager in his record testimony, were identical to paragraphs (a) and (b) of the agreed statement as set forth in the Commission’s decision. The remaining portions of his Statement of Policy, which seemingly clarify the meaning of paragraph (e) of the agreed statement reads as follows:

“Where controversial questions materially affect the life, interest or welfare of any substantial group of the community, the station will endeavor to make the time available on a sustaining basis to opposing sides and with only such program supervision as is required by the law.

“With the exception of broadcasts by candidates for political office, which may not be censored under the

(Continued on page 258)

“Telling the World” Report No. 6

Local Originations in Support 7th War Loan

Period—June 10-16

(Excluding Network and National Spot)

| | | |
|--------------------|-----------|--------|
| Sing for the 7th | 5-min ET | 3,626 |
| Treasury Salutes | 15-min ET | 3,049 |
| Music for Millions | 15-min ET | 2,843 |
| Treasury Songs | 5-min ET | 55 |
| Buy, Buy Bonds | 3-min ET | 92 |
| Spots | Live & ET | 95,543 |
| | 2-min | 1,854 |
| | 3-min | 422 |
| Programs | 5-min | 857 |
| | 7-min | 13 |
| | 10-min | 474 |
| | 12-min | 61 |
| | 15-min | 1,226 |
| | 20-min | 41 |
| | 25-min | 56 |
| | 30-min | 442 |
| | 45-min | 44 |
| | 50-min | 10 |
| | 1 hour | 41 |
| | 1½ hours | 31 |
| | 2 hours | 5 |
| | 3½ hours | 10 |

No. 8 Report is due July 2

Please send Reports Nos. 7, 6, 5, and 4 if you haven't

statute, the facilities of station WHKC will be made available on the most liberal basis consistent with present laws and regulations. These laws and regulations, as I understand them, do not permit use of the facilities of a station:

"(1) To broadcast any advertising of or information concerning lottery, gift, or enterprise or similar scheme offering prizes dependent in whole or in part upon lot or chance.

"(2) To utter any obscene, indecent or profane language.

"(3) To obstruct the administration of justice.

"(4) To offend the religious susceptibilities of thousands.

"(5) To inspire political distrust and civic discord.

"(6) To offend youth and innocence by the frequent use of words suggestive of sexual immorality.

"(7) To broadcast information inimical to the public health and safety.

"(8) To broadcast statements that would tend to provoke a breach of peace or incite to riot.

"(9) To utter words of defamation of character.

"(10) To practice wilful fraud or deception upon the public through the misrepresentations of material facts.

"(11) To disparage the goods or services of a competitor.

"In the light of future experience these rules may be changed through action of the courts, the legislature or by rules of government bodies having jurisdiction over particular subject-matter. It will be the policy of the station to adjust its practices to such changes, reflecting at all times the tolerance which the interest of the public renders essential."

FCC ANNOUNCES FM, TELEVISION ALLOCATIONS

The Federal Communications Commission on Wednesday (27) adopted, with some modifications, the number 3 allocation alternative affecting that portion of the spectrum between 44 and 108 mc and placed FM in the band 88 to 106 mc. Television channel number 1 will be 44 to 50 mc with channels 2 to 6, inclusive, beginning at 54 mc and ending at 88 mc. The Commission in announcing its decision has stated that its primary concern in making the allocation between 44 to 108 mc was to provide for FM the frequencies best adapted to its needs.

It was pointed out that all other services for which provision is made in this portion of the spectrum have allocations elsewhere so that they are not wholly dependent upon assignment in this region. On the other hand, FM is receiving only one band and it is therefore essential that it receive an allocation which will give to FM a permanent portion of the spectrum "as free as possible from interference and other shortcomings."

According to testimony at the oral argument on June 22 and 23 the moving of FM broadcasting to the higher frequencies will not delay the production of receivers as long as had been originally anticipated. During the argument, there was general agreement among the representatives of manufacturers present that the delay in producing FM receivers for the new band would probably be not more than 4 months. The Commission's report is reproduced below in its entirety with the exception of interference tables contained in the report which illustrate the relative interference to be expected on several frequencies in the region 43 to 104 mc.

Report of Allocations from 44 to 108 mc.

On May 25, 1945, the Commission made public its final report of allocations above 25,000 kilocycles, except for the region of the spectrum from 44 to 108 megacycles. With respect to this region, the Commission proposed three alternative allocations for FM, television, facsimile, non-government fixed and mobile services, and the amateur service. In its report, the Commission stated that the final decision among the three alternatives could be made with a great deal more assurance if more factual data

were available. The Commission also pointed out that a program of experimentation during the summer months designed to collect further data was possible, since the War Production Board had assured the Commission that the radio industry would not resume production of AM, FM, and television transmitters and receivers in 1945 or even in the first part of 1946 unless Japan capitulated, and that the War Production Board would give the Commission 90 days' advance notice in the event of any change in its production estimates.

However, in view of the fact that the War Production Board subsequently advised the Commission that the manufacture of AM, FM, and television transmitters and receivers might commence at an earlier date than was originally indicated to the Commission, and that it would probably not be possible for the War Production Board to give 90 days' advance notice to the Commission before production was resumed, the Commission on June 5, 1945, ordered a further argument and hearing in order that a final decision might be reached at the earliest possible date. Such a hearing was held on June 22 and 23, 1945, marking the culmination of an extended series of hearings and oral arguments which began in September, 1944.

As the Commission noted in its report of May 25, 1945, its primary concern in making allocations between 44 to 108 megacycles is that FM shall be assigned the frequencies best adapted to its needs. All of the other services for which provision is made in this portion of the spectrum, have allocations in other portions of the spectrum, so that they are not wholly dependent upon their assignments here. FM, on the other hand, is receiving assignment only in this portion of the spectrum, and accordingly it is essential that it receive an allocation which will give a permanent locus, "as free as possible from interference and other shortcomings."

The three alternatives proposed for FM are:

- (1) 50- 68 megacycles
- (2) 68- 86 megacycles
- (3) 84-102 megacycles

There was unanimity that alternative No. 2 (68-86 mc.) is completely unfeasible. Accordingly, the choice lies between alternatives Nos. 1 and 3.

The primary objection to alternative No. 1 is the amount of skywave interference which will result among FM stations if FM is placed in the 50-68 megacycle region. The nature and extent of this anticipated interference was set forth in great detail in Section 8 of the Commission's report of May 25, 1945 (pp. 49-72). The tables showing such interference are reproduced at the end of this report. For example, interference among 50 kilowatt FM stations at 58 megacycles from sporadic E transmissions alone, assuming a 10/1 ratio of desired to undesired signal and full occupancy of the channel, might be expected for 140 and 480 hours per year at the 50 microvolt contour from stations 900 and 1,000 miles distant, respectively. At 84 megacycles, in contrast, interference under these conditions would be anticipated for only 6.5 to 25.5 hours per year. It should be noted that the 140-480 hours per year of anticipated interference would not be spread out evenly throughout the entire year but that the great bulk of it would be concentrated in two or three summer months.

The existence and extent of such sporadic E interference is not merely a matter of abstract calculation. In addition to the measurements of such interference made by the Commission, there is the experience of the amateurs, who have heretofore utilized both the 56-60 megacycle and the 112-116 megacycle bands. Mr. Grammer of the American Radio Relay League stated that there have been thousands of communications via sporadic E in the 56-60 megacycle amateur radio band but that there have been no recorded instances of such transmission in the 112-116 megacycle band (Cl. Tr. 144).

The amount of sporadic E interference will vary with the particular frequency involved, the power of the transmitters, the distance between transmitters, the number of transmitters on a channel, and other factors; but regardless of these factors, the region of the spectrum above 84 megacycles is markedly superior to the region below 68 megacycles with respect to sporadic E.

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In addition to this interference from sporadic E transmissions, interference from F2 transmission at 53 megacycles may be anticipated for as many as 470 hours per sunspot cycle—concentrated in a period of three years—in the case of a sunspot cycle the same as the last one; or interference may exist for as much as 2,650 hours per sunspot cycle if the next sunspot cycle is as severe as the highest on record. These figures for F2 transmission, it should be noted, assume only two stations on a channel; more than two stations on a channel would double or treble the number of hours during which F2 interference would be expected at 53 megacycles. In contrast, no F2 interference whatever is to be anticipated above 84 megacycles.

For listeners buying FM receivers in reliance on a belief that FM is an interference-free service, these figures are extremely serious. They mean, for example, that a listener tuned to a station which is carrying the program of his choice may suddenly find, either that the program to which he has been listening is being interfered with by a station hundreds or even thousands of miles away, or else that control of his receiver has been seized altogether by a distant station completely obliterating the desired program of the local station. These distant transmissions, moreover, are sporadic in nature, with the result that his enjoyment may be further destroyed by an alternation of first one program and then another as transmission vagaries decree. The effect may well be to render FM receivers useless to many listeners for substantial periods of time.

It has been argued that the bulk of the interference anticipated will be found in outlying rural areas which rely upon low-intensity signals for their radio reception and that if these areas are excluded, FM service will be more than 99 percent perfect. The tables make it clear that urban as well as rural service will be subject to substantial interference on the lower frequencies. This Commission, moreover, is under a statutory duty to make available to *all* the people of the United States an efficient nationwide radio service. The Commission's duty is not fulfilled if its provision for FM service is such as to make it impossible for rural areas to enjoy satisfactory FM service.

The tables and data upon which the Commission's interference predictions are based were set forth in full in the May 25 report and were the particular topic for the oral argument on June 22 and 23. Practically without exception all persons appearing at the hearing stated either that they agreed with the Commission's predictions or that in determining the best allocation for FM they were willing to assume that the predictions as to interference contained in the Commission's report were accurate. In those cases where exception was taken, no substantiating data were offered. Indeed, the testimony at the June 22-23 argument indicated that the Commission's predictions might understate in at least one respect the number of hours of interference to be anticipated at particular contours. The Commission's predictions were based upon the assumption that receivers will be generally available which are capable of rejecting an undesired signal one half as strong as the desired signal. Manufacturers generally appearing at the hearing were unwilling to state that their post-war receivers would meet this standard. With inferior receivers, an even greater number of hours of interference can be anticipated. The issue, accordingly, is whether the freedom from long-range interference which FM will enjoy at the higher frequencies is to be sacrificed by reason of other considerations.

Various objections to assigning the higher frequencies to FM have been raised in this record. For example, it has been alleged that tropospheric interference may be worse in the vicinity of 100 megacycles than in the 50 megacycle region. The Commission in its report of May 25, 1945, specifically pointed out that there would be some difference in tropospheric propagation; but this difference would be only slight and that tropospheric interference at the higher frequencies could be eliminated by slightly increasing the geographical separation between stations. This evidence was not controverted at the oral argument on June 22 and 23, 1945, and Dr. Beverage, one of the propagation experts chiefly relied upon by persons favoring alternative No. 1, testified that tropospheric effects change slowly and that they would not be greatly different

throughout the range of frequencies under consideration (Tr. 5583).

The point has also been made that equipment for use in the vicinity of 100 megacycles will cost more than equipment for use in the vicinity of 50 megacycles. This will no doubt be true at least temporarily, but it seems equally clear that competition will reduce the differential substantially, and that the benefit to the public resulting from an interference-free service will more than outweigh the slight increase in initial cost for service in the 100 megacycle region.

At the earlier hearings, some contended that FM might be delayed for two years or even longer if FM were assigned to the higher frequencies. At the time of the oral argument, June 22-23, 1945, the estimates of delay were reduced to four months. It may well be that competition will markedly reduce even this four-month estimate. Moreover, this report makes it possible for manufacturers to begin at once their planning and design for the higher frequencies. The War Production Board has not yet authorized construction of AM, FM, or television equipment for civilian use; and some months may still elapse before manpower or materials become available in sufficient quantities for such production to begin. If so, the planning and design of equipment for the higher frequencies can be completed before civilian production of any AM, FM, and television equipment is authorized.

Manufacturers, of course, are desirous of marketing FM receivers at the earliest possible moment; and the Commission, too, is concerned that FM receivers shall be freely available to the public early enough to supply the immediate post-war demand. However, the Commission has a duty to consider the long range effects of its action as well as the effects during the months immediately ahead, and it does not propose to provide an inferior FM service during the decades to come merely because of the transitory advantages which may be urged for an inferior type of service.

Earlier in these proceedings, much emphasis was placed on the presumed hardship which would result to the approximately 400,000 persons who had purchased FM receivers before the war. Most of these receivers are combination AM-FM and the AM part of the receiver will continue to be used. There is now substantial agreement that the band (42-50 Mc.) for which these receivers were made is wholly inadequate and unsuited to FM reception. Accordingly, no one today argues that post-war FM should be degraded to the point necessary to accommodate these receivers. However, interim operation in the present band from 42 to 44 megacycles is being provided until such time as equipment for the higher frequencies is freely available to the public and until owners of existing receivers have had equal opportunity to adapt or convert them to the new band. In this connection, a converter was demonstrated to the Commission which would make existing FM receivers capable of tuning to the higher frequencies and which should retail for approximately \$10.00.

For the foregoing reasons and upon the basis of data set forth in Section 8 of the report of May 25, 1945, the Commission is adopting alternative No. 3, with certain modifications. The allocation between 42 and 108 megacycles is as follows:

| <i>Freq. Band (Mc.)</i> | <i>Proposed Allocation</i> |
|-----------------------------|---------------------------------|
| 42- 44 | Non-Government Fixed and Mobile |
| 44- 50 | Television—Channel No. 1 |
| 50- 54 | Amateur |
| 54- 60 | Television—Channel No. 2 |
| 60- 66 | Television—Channel No. 3 |
| 66- 72 | Television—Channel No. 4 |
| 72- 76 | Non-Government Fixed and Mobile |
| 76- 82 | Television—Channel No. 5 |
| 82- 88 | Television—Channel No. 6 |
| 88- 92 | Non-Commercial Educational FM |
| 92-106 | FM |
| 106-108 | Facsimile |

This allocation is essentially the allocation proposed as alternative No. 3 of the earlier report, except that the non-government fixed and mobile services have been moved

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from 104-108 megacycles to 72-76 megacycles, and FM and television have been adjusted accordingly. The advantage of this change is that it makes possible immediately the use of all 13 television channels below 300 megacycles. Under alternative No. 3, as originally proposed, the entire 6 megacycle television channel between 72 and 78 megacycles could not be used until the aviation markers centering on 75 megacycles were moved. The non-government fixed and mobile services are not under the same disability. They can use the entire band between 72 and 76 megacycles at once, with the exception of approximately one-half megacycle in the vicinity of 75 megacycles to protect the aviation markers. This shift of the non-government fixed and mobile services from 104-108 megacycles to 72-76 megacycles also results in a possible increase in the number of channels available to the non-government fixed and mobile services, since a 40 kilocycle channel is adequate in the 72-76 mc. portion of the spectrum, whereas a 50 kilocycle channel was proposed in the 104-108 megacycle region.

Ground Wave Coverage

| Power: | Distance in Miles to 50 uv/m Contour | | | | | | | | |
|-----------------|--------------------------------------|------|-------|-------|------|-------|-------|------|-------|
| | 1 kw | | | 10 kw | | | 50 kw | | |
| Antenna Height: | 200' | 500' | 1000' | 200' | 500' | 1000' | 200' | 500' | 1000' |
| 46 mc.: | 40 | 52 | 65 | 56 | 67 | 82 | 67 | 80 | 95 |
| 95 mc.: | 43 | 56 | 68 | 57 | 68 | 83 | 68 | 81 | 92 |

According to the FMBI News Letter, President Walter J. Damm of FM Broadcasters, Inc., has called a special meeting of the FMBI Board in Chicago on July 10. Mr. Damm called the meeting as soon as the decision of the FCC was made known to him. It is expected that the FMBI Board, following the meeting, will release a public statement concerning the Association's attitude on the allocation.

FCC COMMENDS CASE

The Federal Communications Commission on Tuesday (26) adopted the following Minute:

"Commissioner Norman S. Case, former Governor of Rhode Island, on June 30, 1945, will complete eleven years service on the Federal Communications Commission.

"He was appointed by President Franklin D. Roosevelt and was an original member of the Commission when it was constituted on July 11, 1934. Governor Case has endeared himself to his fellow commissioners, the staff, and all the employees by his warm personal qualities, integrity and sense of fair play.

"Uprightness of character, firmness of conviction and precision of thought have marked his conduct in the deliberations and decisions of the Commission. He has always had the confidence and the respect of those who have had matters before the Commission.

"We who have been intimately associated with him through the years have appreciated his fairness in all matters and his consideration for the views of others. Our work with him has been a pleasure. We congratulate him on the completion of his long and honorable term of public service as a member of this Commission and extend to him our best wishes for his continued success in any activities he may undertake."

PARDON THE ERROR

In last week's NAB REPORTS, Page 246, there appears an article titled "Right-To-Work Law Upheld." The word "Federal" in line two of paragraph one should have been "Florida." We're sorry.

WAR DEPT. ASKS YOUR HELP

Telephone calls, local and long distance, and the gathering of crowds, due to arrival of troops from overseas, are currently causing much confusion at Ports of Embarkation.

To illustrate: When the Queen Mary arrival was announced one day in advance, by radio and press, over 3,000 calls were received by the New York Port of Embarkation. Most of the questions asked about the troops were naturally unanswerable.

Office, Chief of Transportation, has asked NAB, through channels, to transmit to member stations this request:

That broadcast stations "amend each news story about the arrival of troops at any port with statements outlining the following:

a) "the public should not telephone the Port. Arrivees will doubtless telephone their relatives the soonest.

b) "the public must stay clear of the vicinity of piers or staging areas.

c) "if no telephone call is received, individuals probably have not arrived. Units announced as returning are not necessarily arriving in their entirety."

SENATE UPS OWI BUDGET

The Senate refused to follow the House lead in slashing funds for the Office of War Information. A budget of \$39,670,215 was voted by the upper chamber for the next fiscal year. OWI asked \$42,000,000 which was cut by the House Appropriations Committee to \$35,000,000 and then by House vote to \$18,000,000.

The matter now goes to conference in an effort to reconcile the differences between the two branches of Congress.

ALMA KITCHELL NEW AWD PREXY

Alma Kitchell, WJZ, New York, is the new President of the Association of Women Directors of NAB, it is announced by Dorothy Lewis. A national radio figure, she will bring prestige to this fast growing and important radio organization. Other officers include four Vice-Presidents: Mildred Bailey, WCOP, Boston; Elizabeth Hart, WMAQ, Chicago; Gwendolyn Peacher, KNX, Hollywood, and Dorothy Lewis, NAB, New York. Secretary: Jane Dalton, Spartansburg, South Carolina, and Treasurer, Barbara Bates, WOW, Omaha. These women, all well known broadcasters, will seek to stimulate activities in their regions.

INTERNATIONAL BROADCAST FOR "CANADA DAY IN ROCHESTER"

Because of its international significance, NAB is reporting herewith a more complete story of "Canada Day in Rochester." This was but sketchily told in "Telling the World" folio of news items taken from No. 6 Reports.

Climax to one of Rochester's largest and by far most important events in this Seventh War Loan Drive was the international broadcast celebrating "Canada Day in Rochester." William A. Fay, vice president of Stromberg-Carlson, in charge of broadcasting, and former general manager of WHAM, and John D. Hayes, president of Fanny Farmer, were chairmen of the affair.

The broadcast, carried by CBC Trans-Canadian network and "Radio Rochester," WHAM-WHEC-WSAY, was aired at 8:00 p. m., June 15. It consisted of congratulatory speeches by J. L. Ilsley, minister of finance of Canada, and Henry Morgenthau, Jr., Secretary of the Treasury. Music for the program was furnished by the Rochester Philharmonic Orchestra and the Royal Canadian Air Force Central Band, playing from Ottawa, Canada.

Engineering pickups and relays played an important part in the broadcast. Secretary Morgenthau spoke from Poughkeepsie, N. Y.; Finance Minister Ilsley's talk came from Ottawa, through station CBL, Toronto, and the announcing and orchestra from Rochester.

"Canada Day" brought to Rochester some of the out-

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standing military heads of both countries and many fetes and appearances by all dignitaries took place. His worship, the Mayor of Toronto, Robert Saunders, headed a caravan of visitors arriving Friday morning. Two Canadian bands, the Royal Canadian Navy Band, and the Centralia Bagpipe Band, participated in a parade Friday night. Boy Scouts from Toronto, 5½-year service men of the Army, specially trained marching units, 100 Air Cadets, Royal Northwest Mounted Police and a Guard of Honor were guests.

Many of the military dignitaries and the Navy Band participated in ceremonies held Thursday, Flag Day, June 14. A special program was aired by "Radio Rochester." WHAM-WHEC-WSAY, from a Rochester high school, giving the report of bond sales by the Rochester schools.

Broadcast arrangements for both days were made by Charles Siverson, program director, WHAM, and a member of Mr. Fay's committee. A special broadcast was aired on WHAM at 7:45, the same evening, in which C. Raymond Naramore, Board of Education, Rochester, interviewed Captain Leslie Gehres, skipper of the USS *Franklin*. Captain Gehres, a former Rochesterian, visited the home town for the "Canada Day" celebration.

FIGHTERS LIKE KODY GLOBAL SHOW

From Berchtesgaden to the Philippines and points between, soldiers, sailors, and marines have heard the KODY—North Platte, Neb., "Let's Go to Town" show. Paratrooper Floyd Small called the program a "terrific morale booster" after hearing it in Germany.

Glen A. Albert Anderson, U. S. Coast Guard, wrote from the Philippines, June 11:

"Tonight at 2045 I turned on the radio—to get 'Let's Go to Town.' I was very surprised to hear good old North Platte. It was a great pleasure to hear the sounds of our great town. I was very glad to hear all the news, as our mail is very slow in getting here. I want to thank you for the highlights of the hometown, and I know many others who also enjoy it."

John Alexander, general manager. KODY, was Task Force Commander for the North Platte program.

2 WIP SCRIPTS IN FOR OK

Ed Wallis, WIP program director, and Task Force Commander of two Philadelphia "Let's Go to Town" programs, forwarded scripts to Los Angeles for approval, June 27.

In the programs GI listeners will take a trip from the North Philadelphia station down Broad Street, with landmarks pointed out en route. Familiar city sounds will be included in each ET.

Participants in the show will be: Jerry Doyle, Philadelphia *Record* cartoonist; Stoney McLinn, WIP-Mutual sports commentator; Connie Mack, manager and owner of Athletics; Gene Krupa and his orchestra (appearing at the Earle Theater, Philadelphia); Bob Williams, *Bulletin* servicemen's correspondent; and Mildred Martin, amusement editor for the Philadelphia *Inquirer*.

EUGENE CARR JOINS BRUSH-MOORE

Eugene Carr has resigned as assistant to President George A. Richards. (WJR, WGAR, KMPC) to become Executive in Charge of Radio for the Brush-Moore Newspapers, Inc., owners of several Ohio newspapers and radio stations WHBC, Canton, and WPAY, Portsmouth.

For the past six months Mr. Carr has been on loan to the Treasury Department as Chief of the Radio Section of the War Finance Division. Appointment of Carr, a recognized leader in various phases of radio development, indi-

cates that Brush-Moore is planning an expansion of its radio activities.

Carr has long played a prominent role in industry affairs. He was one of the founders of the Broadcast Advertising Department of NAB, and as chairman of the Sales Managers Executive Committee; led in the origination of the Retail Promotion Plan and the development of the retail presentation made in 1943. This project contributed largely to breaking down the resistance of retailers to radio advertising. In addition to his almost constant connection with NAB affairs, Mr. Carr served as Vice President of the Ohio Association of Broadcasters.

Entering radio in 1929 with WTAM, Cleveland, Mr. Carr has served in almost every broadcast capacity, as musical talent, commercial copy writer, program director, producer, assistant general manager, general sales manager, and more recently as assistant to President Richards in the operation of the latter's three stations. From May 1942 to September 1943 Carr served as an assistant in the Radio Division of the Office of Censorship. He broadened his acquaintance in the radio industry through attendance at NAB District meetings explaining the relation of the broadcasters to censorship.

Carr left the Treasury on June 26 and after a month's vacation, which will be spent with his daughter at Colorado Springs, he takes over the reins for Brush-Moore.

Lt. Levy New Chief

Succeeding as Treasury radio chief is Lt. (J. G.) David Levy, a member of the radio staff during the 7th War Loan. His appointment was made known to NAB June 27 by Tom Lane, director of advertising, press and radio. Lt. Levy was writer and producer for Young and Rubicam before joining the Navy.

Mr. Lane said that Lt. Levy will continue to devote most of his time to writing and production.

KPRO STAFF CHANGES

W. L. Gleeson, President of KPRO, Riverside, California, announces the appointment of Gene Williams, formerly commercial manager, to the position of station manager. Mr. Williams, graduate of the University of Missouri School of Journalism, was for 14 years connected with the *Janesville Gazette* and Station WCLO at Janesville, Wisconsin.

At the same time it was revealed that Herbert Ellis, formerly of KFMB and KGFJ, and Edward Hess McLean, just released from the Navy, have joined the KPRO staff, the former as an announcer, and the latter as production man and director of Talent Bureau.

Mr. Gleeson is retiring from the active management of the station to devote his full time to KPRO's television and FM plans.

RADIO MAN KEYNOTES TOURIST MEETING

Arthur R. Kirkham, Vice President of KOIN, keynoted a meeting called by Oregon's Governor Earl Snell to discuss ways and means for making tourist and recreation the number one industry in Oregon after the war.

Oregon radio men were well in evidence at the Salem meeting, along with representatives of Chambers of Commerce, railroads, airlines, newspapers, tourist hosts, and others. The object of the meeting is to expand and make better the state's tourist facilities and to conduct an active nation-wide campaign to encourage travel in that area.

Through the 16 years of his service at KOIN, Kirkham has played a major role in developing Oregon's tourist attractions and is known as the "father" of Portland's justly named 50-mile scenic drive.

THIRD YEAR OF STUDENT-TEACHER TRAINING COURSE IN RADIO NOW UNDER WAY AT KYW

PHILADELPHIA, PA.—For the third successive year, KYW opened its doors and loaned its facilities to the education of teachers and high school pupils in all phases of broadcasting beginning Wednesday (27). At that time, Radio Workshop, a co-operative project pioneered by Philadelphia's Board of Education and the Westinghouse station, started classes with lectures and laboratory work that will extend throughout July on a daily basis.

The first fifteen minutes of the opening session went on the air from 9:15 to 9:30 A. M. over KYW. Heard on the broadcast were Lee B. Wailes, Manager of Westinghouse Radio Stations, Inc.; Dr. T. E. McMullin, of the University of Pennsylvania; Dr. Merrill E. Bush, Temple University; Dr. Robert MacMillan, Associate Superintendent of Public Schools, and Miss Gertrude A. Golden, Superintendent of the Third District Public Schools and Chairman of Public Relations for the Board of Education. They engaged in a round-table preview of the Summer Workshop.

The original idea of bringing student-teachers into actual contact with professionals, radio equipment and broadcasting procedure is still adhered to by the Workshop. The lectures and laboratory work stress the four basic subjects which two years' previous experience has been shown to be most valuable to the purpose of education by radio. These subjects are script-writing, production and acting, utilization and evaluation.

In addition to KYW personnel and facilities, the Workshop draws guest speakers from Westinghouse stations conducting similar courses. Speakers from other prominent educational and radio sources are also scheduled at frequent intervals.

Robert L. Hudson of Denver, Chairman of the Rocky Mountain Radio Council, will give the benefit of his experience to the Workshop members over a two-week period.

The popular teaching plan was conceived by Gordon Hawkins, Program and Educational Director of Westinghouse Radio Stations, Inc., in collaboration with Miss Gertrude Golden, District Superintendent of the Philadelphia Public School system.

Similar workshops have been instigated by Mr. Hawkins at KDKA, Pittsburgh; WBZ, Boston, and WOWO, Fort Wayne. He presides over the annual Philadelphia activity ably assisted by William C. (Colonel Bill) Galleher, KYW Educational Director.

ABSIE ENGINEERING GROUP FORMED

In a letter to NAB from one of its members, news was brought of the organization of a club known as "ABSIE Engineering Group," composed of engineers of the "American Broadcasting Station in Europe."

"The Broadcast Stations of America have contributed personnel and air time to aid the war effort. Broadcast men have enlisted in the various armed services of their country; other men volunteered to go abroad for Government Agencies who had great need for technical personnel. This letter concerns those personnel who went abroad for the Office of War Information to build and operate a radio station known as the 'American Broadcasting Station in Europe.'

"Throughout 1944 and during the first 5 months of 1945, despite enemy action by robot bombs and rockets, members of the Engineering Staff stood by their jobs so that the people of the occupied countries would receive the news devoid of enemy propaganda, receive operational messages and instructions and finally prepare them for the ultimate liberation of their respective countries. The American Broadcasting Station in Europe did just that.

"The Engineers of ABSIE have formed a club called 'ABSIE Engineering Group,' whose purpose is to foster

the friendship and comradeship started in the European Theater of Operations and pledge mutual aid to each other following the cessation of hostilities and the return to normal life. The Group met and elected Ely I. Bergmann of the WOR-Mutual, Chairman, and Fred G. Edwards of WTIC, Secretary-Treasurer."

DURR AIRS RADIO VIEWS

FCC Commissioner Clifford J. Durr, speaking at the Conference of the Independent Citizens' Committee of the Arts, Sciences and Professions, Inc., in New York City on last Saturday (23), made some interesting observations on broadcasting which, we believe, will be of interest to all in the industry. His remarks follow in full:

"The title assigned to me is 'FM—New Market for Radio Talent.' I hope you will forgive me if I stray beyond the narrow limits set by the language of the title, for FM or frequency modulation broadcasting is merely a newer and, we hope, a better method of broadcasting which will open new spaces in the radio spectrum for additional broadcast stations.

"In considering the employment of radio talent, we cannot separate FM from broadcasting generally—from standard broadcasting and television. And we cannot consider the employment problems and opportunities of the new FM except in the light of our experience with the old standard broadcasting system.

"The employment opportunities ahead in the field of broadcasting will depend, it seems to me, upon which of two basic philosophies we adopt with respect to this instrumentality. I should like first to outline these two philosophies and then to point out their consequences in terms of the employment of artists, scientists and professional people generally.

"The first of these philosophies has been expressed as follows:

"The ether is a public medium, and its use must be for public benefit. The use of radio channels is justified only if there is public benefit. The dominant element for consideration in the radio field is, and always will be, the great body of the listening public, millions in number, country-wide in distribution.'

"This, the 'public medium' philosophy, was laid down by Herbert Hoover in 1925, when he was Secretary of Commerce, and I believe it embodied the best thinking of that time on the subject.

"I believe it was the intention of Congress to incorporate this philosophy into law when it expressly reserved to the people title to all radio channels; when it directed that licenses be granted only to applicants who demonstrate their qualifications and their intention of using the publicly-owned channels in the 'public interest, convenience and necessity'; when it provided that no broadcasting license should ever be granted for a period longer than three years, and that every application for renewal of license 'shall be limited to and governed by the same considerations and practices which affect the granting of original applications'; and when it provided that every applicant for a license must sign a waiver of any claim to the use of the ether 'as against the regulatory power of the United States.'

"However, as radio demonstrated its possibilities, a second philosophy began to arise, which has in recent years been asserted with increasing frankness and vigor. This second philosophy is exemplified in the New Year's statement of the president of the National Association of Broadcasters, an association which represents some two-thirds of the broadcasting stations of this country:

"This has been a great year for radio and 1945 will be a better one, judging by the prospects. One must consider balance sheets to measure the progress of radio. For balance sheets represent an index to the medium's effectiveness.'

"I am sure this 'balance sheet' philosophy is not the philosophy of all broadcasters or even of all members of the National Association of Broadcasters, but to date it has

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not been publicly repudiated by any of them, so far as I am aware.

"The 'balance sheet' philosophy was more fully developed by the president of the NAB in an address delivered this spring before the Kiwanis Radio Week Meeting of the Kiwanis Club of Omaha, Nebraska. He posed this question to his audience:

"Do you regard it [radio] purely as a miracle, as a flash of inventive genius—a discovery in electronics beyond the comprehension of ordinary mortals, or do you associate it with bookkeeping, clerks, secretaries, bank balances, customers, pay checks and janitors—in short, the product of American business?"

The question would seem to provide its own answer. But lest some of his listeners might associate radio in their own minds with writers and musicians, dramatists, producers, actors, educators, and those in public life who are struggling with the vital economic, political and social issues of the day—or even with listeners—the speaker answered his own question:

'American radio today is the product of American business! It is just as much that kind of product as the vacuum cleaner, the washing machine, the automobile and the airplane. * * *

'After twenty-five years, if the legend still persists that a radio station is some kind of an art center, a technical museum or a little piece of Hollywood transplanted strangely to your home town, then the first official act of the second quarter century should be to list it along with the local dairies, laundries, banks, restaurants and filling stations as a member of the town's business family.'

"Going back to the cruder days of broadcasting, the NAB president reminded us of the time when station operators 'had a sort of "artistic personality."' 'Many a station operator,' he pointed out, 'who might have had a personal preference for poetry and the opera learned some sound lessons in selling and merchandising under the tutelage of America's good, hard-headed business men, and it was the best thing that could have happened to him.'

"Coming forward to more recent years, the speaker informed his audience:

"The 1935 radio and its advertisers really began to get together. Advertising agencies had learned how to produce successful programs with some degree of regularity.'

and, may we not assume, they had also learned how to submerge effectively the 'artistic personality' of those station operators who might be swayed by their 'personal preference for poetry and the opera.'

"Earlier, during the period of dominance of the 'public medium' philosophy, many broadcasters felt it was their opportunity, as well as their responsibility, first, to encourage and to serve as an outlet for the local talent available in their communities; and second, to make available to their communities by means of networks or transcriptions, the cultural and entertainment resources of the entire nation. But, as the NAB president pointed out, the emphasis has now shifted to another kind of contribution which the radio station brings to its local community:

"If we look no further than the income which the radio station brings to town from national advertising, this is a considerable item which, after taxes, goes into local salaries, programs and general development.'

Under the new philosophy, a local program is still apparently all right if limited to announcements or sponsored news or recorded programs, but if the broadcaster is to meet the 'balance sheet' test, he must keep his eye on the national advertisers and the income they bring to town.

"Broadcasting today is of course a product of both the 'public medium' philosophy and the 'balance sheet' philosophy. But let us look at the over-all picture and see where artists, scientists and professional people fit into the scheme of things when broadcasting becomes associated with 'bookkeeping, clerks, secretaries, bank balances, customers, pay checks, and janitors.'

"The employment figures of 834 standard broadcast sta-

tions for the week beginning October 15, 1944 show a total of 20,452 full-time employees and executives. Only 863 of the employees were writers; 1,195 were outside salesmen. The average writer received \$40.14 per week; the average salesman, \$95.92 per week. There were 820 actors and other artists and more than three times that many accountants, clerks and stenographers. There was, however, no shortage of executives. These numbered 2,780, which is more than all the musicians and writers combined.

"Four hundred and fifteen local channel stations got along with only 259 full-time writers, but they employed 409 outside salesmen. The writers received an average of \$31.87 per week while the salesmen received \$68.85. The average local channel station employed less than one-third of a full-time musician and about about one-sixth of a full-time actor.

"As for scientists, the 834 stations reported a total of 60 people engaged in research and development.

"The figures for the networks are more encouraging, but even here the salesmen outrank the writers. The four big networks and their 10 key stations employed only 122 full-time writers, as compared with 135 salesmen. The writers average \$64.58 per week and the salesmen, \$128.56.

"Since programming is the essence of broadcasting, the figures I have given would seem to indicate a struggling and impoverished industry. But I can assure you that such is not the case. Broadcasters are a modest group and not inclined to boast of their personal prosperity. They even insist that their balance sheets and profit and loss statements be kept from public scrutiny, lest they become the source of discouragement to less fortunate members of society. I can assure you, however, that few of them are impoverished and most of them are doing quite well. While I cannot talk about their individual fortunes, the story as a whole is available and you might find a few of the figures interesting.

"During the year 1944, 836 standard broadcast stations reporting to the Federal Communications Commission earned net profits before federal income taxes of nearly \$69,000,000. This represented an increase of 47% over their profits for 1943 and an increase of 125% over 1942. The 1944 net income represented a return of 194% on their investment in tangible broadcast property at the beginning of the year.

"The 1944 figures on program expenses are not yet available, but in 1943, the stations reporting to the FCC showed \$1.30 in profits before taxes for every \$1.00 they spent on programming. The station which earns 300%, 400%, or even 500% a year is no longer a rarity; and many of those who make the largest profits make it the easiest way—by becoming little more than platter players and relay stations for national news tickers and networks, while avoiding the troublesome but important job of producing programs through the use of the talent in their own communities.

"It is only fair to say that the figures which I have given with reference to the employment of talent by broadcasting stations themselves do not tell the whole story. Far from it. They only tell the story of those to whom we have entrusted the public's radio channels and whom we have charged with the responsibility of operating them in the public interest. Let us look at the rest of the picture.

"*Broadcasting* magazine, a weekly journal of the industry, has just concluded a series of articles about one of the industry's major customers, Procter & Gamble. According to the story, Procter & Gamble spent some \$11,000,000 last year for radio time alone and an equal amount for talent, or a total of \$22,000,000 more or less. This one advertiser spent 4 times the entire annual budget of the networks and stations operated by the Canadian Broadcasting Corporation, 3½ times as much as the entire program expense of 341 local stations in 1943, nearly half again as much as the program expense that year of 316 regional stations and more than twice as much as was spent by 41 clear channel stations; enough to pay the operating expenses of Iowa State College of Agriculture's very useful Station WOI, for 700 years at the rate of its present budget.

"Procter & Gamble, it appears, is as considerate of its listeners, who are the customers or potential customers for

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its products, as it is lavish in its expenditures for time and talent. According to the story:

"P&G has a policy never to offend a single listener."

"Procter & Gamble is merely the largest of the large customers who contribute generously to the production of programs and it can be assumed that most, if not all, of the others are likewise anxious not to offend. Another which has recently been the subject of attention by the press is the American Tobacco Company.

"The New York Times for Sunday, April 22, quotes the president of this company to the following effect:

"... the last thing I could afford to do is offend the public. To attract the public's attention, yes, we will do that, but that is a great deal different from offending the public."

"His views concerning the function of radio are further quoted:

"We have some funny thinking here about radio, and we have been criticized for it. Taking 100% as the total radio value, we give 90% to commercials, to what's said for the product, and we give 10% to the show.

"We are commercial and we cannot afford to be anything else. I don't have the right to spend the stockholders' money just to entertain the public."

"Is this the function of radio which the president of the NAB had in mind when he ended his speech with a reminder of radio's solemn responsibility and a prophecy of its future:

"Radio has become a recognized guardian of the public interest. American business, with its own principles of freedom and public service and a war record which places it high among the glorious institutions of this earth, likewise has become a guardian of the public interest."

"It is my prophecy that American business will want to use radio in the perpetuation of this trust, that it will find new ways to sell itself and its products to the American public through radio, that it will share more fully in radio's recognition as a guest in the American home—and whether this develops in the form of television, FM or the radio of the past twenty-five years, there shall be stronger safeguards of free expression and a greater fulfillment of public service by means of the union of broadcasting and the business man."

"This 'union of broadcasting and the business man' is, of course, a tremendous source of employment for writers, actors and musicians who can find the fulfillment of their artistic ambitions in their pay envelopes and who are willing not to offend.

"Let me make it clear that I am not here complaining about any individual program produced by advertisers or advertising agencies. Some of them I enjoy personally, and I would not interfere with the right of others to hear programs which they like even though my taste might happen to disagree with theirs. The problem of broadcasting, as I see it, is not what we hear over the air—there are sufficient safeguards against obscenity, profanity, and the like. The problem lies in what we do not hear. Censorship by overloading the air with programs which sell goods, to the exclusion of programs which do not, may be as effective as a complete denial of access to the air or censorship by the blue pencil.

"Never to offend anyone may be good salesmanship. But is it good radio? Is it good sense in times such as these in which we are living? The best in literature and drama, and even art and music has offended. Milton offended in his time. So did Shakespeare and Victor Hugo and Voltaire, and Moliere, and even Galileo, in theirs—but their works have survived long after even the names of those whom they offended were forgotten. Tom Paine and Sam Adams and Jefferson and Hamilton and Madison and many others whose names we honor today did a lot of offensive speaking and writing in their time, but it was a time which required a challenge to greatness and a big challenge cannot be made without offending prejudices and vanities and fixed habits of thought. Out of their courage to offend came a Declaration of Independence and a Constitution and Bill of Rights.

"Our day is no less a time for a big challenge, but it hasn't been very long since the late Alexander Woollcott came to the parting of the ways with his sponsor because he offended by making uncomplimentary remarks about two world statesmen, whom we have since come to regard as rather unsavory characters—Adolph Hitler and Benito Mussolini. Big challenges are being made today, and they are being made by radio, not only through speeches but through dramatizations such as 'On a Note of Triumph' which reach the emotions as well as the mind. We must not let such stirring appeals to our generation be overwhelmed or crowded out by the sheer volume of exhortations to buy commercial products; nor must we permit the commercial reiteration of broadcasting to anaesthetize us against the mighty challenges which radio on occasion can deliver.

"The problems of broadcasting are, therefore, far greater than the questions of whether the commercial shall come at the beginning, the middle or the end of the newscast, or at all three places, or what we should do about cow-catchers, hitch hikers, and singing commercials, or even the direct employment which post-war broadcasting will provide for talent. Which of the basic philosophies gains the ascendancy may well determine whether our children and our children's children will find their employment as artists, scientists, professional people, mechanics or farmers—or as soldiers or sailors.

"The exponents of both philosophies of broadcasting pay full deference to the symbols of public interest and democracy. They say we must have a 'free radio.' I agree. Let us have a radio that is truly free—as free from economic domination and overweening greed as from government censorship; that is free for the fullest expression of ideas and music and art; that is free to dramatize ideas as well as mystery stories or soap or laxatives; that is free even for the indulgence of 'personal preferences for poetry and the opera'; that is free from fear of offending, except through vulgarity and cheapness and obscenity and insincerity; that is free for the writer, the producer, and the actor to give the best that is in him regardless of the effect upon the sale of commercial products.

"They say we must have a competitive radio. I agree. Let us have a radio that is competitive for listeners as well as for advertising accounts; that competes for the quality and sincerity of programs as well as for listener ratings; that competes for the privilege of using the people's frequencies in the best interests of the people and on the basis of public service promised and rendered; that grants free competition to ideas and music and all other forms of human expression and that provides a free outlet for such expression in every community in the nation.

"They say we must have a democratic radio, regulated by the people, that gives the people what they want. I agree. Let us have a radio that is regulated by the people and that gives the people full access to all information needed for intelligent regulation. Let us have organizations through which the people can speak in making their regulation effective; let us have a democratic radio that is scrupulous in its regard for minority rights, which are as sacred to our form of democracy as majority rule. Above all, let us have a radio which recognizes that the essence of democracy is the maximum participation by the people in its processes; which recognizes that democracy is not merely a form of government but a way of life, and that music and drama and making a living and playing, as well as voting, are among its important ingredients.

"The new spirit which is needed in broadcasting must come from the artists and writers who will produce its programs. There is evidence that such a new spirit is beginning to stir. It is expressed in a letter from Private Ted Kehoe of the United States Army to *Theatre Arts* magazine:

"Today, most of us march in the ranks of the Army, but we are looking over our shoulders, watching our oldsters play out their string—watching them, learning, even as we march in war.

"In a few years the baton of leadership will be placed in our hands. Another round of the clock will

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see the curtain rise on a new theatre, a distinctly American Theatre, dominated by youth—all of us working to perfect our art, our profession.

"How are we to start? Certainly not by wading into New York to compete in mortal combat with the 'Broadway baboons.' Instead, we intend to come into our own through kitchen doors, cellar doors, attic windows. We intend to infiltrate their lines, to establish theatres, resident professional community theatres, throughout this still mighty nation. We shall steal their foundations, brick by brick, until the American Theatre means something more than Broadway, New York City—until it means Cleveland, Pasadena, Houston, New Orleans, St. Louis, Cincinnati, and Pittsburgh and Seattle and Atlanta—until the term "American Theatre" brings to mind the playhouses and the artists of a nation. We shall increase the scope and meaning of the term by increasing the importance of the theatre *on stage* to local Joe Citizen—by being honest with him and with ourselves."

"The hundreds of new stations made possible by frequency modulation can provide the kitchen doors, cellar doors, and attic windows through which the Private Kehoes may also infiltrate the American system of broadcasting."

Federal Communications Commission Docket

HEARINGS

Wednesday, July 18

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted petition to vacate the July 2 hearing date on application for renewal of license and assign hearing at Evansville; vacated the July 2 hearing date, and scheduled hearing for 10 a. m., July 18, at Evansville, Ind., provided, however, that the hearing may be adjourned to the offices of the Commission in Washington, D. C., for presentation of additional evidence, and further ordered that the motion for an order to take depositions be dismissed.

Thursday, July 26

Hearst Radio Inc., Assignor, and the Crosley Corp., Assignee, New York City.—The Commission on its own motion, continued the hearing scheduled for June 27 to July 26, 1945, on the applications for voluntary assignment of license of WINS and construction permit. (Action taken June 22.)

Federal Communications Commission Action

APPLICATIONS GRANTED

WJWC—J. W. Woodruff, et al., d/b as Columbus Broadcasting Co., Portable-Mobile, Columbus, Ga.—Granted construction permit to reinstate construction permit which authorized a new relay broadcast station to be used with standard station WRBL; frequencies 1622, 2058, 2150 and 2790 kc., 15 watts.

W9XZC—Zenith Radio Corp., Chicago, Ill.—Granted modification of construction permit which authorized a new experimental television broadcast station, for extension of completion date from 8-19-45 to 2-19-46, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651; conditions.

W3XWT—Allen B. DuMont Laboratories, Inc., Washington, D. C.

—Granted license to cover construction permit which authorized reinstatement and changes in transmitter site, power, emission and type of equipment in experimental television station, subject to changes in frequency assignments which may result from proceedings in Docket No. 6651; conditions; station is to be operated as an experimental television broadcast station in accordance with Secs. 4.71 to 4.79 inclusive and to conduct such other related experimental operations as the Commission may require through its Engineering Department; frequencies to be assigned by Commission's Chief Engineer from time to time; power: Aur-2 KW, Vis-4 KW (peak); transmitter located at 11th and E Sts., N. W. (Hotel Harrington).

W3XLA—Everett L. Dillard, tr/as Commercial Radio Equipment Co., Portable, area of Washington, D. C.—Granted modification of construction permit which authorized a new satellite (developmental) broadcast station, for extension of completion date to 9-15-45.

W9XLA—KLZ Broadcasting Co., Portable, area of Denver.—Granted modification of construction permit which authorized a new satellite (developmental) broadcast station, for extension of completion date from 7-4-45 to 1-4-46.

WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted license to cover construction permit which authorized changes in antenna of FM broadcast station.

Georgia School of Technology, Area of Atlanta, Ga.—Granted construction permit for new relay broadcast station; frequencies 1646, 2090, 2190 and 2830 kc., 150 watts.

National Broadcasting Co., Inc., Cleveland, Ohio.—Granted construction permit for new relay broadcast station; frequencies 1606, 2074, 2102, 2758 kc., 150 watts.

Indiana Broadcast, Inc., Indiana, Penna.—Adopted Memorandum Opinion and Order granting application for a new station to operate on 1450 kc., 250 watts, unlimited time; conditions.

KRLH—Millard Eidson, Independent Executor of Estate of Clarence Scharbauer, deceased, Midland, Texas.—Granted request to change call letters of station from KRLH to KCRS.

LICENSE RENEWALS

WJTN—James Broadcasting Co., Inc., Jamestown, N. Y.—Granted renewal of license for the period ending August 1, 1946.

KFBC—Frontier Broadcasting Co., Cheyenne, Wyo.—Granted renewal of license for the period ending August 1, 1946.

KMAC—Howard W. Davis, tr/as The Walmac Co., San Antonio, Texas.—Granted renewal of license for the period ending August 1, 1946.

WMC—Memphis Publishing Co., Memphis, Tenn.—Granted renewal of license for the period ending May 1, 1946.

WJJD—WJJD, Inc., Chicago, Ill.—Granted renewal of license for the period ending May 1, 1948.

KTUL—Tulsa Broadcasting Co., Tulsa, Okla.—Granted renewal of license for the period ending November 1, 1947.

Licenses for the following stations were further extended on a temporary basis pending determination upon application for renewal, for the period ending September 1, 1945:

KFAB, Lincoln, Nebr.; KJBS, San Francisco; KRLD, Dallas, Texas; KSTP and auxiliary, St. Paul, Minn.; KVOO, Tulsa, Okla.; WBAL and auxiliary, Baltimore, Md.; WBT, Charlotte, N. C.; WDZ, Tuscola, Ill.; WFTC, Kingston, N. C.; WHAM and auxiliary, Rochester, N. Y.; WINS and auxiliary, New York City; WLIB and auxiliary, Brooklyn; WOAI and auxiliary, San Antonio; WOWO, Ft. Wayne, Ind.; WRVA and auxiliary, Richmond, Va.; WSKB, McComb, Miss.; WTOP, Washington, D. C.; WWVA, Wheeling, W. Va.; KMOX, St. Louis, Mo.; WDGY, Minneapolis, Minn.; KPMB, Bakersfield, Calif.

MISCELLANEOUS

Licenses for the following FM broadcast stations were extended on a temporary basis only, pending determination upon application for renewal, for the period ending September 1, 1945, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651:

WFMN, Alpine, N. J.; WNYC-FM, New York City; WMIT, Winston-Salem, N. C.; WGTR, Boston; WNTW, Boston.

Licenses for the following FM broadcast stations were further
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extended upon a temporary basis only, pending determination upon application for renewal, for the period ending September 1, 1945, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651:

KOZY, Kansas City, Mo.; WMLL, Evansville, Ind.; WQXQ, New York City; WHFM, Rochester, N. Y.

W4XAJ—The Atlanta Journal Co., area of Atlanta, Ga.—License for developmental broadcast station was further extended upon application for renewal of license, for the period ending September 1, 1945, subject to changes in frequency assignment which may result from proceedings in Docket 6651.

KALW—Board of Education of the San Francisco Unified School District, San Francisco, Calif.—License for non-commercial educational broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending September 1, 1945, subject to changes in frequency assignment which may result from proceedings in Docket 6651.

W2XWE—WOKO, Inc., Albany, N. Y.—License for facsimile broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending September 1, 1945.

Licenses for the following relay broadcast stations were further extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending September 1, 1945:

Columbia Broadcasting System, Inc., WCBE, Charlotte, N. C.; KFAB Broadcasting Co., KIIH, Lincoln, Neb.; KSTP, Inc., KABE, KAIE, St. Paul, Minn.; NBC, WNBK, Cleveland; Radio Service Corp. of Utah, KBIC, KBID, KNEF, Salt Lake City; WZD Broadcasting Co., WAIO, WELR, Tuscola, Ill.; Westinghouse Radio Stations, Inc., WBGW, Ft. Wayne, Ind.; West Va. Broadcasting Corp., WAAH, Wheeling, W. Va., L. B. Wilson, Inc., WBAF, Cincinnati; WOKO, Inc., WMWA, Albany, N. Y.

First Baptist Church, Pontiac, Mich.—Granted extension of permit under Sec. 325 (b) of the Communications Act to transmit programs to Radio Station CKLW, Windsor, Ontario, Canada.

Associated Broadcasting Corp., Grand Rapids, Mich.—Granted extension of permit under Sec. 325 (b) of the Communications Act to transmit programs from Grand Rapids, Mich., to station CKLW, Windsor, Ontario, Canada.

Philadelphia Gospel Broadcasters Association, Philadelphia, Pa.—Denied petition for reconsideration and rehearing of the Commission's decision April 25, 1945, denying the petition and complaint of Philadelphia Gospel Broadcasters Association against the policies of station WPEN relating to religious broadcasting. The Commission finds no new facts or data presented which would require the Commission to modify or set aside its denial.

The following amended television applications were retained in the pending files:

Metropolitan Television, Inc., New York City; Central Ohio Broadcasting Co., Columbus, Ohio; Filene's Television, Inc., Boston; Cincinnati Broadcasting Co., Cincinnati, Ohio.

The following amended FM broadcast application was retained in the pending files:

Debs Memorial Radio Fund, Inc., New York City.
Hearst Radio, Inc., Milwaukee, Wis.—Placed in the pending files in accordance with Commission policy of February 23, 1943, application for commercial television station.

The Grand Rapids Broadcasting Corp., Grand Rapids, Mich.—Placed in the pending file in accordance with Commission policy of February 23, 1943, application for FM broadcast station.

APPLICATIONS FILED AT FCC

590 Kilocycles

KTBC—Claudia T. Johnson, Austin, Texas.—Authority to determine operating power by direct measurement of antenna power.

600 Kilocycles

KFSD—Airfan Radio Corp., Ltd., San Diego, Calif.—Construction permit to install a new transmitter. (B5-P-3877)

660 Kilocycles

KOWH—World Publishing Co., Omaha, Nebr.—Special service authorization to operate 660 kc., with power of 100 watts night, 500 watts day, unlimited time, for the period ending 11-1-46. (B4-SSA-130)

700 Kilocycles

WLW, WLWA, WLWB, WLWC, WLWD, WLWE, WLWF, WLWG, WLWH, WLWI, WLWJ, WLWL, WLWO, WLWR, WLWS, WLWK, W8XAL, W8XFM, W8XCT, WLWN, WLWQ, WLWU & WLWV—The Crosley Corp., Cincinnati, Ohio.—Transfer of control of licensee corporation from Powel Crosley, Jr., *et al.* to The Aviation Corporation (305,100 shares common stock—55.9%). (B2-TC-452)

930 Kilocycles

WKY—WKY Radiophone Co., Oklahoma City, Okla.—License to cover construction permit (B3-P-3114) as modified for increase in power, installation of directional antenna for night use, and move of transmitter. (B3-L-1897)

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Authority to determine operating power by direct measurement of antenna power. (B3-Z-1703)

1340 Kilocycles

WTAL—Capital City Broadcasting Corp., Tallahassee, Fla.—Application for renewal of standard broadcast station license filed.

1400 Kilocycles

NEW—Fayette Associates, Inc., Montgomery, W. Va. (P. O. % Arnold M. Vickers, Montgomery, W. Va.)—Construction permit for a new standard broadcast station to be operated on 1400 kc., with power of 250 watts, and unlimited hours of operation. (B2-P-3876)

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Construction permit to move transmitter and make changes in antenna. (B3-P-3878)

KLUF—The KLUF Broadcasting Co., Inc., Galveston, Texas—Application for renewal of standard broadcast station license filed.

WDEF—WDEF Broadcasting Co., Chattanooga, Tenn.—Application for renewal of standard broadcast station license filed.

WRAK—WRAK, Inc., Williamsport, Pa.—Application for renewal of standard broadcast station license filed.

WSRR—Stephen R. Rintoul, Stamford, Conn.—Application for renewal of standard broadcast station license filed.

1490 Kilocycles

WNLC—Thames Broadcasting Corp., New London, Conn.—Construction permit to install a synchronous amplifier at Norwich, Conn., to be operated on 1490 kc., with power of 250 watts, with unlimited hours of operation synchronized with Station WNLC. (B1-P-3874)

WKBZ—Ashbacker Radio Corp., Muskegon, Mich.—Authority to determine operating power by direct measurement of antenna power. (B2-Z-1705)

WELO—Birney Imes, Jr., Tupelo, Miss.—Application for renewal of standard broadcast station license filed.

FM APPLICATIONS

NEW—Don Lee Broadcasting System, San Francisco, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43.5 mc., with coverage of 18,050 square miles. AMENDED: to change coverage to 24,500 square miles, change transmitter site from Berkeley, Calif., to Top of Mt. Tamalpais, Marin Co., Calif., change type of transmitter and make changes in antenna.

NEW—West Virginia Broadcasting Corp., Wheeling, W. Va. (P. O. Hawley Bldg., Wheeling, W. Va.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 43.9 mc., with coverage of 18,862 square miles. (B2-PH-511)

TELEVISION APPLICATIONS

NEW—Twentieth Century-Fox Corp., New York, N. Y. (P. O. 444 W. 56th St., New York 19, N. Y.)—Construction permit for a new commercial television broadcast station to be operated on Channel #5 (72-78 mc.) as proposed in re-allocation or as the Commission may designate within the 40-100 mc. bands, with ESR of 5420.

MISCELLANEOUS APPLICATIONS

WATX—The Regents of the University of Michigan, Ann Arbor, Mich.—Modification of construction permit for extension of completion date from 6-16-45 to 12-16-45. (B2-MPED-22)

KUSC—University of Southern California, Los Angeles, Calif.—Modification of construction permit for extension of commencement and completion dates from 12-21-44 and 6-21-45 to 6-21-45 and 12-21-45, respectively.

W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky & Bailey, Georgetown, D. C.—License to cover construction permit for change in transmitter site and change class of station. (B1-LEX-22)

Federal Trade Commission Docket

COMPLAINTS

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

Lesem Bach & Co., Inc.—A complaint has been issued charging Lesem Bach & Co., Inc., 257 Fourth Ave., New York, with misrepresenting the fiber content of textile fabrics it sells to clothing manufacturers and dealers. The complaint alleges that the respondent company in newspaper advertisements and by other means has represented that its fabrics sold under the trade names "Monte Cristo," "Kohinoor" and "Backadere Gabardine" are composed of wool, when such is not the fact. (5340)

Earl H. Snow and Pershing R. Snow, trading as Snow's Hatcheries. The complaint alleges that the respondents, who operate breeding and trap-nesting farms at Sleepy Eye, Minn., have falsely represented, directly or by implication, that they are United States Record of Performance breeders and operate poultry-breeding plants or hatcheries under the supervision of official agents, and that their sired chicks are obtained from flocks headed by wing-banded pedigreed males from an outstanding breeder and meet all requirements of the U. S. R. O. P. program. The complaint alleges that the respondents' principal business is operating a commercial hatchery in which chicks are hatched from eggs largely purchased by them from outside sources. (5339)

National Modes, Inc., National Modes Holding Corporation and John Block. Violation of the brokerage section of the Robinson-Patman Act is alleged in a complaint against National Modes, Inc., National Modes Holding Corp., and John Block, 130 West 31st St., New York. The complaint also names as respondents the manufacturers who pay the brokerage and certain large retail dry goods stores for whom Block and his corporations act as buying agents. The wearing apparel so purchased is promoted and sold by the retailers under registered trade-marks, the principal ones being "Carolyn" and "Jeanne Barrie," which are owned and controlled by National Modes, Inc. (5338)

Ritter Brothers, Inc.—A complaint has been issued charging Ritter Brothers, Inc., 224 West 30th St., New York, with mis-

representation in connection with the sale of women's fur garments, principally those made of mink. It is also charged that the respondent has represented falsely that the trade-mark has been duly registered with the U. S. Patent Office and that the pelts used in the manufacture of the garments came from prize-winning animals. (5341)

H. Wallace Johnston—A complaint has been issued charging H. Wallace Johnston, trading in his own name and under the name "Palm Lodge Tropical Fruit Groves", Homestead, Florida, with false advertising. The complaint alleges, the respondent has represented that Aloe Vera leaves were a competent and adequate treatment for a number of ailments, including arthritis, rheumatism, dyspepsia and constipation. (5337)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Robert W. Hailey, G. P. Hubble and H. F. Hall, trading as Cookware Associates, Bucyrus, Ohio, are ordered to discontinue fraudulent practices whereby they accepted orders for aluminum cooking utensils, which they could not deliver, and then refused to cancel the orders or refund down payments, and sought to compel purchasers to accept substitute utensils made of glass or ceramic ware. (5084)

Peck & Hills Furniture Co., Inc., 42 East 32nd St., New York, is ordered to cease and desist from representing that the established retail selling prices at which its products are sold are special or wholesale prices; from using courtesy cards as a means of representing that the holders are enabled to buy the respondent's products for less than the prices customarily charged therefor, or the using in catalogs or on tags attached to the products "list" prices not representing the prices at which the respondent's products are customarily sold in the normal and usual course of business. (5239)

STIPULATIONS

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

One-Two-Three Co., Inc., 150 Varick St., New York, agrees to cease using any statement or representation tending to convey the belief that the preparations contain no artificial preservative; that certain of its preparations are especially prepared for use in waters of different degrees of hardness, and to suit the chloride content thereof; the use of any certificate or representation connoting that the preparations have met the requirements of a qualified testing bureau or other generally recognized authority for standards of quality, purity of ingredients or methods of production; or that the products have been approved or endorsed by such authority. The respondent also agrees to cease representing, directly or inferentially, that the preparations are made of the oil or juice of lemons, limes, oranges or other fruits. (4079)

Abraham M. Warren, trading as A. M. Warren & Co., 227 West Van Burn St., Chicago, has stipulated that he will cease and desist from advertising branding, labeling, invoicing or selling products composed in whole or in part of rayon, without clearly disclosing by use of the word "rayon" the fact that they are composed of or contain rayon; and, when a product is composed in part of rayon and in part of fibers or material other than rayon, from failing to disclose, in immediate connection or conjunction with the word "rayon," and in equally conspicuous type, each constituent fiber of the product in the order of its predominance by weight beginning with the largest single constituent. (4082)

West Disinfecting Co., 42-16 West St., Long Island City, N. Y., agrees to cease representing that use of the preparation will prevent dermatitis, that the lanolin content is absorbed by

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the skin and will replenish the natural oiliness of the skin, or that the use of the preparation leaves an oil film on the skin or that the lanolin content remains on the skin. It further agrees to cease representing, by use of the word "lanolin" or any pictorial or other representation connoting lanolin, that the inclusion of lanolin in the preparation adds to its cleansing properties or therapeutic value, or representing, by statements such as "away-and-beyond the common concept of an industrial hand cleaner," that the preparation differs materially from all industrial soaps sold in competition with it. (4078)

Edward Sayle, trading as Arrow Publishers, 1674 Broadway New York, has agreed to cease and desist from (1) Selling any abridged copy of a book or publication unless the word "Abridged" appears on the front cover and on the title page in immediate connection with the title and in clear, conspicuous type. If the book has an additional wrapper or cover bearing the title, then the front page of the wrapper shall in like manner bear the word "Abridged" conspicuously displayed. (2) Representing by statements such as "A complete \$2 Mystery Novel," or in any other manner, that an abridged book is complete as originally published. (3) Substituting a new title for the original title of a reprinted story unless, whenever used, the substitute title is immediately accompanied, in equally conspicuous type, by the original title. (4083)

Earl J. Kahn, trading as The Weatherman, 430 North Michigan Ave., Chicago, agrees to cease and desist from the use of the word "free" to describe goods when they are not a gratuity and the prospective recipient is required as a consideration to purchase some other article or articles or render some service in order to obtain the same; and from representing, directly or inferentially, that an offer is an "introductory advertising offer" when it is a regular offer. (4081)

Lamport Co., Inc., 365 Broadway, New York, agreed to cease and desist from the use of any statement or representation tending to convey the belief that its products will afford satisfactory wear or service for four years, or any other period of time, or that the measurement of the life of such products in actual use can be determined by "tests" or in any other manner. (4085)

Brewing Industry Foundation, 21 East 40th St., New York, agreed to discontinue disseminating advertisements which contain statements and representations tending to convey the belief that beer is not a fattening product, that it will "help unsnarl tangled nerves," "relieve the strain of modern living" or otherwise be of benefit in conditions which are the result of some definite disease or disorder of the nervous system. (4086)

Brunswick-Balke-Collender Co., Chicago, agrees to stop using in its advertising matter, or in any other manner, statements or representations which tend to convey the belief, when contrary to fact, that any claim of superiority allegedly possessed by its products is based on or supported by an authoritative test that has been made substantially coincident with the time of the dissemination of the advertising matter. The corporation also agrees to discontinue using in its advertising matter any test or excerpt therefrom that may cause the belief, when such is not a fact, that the test involved a comparison of alleged quality of any one of its products with the field of competitive products. (4080)

Progressive Sales Co. (William Heim, Charles Mandell and John Develer, trading as), 1524 Chestnut St., Philadelphia, Pa., stipulate that in the performance of their contracts with customers they will cease and desist from substituting or delivering books or publications other than those specified in the contracts. (4084)