UNIQUE 4-STATE CHECK RANKS WOR
DOMINANT SATURDAY FIRST!

WOR unquestioned Saturday favorite
in New York, Connecticut, Pennsylvania,
New Jersey area of 13,400,000 people!

80% more listeners than highest ranking 50,000 watter
110% more listeners than next ranking 50,000 watter
150% more listeners than the lowest ranking 50,000 watter

Again—as in 1940—but this time more thoroughly,
more completely, more convincingly, WOR has proved
that it dominates the week-end audience. But WOR did
not stop at this. Based on a carefully selected audience
sample, WOR found that it is the station listened to
MOST AMONG ALL INCOME GROUPS; and that its
Saturday morning audience is a PROVEN ALL-FAMILY
TYPICAL WEEKDAY EVENING AUDIENCE.*

*These facts are based on a new, advanced type of listening check
just made for WOR by Crosley, Inc., and basic data previously
published in the station's "Story of Saturday". Agencies and adver-
tisers may obtain a detailed recap by writing—WOR at 1440
Broadway, in New York.
TURN ON THE Spotlight!

69\% of non-network advertisers using WLS in 1940 had
62\% of non-network advertisers on WLS in 1939 renewed WLS before.

156 non-network advertisers used WLS' facilities in 1939.
156 non-network advertisers used WLS in 1940. That was 17 more such advertisers than we had in 1939.

48 NEW advertisers included such business leaders as: Armour,
newcomers included such business leaders as: Armour,
Buick, Canada Dry Ginger Ale, Knox Gelatine, Plym-
outh, Shell Oil, Wesson Oil, Metropolitan Life Insur-
ance, Standard Oil and U. S. Steel.

WLS Gets Results!

THE high percentage of WLS renewals bears out this fact. Further proof of results—sales results—is that 35\% of the 1,058,032 letters received at WLS in 1940 contained proof of purchase. So let's repeat: home folks in the Mid-West listen to WLS; they respond; and they BUY!

THE PRAIRIE FARMER STATION

THE PRAIRIE FARMER STATION

Burridge D. Butler, President  Glenn Snyder, Manager

National Representatives:
John Blair & Company
Meet MRS. FULL-TIME HOMEMAKER...

through The YANKEE NETWORK

She represents *1,624,375* women in New England who devote their entire time to the important job of managing the home. Her purchases represent a large percentage of the $3,312,798,000 spent annually in retail stores, including $917,770,000 for food alone.

In every key market the most potent sales influence is provided by the 19 hometown stations of The Yankee Network.

Because they have long established, loyal listenership and proven acceptance, Yankee Network stations offer the most effective radio salesway to capture prosperous New England.

*Printer's Ink, "Families and How They Live."*

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MAINE DEVELOPMENT COMMISSION

Our thanks for your participations in our Yankee Network Weather Service. And we're more than happy to hear from your agency Brooks, Smith, French & Dorrance, Inc. that you are pleased with the Recipe Book returns.

L. TRAVERS, V. P.
The Yankee Network

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THE YANKEE NETWORK, INC.

21 BROOKLINE AVENUE, BOSTON, MASSACHUSETTS

EDWARD PETRY & CO., INC., Exclusive National Sales Representatives

Here's what a High Mogul in one of America's top Toiletries firms has to say about KOIL's Seven-Point Plus Merchandising:

"The intelligent merchandising and publicity cooperation you've extended our show makes KOIL, Omaha, one of the brightest stars in our galaxy!"
Public Service in

INDIANAPOLIS

Memorial Day-1941

WFBM was first with the news
WFBM was first with the winner

Radio Station WFBM was the only station to broadcast a description of the spectacular $150,000 fire at the Indianapolis Motor Speedway three hours before the scheduled start of the race. Throughout the 4½ hour grind of the 500-mile race, WFBM described the thrilling action to its loyal thousands of listeners—both at their homes and at the trackside. WFBM was first to broadcast the winner's comments as he drove into Victory Lane.

It was WFBM's special events truck which furnished the power to operate the Speedway's public address system after the power lines were destroyed by the costly fire.

Before and After—first, last and ALWAYS—it's WFBM for public service.

5000 Watts Day and Night

To Reach the HOOSIER Market—in Indianapolis USE

National Sales Representative
THE KATZ AGENCY, Inc.
Once when we were a young agency fellow, we handed in some baby-milk copy — and the boss tore it all to pieces. “The trouble with this,” said he, “is that you have never been a young mother.”

No, we still haven’t become a young mother! But the point is this: Free & Peters is made up of fifteen good men who have had an unusual amount of experience in many kinds of work. One of the reasons F&P is often really valuable to a given advertiser is because one or more of our men have had actual experience in that advertiser’s own type of merchandising work.

If you like representatives who understand the little ins and outs that differentiate every business — if you like to get outside viewpoints that are still informed viewpoints, please give us a ring. We believe we can help you in your work.
Demand for Delay in Net Rules Growing

Craven, Ethridge Criticize FCC Lust For Power; Hearings Continue

AFTER a two-week siege before the Senate Interstate Commerce Committee on the White Resolution to thwart the FCC's chain monopoly regulations, uncertainty still exists as to the outcome, but indications are that increasing sentiment is developing against the proposals by the Commission.

Tending to balance the testimony of FCC Chairman Fly and of officials of MBS favoring enforcement of the rules as drafted, was the appearance of Commissioner T. A. M. Craven last Thursday and Friday, and Mark Ethridge, former NAB president and industry leader, Friday afternoon. They ascribed to the FCC majority a lust for power that eventually would seriously undermine the existing commercial broadcast structure.

May Call Other Members

The hearings are expected to run at least another week, and there is the possibility that all other members of the Commission will be called for individual expressions.

With the case of the "prosecution" largely presented through Chairman Fly and MBS, the committee has yet to hear representatives of NBC, CBS, IRNA, NAB and a half-dozen public service, religious and other groups which have requested time. Every effort will be made, it was indicated by Chairman Wheeler (D-Mont.), to speed up the proceedings.

It is still uncertain whether the committee will come to an actual vote on the White Resolution. Several committee members took kindly to the suggestion that, instead of acting on a resolution such as the White proposal to block enforcement of the FCC regulations, the committee request the FCC voluntarily to hold the rules in abeyance pending consideration of an entirely new statute. On the other hand, there was still talk of a "compromise" agreement, which might be worked out through Senator Wheeler, Senator White and other members of the committee, with the FCC and industry representatives sitting in.

Few observers were able to glean any sentiment on the committee in favor of continued operation of two networks by NBC. Even Commissioner Craven, who strongly opposed the majority regulations, felt there should be "stern competition" among four networks, though he questioned how NBC could dispose of the Blue under the regulations as now written.

Love and Thunder

There was still no clear-cut indication how the Administration stood on the White Resolution, though the committee's unrecorded reports about the committee that word had seeped from the White House that it was disposed to favor Chairman Fly's position as expressed to the committee.

ASCAP Suit Seeks Damages From NAB, BMI, NBC, CBS

THE ASCAP board of directors has authorized Schwartz & Frohlich, general counsel for the Society, to prepare papers for a suit against the NAB, BMI, NBC, CBS and "all others who appear to be engaged in the combination against ASCAP.

Suit will be filed under the Sherman anti-trust law, it was stated, charging the broadcasters' association, the industry music publishing and licensing organization and the networks with entering a conspiracy to boycott ASCAP music from the air and to put the Society out of business.

Trebble Damages

While no details of the action were immediately forthcoming, it is understood that treble damages will be asked for all losses sustained by ASCAP as a result of this alleged conspiracy. It is estimated that the absence of ASCAP music from the air since the first of the year has curtailed the Society's income by approximately $15,000 a day.

Action was taken at the board meeting last Thursday, when the board expressed the opinion that its negotiations with NBC and CBS "were getting nowhere" and that the Society's negotiations were being given an "attractive run-around". Therefore, it was stated, the board concluded that since the broadcasters were endeavoring to destroy ASCAP, the Society "must fight with the only weapon it has, the courts".

The move came as a surprise, since negotiations between ASCAP and CBS and NAB had been reported as progressing amicably and while little progress had been made with NAB, the conversations with NBC had reached a point where a contract might be expected within a short time. No official notice of a break-down in negotiations was given NBC or CBS prior to the board's decision to take legal action. It had been rumored for some time, however, that a strong faction of ASCAP publishers had been urging that legal steps be taken to break up the alleged boycott of ASCAP music by NBC and CBS. This agitation is reported to have increased following the completion of the ASCAP-MBS contract.

Complete running story on last week's hearings before the Senate Interstate Commerce Committee on the White Resolution will be found on Page 22.

That, in essence, was what the regulations were not nearly as drastic as the industry appeared to believe, and that the Commission was ready and willing to discuss with the industry alternative means of eliminating purported monopoly and of removing other restraints upon the industry.

Chairman Fly also had stated that the Commission was prepared to postpone the Aug. 2 effective date upon proper petition from any industry group.

Many extraneous matters were put into the week's session of members of the committee, with much ado over equalization of time for pro and con speakers on the war situation, on allegedly biased commentators on the networks and on "blood and thunder" and love drama programs—the latter developing as the week's hearings wound up Friday afternoon.

Tobey 'Disappointed'

Mr. Ethridge, after tearing apart testimony of Chairman Fly on the rules, was subjected to a lacing at the hands of Senator Tobey (R-N. H.) because of his reluctance to explain negotiations he had made during the NAB convention in St. Louis regarding purported politics in FCC actions.

He described the cases, upon insistence of Senator Tobey, as involving the Jesse Jones grant in Houston, the granting of fulltime to WHDH in Boston, breaking down the KOA clear channel, and the Winston-Salem case. When an FM station was granted Gordon Gray, wealthy tobacco heir, newspaper publisher and broadcaster, in the face of the newspaper-dtvorement inquiry.

In a loud voice, Senator Tobey said he was "disappointed" in Mr. Ethridge's refusal to back up his charges of politics, and declared he thought he "deserved a rebuke" for failing to get down to brass tacks and to "come through clean".

Mr. Ethridge suggested that if the committee wanted to do something about the matters, it should adopt the White Resolution and ferret out the facts as a part of the all-inclusive investigation.

Efforts to good the FCC into action against the AT&T on long-line rate charges were made by several members of the committee interested in having affiliates in remote or rural areas aligned with the networks. Detracting that their was no present indication of any change in attitude, they insisted the Commission should work with AT&T and the networks in bringing about a more equitable situation which would permit small stations generally to get network service.

Current Schedule

The schedule for this week tentatively provides for William S. Paley, CBS president, to testify as the first witness on Monday. Former Judge John J. Burns, CBS general counsel, will flank him, to answer questions on legal aspects and on jurisdiction. The next wit-
ness will be Niles Trammell, NBC president, and John T. Cahill, former district attorney of New York, head NBC counsel.

Others expected to appear, in order, are Samuel E. Rosenbaum, president of WFIL, Philadelphia, chairman of IRNA; Paul W. Morency, general manager of WTIC, Hartford, and vice-chairman of IRNA; John J. Gillin Jr., general manager of WOW, Omaha; NAB President Neville Miller, and representatives of a number of organizations who have asked for time to appear in opposition to the regulations. The FCC has also asked for an opportunity to appear in rebuttal.

While no definite decision has been reached, committee members indicated they would like to hear other members of the Commission. Commissioner Craven had suggested views of these other members be procured, having testified he thought several of the majority members did not realize the impact of the restrictive regulations upon service rendered the public.

Hearings to Continue

Chairman Wheeler said he expected the hearings to continue during the entire week, though he probably would not be present after Wednesday. It is presumed the gavel will then be turned over to Senator Toberman (R-Me.), author of the resolution.

MBS, through Alfred J. McCosker, chairman of the board, Fred Tobey, general manager, and Lewis G. Caldwell, counsel, supported during last week's hearings all of the views expressed by Chairman Fly. They urged the committee to reject the White Resolution and to permit the regulations to become effective as scheduled. They disputed the predictions of chaos, confusion, anarchy and destruction advanced by the other networks, and charged them with misunderstanding of the intent of the rules.

Craven Testifies

Mr. McCosker vehemently refuted charges that MBS had inspired the FCC investigation and said that it had merely "gravedite the situation out of the wreckage." He predicted the results of the regulations would prove a boon to the industry. In answer to a question shot, he attacked Neville Miller, NBC president, declaring he was not in position to speak for "all elements" of the industry.

Commissioner Craven loosed a strafing attack upon the FCC majority in his five hours of testimony. He held it has "upset" the industry and had no faith under the law, and that the regulations were "destructive" rather than "constructive" and would impair the public service of radio. Business will gravitate to the larger stations in the important markets, he testified, and the "rich will get richer and the poor poorer". He called upon Congress to define clearly to the Commission the limit of its powers.

The second week of the White Resolution hearings wound up Friday with the impromptu appearances by the executives of the three networks—CBS President William S. Paley; NBC President Niles Trammell, and MBS Board Chairman Alfred J. McCosker.

A series of bombastic questions from Senator Tobey on handling of news commentators, notably MBS-Fulton Lewis, resulted in brief statements by the three executives having to do with program and news balance.

Prior to adjournment over the weekend the committee heard Commissioner T. A. M. Craven lambast the chain monopoly rules adopted by the FCC majority. Mark Ethridge, former NAB president, and vice-president and general manager of the Louisville Courier Journal and Times which operate WHAS, were the week's final witnesses.

In characteristic style, Mr. Ethridge sharply condemned the FCC's action and renewed the feud with FCC Chairman Fly which had erupted during the NAB convention in St. Louis last month.

Continuing his prepared testimony at the Friday afternoon session, Commissioner Craven repeated his views on the eight rules and took a position strongly opposed to that of the majority. He branded the exclusivity rule as one that was not generally desirable though it might be advantageous in certain cases.

Views on Time Options

The territorial exclusivity rule providing that any station have access to any network program he branded as unfair and one that would tend to destroy public service of stations. The rule to limit contracts to one year would add to the confusion and unestablish an industry in dire need of stability, he said.

The time option ban, according to Mr. Craven, would hamper broadcasting development and seriously undermine network operation. He thought extensive time options were wrong but that unless there are certain time guarantees, successful chain broadcasting would be destroyed.

Networks must be able to "deliver the goods," he said. He disputed the majority view that transcriptions would solve this situation.

Before Commissioner Craven could continue his analysis, Senator Tobey sharply criticized network practices in connection with commentators. He cited Fulton Lewis Jr., who is not scheduled to WOR, and said listeners were deprived of hearing him on a competitive New York station because of the exclusive contract situation.

Mr. McCosker stated Mr. Lewis might return at any time to WOR. In its effort to maintain a news balance he said the station was forced to drop the regular network broadcast temporarily. He called Mr. Lewis a "middle of the road" commentator, neither pro-isolationist nor pro-war.

There ensued a general discussion of balance on war commentators, with Senator Wheeler as well as Senator Tobey participating. Senator Tobey said Congress was "going to kill a damned rotten policy."

Denies Pressure

Senator Wheeler asked Mr. McCosker if he knew of any complaints from the Administration because of Fulton Lewis. Mr. McCosker said he knew of none and had never received any pressure from any Administration in 16 years of WOR management.

When Senator Tobey asked for an expression from the other networks, Mr. Paley said the whole question of network regulations was one of serious concern. He said he had a story to present and that he proposed to cover the entire problem when he appears as a witness.

Responding to Senator Tobey he declared that CBS tries to balance its program service.

For NBC, President Trammell declared that he likewise had a comprehensive case and on the commentary feature, NBC seeks to maintain a neutral position.

TEAM TESTIMONY on behalf of MBS, horizontally supporting the FCC chain-monopoly regulations, was offered by Louis G. Caldwell, MBS general counsel (left), and Fred Weber, general manager. In their joint appearance June 10-12, Mr. Caldwell took the legal questions and Mr. Weber those relating to operations.

Senator Tobey suggested that perhaps the FCC should have professional listeners to see that proper balance be maintained on controversial issues.

Chairman Wheeler said he understood the FCC now has a "psychological"辦view of the network rules and believed they would not sustain the FCC majority findings. He cited the stay order quanity, however, and mentioned the action cited by the FCC denying them a stay in the KOA-WHDDH case (see page 35).

As a Senatord Stewart (D-Tenn.) about the newspaper article. Mr. Craven said he voted against the inquiry and believed the FCC had exceeded its power. He said that on the whole, "the operation of the rules has been excellent. The policy, he felt, should be fixed by Congress." Senator Tobey reopened the WMCA case. He got little solace from Mr. Craven, who pointed out he had voted for a hearing in the case and had not been approached if it had gone to litigation. He said he knew nothing of "telephone calls from the White House" although he had heard many rumors. He also declared he was not familiar with purported complaints that old Flamm, former WMCA owner, by William J. Dempsey and William C. Koplovitz, former FCC general assistant general counsel, who were attorneys for Edward J. Noble, purchaser of the station last December.

When Senator Tobey got negative replies to his inquiries whether Thomas G. Corcoran, former New Deal attorney, had received a "substantial fee" in the case and whether Corcoran maintained offices in the Dempsey-Koplovitz suite. Conmdr. Craven said he did not know that Flamm paid a Federal tax of only $961 on a net income of $101,000 a year ago.

Conmdr. Craven agreed that "very quick" action was taken on the WMCA transfer but said he knew none of the facts. Senator Tobey pronounced issue "almost as quick as that Governor Cox deal!"

When Senator Tobey asked about the desirability of a franchise tax
on stations, Commissioner Craven said he did not approve such a levy but thought Congress should ascertain rights and regulations. He did not think any such tax was desirable.

Commissioner Craven closed his two-day appearance with the statement that he had not yet decided to change his views with regard to the FCC. In the World Series perhaps as a sustaining rather than a commercial venture (observing that the committee had been the victim of a "lot of hooey" about World Series). He also urged an absolute right of appeal from FCC decisions, instead of the "sort of shell game" now being experienced. Mr. Ethridge said he was convinced the present right of appeal is a "fiction".

He told the committee that under rules as now written WHAS could "cut the little stations if we wanted to raid the best programs".

'Sharp Practices'

Mr. Ethridge charged the FCC with administrative "sharp practices". He said he felt Chairman Fly had an "unconcealed contempt" for the industry and had become its "self-appointed prosecutor". A wholly realistic view of the rules, based on the testimony offered, he said, is that the Commission proposes to shuffle the nation's broadcast facilities on an experimental basis and if they do not work, to shuffle them again. He said that Chairman Fly was a man trained in "restricting of trade law" by virtue of his background as a Department of Justice attorney and as general counsel of TVA. The same yardstick, he said, cannot be applied to broadcasting.

"If there is any undue power in radio," Mr. Ethridge said, "I want to see it distributed amongst 800 stations and not seven men."

Gillespie Heads KOMA

WILLIAM C. GILLESPIE, vice-president and general manager of KTUL, Tulsa, has taken on the additional duties of managing director of KOMA. On last homey City, succeeding Neal Barrett, resigned. Both stations are controlled by the T. Griffing interests. Mr. Gillespie established KTUL in 1934 and KOMA was purchased from Mr. Gillespie Hearst Radio in 1939. Both changes have been made in the executive personnel of KTUL or KOMA, Jack Howell, KOMA commercial manager, and Kern, a musician, will also act as Mr. Gillespie's assistant.

Kem Test

KEM LABS, New York, is testing one participation a week on Adel aide Thurman's "Woman's Page of the Air on WABC, New York for Kem, a liquid plant food. Neff-Ro low, New York, is agency.

Petrillo Hits Justice Dept., Calls Therman Arnold Menace

MEANS OF INCREASING EMPLOYMENT OF MUSICIANS

By Attacking Recording Problem Discussed

LEVELING his guns at Justice Department moves toward anti-trust convictions, Mr. Therman Arnold, Assistant Attorney General in charge of the Anti-trust Division, Mr. Arnold a "menace" as proof that the industry was "maliciously opposed" to AFM.

Among the controversial issues of the convention, which was tenta tively set for adjournment last Saturday, was a proposal to forbid union members making phonograph records. No action had been taken by the membership on the proposal as BROADCASTING went to press.

Petrillo Blasts Arnold

Reelected last Friday for a second one-year term as AFM presi dent, Mr. Petrillo hailed the victory as proof that the organization had supported "aggressive policies". Petrillo, also president of AFM's Chicagio local, is claimed to be the highest paid labor leader in the world.

Mr. Petrillo stabbed viciously in his opening speech at Mr. Ar nold's expense. "Our attempt to convince the general public that we are indeed representatives of the highest paid labor leaders in the world has not been made easy," he said. "I'll tell every man in this room that if you sign an agreement with AFM, I'll indict every one of you on the charge of being a criminal. And I'll see the officers of AFM get five years in jail!" Petrillo declared.

AGMA Problem

Continuing, he commented that the Justice Department was not heard from later during strikes at stations in Scranton and Akron, although the AFL按规定, justice attorney Mike Tibbetts as AGMA president, called on Mr. Petrillo to cease "the foolishness that is going on at AFM, Mr. Arnold threatened him, Petrillo said.

Discussing various suits brought in Federal Court in the AGMA AFM matter, he commented, "In 93% of the times, we slapped this fellow down. I hope when the day comes when I am what he called me—a dictator—you'll throw me out in the alley because that's what you've been waiting for."

The "canned music" situation drew special attention at the convention. Ben Selvin, former orches tral leader of the AFM, was engaged by AFM to survey the effect of mechanized music on musicians' jobs, told the convention that recorded music has swerved from its original "good purpose to a "bad end", in the viewpoint of the musician.

He reported the AFM survey showed that of the average of seven hours broadcast daily by American broadcast stations, only 58 minutes represented live music played in the studio. Records are played 237 for 4:3 transcriptions 3:45 hours and remote control programs 15 minutes, he stated.

"There are about 5,000 bands in the country today, and many of them have been made' jack-in-the-boxes, and records, so that these bands have risen to spectacular successes, and caused many young musicians to work the same way again," Mr. Selvin said. "But while they have helped some, they do not do good for the unemployed musician who sits at home Saturday nights and wonders how to get dancing to recorded music."

Termed Unjust

The far-reaching rule to prohibit union musicians from making phonograph records was proposed last Tuesday, following Mr. Selvin's re port. Advocates of the ban on record-making argued that it was un fair for musicians to get more money for making them and thereby deprive fellow union members of a means of livelihood when they were required to play on the radio and in juke boxes.

Pointing out that foreign record origination are cut off by the war situation, they held that the time is ripe for the American-made "canned music". As an alter native to the ban, it also was proposed that America's 400,000 juke boxes pay into the AFM treasury a millage on the proceeds to help support unemployed musicians.
ASCAP and IRNA Consider General Terms of Contracts

Negotiating Groups Hold Preliminary Session; Feasible Basis for Net Renewal Discussed

WHAT HAD been heralded in ASCAP circles as an important meeting which might result in tacit agreement for the return of NBC music to NAB and CBS affiliated stations, held in Washington last Wednesday, turned out to be only a preliminary huddle between committees representing ASCAP and IRNA.

Advance reports from ASCAP were that a preliminary agreement had been reached with NBC on return of the ASCAP repertoire, based on the blanket formula accepted by MBS.

It also had been reported that CBS was making real progress in its negotiations with ASCAP, but that neither network was disposed to make a conclusive deal until affiliated stations had given their approval since they would be called upon to bear a portion of the sustaining fee costs, even though provision would be made for clearance at the source by the networks.

General Discussion

It developed at the meeting, held at the NAB headquarters, that the IRNA committee, headed by Chairman Samuel R. Rosenbaum, was not a negotiating committee but was meeting for a general discussion upon affiliation of ASCAP. The ASCAP committee comprised E. Claude Mills, chairman of its administrative committee; John G. Paine, general manager, and John O’Connor, publisher member of the ASCAP board and manager of the Fred Waring organization.

The ASCAP group discussed the proposals made to the networks and explained fully the terms available for affiliated stations. The IRNA committee made it clear that the network should have to submit to the IRNA board and the affiliate membership. Official copies of MBS contracts were to be made available to the IRNA membership, after which another meeting presumably would be held with the ASCAP committee.

While no formal statements were forthcoming either from NBC or CBS, executives of the networks, in Washington for the White Resolution hearings, claimed any conclusive arrangements with ASCAP. On behalf of NBC it was stated that a feasible basis, economically, had been arrived at in negotiations with ASCAP, but that at this stage no final arrangements were likely in the light of the monopoly hearings and the undetermined state of NBC’s future operation.

No statement was made on behalf of CBS, other than that conversations were going forward and that alternative propositions had been proffered. One of these is the MBS arrangement on a blanket basis, and the other, it is understood, a temporary deal, probably for one or two years, under which the “show and ceiling” guarantees on payments would be eliminated on a per-piece basis.

In New York, Mr. Paine told Broadcasting that the meeting with the IRNA committee had cleared up some of the complications in the contracts with NBC and CBS for the return of ASCAP music over their networks.

“These networks have said,” Mr. Paine stated, “that they would like to work out a better deal for their affiliates than that secured by the stations affiliated with Mutual. Our conversation with the IRNA committee gave us the chance to get at first hand the definite opinion of these affiliates that they are not interested in the network ASCAP licenses and that they don’t expect the networks to be interested in the ASCAP licenses of the stations.”

It was made clear to the IRNA committee, Mr. Paine said, that the only terms ASCAP will offer NBC and CBS affiliates are those already given to MBS stations [Broadcasting, May 8]. Station contracts were almost ready and would probably be mailed out to all MBS affiliates by the weekend, he said, adding that ASCAP was also making copies available for distribution to other stations.

Reduction Discussed

Commenting on the report that ASCAP had made a reduction in the sustaining fees for stations with annual incomes between $50,000 and $150,000, Mr. Paine said that a reduction had been proposed but that it had not been accepted by ASCAP and that the station contracts would go out in their present form. If ASCAP should approve such reduction, he said, it would then be given to all stations in this class, regardless of whether they signed ASCAP contracts prior to the change.

In a formal announcement following the meeting, Mr. Rosenbaum said that ASCAP explained fully the present status of its deal as consummated with Mutual and as modified in the offer to other networks and the present status of the ASCAP deal to be submitted to affiliates.

Those Present

Present at the meeting on behalf of IRNA were Chairman Rosenbaum; Paul W. Moroney, WTC, Hartford, vice-chairman; Edwin W. Craig, WSM, Nashville; L. B. Wilson, WCKY, Cincinnati; John Craig, WBBM, Chicago to the Virginia Network; C. W. Myers, KOIN-KALE, Portland, Ore.; James D. Shouse, WLW - WSAI, Cincinnati; Gene O’Fallon, KFEL, Denver, and Art Mosby, Missoula, Mont.

N. J. Defers Bill

NEW JERSEY Anti-ASCAP measure, the Herbert Assembly Bill No. 54, was relegated to the Miscellaneous Business Committee for the session after the steering committee of the House ruled against the measure. Considered to have no chance of enactment, the measure seeks to impose a New Jersey gross receipts tax of 9% on all licenses and selling performing rights of copyrighted compositions, particularly song words and music, and is aimed primarily at ASCAP. A similar measure was voted down last year.

More P & G Renewals

PROCTER & GAMBLE Co., Cincinnati, which is renewing effect of its NBC-Red serials on July 1, has added three more Red programs to the list, all on a 52-week basis, Monday through Friday, and handled by Blackett-Sampie-Hummert, Chicago. Programs are: Road of Life (Oxydo1), 13 stations, 10:45-11 a.m.; Lone Journey (Dreft), 31 stations, 11:50-12:15 a.m., and Ma Perkins (Oxydo1), 71 stations, 3:15-3:30 p.m.

Revised Contracts Of BMI Approved

New Forms Comply with Terms Of Decree; Rates Are Cut

FINAL approval of the new contract forms for catalogs of Broadcast Music Inc., was voted at a meeting of the BMI board of directors in Washington last Tuesday. The corporation adopted the 25% reduction in rates to which BMI committed itself at the NAB convention in St. Louis May 12-15 [Broadcasting, May 19].

The license forms which are designed to conform with the requirements of the Department of Justice consent decree entered into with BMI earlier this year, cover both a blanket contract and a per-program basis. With the one-third reduction in payments paid under the 1939 contract, effective for the current year, BMI estimates it will receive approximately $1,300,000 as against $1,800,000 for 1940. This will mean that the rates will start at 1% and will range up to 1 1/2%.

Disc Clearance

The BMI board also approved a contract with the National Board of Disc Clearance at the source for electrical transcriptions. BMI announced that holders of blanket contracts may ratify them and obtain the 25% reduction in charges and which will bring the present scale of payment down from a maximum of 2 1/2% to a maximum of 1 1/2%, and from 1 1/2% to 1%. Per-program rates run from 3% to approximately 5 1/2% for commercial programs using BMI music, and from 1% to 1% for sustaining programs, the latter charge being figured on card rates applicable at the time of broadcast.

Directors approved several plans for development and expansion of BMI, to be taken up in the discretion of the management.

Following the meeting, it was stated that the form of contract would be drafted and submitted to BMI within a few days. Present were NAB-BMI president Neville Miller, John Shepard 3d, Yankee Network; Walter J. Dann, WPMJ, Milwaukee; Paul W. Moroney, WTC, Hartford; Edward Klauber, executive vice-president, CBS; Niles Trammell, president, NBC, and John Elmer, WCBM, Baltimore, all BMI board members, and Sydney M. Kaye, BMI vice-president and general counsel; M. E. Tompkins, vice-president and general manager, and Carl Haverlin, station relations director.

The board accepted the resignation of T. C. Hogner, vice-president of WOR and MBS, because of the withdrawal of WOR from NAB membership. It was reported the resignation was promised on BMI’s close association with the NAB. The board accepted the resignations of T. C. Hogner, vice-president of BMI, and President Miller praised Mr. Streibert’s contribution to BMI’s development.
Twenty times more powerful than any other full-time independent station in Philadelphia. Centrally located on the dial—950. We now bring added power to your sales in the country's third largest market.
Employment and Payroll Data of U. S. Broadcast Industry
(FCC Analysis for Typical Week, Beginning October 13, 1940)

Data

EMPLOYMENT AND PAYROLL

Summary

Executive:

- General managerial: 905 employees
- Technical: 486 employees
- Program: 401 employees
- Commercial: 328 employees
- Publicity: 80 employees
- Miscellaneous: 93 employees

Total, executives: 2,197 employees

Employees (other than executive):

- Technical: Research and development: 120 employees
- Operating: 3,469 employees
- Miscellaneous: 184 employees

Program:

- Production: 573 employees
- Writers: 297 employees
- Announcer: 2,596 employees
- Other artists: 731 employees
- Miscellaneous: 438 employees

Total employees: 3,653,210

Outsiders:

- Salesmen: 1,561 employees
- Promotion and merchandising: 574 employees
- Miscellaneous: 166 employees

General and administrative:

- Accounting: 542 employees
- Clerical: 709 employees
- Bookkeeping: 877 employees
- Other: 536 employees
- Miscellaneous: 322 employees

Total employees: 15,688

Total, executives and employees: 17,905

6 Regional networks:

- Total executives: 16
- Total employees: 96
- Total stations and regional networks: 17,884

Three networks:

- Fulltime: 765 stations
- Part-time: 3 major networks

No figures were available for commercial aviation, as distinguished from aviation manufacturing, both of which fall in the higher wage brackets, but neither of which was estimated to exceed the broadcast wage.

Employees other than executives received approximately $500,000 of the $1,000,000 payroll of the industry for the typical Oct. 15 week. From the 765 reporting stations, 15,688 received an average of $37.97; from the three national networks, 8,650 received an average of $37.55; from six regional networks 65 received an average of $41.88 for the week.

Executive Earnings

During the week the stations' payroll amounted to $778,717, of which $592,647 went to fulltime employees other than executives; the national networks' payroll reached $257,647, with $210,214 going to these employees; the regional networks' payroll amounted to $3,984, with $2,703 going to employees other than executives.

In the executive class, 2,197 executive employees of the 765 stations received $816,070 during the typical week, or an average of $34.69; 109 network executives drew $27,453, or an average of $251.68; 14 regional network executives received $1,281, or an average of $91.50. All fulltime executive employees in the industry, totaling 2,220, received $214,784, or an average of $92.57 for the week.

The 17,805 executives and employees reported by the 765 stations drew wages and salaries aggregating $778,717 for the week, or an average wage of $43.74; 3,762 reported by the national networks received $257,647, or an average of $68.16; 79 reported by six regional networks received $3,984, or an average of $50.45.

The average station manager received $113.99 for the week, according to the FCC breakdown. Outside salesmen for the stations received $55.99; producers, $41.03; staff musicians, $48.01; research and development engineers, $51.85; operating engineers, $40.49; writers, $34.63; announcers, $34.63; promotion and merchandising directors, $38.97.

The 765 individual stations retained 3,511 parttime executives and employees, paying an average wage of $22.48. Nearly half of these were performing artists, it was estimated. The national networks had 492 parttime employees, receiving an average of $63.36 for the week.

The FCC figures also provided breakdowns showing comparative (Continued on page 16)
Program! Program!
you can't sell the masses without a Program

And Blue programs—like Blue coverage—reach more customers per dollar

We don't carry Jack Benny, Fibber McGee or Charlie McCarthy—but do you realize what a high average the Blue's programs have been hitting? And do you know that Blue programs cost much less per point of rating than the Red-CBS average? Here are three important facts we'd like you to know about.

First, the Blue's average evening CAB rating during the past few months has gone up to 10 points and over—a figure that speaks for itself.

Second, the Blue's continual development of new talent in new programs builds a special kind of audience loyalty. This was demonstrated recently when Blue shows took six first places in the recent Movie-Radio Guide poll of favorite programs.

Third, a comparison of talent expenditures shows that the Blue achieves its immensely successful record with programs that cost 44% less per quarter hour (sponsored) than its major network competition.

Together, these three factors of program strength—added to the Blue's lower time cost per thousand—prove why today, more than ever, the Blue produces sales thru the air with the greatest of ease, at the lowest cost of any medium entering the home.

NATIONAL BROADCASTING COMPANY
A Radio Corporation of America Service

THE Blue NETWORK OF NBC

THE SHOW OF THE MONTH—Like mystery? Of course, everybody does! And here's a thriller so different we call each half-hour episode an "item" because it's a real collector's piece. Listen to the adventures of THE BISHOP AND THE GAR-GOYLE via the Blue on Saturday nights at 8:30 (N.Y. Time).
Rise in Time Sales Of 8 to 10% Seen For Rest of Year

But 'Times' Survey Shows It Depends on FCC Action

A FORECAST that radio billings will maintain 8 to 10% gain "depending on whether the FCC anti-monopoly report is carried out," is made in the New York Times of June 8, which declares on the basis of expressions from advertisers and agency men that advertising volume generally for the balance of this year will register a steady improvement over the showing for the first five months. Best estimates, the Times states, are that newspaper lineage, currently running slightly over 3% ahead of 1940, will show a 5 to 7% rise while magazines will come out 6 to 8% ahead.

The increases are predicated on national income reaching a new high this year, with purchasing power of the lowest income classes boosted sharply and sales of many industries breaking previous records.

Material Shortages

"The increases," it is stated, "will not be spectacular. There has been a great deal of talk about the necessity of keeping the name of a product before the public, even when supplies have been reduced or cut off, but the volume of such advertising is bound to be smaller than in periods when competition is keen and sales are moderately hard to make.

"Shortages of materials will undoubtedly cut down output in some industries, but this will be a gradual process until the closing months of this year (unless there is commandeering of inventories), and should not have a serious effect on lineage. Here is an estimate of national expenditures in newspapers, network radio, magazines and farm journals by leading industries last year and it indicates that most of the big spenders will be relatively unaffected by shortages:

<table>
<thead>
<tr>
<th>Industry</th>
<th>Amount</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Groceries</td>
<td>292,000,000</td>
<td>17.0</td>
</tr>
<tr>
<td>Automotive</td>
<td>65,000,000</td>
<td>3.9</td>
</tr>
<tr>
<td>Tobacco</td>
<td>58,000,000</td>
<td>3.5</td>
</tr>
<tr>
<td>Medical</td>
<td>26,000,000</td>
<td>1.5</td>
</tr>
<tr>
<td>Alcohol</td>
<td>26,000,000</td>
<td>1.5</td>
</tr>
<tr>
<td>Housing equipment</td>
<td>19,000,000</td>
<td>1.1</td>
</tr>
<tr>
<td>Transportation</td>
<td>14,000,000</td>
<td>0.8</td>
</tr>
<tr>
<td>Apparel</td>
<td>11,000,000</td>
<td>0.6</td>
</tr>
<tr>
<td>Industrial</td>
<td>11,000,000</td>
<td>0.6</td>
</tr>
</tbody>
</table>

"Of these industries, those that will be most severely affected by shortages are the automotive, housing equipment, and industrial classifications. Despite sensational sales gains, automotive product copy has already been curtailed and has been supplemented to a certain extent with personal ads on defense work by the large companies. If production is cut 30 to 40% in 1942, as has already been predicted, ad expenditures will be geared to this reduction. During the depression, when automobile sales slumped, so did advertising. "Grocery, toilet requisite, tobacco, medical and alcoholic beverage advertising should not be affected and as a matter of fact should be stepped up, because these industries will have a shot at consumer income formerly diverted to automobiles, refrigerators or radios, agency men pointed out.

"Some advertising men have been trying to build up case histories of companies which deliberately stopped advertising during the last war and eventually lost out. They have, however, unearthed very few examples in which other circumstances did not contribute to the failure of a company. One industrial advertiser announced a list of 30 such companies in the industrial field, without citing names. Efforts by advertising men to check up on this list revealed only about four or five companies in which failure could be attributed directly to an arbitrary curtailment of advertising.

Brand Loyalty

"But there are numerous reasons today, lacking in the last war, why advertisers feel compelled to continue promotion, even though goods may be scarce. First, brand loyalty today is very unusual. A. C. Neilson studies in the food and toilet goods field reveal month-to-month shifts in popularity of leading brands closely tied in to the effectiveness or size of advertising campaigns."

Arthur Feldman Named By NBC to Supervise Special Events Activity

ARTHUR FELDMAN, of NBC's special events staff in New York, has been named supervisor of special events, succeeding J. Harrison Hartley, called to active service in the Navy Department in Washington [Broadcasting, June 9]. Appointment was announced June 10 by A. A. Schechter, NBC director of news and special events. Maynard Stitt, of NBC's press division, has been moved into Feldman's former position. Stitt was formerly with Associated Press and United Press and served in the publicity department of the New York World's Fair before joining NBC.

Feldman, who came to NBC in 1939 after three years with WBB, Boston, has handled a wide variety of assignments, including the broadcasts of Army maneuvers, coverage of the Squall submarine disaster and interviews with survivors of the Cavalier plane accident. Recently he had charge of the British Evacuee Children's series, making all arrangements for the simultaneous broadcasts on NBC, CBC in Canada and BBC in England. He has also supervised the technical set-up for NBC's morning and evening newscasts and reports from correspondents abroad.

Mr. Feldman

Represented Nationally by NBC Spot Sales Offices:
ENGINEERS:
GET PROFESSIONAL SPEECH INPUT
EQUIPMENT ASSEMBLED TO YOUR NEEDS!

Now you can specify circuits and controls to best meet your exact operating needs for each Studio Control Desk. Western Electric's new desk equipment offers complete flexibility both of unit arrangement and circuit design with all the advantages of using standardized, tested parts and compact professional assembly.

Developed by Bell Telephone Laboratories to meet highest quality transmission requirements, this equipment gives fullest audio frequency facilities for either AM or FM. It's complete, compact, easy to install, easy to operate, easy to maintain.

Efficient yet beautiful in appearance, it can't help but invite favorable comment.

Get full details. Write today to Graybar Electric Co., Graybar Building, New York, N. Y.

Western Electric
Power to Regulate Advertising Upheld
Appellate Court Sustains the FTC in Its Ford Order
HOLDING that advertising and other factors stimulating or decreasing the flow of commerce are essential adjutants to interstate commerce, and that Congress has authority to confer on the Federal Trade Commission powers to regulate them, the U. S. Circuit Court of Appeals in Cincinnati has affirmed a cease and desist order of the FTC against Ford Motor Co., according to an FTC announcement last Monday. The appeal involved the legality of Ford advertising for its "6%" plan for financing automobile purchases.

Taking issue with Ford advertisements stating that under Universal Credit Co. financing, automobile purchasers may buy cars at an interest rate of 6%, the opinion, handed down by Judge Hamilton, brought out that comparative tables prepared by an expert accountant indicated the credit charge under this plan actually amounted to approximately 11 3/4% simple annual interest.

To the appellant's plea that the financing method does not affect competition in interstate commerce, the court held:

"All of those things which stimulate or decrease the flow of commerce, although not directly in its stream, are essential adjutants thereto and the Congress has power to confer on the FTC their regulation. The use of advertising as an aid to the production and distribution of goods has been recognized so long as to require only passing notice. The economy of mass production is a well-known, and the effects of advertising may be described as mass selling without which distribution would be lessened and production correspondingly increased."

"The sale on credit of petitioners' cars by its local dealers, when separately considered, may be intrastate in character, but when the activities of petitioners and the Congress have power to confer on the FTC their regulation. The use of advertising as an aid to the production and distribution of goods has been recognized so long as to require only passing notice. The economy of mass production is a well-known, and the effects of advertising may be described as mass selling without which distribution would be lessened and production correspondingly increased.

"The sale on credit of petitioners' cars by its local dealers, when separately considered, may be intrastate in character, but when the activities of petitioners and the Congress have power to confer on the FTC their regulation. The use of advertising as an aid to the production and distribution of goods has been recognized so long as to require only passing notice. The economy of mass production is a well-known, and the effects of advertising may be described as mass selling without which distribution would be lessened and production correspondingly increased."
Gene Autry and Champion, a great pair of performers, bring again the thrills of the Old West. And bringing record-breaking sales for advertisers today in the “new” Midwest...where stepped-up activity and defense production have created a super-prosperous market...are the pair of radio stations which blanket this, the heart of Industrial America.
Lloyd A. Free and Harold N. Graves Jr.
Named to Head Foreign Monitoring Unit

APPOINTMENT of Lloyd A. Free, formerly editor of Public Opinion Quarterly, as director of its Foreign Broadcast Monitoring Service, was announced last Tuesday by the FCC. Harold N. Graves Jr. also was retained as administrative assistant, second in command of the new FCC project which will record and analyze foreign shortwave propaganda broadcasts.

Mr. Free's appointment, coming after several weeks of conversations between FCC Chairman James Lawrence Fly and various experts considered for the post, presages a speedy building up of personnel on the project to full operating strength.

The new service, instituted upon recommendation of the Defense Communications Board, has been operating with a skeleton staff since late March under direction of Mr. Graves. A full complement of specialized personnel, including chiefs of five operating sections being set up, is expected to be at work and the service operating full blast by Aug. 1. Meantime operations will continue on an expanding schedule.

Radio Background

In announcing his appointment as director, the FCC spoke of Mr. Free's unusual qualifications for the assignment. Receiving a fellowship from the Rockefeller Foundation in 1937, Mr. Free studied operations of the British Broadcasting Corp. at first hand and subsequently made a survey of American radio methods while with CBS.

In 1938 he was assistant director of the Princeton Radio Research Project, and since has edited the Public Opinion Quarterly. At the time was with the Princeton Project, Mr. Free also served as secretary of the Rockefeller Foundation's committee on mass communications and as adviser on radio to the office of radio research of Columbia U.

Mr. Free, the son of former Rep. Arthur M. Free, of California, was born Sept. 1, 1908, at San Jose, Cal. Taking his preparatory education in District of Columbia schools, he received a B.S. degree from Princeton in 1930, finishing first in his class. After a year of study and teaching at Yenching U, China, he studied law at George Washington U and Stanford, receiving an L.L.B. degree from the latter school in 1934, again leading his class.

Will Have Five Units

Mr. Graves, who for several months has served as administrative assistant of the new FCC unit, was born in Manila, P. I., where his father, now assistant to the Secretary of the Treasury, was stationed at the time. Upon graduating from Princeton U, Mr. Graves studied journalism at Columbia U and later served with the foreign affairs staff of two national news magazines. He returned to Princeton in 1939 to become director of the radio listening post. His report for the Princeton post, War on the Shortwave, recently was published by the Foreign Policy Assn.

According to present plans, the Foreign Broadcast Monitoring Service will have a complete staff of 314 persons. Organization is to be divided into five categories—analysis, reports, translation and transcription, and clerical—with a chief heading each section.

The analysis section is to deal with intercepted material on a substantive basis, i.e., the psychology behind certain broadcasts, while the reports section will look at the material from a news angle, developing the objective aspects. Already named to the staff of the reports section as assistant editor, is Thomas B. Grandin, formerly CBS correspondent in France.

Functioning as a corollary to the FCC's extensive national defense monitoring activity, supervised by G. E. Sterling, chief of the National Defense Operations Section, the Foreign Broadcast Monitoring Service will operate as a separate organization. Recordings of foreign shortwave broadcasts picked up and transcribed by a staff of 32 recording engineers in the field will be turned over to the Foreign Broadcast Monitoring Service for translation and analysis.

By June 30, the end of fiscal year 1941, the FCC's national defense operations field staff, functioning in 111 locations and having its activities up in the United States and possessions, will number 438, the FCC estimated. In addition, a field staff of 95, handling routine FCC operations, is maintained. The 438 include 11 area supervisors, 8 assistant area supervisors, 240 radio operators, 91 monitoring officers, 102 assistant monitoring officers, 32 recording engineers (supervised by Mr. Sterling but paid out of PBMS funds), and a clerical staff of 22.

Funds Sought

Now pending in the House is a supplemental FCC appropriation of $674,414 for operation of the Foreign Broadcast Monitoring Service in fiscal year 1942. Chairman Fly appeared before the House Appropriations Committee June 7 to outline the function of the project. Because of the defense aspects of the service, little difficulty is anticipated in securing the funds [Broadcasting, June 2].

 Asked at his press conference last Monday whether any changes were contemplated in the present U. S. international shortwave operations, such as Government ownership or operation, Chairman Fly said no change was planned and observed that growing evidence of closer cooperation between Government and business in this field of broadcasting.

He commented that the whole international broadcast picture, from the point of view of U. S. shortwave station operators, seemed to be "creeping" in the direction of a unified policy which would both give evidence of the country's good neighborhood and aid the sale of sponsors' products in Latin America.

JACK WINSTON, manager of KFAR, Fairbanks, Alaska, is in Southern California on combined business and pleasure.
Here's ONE of the reasons

Why

IT'S WKY 3 TO 1
with Rural Oklahomans

WKY carries 15 out of a possible 16 top rural program favorites daytime; 13 out of 18 at night

- The recently issued study of rural and urban listening habits by the Co-operative Analysis of Broadcasting explains in part why WKY is the 3-to-1 favorite of farmers in Oklahoma . . . and of Oklahoma City listeners as well.
- Of the 22 daytime programs topmost with rural listeners, 16 were carried by Oklahoma City outlets and WKY CARRIED 15 OUT OF THE 16! Of the 20 night time rural favorites, 18 had Oklahoma City outlets and WKY CARRIED 13 OUT OF THE 18!
- Almost one in every five programs throughout WKY's entire schedule was one of these top national favorites. In addition, there was a like number of high-ranking network programs. Another two-fifths of WKY's programs were live-talent, local productions, many designed especially for rural listening; many, such as news, markets, and farm service programs, rating as high or higher with Oklahoma rural listeners than programs in the national spotlight.
- The cumulative total of years of superior local and network programming, alert community service, and energetic showmanagement has created for WKY by far the largest regular audience of Oklahoma farm and city folk of any station in the state day or night. And that is why WKY clicks so creditably as a sales stimulating medium.
KXOK FM Deferred
RELEGATED June 10 to the pending file under the FCC's Order No. 78 until determination of the radio-diary-newspaper ownership issue scheduled for hearing next week was the application of the Star-Times Publishing Co., publisher of the St. Louis Star-Times and operator of KXOK, for FM facilities. 44.7 mc. to cover 12,480 square miles in the St. Louis area had been requested.

FM NEWS NOTES

WEEKLY bulletin on the development of FM, designed for the broadcasting industry, is being issued by FM Broadcasters Inc., national trade organization representing FM stations. Interested parties may be added to the mailing list by writing Dick Dwyer, director of promotion, at FM Broadcasters Inc., 52 Vanderbilt Ave., New York.

FM is to play an important part in the development of the broadcast system working at highest efficiency. Permission has been granted by the FCC for operation of a GE 250-watt FM transmitting station and 10 portable 25-watt GE two-way carrier equipment.

CBS is obtaining three 50-watt GE FM relay transmitters for two circuits, to carry its short-wave programs from its New York City studios to its international short-wave transmitting station at Brentwood, L. I., approximately 40 miles away. One set of equipment will be used as a standby program circuit.

AMONG recent FM groups to join FM Broadcasters Inc., national trade organization of FM stations, is CBS. The network has taken a quintuple membership covering its approved FM transmitters in New York and Chicago and its pending applications for Boston, Los Angeles and St. Louis.

STATE OF PENNSYLVANIA purchased $300,000 worth of radio equipment for the 150-mile super-highway across the State, providing for 24 radio-equipped vehicles, 20 two-way radio patrol cars, 25 receiving sets, and two-way sets installed in tunnel ventilation buildings, maintenance cars, fire trucks and the cars of highway officials.

Transfer of KVIC Approved by FCC

Weyher Purchase of Interest in WNC Is Authorized

SALE of KVIC, Victoria, Texas, for a total consideration of $42,500 was approved in an action of the FCC June 10 granting Fred C. Bowen, individually and as trustee, Charles C. Shea and Walter T. Martin consent to sell their entire holdings in Radio Enterprises Inc. to Morris Roberts, Texas mercantile and oil man and for eight years a member of the Texas Senate and House. KVIC operates on 1340 kc. with 250 watts.

WFNC Sale Approved

The Commission the same day granted a petition of the Cumberland Broadcasting Co. to reconsider and grant consent to Harry Layman to sell his 50% interest in WFNC, Fayetteville, N.C., to T. K. Weyher, of Raleigh. Mr. Weyher for the last 10 years has been connected with the International Agricultural Corp., makers of fertilizers, and with the Atlantic Coast Line Railroad since 1926. The other 50% in the station is retained by W. C. Ewing. WFNC is on 1370 kc. using 250 watts.

On the request of the applicant the Commission also disapproved without prejudice the application of Tri-State Broadcasting Corp. for a new local, 100 watts fulltime on 1450 kc., in Wheeling, W. Va., J. A. Bloch, tobacco and real estate man with stock holdings in WCHS, Charleston; WZAS, Huntington, and WPAR, Parkersburg, W. Va., has a 47.7% interest in the application. John A. Kennedy and Bruce Lee Kennedy, both with interests in WBLK, Clarksburg, and WCHS, each hold 21.5%; W. J. Frankston, 4.7% and T. M. Bloch, 2.3%.

Paul H. Raymer, New York, has been appointed national representative for KUTA, Salt Lake City.
STATION MANAGERS AND ENGINEERS

ANNOUNCES A NEW LINE OF DELUXE FM TRANSMITTERS—FEATURING—A NEW VERSION OF THE ARM-STRONG PHASE SHIFT MODULATOR

We Urge Engineers To Examine the Important Performance Characteristics Given Below:

- **FREQUENCY STABILITY** — Better than ± 200 cycles of the mean carrier. Solely and directly dependent upon one quartz crystal.
- **SIGNAL TO NOISE** — At ± 75 KC deviation, the noise is down 70 db, and includes hum.
- **DISTORTION** — Less than 1% over the entire range of 50 to 15,000 cycles.
- **FREQUENCY RESPONSE** — Within ± 1 db from 30 to 15,000 cycles.
- **ACCESSIBILITY** — All tubes and tuned circuits are readily accessible for replacement and adjustment purposes.

FCC Chairman James Lawrence Fly utilized his fourth and last day on the stand in June 2 [BROADCASTING, June 9]. He renewed his proposal to the industry to "conform" on amelioration of the rules, and offered to give an effective date from time to time insofar as they require networks to dispose of certain properties.

As during his past appearances, Chairman Fly frequently was interrupted by members of the committee, with the number present having dwindled to seven or eight of the 21-member committee.

**Fly Criticizes Self-Regulation Plan**

Chairman Fly placed in the record copies of NBC, CBS and MBS contracts, together with a memoranda setting forth the typical network evening hour on the several basic networks. Reading from a prepared statement, Chairman Fly said it had been charged that the network regulations would "strike at the foundation of the American system of broadcasting" and result in "anarchy and chaos" and "destroy the major networks". He said he was afraid that any regulations adopted to eliminate "restraints" in the broadcasting field would have the same result against the major networks.

Alluding to suggestions that elimination of the abuses be left to "self-regulation", Chairman Fly said that in 1938 IRNA was formed and drew up a list of problems which the affiliates recognized as existing in their dealings with the networks. The chairman of IRNA, he cited, said there was no need for Commission action because IRNA proposed to "take care of the situation" through industrial self-regulation. More than 2% years now have elapsed since IRNA was formed and "nothing has come of it," the chairman said. Another of the arguments of those who "cry havoc" is that the network incentive for putting on sustaining programs will be eliminated and such features as Toscanini and the National Farm & Home Hour will be taken off the air, Chairman Fly declares. He reiterated his previous contention that the networks do not "give" away sustaining programs, but are well paid for them in free time or in some other fashion. The accounting, he said, is "scrembled".

**Calls Toscanini Pickups Selfish**

The broadcasts of Toscanini, he argued, are an "extremely effective advertisement for NBC" and serve a "substantial selfish purpose". RCA can get as much advertising good out of such broadcasts as Ford gets out of the Sunday Evening Hour, he added.

Mr. Fly struck at RCA's owner-ship of NBC, citing that RCA began as a communications company, but today "bestrides whole industries, dwarfing its competitors in many fields". Whether the tendency of RCA to "grow and expand at the expense of smaller independent concerns" is desirable is primarily the business of Congress and not of the FCC, he said. He pointed out that the Commission's monopoly report covers RCA's development at some length, but that the Commission simply brings it to the attention of Congress.

**Problem of Switches Could Be Solved**

Before Chairman Fly was permitted to cover the jurisdictional aspects, Chairman Wheeler inquired about the workings of the new rules in respect to smaller stations. Much apprehension has been created in the minds of some broadcasters, he asserted, in situations where smaller stations might be frozen out by larger ones which would be demanded by advertisers as outlets in particular markets.

Chairman Fly, however, contended that the smaller stations would have first refusal on programs of a particular network, under the rules, and that the larger stations would have the right to take the commercials away from them.

Despite Mr. Fly's contention that the advertiser would not be able to pick and choose stations in particular markets because of the first refusal provisions, Senator Wheeler held that if the commercial business gravitates to the big stations, it would provoke a situation where in the Government would tear down one monopoly only to build up another.

If such a situation "starts to happen, we'll have to re-examine the whole subject," Chairman Fly said, "We'll protect the little station.

Basing his questions on complaints from smaller stations, Chairman Wheeler asked about the telephone line situation and whether it was not a fact that the networks leased lines for their own services which would not be available for the type of "switchboard" operation outlined by Chairman Fly. The FCC head said he felt such switches could be made on comparatively short notice and that the FCC had jurisdiction to require proper service. He pointed out that the Commission only last week had a cut of $250,000 in the cost of all lines available to the FCC on program service [BROADCASTING, June 9].

Resuming his prepared statement, Chairman Fly said there were a number of highly important matters relating to broadcasting which the Commission is not empowered to deal with. He mentioned the non-common carrier aspect under which the FCC cannot concern itself directly with rates which broadcasters charge; invoke uniform accounting practices, or concern itself with depreciation charges.

But the act makes it clear, he contended, that the Commission is to concern itself with the public service aspects of broadcasting. He pointed out that Congress provided the Commission with no power of censorship and that the regulations do not prohibit the broadcasting of any particular programs, or penalize anyone from broadcasting programs, or require anyone to broadcast any particular programs.

**Criticizes Refusal Of Lindbergh Talk**

At this juncture Chairman Wheeler precipitated a discussion over the refusal of a station in Philadelphia to broadcast a recent address by Col. Charles A. Lindbergh. He said he thought it was a "reprehensible thing" for any station to take one side of the war situation. Such stations ought to be charged by the FCC on renewal of their licenses, he said, asserting it was the duty of the Commission to take action.

Some of the "local's ought to be jacked up on this proposition", he said. He understood that a number of stations refused to put on speakers opposed to the Administration viewpoint, on the ground that re- prisals might be taken and that the FCC or the Government would not be pleased. Branding it a "serious situation" Mr. Fly said the Government should not dominate stations to the point where they are "afraid" of what might happen.

Also among the fray were commentators on the networks who play one side or the other, "depending on which way the advertiser wants it to go."

Chairman Fly nodded approval of practically everything Senator Wheeler said. He said he had given a lot of thought to this matter and that he thought it was essential for the future and integrity of the industry that both sides be adequately presented.

Calling for a "balance" on controversial programs, Chairman Fly said that adequate time should be given whether the programs are free or commercial. Only then will we have the service which our effective mechanism of free speech requires.

Chairman Fly had identified the station in Philadelphia that had refused to show special show on WCAU. He said the station was owned by "the Levy Brothers', who were important stockholders in CBS. Later, however, a release was given out that Senator Lindbergh would not broadcast. Levy Explains Station's Position

Dr. Levy recited that WCAU was one of the stations mentioned in the press release as refusing time. He said the station had not received a request to broadcast such speech and when a request was made, it would be given "proper consideration". He pointed out that WCAU had broadcast Lindbergh's talks from Milwaukee, Kan. May 10 and would broadcast Senator Wheeler's speech May 23. Rep. Lambertson acknowledged receipt of the wire, declaring he did not remember that the news item mentioned WCAU. He said that if WCAU had done what it claimed, it should be "exonerated", and its action is "commendable".

Senator Smith (D-S. C), who enlivened the hearings at the start with his jibes at various aspects of radio, took issue with the FAA and "saw no light" in the NAB, charging that "happens might enliven the colloquy".

Chairman Fly responded to Sen.
A LINGO RADIATOR IS
Your Best Bet!

for Efficiency...

for Construction...

for Stability...

... for Maintenance

... for Economy

... for Performance

LINGO
VERTICAL TUBULAR
STEEL RADIATORS

Mean Increased Sales thru Extra, Economical Coverage

When you install a Lingo "Tube" Radiator you expect—and get—better coverage and plus performance. No wonder engineers prefer Lingo for top efficiency and managers are enthused by the increased sales made possible through improved signal strength. One station owner writes: "The signal locally with only 100 watts power compares favorably with a 5000-watts station in this same city." Let us show you even more enlightening facts as they apply in your own case.

Our engineering staff will be pleased to supply you with technical details—without obligation. In writing please give location, power and frequency of station.

NEW LINGO INSTALLATION—shown at left is one of four 230 foot Lingo Radiators recently installed for the directional antenna system of WIBC, Indianapolis.

LINGO
TURNSTILE
FM RADIATORS

The Latest FM Antenna Development

Something new has happened to the Radio industry! It's the new, improved Lingo Turnstile Radiator the most advanced FM antenna design now available! The results of years of research and development this patented radiator is already proved for performance and efficiency.

Quotations will be gladly submitted for individual FM applications only, and will include the essential tubular steel mounting pole, turnstile elements, coupling equipment, transmission lines feeding the elements, etc. Climbing steps, lighting equipment, and steel melting units are also available as optional equipment. The erection of the turnstile antenna on your supporting tower or building roof can also be included.

Write today for complete facts and please indicate your proposed frequency, power and location.

JOHN E. LINGO & SON, Inc.

BROADCASTING • Broadcast Advertising

DEPT. B-6 CAMDEN, N. J.

June 16, 1941 • Page 23
Fly Points to Debate
And Court Statements

Chairman Fly rejoined that if the Commission should recommend such a legislative step, unquestionably the networks would “demand a Congressional investigation”. Senator White observed there was no objection to the Commission making recommendations to Congress.

Resuming his discussion of the jurisdictional phase, Chairman Fly reviewed provisions of the Act which, he contended, give the FCC authority to maintain competition and which he regarded as a definite Congressional mandate that monopoly should be regulated. He again reviewed the Congressional debates on the 1927 and 1934 acts, quoting former Senator Dill in detail.

He also quoted from the Supreme Court decisions in both the Fottsville and Sanders cases to buttress his arguments, claiming that the very language which gives the FCC this authority is “heavily relied upon by the networks to contest our jurisdiction”.

Chairman Wheeler observed that in his view there could be no question that the Commission has the right to refuse a station a license if “it is going to create a monopoly”. If both licenses in a community were in the hands of one company, Chairman Wheeler said, there could be no question about that constituting a monopoly and about the Commission having the right to go back and correct the situation.

Says FCC Tries to Carry Out Mandate

Returning to his prepared manuscript, Chairman Fly said he did not wish to imply that the Commission should step in the shoes of the Department of Justice or the Federal Trade Commission in pursuing its regulatory functions. Similarly, he said, the Commission does not have and has not sought to exercise the powers of the courts. But the Act, the Congressional debates and the decisions of the Supreme Court “make clear beyond any doubt that the Commission is bound to exercise its licensing powers so as to preserve competition and prevent the development of monopoly”.

The regulations adopted by the FCC, Chairman Fly insisted, “are designed to carry out the will of Congress with respect to competition and monopoly.” He said he had not gone far into Section 303 (i), which specifically gives the Commission the power to make special regulations applicable to stations engaged in chain broadcasting. He contended the language used by Congress is broad and unqualified and leaves no doubt that Congress intended the Commission to give special attention to the problems created by chain broadcasting.

Responding to questions, Chairman Fly said there are strong arguments why the networks should be regulated. He said the networks there should be, Chairman Fly said it was his guess that within a year or so, after the regulations were in force, the networks would “crawl, then walk, then run”. [Earlier, he had testified that he thought a half-dozen networks would suffice.] He said he thought the industry could support a fifth network profitably, but emphasized that this was all purely conjecture.

White Recalls
Net Control Plans

FM, Chairman Fly said, is “an improved form of broadcasting that is going to move out and give us a more diversified service”. He said one FM network already is being formed on a cooperative basis (The American Network). Then, he declared, television will “sweep across a broad front in the course of a few years”.

Senator White delved back into the legislative history of Section 303 (i), pointing out that it was the intent there should be special regulations to chain broadcasting. But he and Senator Dill had in mind, he said, the physical aspects so as to prevent interference between profitly to specify location of stations, and to assure the “purity and sharpness of emissions”, to govern areas to be served, and the like.

Originally, there was to have been a sub-paragraph (j), he said, which would have authorized the Commission to determine power and wavelengths to be 300 watts and to effect an equitable distribution of broadcast service.

Senator Dill, Senator White recalled, had in mind that the power given the FCC might have authorized it to make special regulations as to the wattage to be used by stations on the networks. Senator Wheeler joined in that he could not see why 50,000-watt stations should be on the chains and the Maine legislator said the FCC, under the authorization, might order lessened power for stations on networks.

After Senator White’s dissertation, Chairman Fly said he could not help but observe that the particular provision alluded to by Senator White was “scrapped” and therefore not in the law. He also disputed Senator White’s interpretations of Senator Dill’s views, declaring that he felt Senator Dill’s “quotations on the floor” had to be viewed as decisive.

Again picking up his prepared statement, Chairman Fly said the Commission is following the basic philosophy of competition and prevention of monopoly in other related fields. In the FM regulations, he
said, it is provided that no person shall control more than one station in the same community and that no person shall control more than nine stations in all. In television, the limit is three stations. He pointed out that no attack had been made on the FM and television regulations, although they "flow from the same policy and the same law which is the basis for the matters now being considered by this committee".

**Says Rules Will Promote Healthy Competition**

In a catch-all statement, Chairman Fly said that by outlawing five-year contracts, network control over the rates of affiliates, network contracts preventing the broadcasting of programs on other chains, "such as deprived thousands of listeners of the opportunity of hearing the World Series broadcasts", and of those other restrictions imposed by NBC and CBS, "our regulations will not only free the stations from restraints which are obviously inequitable, but will also open the broadcasting field to healthy competition."

Competition also will be strengthened by the number of stations licensed to a network and by requiring NBC to divest itself of one of its two nationwide networks. Thus, he said, competition shouldn't be hampered "as MBS has been hampered" and a new network would not be barred as was the ill-fated Transcontinental.

The FCC, Chairman Fly said, "stands ready at any time to confer with representatives of any network, or any station, or any group of stations on the subject of chain broadcasting regulations. I have made this offer repeatedly to the industry, and I make it again at this time."

If it can be shown that the regulations "unduly injure any interest or unduly disturb any aspect of the network broadcasting structure," he said, "we shall be pleased now, as in the past, to reconsider." He added, however, that this did not mean that "we will abandon the main question of policy, whether such tremendous power should be lodged in two large New York corporations". He added that he did not think the Commission should reconsider the question of whether the network broadcasting should be a competitive one.

**Says FCC Has An Open Mind**

"But we should be glad to discuss with representatives of the industry, or any branch of it, alternative means of achieving the two ends we have in mind—decentralization of power over what the public may hear, and removal of existing restraints upon competition."

While the Commission from the record already convincing, Chairman Fly reiterated that the Commission stands ready at any time hereafter "to consider with open mind any change in the regulations, if it can be shown that the regulations we have promulgated prevent practicable and profitable network operation."

But it goes without saying, Chairman Fly concluded, that the effective date of the regulations "requiring networks to dispose of certain of their stations will be postponed from time to time, as the regulations themselves state, in order to permit the orderly disposition of properties and to prevent any pressure for forced sales". He insisted this was contemplated at the time the regulations were drawn. He said that the same considerations "apply to the disposition by NBC of one of its networks."

The FCC knew at the outset that the "barage of criticism and even of misrepresentation would come with the adoption of the orders", he said. The Commission knew that the easy thing would have been to "do nothing", but it also knew that there were abuses "crying to be righted, abuses which, if permitted to flourish, might eventually choke off the channels of free broadcasting altogether."

He said the Commission "merely tried to do its duty under the law, and we stand by what we have done."

A final disclaimer from the Chairman was that the Commission was not opposed to the inquiry by the Senate Committee. The Commission's only aim, he said, was to forward it in every way possible and he said he stood ready to produce at any time such further facts as may be required. He said he regarded a study of this kind as "very helpful and constructive", but declared that all this was "quite apart from the question as to whether the rules against monopoly are to be set aside."

Present during the Monday sessions were Chairman Wheeler and Senators White (R-Me.), Smith (D-S.C.), Tunnell (D-Del.), Johnson (D-Col.), Hill (D-Ala.), Brooks (R-Ill.), and Gurney (R-S.D.).

**Mutual Witnesses Take the Stand**

MBS began its presentation in support of the FCC regulations and in opposition to the White Resolution Tuesday morning with Louis G. Caldwell, former Radio Commission general counsel and now general counsel of MBS; Fred Weber, MBS general manager, sat at the counsel table and several times during the examination answered committee questions dealing primarily with business and competitive aspects of network broadcasting.

Chairman Wheeler opened the session by reading a telegram from Dr. Leon Levy in connection with the Lindbergh incident. The telegram recited that no request had been made of the station to broadcast the speech, but that a request was made to broadcast the speech for the Lindbergh meeting. WCAU's commercial department, however, interpreted the NAB code
as applying to such announcements and refused to sell them, but Dr. Levy later instructed the staff that announcements calling attention to a meeting did not come under the controversial subjects provision and therefore were acceptable. Dr. Levy said it was not the policy of WCAU to take sides in any controversial subject and that both sides of public questions are always given equal opportunity.

After reading the telegram, Chairman Wheeler said he was glad to have the clarification from Dr. Levy.

With a 105-page manuscript before him, Mr. Caldwell asked the committee not to act favorably on the White Resolution, particularly the proviso that the effective date of the FCC rules be postponed.

**Says Women's Groups Issue Propaganda**

Criticizing purported propaganda emanating from opponents of the regulations, Mr. Caldwell specifically mentioned a circular from the Women's National Radio Committee bearing a "to whom it may concern" salutation. It asked recipients to petition the committee to report the White Resolution favorably.

Senator Wheeler observed this was in line with "a great deal of propaganda we get." He said he had been informed that the committee had received about 1,500 such petitions from the women's group already. Mr. Caldwell explained the petition originally provided that the replies be sent to Senator Wheeler, but this had been stricken out and the address of the committee in New York substituted.

He added he wanted to assure the women's committee that if it feared cutting sustaining programs would be deleted from the other networks because of the regulations, that MBS would be glad to carry them.

Supporting the regulations despite the "violent attacks on the Commission and the report," Mr. Caldwell said there were only three salient points: (1) Whether the regulations are unfair or arbitrary; (2) whether there is any doubt about the power of the Commission to issue them; (3) whether they will have the disastrous effects upon broadcasting prophesied.

Recounting the early history of MBS, Mr. Caldwell said the important issue is not whether MBS will benefit from the rules because it is a newcomer organized in 1924. MBS, he added, could not break into the "club-house" when the entrance is "so strongly guarded by exclusivity contracts."

He said he couldn't get excited over the allegation that sustaining programs such as Toscanini would be lost. MBS, with one-tenth the revenue of NBC, provides many fine symphonies and musical programs, he recalled.

**Calls Time Options 'Business Convenience'**

Asserting that MBS has led the field in diversity of sustaining, by virtue of its cooperative pickup arrangement, Mr. Caldwell held this has contributed also to freedom of speech. Some 18 stations per week provide the MBS schedule, he said.

The MBS rate card is simply an addition of the rates of stations on the network. It does not fix its affiliates' charges, Mr. Caldwell said. He declared that since January, 1940, for protective purposes, it has made limited time option agreements with its major stations. He did not think exclusive contracts were necessary, but that time options were a "business convenience."

Allegations that NBC has used its dual network structure as a means of penalizing stations were made by Mr. Caldwell. Without naming the station, he recited that one NBC-Red affiliate which shortly will join MBS had been punished and shunted to the Blue because it refused to clear time for a Red commercial at the expense of public health program, and also had refused to take the Tums Pot O' Gold program.

Senator D. Worth Clark (D.-Ida.) and Senator Chan Gurney (R-S.D.), in the absence of Senator White, led most of the questioning of Mr. Caldwell and Mr. Weber. Senator Clark inquired about the modus operandi if option time and exclusive contracts were done away with.

He pointed out that it would not only be difficult to get option rights under such a free competition setup, but that if there is no option time, there might be "a lot of chaos." Moreover, he said stations which have established prestige by virtue of long-time affiliation with NBC or CBS would help competitive networks.

Mr. Caldwell said that in cities having four stations, there would be no difficulty since networks would have regular affiliates' relationships and prior calls on programs. In cities having three stations or less, trouble would be experienced. What he described as a "28-day sword of Damocles" of the major networks on option time now comes into play and frustrates other network service.

**Problem of Splitting Telephone Line Charges**

A protracted discussion as to what would happen in outlying areas because of telephone line charges was opened by Senator Gurney, former head of WNAX in Yankton. If the stations in Fargo and Bismarck, now on NBC, decided to take dif-
freferent network programs, he pointed out, it would mean that each of the stations would have to pay the line charge from the Twin Cities, the terminal point. Whereas it is now possible for the stations to split the charge and therefore make it economically feasible, he said it was clear that the expense of separate rate hauls would be onerous.

Mr. Caldwell, however, held that an eventual solution might be to have the several networks share the line costs. But Senator Gurney said it was his judgment the upshot would be that Bismarck would not get the program service. Bismarck couldn't pay it and the network wouldn't pay for that long a haul, he said.

When Mr. Caldwell observed that he felt the rules would mean more commercial programs, Mr. Gurney said he thought the result would be that the "rivals to the advertisers" would be raised.

Returning to his recital of the MBS history, Mr. Caldwell said the network went through a major crisis in 1936 with the organization of the ill-fated Transcontinental. Because this operation attempted to tie up stations on MBS under exclusive contracts, he said MBS was forced into a similar move. Mr. Weber interposed that Transcontinen
tal was organized largely at the instance of "the advertising agency" and that Elliott Roosevelt was its nominal head.

**Prorating of Charges Suggested by Weber**

When Senator Wheeler reopened the line charge situation, to inquire whether costs would not be prohibitive with various stations on a particular route taking different network offerings, Mr. Weber declared there were two possible solutions. He said in many cases MBS has used temporary lines to outlying points and that if the business warranted, regular commercial lines were leased. Secondly, he said that network deals in groups and offer discounts which make it attractive for advertisers to buy the groups. He thought that line charges readily could be prorated among the stations and the networks.

Senator Gurney, however, recited that advertisers now must buy particular station groups on given networks as a whole or not at all, particularly where long hauls are involved. Senator Clark observed that if all stations could share the line hauls and get additional network service, the prorated basis might work out acceptably. He said that several stations in Idaho are non-network because the line charges are prohibitive.

Resuming his testimony, Mr. Caldwell pointed out that because of the hold of NBC and CBS, many areas are blocked out and MBS is forced to operate on a "second mortgage basis" in a number of cities. Of the 170 stations of MBS, 184 are 250-watt locals, only one is a clear channel and one is a "semiclear channel".

Total income of MBS, he said, amounts to less than the net profit

of either NBC or CBS. Recent FCC figures [BROADCASTING, June 9], he said, show MBS operating at a loss, but he said this was simply a bookkeeping deduction, since the network operates on a cooperative basis and the stations themselves make the profit.

**Buildup of Stations By Network Service**

Denying that MBS in any way instigated the monopoly inquiry, he reviewed briefly the proceedings before the FCC. During oral arguments last December, he said, MBS suggested several proposed regulations, about half of which were reflected in the final result. But NBC and CBS, he contended, did not make the FCC's proposed regulations seriously and did not respond with alternative sets of proposals.

Both the exclusivity and time option provisions of the rules, Mr. Caldwell recited, will affect MBS operations. But the other rules do not materially affect its service, he said.

Reopening the exclusive affiliation provision, Senator Clark observed that if programs are placed on stations which have been regularly affiliated with the major networks over a period of years and which have been built up on sustaining programs, the new network would get the advantage of time made valuable by "your competitor".

Senator Wheeler disputed the contention that the networks build up stations. He said that a station's status depends largely upon management and upon local programs. Stations which use spots every three or four minutes tend to cheapen themselves, he contended.

Mr. Weber argued that stations actually "pay for that build-up".

The other networks, he said, take a percentage of card rates for such promotional service. He argued that dual network service does not create confusion. Some 30 stations on MBS also take NBC.

The World Series incident again was reopened when Senator McFarland (D-Ariz.) asked why stations in Phoenix did not carry the last World Series. Mr. Weber said he could produce a tremendous sheaf of requests from stations for the

(Continued on page 28)
He measures
his little fellow thinks of a LION'S SHARE in terms of meat.
XOK advertisers visualize it in terms of a rich market... people reached... increased sales... greater profits!
Advertisers reach more than 3,500,000 people who spend over $826,000,000 annually in KXOK's primary area alone. Add to this, mail received from a total of 18 states and you have a LION'S SHARE of the rich Mid-Mississippi Valley Market.
It's satisfying to be a KXOK advertiser getting a LION'S SHARE of this prosperous market.

KXOK

NBC BASIC BLUE STATION • ST. LOUIS, MO.
630 KC. 5000 WATTS DAY AND NIGHT
Affiliated with KFRU, Columbia, Mo.
Represented by Weed and Co., New York, Chicago, Detroit, San Francisco
OWNED AND OPERATED BY THE ST. LOUIS STAR-TIMES
Checking the Pace

WHEN HEARINGS began June 2 before the Senate Interstate Commerce Committee on the White Resolution to block the FCC from invoking its new chain-monopoly regulations, the understanding was that the committee would act swiftly on what amounted to a "preliminary injunction" to restrain the FCC until a full-scale legislative inquiry could be undertaken. Instead, it now appears that the investigation already is on, and that the committee may not even vote on the White proposal.

Two weeks have elapsed since the hearings began, and there's at least a week—possibly more—to go. Talk of a "compromise" has become rather general. At this writing, such a conclusion would not be surprising, particularly since FCC Chairman Fly, in his powerful four-day presentation, has uncorked more surprise appeasements than Chamberlain at Munich.

To observers one thing seems evident. The committee itself is not disposed to go through protracted hearings looking to the writing of complete new legislation. But we think, as does Senator White, author of the resolution, that the ultimate solution can be found only in that way. The pressure of national defense legislation, however, is occupying practically all interest of Congress, which is not disposed to get into "secondary" legislative matters.

Revealing, too, was the acrimony with which Senators proceeded on matters altogether foreign to the issues involved in the White Resolution. News commentators, allotments of time to both sides of controversial issues, the MBS coup on the World's Series, were among the extraneous subjects that popped into the crossfire repeatedly. Problems peculiar to the constituencies of certain committee members likewise were injected.

All these matters, it may be assumed, are in the public interest and therefore fall within the purview of Congress, charged with writing or rewriting the statutes. But it seems to us that they should be covered, even more exhaustively, in a formal Congressional investigation looking to the writing of a new law to supplant the existing 14-year-old law, which has been subjected to every conceivable kind of interpretation.

Few members of Congress are scholars in radio jurisprudence. Radio is important to them as their No. 1 medium in reaching the body politic, so they want to preserve and protect radio. But they aren't particularly interested in such technical matters as kilowatts and exclusivity.

There has been flag-waving on both sides of the FCC's chain-monopoly regulations. But there are a few fundamental facts that cannot be ignored. The Administration, never particularly favorable to big business, regards broadcasting, and network broadcasting in particular, as having spread into the armed forces. That, perhaps, is the reason there has been no flat repudiation of the Fly-engineered assault.

NBC and CBS, of course, are interested in preserving the status quo. MBS is interested in growing, which it can accomplish with perhaps greater expedition if the new rules are invoked. Some in the industry may see some good in certain of the proposed rules, but most are fearful (and we believe properly so) that the crackdown regulatory pace cannot be checked unless the new regulations are stopped dead.

Network broadcasting was born in 1926. The Radio Commission, predecessor to the FCC, came into being in 1927. Radio has been regulated—and with a vengeance—during recent years by a duly authorized licensing authority. All of the monopolistic practices about which the FCC so vociferously complains have been developing all these years. Yet there hasn't been even a whisper of complaint from the public, whose interest it is the duty of Congress and the FCC to serve.

So why not take a few months longer and have Congress re-examine the law, the industry and the FCC? Certainly the situation won't get any worse in the interim. And there's no question that there will be an upheaval in existing radio service, at the expense of the public as well as the industry, if the regulations as now written go into effect Aug. 2.

Music Master

THE MUSIC went round and round last week as the 35,000-ton battleship South Dakota was launched at Camden, N.J., and the only sour note came out of Mr. James Petrillo's blatan trumpet. For the little man from Chicago, who robbed the world of his musical accomplishments when he became a union executive, did a flip-flop worthy of an acrobat upon learning that he was stepping on Uncle Sam's toes.

Mr. Petrillo originally demanded that the Sioux Falls, S.D., high school band produce union cards before playing at the launching. Two U.S. Senators asked Mr. Petrillo to relax his edicts, but he still said no. Perhaps, he thought, with the building of a two-ocean Navy, there would be a lot more of these launchings and a lot more high school bands playing.

Came the day of the launching and a new figure entered the picture. William Green, president of AFL, with which Mr. Petrillo and his union are affiliated, broke a long-standing precedent. Though Mr. Green heretofore had contended on many occasions that he could not interfere with the decisions of affiliated AFL unions, he got on the telephone, and soon all was cleared for the Sioux Falls band to play for the launching.

It's a good bet, knowing Mr. Petrillo, that he doesn't see any inconsistency in this latest flip-flop. In fact, he'll probably point to it as another indication of readiness to cooperate in the defense program—especially since Assistant Attorney General Thurman Arnold and his trusted lawyers have shown such a deep interest in Mr. Petrillo's mandates.
SALESMANSHIP and fishing, curious combination, provide the key to the motive forces that actuate the waking days of William Brega Dolph, general manager of WOL, Washington, and MBS representative in the capital city. Essentially, he’s a salesman—and in becoming one, he fulfilled an ambition tracing back to his boyhood days on a farm near McLouth, Kansas, where he didn’t like bucolic chores and resolved some day to emulate the men who came to the farmstead to peddle their wares.

As for fishing, you need only mention the subject and Bill Dolph will top your story. It’s more than a hobby and an avocation with him; it’s the breath of life itself, and he’s a recognized expert on all forms of the piscatorial pastime except the salt-water variety, which he doesn’t care much about.

Bill Dolph was born April 11, 1904, but it wasn’t until he was 14 that he came to the city—Lawrence, Kan., some 11 miles from McLouth, to attend school. Kansas U is there, and he continued at the State school after leaving Lawrence High. But always the urge to sell impelled him, and he quit college to travel the Midwest “selling practically everything under the sun.”

What he liked most about his chosen vocation was the opportunity to visit new lakes and new trout streams. He always carried the requisite tackle in his car, and it was a rare fair weather day that didn’t see him stop for an hour or two of fishing.

That love of fishing, besides being a grand mental tonic, also has had its profitable side for Bill. He was out fishing with the publisher of Broadcasting one summer day, and the latter suggested that he put a Washington newspaperman, who was writing a local column on fishing as a sideline, on the air and offer him to a sponsor, since the capital city was a great fishing center.

Bill Dolph initiated Double or Nothing, the MBS show with the record 119-station hookup. His station keys Theodore Granik’s highly popular American Forum of the Air. WOL is independently owned, being managed by Dolph for the Mark family. His task is to MBS what the NBC and CBS-owned key stations in the capital city are to the networks.

While he believes that selling is the most important function of successful radio management, radio isn’t all business to Bill. He is keenly aware of radio’s cultural and educational missions. “When I was a kid on the farm,” he says, “we used to fill ourselves with all kinds of dime novel stuff. That’s the only kind of entertainment we got in the long winter and even summer nights. Today the farm children can sit back and enjoy the same cultural advantages as their city cousins.”

Bill isn’t much of a joiner. He belongs to very few clubs. His hobby is fishing, but he enjoys an occasional round of golf. His one idea now is to buy a farm—not to become a farmer (for he still has an aversion to the endless chores. He wants a little place outside Washington, necessarily with a well-stocked stream running across it, where he can spend his idle hours with Mrs. Dolph and where they can relax—and fish.

BROADCASTING • Broadcast Advertising

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We Pay Our Respects To—

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J. R. KNOWLAND Jr., publisher of the
Oakland (Cal.) Tribune, owner of
KXL and elected secretary of the
Pacific Coast Division, Bureau of
Advertising of the American Newspaper
publishers’ Assn., at its second annual
meeting in San Francisco recently.
He also was named to the board.

FRED DARLING has been appointed
manager of CKGR, Timmins, Ont.,
succeeding Jack McLatchy, general
manager of Northern Broadcasting &
Publishing Co. Ltd., owners of the
station, acting manager for the last two
years.

JACK WINSTON, formerly manager
of KXAK, Rapid City, S.D., has joined
KFBI, Sacramento, Cal.

FRAN MYERS, of Minneapolis, has
rejoined KOY, Phoenix, in the business
office.

MARC DELPORTE, new to radio,
has joined the sales staff of KOY.

ROBERT H. MOODY, member of the
sales staff of WHO, Dayton, for
six years, has been promoted to
commercial manager.

C. CARRANNE LINK, formerly pub-
lisher’s assistant of the City of New
York, has become the new director
of publicity of KMOM, St. Louis.

LLOYD (Bucky) HAIRIS, assistant
producer of WPC, Chicago, has
taken a three-week leave of
absence for special work in the
City for Grant Adv. Agency, Chicago.

HAROLD C. BURKE, manager of
WHAL, Baltimore, was elected June
11 to the special board of the
Advertising Club of Baltimore for a
three-year term.

WALT MAGUIRE, announcer-engineer
on the Down Patrol of WIP, Philadelph,
has resigned to join the
department of WCGM, Camden, N. J.

LOUIS G. KROELICH, president
of the sales staff of WKZO, Kalamazz, Mich.,
has been elected president of the local
council of B’nai B’rit.

WILLIAM E. HOCKEY, formerly
president of Educational Recorders
Inc., Pasadena, has joined the staff
of KFRC, San Francisco.

JOHN (Andy) POTTER, of the
commercial department of KHOW, Oak-
lund, and formerly of KOI, Reno and BMI, has rejoined the
Photo & Sound Inc., San Francisco.

LOUIS S. SIMON, account executive
of KTXA, San Francisco and Gertrude
S. Karz were married June 8 in San
Francisco.

CHARLES GATES, salesman of
KWTX, Chicago, is the father of a
girl, Janet Ann, born June 2 at
Geneva, Ill.

E. P. HAMES, NBC-Blue program
director and Phil Merriman, of
NBC station relations, on June 11 at
shared a meeting in Charlotte.

Mr. James

BROADEN, assistant manager of
NBC-Blue station relations dep.,
on June 21 is to marry Thelma Marion
Davies of Chicago. Mr. Davies is an assistant radio timekeeper of J. Walter
Thompson Co., New York, and for-
merly in NBC station relations, will be
best man.

A. E. STOCKMARC, salesman of
NBC Chicago, is the father of a girl, his
second daughter, born June 11.

LOUIS E. MAHLA, former news editor of WMKN, Marion, O., and now a private in the Army, has been transferred to the office of the Camp Public Relations Office at Camp Lee, Va.

JOHN NORTON, former UCLA student, has joined KJJ, Los Angeles.

MARVIN MUELLER, announcer of NBC Chicago, has been awarded the De Moly Legato of Honor award given by the Shriners to those attaining leadership in their professions. He is the second in radio to receive this honor. The first was Olan Soule, NBC actor.

DICK WIDMARK of the NBC Chicago talent staff has been inducted into the Army. Vincent Donehoo, formerly of the New York stage, has replaced him.

KEN ELLINGTON, formerly chief announcer of WBBM-CBS, Chicago, has been named assistant to J. Oren Weaver, special events director. Staff increase, according to Stuart V. Davis, assistant program director, is to meet larger schedules of national defense and public affairs broadcasts.

HILDA LeBLANC FIVE-FOOT-ONE of radio salesmanship who's Hilda LeBlanc of WPAF-KGKO, Dallas, sole feminine member of the sales staff. Her pre-war sales record during the seven years she has been with the station equals any arguments that selling radio time is a man-sized job. A native of Louisiana, she attended the School of Business Administration at Louisiana State University where she learned the first principles of salesmanship. Her business career started in secretarial work, promotion of the home front, and three years of traveling as a space-seller for newspapers. Keeping one eye on radio, she gained her chance in 1935 when she joined WFIA's sales staff. Now specializing in local and regional sales for the station, Miss LeBlanc also finds time to work in the merchandising-aids department. As clever as she is attractive, the diminutive Miss LeBlanc surprises prospective buyers with her knowledge of rates, availabilities and the talent that sells radio time.

BOB JOHNSON, new to radio, has joined the continuity department of KOL, Phoenix.

FRANK PFAFF SMITH, member of the WLW, Cincinnati, newsroom for the last five years, has been named news editor of WHIO, Dayton, O.

KAY FORD, Washington theatre press agent, has joined the publicity staff of WINX, Washington.

AUSTIN PENCER, of KSFQ, San Francisco, is now handling trade press news and Marie Houlahan, CBS Northern California press chief, is in charge of consumer publications and newspapers.

SHELDON SINGER, local high school graduate, has announced the announcing staff of KSCI, Sioux City, Ia.

KENNYWIT HOUSEMAN, newest addition to the WJHP, Jacksonville, Fla, announcing staff, has been named assistant program director and production manager.

AL BLAND, conductor of the WCKY, Cincinnati, Morn Patrol was made an honorary member of the Fort Thomas, Ky., Lion's Club at special ceremonies June 16.

JOHN HOLBROOK, formerly news editor of WGGY, Minneapolis, has joined WGN, Chicago as news and commercial program announcer. Holbrook was one-time manager of WGTO, Greenville, N. C.

NORMAN MICKLEWRIGHT, formerly of CJKL, Kirkland Lake, Ont., has joined the announcing staff of CKX, Brandon, Man.

BOB PERRY, formerly of KDB, San Bernardino, Calif., has joined KVEO, San Luis Obispo, Calif., as announcer. He succeeds William Barton, who has entered the service.

MEREDITH WILLSON, Hollywood musical director of NBC Maxwell House Coffee Time, was granted by General Foods Corp., has donated his original composition, "Jervis Bay," to Bud Anders, son of Mr. and Mrs. A. W. Anders.

BOB RIGBERT, formerly with eastern stations, has joined the announcing staff of KROW, Idaho Falls, Ia.

JIM McVeigh, commentator and m.c., formerly of KYA, San Francisco, and Ann Barton were married recently in Nev.

BOB BISHOP, sound effect technician of KPO-KGSO, San Francisco, has been back to the Navy. He was succeeded by Don Moenett.

BERT SYMMS recently resigned from the staff of KLS, currently at Virginia City, Nev.

CLAIRE YALPEY, of the script department, KPO-KGSO, San Francisco, has left the station to become a new submarine net-tender at the General Electric Co., in Alameda, Cal. She received from Navy officers a platinum wrist watch, surrounded with the letters "S.O." (not "So and So as Effect Men"").

JIM MCCANN, formerly of WPEN, Philadelphia, and George Edwards, formerly of Binghamton, N. Y., are new additions to the KYW, Philadelphia, announcing staff.

CLAUDIUS FUHRMAN, musical director of KYW, Philadelphia, has a new and again was selected musical director of Cape May, New Jersey resort.

ETHEL RATTA, press agent of WPXO, Atlantic City, will handle publicity during the summer for the Steel Pier, where the studios are located.

ADD PENFIELD, sports director of WPFT, Raleigh, was named permanent president of the PNC-U class Yacht Club of 1940 at a recent alumni reunion.

RAY MAXFIELD, NBC, Washington, special events and sports announcer has been appointed commercial announcer for the Local Peoples Drug Stores WMPM program, Pin Money From Pennies to Dollars, a new series to be released.

CLIFF JOHNSON, formerly of KFAB, Lincoln, KOL, Omaha, and KSOO, Sioux Falls, S. D., has been appointed a producer in the WBBM-CBS, Chicago, farm service department.

Eddie Kane, staff musician of WIRE, Indianapolis, has been granted a commercial pilot's license.

AL WYN B. A. C. L., announcer of WNLT, FM station owned by WOR, New York, on June 7 joined KYW, Philadelphia, Seymour Harrison, formerly an announcer of WNYY, New York's municipal station, succeeds Bache at WTNY.

MRS. ETHEL REID WINSER, radio chairman of the Illinois Federation of Women's Clubs, has joined the WGN, Chicago, talent division as director of its lecture bureau.
Bill Wiseman Appointed WOW Promotion Head

BILL WISEMAN has been named promotion manager of WOW, Omaha, succeeding Howard O. Peterson, according to John J. Gillin Jr., general manager of the station. Mr. Wiseman also will continue as publicity manager of the station and editor of the WOW Tower Magazine, which won the St. Louis U Award as the outstanding radio station publication at the NAB Convention in St. Louis. Mr. Peterson will remain with WOW as local sales and research manager.

In his new post Mr. Wiseman will handle both consumer and advertising promotion, along with publicity, merchandising and other promotion activities. While joining WOW four years ago, he was in newspaper work in Omaha, serving as promotion manager of the Omaha Bee-News for five years until that paper ceased publication. Mr. Peterson joined the station five years ago, after serving as advertising manager of the Omaha store of Sears, Roebuck & Co.

David C. Teague, feature writer for the Sunday editions of the Chicago Times, on June 10 joins the CBS publicity department as a staff writer.

JAN WYTIE WILLIAMS, 23-year-old son of Wythe Williams, MBS news analyst, has volunteered for service in the Army and is awaiting orders.

BILL CRAWFORD, assistant promotion chief of WOR, New York, on June 7 married Jean Chatterley.

Elizabeth Shay, of the NBC production division, will direct four plays at the Moussinon Theater, Chat- ham, Mass., during July.

Sydney Moreley, news commentator of WAGA, New York, and professional journalist, is writing his impressions on American radio to be published this fall in book form.

Phil McKernon, announcer-operator, formerly with San Francisco stations, recently joined KHSL, Chico, Cal.

Charles Conklin has joined the traffic department of WOAI, San Antonio. Ben Kaplan has been assigned to the news desk.

MAKING A KILLING IN SLAUGHTERS (Ky.)?

Many an advertiser is making a killing in Kentucky these days—but not in the Lilliput hamlets like Slaughters, Slickford, Slusher, et al. It takes the big, big Louisville Trading Area, which accounts for twice as much buying as the rest of Kentucky combined—and which now has an extra $5,000,000-a-month defense payroll to spend!...WAVE covers this area completely—and at a cost that makes it the bargain buy in this neck of the woods! Look us up in "Radio Rates", and see for yourself!

LOUISVILLE'S WAVE

5000 Watts FREE & PETERS, INC.

970 K.C. N.B.C. Basic Red

NATIONAL REPRESENTATIVES SPOT SALES OFFICES

BROADCASTING • Broadcast Advertising

June 16, 1941 • Page 33
CREI Training Develops Your Technical Ability and Self-Confidence to Insure the Security of Your Future . . .

The policy of CREI has been directed toward helping men in the radio industry to better engineers in better jobs. The fact that CREI graduates do get these better jobs is evidence of the respect of the industry for CREI and its graduates.

Our proof is a large file of letters from students and graduates reporting pay raises, promotions and more satisfactory positions.

Your proof is the unquestionable fact that the better positions in radio go to the men who are equipped with modern technical training.

If you are looking at your position in radio past the "Immediate tomorrow" . . . you can insure your professional future by sufficiently increasing your technical ability now. More than 5,000 professional radio men are taking definite steps toward the insurance of their professional futures by regular study with CREI.

These facts are important to you . . . and to EVERY MAN who is seeking a way to improve his position in the radio field. Write us today for our booklet and pertinent facts as they apply in your own case. Please state briefly your education, radio experience and present position.

"Serving the Radio Industry since 1927"

CAPITOL RADIO
Engineering Institute
E. H. RIETZKE, President
Dept. B-6
3224 SIXTEENTH STREET, N. W.
WASHINGTON, D. C.

* To Serve Well *
The Broadcasting Engineer
FORMULA for SUCCESS
"CREI training builds into the student a usable, working knowledge of practical radio engineering. It develops that sure confidence in his own ability which enables him to go after the better jobs - and get them"

HAROLD B. ROTHROCK, formerly with the Clear Channel Group in Washington, and John Woodward, of the Cleveland educational station, WBOE, have joined the engineering firm of Ring & Clark, Washington.

JOHN D. SHERMAN, technical director of WTOP, Alexandria, Va., is teaching a course in radio communications for youths 17 to 25, under the defense program. Appointed by the State of Minnesota, the night classes are conducted at Vocational High School, Minneapolis, under a two-year appointment.

CARL MCGEE, formerly of KWWO, Sherman, Wyo., has replaced Carliton Sloan as chief engineer of KTRI, Sioux City, Ia. Gray has been named chief radio engineer for the 7th Army Corps, headquarters in Omaha.

RAY STAUFAKER, who, Des Moines, has been transferred to WOC, Des Moines, has been named as chief engineer. Jack Volk of the WOC staff is taking his place.

RONALD L. RANSOM, formerly of United Air Lines, Chicago, has joined the NBC engineering department as vacation relief studio and field engineer.

RUSSELL RENNAKER, organizer of the Associated Broadcast Technicians Unit of IBEW and former engineer of WBIB, WJY and WFBM, became associated with the NBC Dept. of Public Affairs of PDU June 1, succeeding D. J. Dunlop.

ROSS HANCOCK, amateur operator and serviceman of Wisconsin Dells, Wis., has become transmitter engineer of WHU, Pouyet, Wis.

KILBURN CULLEY, formerly of WLAW, Lawrence, Mass., has joined the engineering staff of WFLR, Boston.

GLENN BEERBOER, formerly with the radio division of the West Virginia department of public safety, has been named chief engineer of WCHS, Charleston, W. Va.

FRED SULLIVAN, WBIX, Utica, N. Y., has been named radio engineer and has been called to active duty.

JACK TRAPKIN, transmitter engineer of WWRL, New York, has been named chief of the Boy Scouts of America to serve as "radio scout leader" for W2VXL, Boy Scout amateur radio station.

ROG RECK, of the engineering staff of KSJ. Sioux City, is the father of a boy, Roger Lee, born June 2.

THOMAS BEDWELL, has joined the engineering staff of KSCI, Sioux City.

CHESTER DOLL, engineer of WFJF, Herrin, I11., a member of the National Guard, has been offered active duty as third-class torpedo man.

ARRY BROWN, Gordon Swan and Bob Adams, of the WSB, Atlanta, engineers and all reserve lieutenants, have been called to active duty with the Army.

HARRY ESSMAN, CBS Hollywood sound effects engineer, has been offered by RKO Radio Pictures for special sound effects work on the film, "Devil Mountain Rider".

CHET GEISE, engineer of WHTA, Philadelphia, leaves late this month for active duty as the Naval base in Panama

JOHN MACDONALD, technician, formerly of KJBS, San Francisco, and KRE, Berkeley, has joined KPO-KGO, San Francisco.

FIELD TEST on one of the 12 directional antenna arrays, eight of which will be used for service to Latin-American countries by international broadcast stations WCBX-WCRG, now under construction and scheduled for completion in September was undertaken last month at Brentwood, L. I., by Frank J. Bleil of the CBS engineering staff. Using this small scale model which is one-seventh of the size of the regular antenna, CBS engineers determined in advance the performance of the antenna with its anticipated behavior based on calculations.

HIGHEST BROADCAST ANTENNAS
WKY and WNAX to Have 900-Foot Towers to Accommodate Increases in Power

ULTRA-HIGH radio towers, the tallest in the country, will reach skyward as construction of directional antennas to accommodate the recent increases in power of WNAX, Yankton, S. D., and WKY, Oklahoma City, begins soon under supervision of Glenn D. Gillett, Washington consulting engineer. WNAX now holds a construction permit for 5,000 watts full-time operation on 570 kc. while WKY will increase to 5,000 watts fulltime on 930 kc.

Each 900 Feet High

Both towers, to be purchased from Truscon Steel Co., Youngstown, O., will have an overall height of 900 feet. Plans for the WKY radiator call for sufficient strength to support a six-foot turnstile antenna on top adaptable for FM transmission. Each of the new towers will be part of the antenna array to be used with two shorter towers.

The WNAX radiator will be erected on its present tower site while WKY has purchased a 120-acre plot 8 miles north of Oklahoma City limits so as not to conflict with air traffic in the vicinity, a fact that has precluded other attempts of WKY to increase its tower height.

Mr. Gillett expects the new radiators will produce a field intensity signal of 500 millivolts for one mile for one kilowatt. The FCC minimum requirement is 175 mv. per mile for 1 kw. and Mr. Gillett believes that an increase of 20% in service area will result from the new antennas.

At present the highest self-supporting tower is at WSM, Nashville, which is 878 feet tall. [BROADCASTING Yearbook, p. 366]. Highest in the world is reported to be the 1366-foot Blaw-Knox radiator in Budapest, Hungary.

RCA Engineer Granted MIT Sloan Fellowship

W. ENDRES BAHLS, in charge of development and design work in connection with special radio tubes at the RCA Mfg. Co.'s Harrison, N. J. plant, has been awarded an Alfred Sloan Foundation Fellowship for a year of advanced study of industrial problems at Massachusetts Institute of Technology. One of 11 engineers chosen from all U. S. industry to receive the honor, Mr. Bahls will spend one year at the Institute attending the Business & Engineering Administration School. Purpose of the Fellowship is to permit men actively engaged in industry to study such subjects as finance, accounting, labor relations, economics, law and marketing, stressing the sociological aspects of modern industry.

Heads ABTU in Chicago

CHARLES WARRINER, of the WBIB-CBS engineering staff, was elected to the presidency of the Associated Broadcast Technicians in the Chicago area at the organization's meeting June 5. He succeeded Franklin George of WCP, Chicago.
Clear Breakdown
By FCC Opposed
In Appeal by NBC

FCC Denies NBC Petition to
Stay WHDH Order

LONG THREATENED litigation to forestall the new move of the
FCC majority to break down clear channels developed June 7 with the
filing of an appeal by NBC in the U. S. Court of Appeals for the Dis-
trict of Columbia against the FCC decision authorizing WHDH, Bos-
ton, to operate fulltime on 850 kc., clear channel of KOA, Denver.

After repeated efforts to have the FCC reconsider and rehear the
case, NBC counsel asked the court to reverse the Commission's de-
cision. It claims the decision is in violation of FCC regulations, the
North American Regional Broadcast Agreement (Havana Treaty), as
well as the due process clause of the Fifth Amendment of the
Constitution.

NBC did not petition the court for a stay order because at the time
it had pending before the FCC a request that the WHDH fulltime
grant be not made effective until the court has acted. On June 12,
however, the FCC by a split 3 to 2 vote denied this stay, reaffirm-
ing the WHDH grant. NBC June 13 filed with the court a petition for
a stay in the light of this action. Because the court has before it the
broad issue of whether it is authorized to grant stay orders, prompt
action was in doubt.

The Commission vote, reaffirming the WHDH grant, was surpris-
ing as the previous rulings in the case. Chairman Fly and Com-
missioners Walker and Thompson voted for denial. Commissioners
Case and Wakefield voted against, and Commissioners Craven and
Payne were recorded absent. Comdr. Craven was appearing before
the Senate Interstate Commerce Committee on the White
Resolution at the time of the vote. He would have voted with the
minority, as the leading proponent of clear channels. Chairman Fly,
on the other hand, had not participated in the previous votes, and
by so doing had permitted a 3 to 2 vote in favor of the WHDH grant.

Intervention Denied

The appeal recites that the FCC
on April 7 granted WHDH 5,000
watts with a directional antenna
during unlimited hours of operation
on 850 kc. as against its former
operation as a limited time station
with 1,000 watts. It was contended
that the application violated the
FCC's own regulations and that
KOA, as well as other interested
parties, were denied the right to
participate in the formal hearings.

NBC, however, along with the
Clear Channel Group and certain
other parties in interest, was
permitted to file briefs amicus curiae
and to make oral arguments.

NBC contended the Commission
erred in failing to return without

action the WHDH application
the Fifth Amendment of the Con-
nstitution.

sions were insufficient to support
the decision and that it was illegal,
void and in violation of the due
process clause of the Fifth Amend-
ment in that it was based upon facts
and issues concerning which
appellant was denied a hearing at
any stage of the proceedings.

The KOA-WHDH case is re-
garded as a test to determine fu-
ture FCC policy on maintenance of
clear channels, 23 of which were

provided for in the March 29, 1941
allocations pursuant to the Havana
Treaty. Another case now pending
involving a similar issue is that of
WNYC, New York, municipally-
owned station, seeking fulltime on
the 380 kc. clear channel occupied
by WCCO, Minneapolis.

The FCC voted the WHDH ap-
plication by a 3-2 margin, with
Commissioners Craven and Case
dissenting. Chairman Fly and Com-
missioner Wakefield did not par-
ticipate.

Sentiment exists on the FCC for
three-way duplication of clear
channels, notably those on the
coast. This is on the theory that
stations can be located on oppos-
teasts, with one in the center of
the country on the same frequency
and, through use of directional an-
tennas, can provide greater service
than a single high-powered station
on the frequency. This view has
been repudiated on technical
grounds by leading engineers.
Purely PROGRAMS

Vacation Hints

A TRAVEL program, rolling education and entertainment into a unique script, is the Air Travelsogue sponsored weekly on WPEN, Philadelphia, by the Philadelphia Evening Ledger newspaper. Designed to solve vacation problems, the Traveler describes the high points of cruises and overland tours. The publicity director of a nearby vacation resort is interviewed on each program.

* * *

Behind the Bank Bars

BANK TELLERS, clerks, secretaries and other members of the San Francisco Bank who deal with the public are presented in a new 15-minute radio roundtable broadcast on KPO, Your Bank. Virtually every subject concerning thrift, loans, wills, and the workings of a bank is covered in the weekly series. Program is sponsored by the San Francisco Bank.

Merchandising & Promotion

Superman Baboons—Plane Models

Money Quiz—Robe and Mask—Chest Ornaments

WCKY Bulletins

A MINIATURE edition of the giant News-O-Graph sign of WCKY, Cincinnati, is featured as a display at the Miami Valley Industry and Defense Exposition at Music Hall, that city. UP bulletins travel across the sign, just as do they on the station's larger news sign on Fountain Square. WCKY broadcasts the opening weekend with verbiage and taken care of by Gr. Bricker's address featured, as well as special daily pickups at the defense show. The station's plane also is on exhibition and is used as an official exhibition car to meet prominent visitors arriving by plane and train.

St. Louis Maps

NEW day and evening coverage maps, compiled after two years of experimentation with the various types of station audience measurements, have been issued by KMOX, St. Louis as part of its "5th series" on CBS listening areas. The maps graphically show the KMOX coverage area.

* * *

Balloons From Rooftops

SIMULATING the antics of "Superman", KTUL, Tulsa, promoted its new Superman series by tossing balloon blowups of the man of tomorrow from their 22st floor studios and from strategic roof tops around the city. The local Frogu's Department Store is sponsoring the new program.

Trade Swap

TRADE deal has been consummated whereby the Washington Daily News prints 150agate lines daily about programs on WJSV, Washington, in return for spot announcements.

Youth Problems

DILEMMAS encountered by youth in the 20's are dramatized in the recently inaugurated NBC Pacific Red network sustaining quarter-hour program, Judy Jones. Weekly comedy series is written and produced by Myron Dutton. * * *

Homes

AVAILABLE HOUSES for sale or rent are located during the week and their location announced on the Sunday program, Home Planning Time, on WGL, Fort Wayne, Ind. Information about building homes and decorating them is also given.

Talent Draft

SUMMONED to report for a "talent examination" instead of a physical exam on Talent Draft, on WWDC, Washington, Government employees are drafted and inducted into próximo service if they pass the requirements.

Grocery Tieup

SO SUCCESSFUL was a test sales campaign of the United Grocers, San Francisco, in connection with KSFO's Gala Drive program, that the grocery tieup with the radio personality will be repeated in mid-summer. Four items for the special drive will be selected. Advertising in newspapers in the United Grocers territory, as well as handbills, will feature the items with special heading. Large window banners tie up with special window displays will also be used.

Models in Demand

SINGH, recent announcement on NBC Richfield poster offering a series of 12 pictures of fighting plane models with building specifications obtained at Richfield gas stations, Richfield Oil Co., Los Angeles, has been deluged with requests. Approximately 600,000 orders were filled the first week, according to Hixon-O'Donnell Adv., Los Angeles, agency servicing the account.
You may have been tops in 1917, grandpa, but you cost 5 times what I do, and I put out nearly 3 times your power.

Don't brag, GL--a few more years of G-E research and you won't know yourself either!

Both "50-watters". But today's GL-203-A gives you 15 times as many watts per dollar.

Were you a tube buyer in 1917? Probably not—but those who were know that General Electric was a leader in the tube business then, as it is today. The progress that's been made in "50-watters" is typical of the results achieved through G-E research.

You can get G-E tubes promptly through any of our offices—located in 80 principal cities. Get in touch with your G-E representative today.

General Electric, Schenectady, N.Y.

"How To Plan an FM STATION" by W. R. David is a valuable aid to any FM-minded organization. Ask the G-E representative who serves you for a free copy, or write direct to General Electric Radio and Television Department, Schenectady, N.Y.
Guest Editorial

(Continued from page 30)

6. During this period it is necessary to eliminate unemployment insafely as possible, so that all those not engaged in national defense can earn salaries to help pay the costs of defense, rather than have the burden of unemployment or public charity. Advertising contributes directly and indirectly to greater employment in private industry.

7. Civilian morale likewise depends greatly upon a firm belief in the democratic system, and in its features of free enterprise and competition. Advertising is of extreme importance in their maintenance.

8. In a democracy, to build civilian morale, it is important that we continue our media of entertainment and enlightenment: the press, the magazine, and the radio. Advertising supports all of these and makes them possible.

9. During times of national emergency it is important that consumers be given adequate market information: where to buy what they need, when to buy, and how to buy, in order that they may get the most out of the products and services they purchase. It is also important to regulate supply and demand, and to diversify as much as possible the spending of consumers, so that all business may prosper. Advertising is of the utmost importance in all these efforts.

10. An intangible value, and yet one of the most important possessed by any business man, is the "franchise value" of his product or business, established over a period of many years at great effort and expense. Advertising protects this priceless ingredient until it returns to normalcy.

11. Staggering national defense costs must be borne by taxes, which will only be paid by business and by wage earners in business. Therefore sales, wages, incomes and profits must not only be maintained but increased if possible.

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Lewistown, Pa., Local, WMRF, Makes Debut; J. M. Nassau Manager

COMPLETE personnel of the new WMRF, Lewistown, Pa., which went on the air June 1, has been announced by James S. Woods, vice-president of the station. The local outlet operating on 1500 kc. with 250 watts was authorized last Feb. 25 to the Lewistown Broadcasting Co. [Broadcasting, March 3] which is 33 1/3% owned by the Sentinel Co., publisher of the Lewistown Sentinel.

The remainder of the stock is held by William F. Thomas C. Matthews and James S. Woods, all connected with the Pennsylvania Sand Glass Co. Walter S. Farnot, publisher of the Sentinel, heads the company as president.

Joseph M. Nassau, formerly manager of WIBG, Glenoyle, Pa., and prior to that manager of the old WLT and WOO in Philadelphia, is general manager. Announcers are Bob McKenna, formerly of WWSW, Pittsburgh; Norma Sand, a graduate of Penn State; Joe Smiley, of Lewistown, and Tyler Porter, of New York, both new to radio. Engineers are Bernard H. Bonfils, chief engineer, from WLOG, Logan, Va.; Edward M. Noll, from WDEL, Wilmington, Del.; and Yankel Philpsburg.

Modern studios have been constructed in the Hotel Coleman and Western Electric equipment has been installed throughout. Transmitter and a 180-foot Lingo tower are located in a newly-erected building one mile east of the studios. Contracts have been signed for UP news service and NBC Thesaurus.

Bond Staff Picked

HOWARD DIETZ, motion picture executive, will serve as coordinator and managing director of the Treasury Department's radio programs when the Government takes over the Fred Allen Texaco Star Theatre time in have been de- nated by Texaco to stimulate the sales of National Defense Savings Bonds. Fred Allen, the genius of radio, is producer of the Fred Allen show, as program manager; Douglas Greller, assistant director of broadcasting, as production supervisor; Earle McGill, program director; Al Goodman, the orchestra leader on the Allen program, Wills, musical director; Herman Wouk, chief of writing staff and Connie Ernst, in charge of guest relations.

Illegal Outlet Caught

AN UNLICENSED station, operating with 15 watts 500 kc. and using the call letters, KIDA, was uncovered at Sella, Co., according to the FCC and the operator, who identified himself as O. W. Trueblood, is being held on $1,000 bond. Transcription entertain- ment with the evident idea of soliciting commercial sponsors was being furnished at the time of the arrest, it was stated by the FCC.

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Kate Hopkins' Registers Gain in CAB May Data

ALTHOUGH the CAB report shows that almost all daytime radio programs suffered a drop in listeners during May, the WWSW- AM Dayton, Ohio Kate Hopkins, sponsored by General Foods Corp., New York, for the month increased its audience by 53% in that period, the April rating being 2.8 and the May rating 4.3. According to the CAB, radio listening tends to decline with the advent of summer, the average audience on quarter-hourly daytime programs dropping 8.8%.

The rise in popularity of the Kate Hopkins program coincides with three major changes in the format: The signing of Gertrude Berg as author, the addition of Constance Collier to the show, and the scheduling of the broadcast at the earlier hour of 2:45 p.m. instead of 4:45 p.m. Benton & Bowles, New York, is agency.

Sponsor Suit Shifted

P. B. WHITE Co., Philadelphia clothing concern, transferred to the jurisdiction of the Federal courts from the Philadelphia Court of Common Pleas its breach of contract claim against WIP, Philadelphia. In addition, the sponsor retained as addi- tional counsel former U. S. Senator G. Wharton Pepper. A subpoena in summons was filed against the station in the lower courts several months ago on charges growing out of can- cellation of the daily P. B. White radio period shortly after WIP joined MBS. Sponsor used radio exclusively for almost five years.
Newton for Midgley

CARROLL NEWTON, with BBDO for the last 11 years, has been named by the agency as head of its radio time-buying department.

Mr. Newton replaces Ned Midgley, who left to become Sales Service Manager of CBS, Mr. Newton, well known to network and station officials throughout the country, has previously associated with the Brown & Williamson Tobacco Co. account while with BBDO.

LEICESTER H. SHERRILL, account executive, and John Caples, copy director of BBDO, New York, have been elected vice-presidents of the agency. Mr. Sherrill was originally with BBDO from 1926 to 1928, rejoining the agency in 1939. Mr. Caples, with BBDO 14 years, is a recognized authority in the field of copy testing.

Joins McCann-Erickson

IN LINE with increased radio activities of McCann-Erickson, Chicago, Earle G. Thomas, radio director, has announced the addition of Robert L. Smock, former continuity editor of WIRE, Indianapolis, to the radio staff. Before his affiliation with WIRE, Smock was associated with WPBM, same city, which he joined following his attendance at New York U. At McCann-Erickson Mr. Smock will both produce and write programs.

WINNER of first prize in a national advertising contest sponsored by Gamma Alpha Chi, national professional advertising sorority, was Dorothy Jean Carter, U of Missouri, senior. Miss Carter wrote a criticism of a record Beug program in a magazine entitled "Advertising Merits of the Jello Show to the Sponsor".

RADIO SCRIPT & TALENT, a new organization devoted to the servicing of agency radio departments, has been formed by Les Brown, former scriptwriter of Ruthmat & Ryan, Chicago, and Seymour Kentling, formerly radio director of B. G. Feldman, Adv. Agency, Chicago. Address is 360 N. Michigan Ave., telephone is Dearborn 0351.

When He Said...

"What? No Radio Department?"

Our billing doesn't justify a separate Radio Department. What do I do to keep Botta from going to another agency? Well, I simply set a date for an audition, explained my problem to NBC's Radio-Recording Division—and then spent my time developing a good radio sales story for the Botta's account.

"Two days later, when Botta turned up again, we put on a professional audition of 'The Face of the War—as seen by Sam Cuff.' Botta beamed when he said, 'Say, that's what I call a big-time broadcast—and timely, too. You've got me sold, if the price is right.' Of course the price was right—much lower than he'd expected. And right now, 'The Face of the War' is selling Botta's merchandise faster than it's ever sold before."

The Face of the War is a five-minute, two-a-week, 13-week war news analysis series kept up-to-the-minute by current recording, and advertisers are started with the current shows—no outdated material is used! It's sponsored everywhere it's heard. This and other syndicated programs are still available in many leading markets at low cost. Write today for presentation, rates and availability.
MILES LABS, USING KEYSTONE NETWORK
MAKING an intensive invasion of secondary markets in the United States, Miles Labs, Inc., Elkhart, Ind. (Aika-Selzter), on June 30 will start a transcribed L&I Abber series on 94 stations via Key- stone Broadcasting System, transcrip- tion network. The series comprises four quarter-hour shows weekly, Monday, Tuesday, Thursday, and Friday, starting June 29, with Michael M. Sillerman, network president.

At the start of the series June 30 an "Aika-Selzter Week" is to be observed, featuring comprehen- sive merchandising tie-ups, local dealer spot announcements, and station announcements and special pro- grams. Wade Adv. Agency, Chicago, handles the account. Stations scheduled for the new campaign, according to Mr. Sillerman, include

WMBC, Chicago; KFMB, San Diego; KAMC, Waco; WLIR, New York; WDIV, Detroit; WHK, Pittsburgh; WMYR, Columbia; WJBQ, Memphis;放宽, KCMG, St. Louis; KROK, Denver; KDKA, Pittsburgh; KIUN, Salt Lake City; KPAR, Salt Lake City; KJJO, Minneapolis; KKNX, Las Vegas; KCOU, Des Moines; WBBM, Chicago; WOR, New York; WQAM, Miami; WMCL, Los Angeles; KABC, Los Angeles; KRLD, Dallas; KFI, Los Angeles; KKFI, Kansas City; WSHA, Washington; WITI, Milwaukee; WMAQ, Chicago; KFRC, San Francisco; WOR, New York; KSNV, Las Vegas; WINS, New York; and WLW, Cincinnati.

Disc Comedy for Fall
Is Offered by Briscader
BRISACER, DAVIS & STAFF, San Francisco, has produced a new transcribed half-hour show, "The Fall Room Only," for national sponsor- ship next fall.

Hugh Herbert, movie comedian, is the host of the twice-weekly quarter-hour series dealing with the trials of a traveling troupe playing small towns. The cast includes Lilli Renée Tuttle, Hanley Stafford, Bill Burns orchestra. Briscader, Davis & Staff is using the same technique as in the current Charlie Ruggles Barrel of Fun program, a series, which reached about 450 stations before a live studio audience.

Avocado Spots
CALAVO GROWERS OF CALI- FORNIA, Los Angeles (avocados), registered holder of national spot radio, on June 10 started a heavy participa- tion schedule in a one-month western campaign. Contracted on a staggered schedule, quarter-hour programs include, Norma Young's Homecoming, Tuesdays, and Thursdays; Char- mingly We Live, on KEX, Portland; Your Food Is Your Fortu- nes, Saturdays; Fran Johnson, Homekeeper's Calendar on KOMO, Seattle; Linda Lee on KSL, Salt Lake City; Housewives Protective League on KNX, Los Angeles; and Saladu on KNX, Hollywood. Agency is Lord & Thomas, Los Angeles.

School’s Spots
NATIONAL SCHOOLS of Los An- geles (radio, and diesel engineer- ing mail courses), are sponsoring four four-hour newscasts, 36 times weekly on WINS, New York, and five-minute transcribed messages six times a week on WNGR, New York, WABC, New York, WKBW, Buffalo, WOR, New York, WBBM, Chicago, and WMSE, Milwaukee.
AS HE ACCEPTS desk set award at Los Angeles Convention, sets off on 13-week test campaign starting June 15. KNOX, Hollywood, at the recent St. Louis NAB Convention for its winning sales promotion display of program presentations. George Moskovics (left), CBS Pacific Coast sales promotion manager, assures sales manager, Thornburgh, network's Pacific Coast vice-president, that it will be given front center position on his desk. Standard Photo Co., Hollywood recording unit, donated the award.

GOOD SHEPHERD FOUNDATION, Hollywood (injunction treatment), new to radio, in a 13-week test campaign started June 2, is sponsoring four-quarter-hour talks per week on KFWL, that city. Titled 'Children in the News,' the series features Drs. John and Jim Gibson as commentators. Foundation in addition also uses seven spot announcements per week on that station. Advertising Sales Agency, Los Angeles, has the account.

PACKARD DEALERS of California, Los Angeles is sponsoring a weekly half-hour transcribed dramatic program titled 'Packard Playhouse' on KFWL, that city. Contract is for 13 weeks, having started May 29. Dr. Raimond R. Stunt is writer-producer of the play, which features prominent film and radio players. Series, placed direct, was cut by C. P. MacGregor Co., Hollywood.

FORREST STOVE WORKS, Los Angeles, out of radio for six months, on June 2 started a four-week quarter-hour program, 'Stove Poker Philosophy,' on KFWL, that city. Contracts for 13 weeks, having started May 29. Program features Fred Forrest, head of the firm, as commentator. Adv. Arts Agency, Los Angeles, has the account.

H. F. GOODRICH RUBBER Co., Akron recently sponsored six weeks of 'Dinner Hour Melodies' on WYER, Rochester, N.Y. Agency is BBDO, New York.

Running Account of Hearings
(Continued from Page 27)

World Series, exclusively contracted to MBS, but that the restrictions of other networks prevented acceptance.

Senator Gurney, however, interposed that MBS had an exclusive contract with the baseball leagues and that therefore the service was not available to the other networks.

Boon to Affiliates
Is Seen by Caldwell

After considerable discussion, Senator Brooks (R-Ill.) said that as he understood it MBS, along with the other networks, was offered the opportunity to bid on the World Series rights and that MBS got the exclusive. Mr. Weber confirmed this and explained that it has been common practice in radio for the networks to procure exclusive rights on particular outstanding sports broadcasts. He said that if the World Series had been given to all networks, it would have been on a sustaining basis.

Again returning to prepared script, Mr. Caldwell said MBS feels it can live under the regulations. He predicted this new order would provide a boon to affiliates and that most of the opposition was based on misunderstanding. Moreover, he pointed out, Chairman Fly had stated that the FCC was prepared to consider the rules further. He urged that the networks go back to the FCC and ascertain what provisions are unduly onerous and make suggestions accordingly.

Asserting the regulations are not unreasonable in his judgment, Mr. Caldwell said he was under no illusion that they are perfect and that they would be a panacea.

He also supported the FCC procedure. In this respect, he stated he had been a critic of the Commission in the past, but had no complaint on the manner in which the monopoly hearings were handled.

When Senator Clark asked whether he regarded the existing statute as sufficient and whether there should not be a general investigation to ascertain whether the law is adequate, Mr. Caldwell said he saw no necessity for revision of the statute, although it could be improved by amendment. He said he did not purport to talk for the industry in this regard.

Senator Clark said a number of his station constituents had given him the impression that they regarded the law as too broad; that they were opposed to the FCC regulations, and favored steps which would provide a more stable basis for both present and future broadcast operations.

Stay Orders by Courts Favored by Witness

Pressed for specific criticisms of the existing law, Mr. Caldwell commented on certain jurisdictional aspects. For example, he recited that last year the courts held they have no power to issue stay orders and he felt that should be remedied.

Describing this as "important", Senator Clark observed that if the new regulations became effective, then stations would have no place to go to get injunctive relief. Mr. Caldwell, however, recalled that Chairman Fly had assured the committee that stations which litigate in good faith and with reasonable expedition will not be penalized.

Senator Clark said that since the present statute is nearly 15 years old, it is hardly possible that Congress contemplated the exact situation as it is today. He said his concern was whether Congress should not go a little slow and if there are substantial defects in the law, whether they should not be remedied by Congress itself.

Pointing out that there is now before Congress legislation along the lines of the Logan-Walter Bill to establish an administrative procedure, Mr. Caldwell said he did not see how Congress could write laws in advance for radio, and that he felt the general procedural statute should be written.

He added he did not think Congress should interfere with a Commission of experts unless they are "dishonest", and in that event it should dispose of the men.

Senator Clark nevertheless said it was a serious thing when a Commission issues an order that a company give up half of its property. There should be very careful legal safeguards, he said.

Concurring, Mr. Caldwell said there were days when he did not agree with the FCC's moves and even questioned its integrity. But he said he felt in the last few years the FCC has improved and that it was, in his judgment, following generally orderly procedure.

Political Influence
Charged by Wheeler

Senator Wheeler fired another dart into the Commission, however, with the observation that it does not follow uniform procedure. Asserting there is too much politics or other pressures, he said that an applicant who has influence may get his application granted without a hearing, while another applicant, with an identical case, will be forced to go to the expense of a hearing and subject it to delays.

He commented, too, that several years ago when a bill was proposed to rewrite the statute, CBS and NBC were opposed to it. He said it appeared to depend upon which group was happy with FCC activity.

Mr. Caldwell contended that it seemed to "depend on whose ox is
being gored*. He said that he had not detected any crackdown or punitive policy by the Commission. He declared he preferred the regulation by law to "shadow-boxing" which had occurred in the past.

Mr. Caldwell commented that the current rules do not constitute the first instance in which the FCC has indulged in regulation of chain broadcasting. Among other things, he declared, he had detected 10 separate decisions where the FCC had reached judgments opposite those embraced within the rules.

Asked by Senator Clark why NBC should be required to relinquish the Blue, Mr. Caldwell replied there are only four networks, and NBC is in the position of having two. Moreover, he said, the Red and the Blue are not really competitive but the Blue is used as a buffer, largely against MBS. A system of discounts employed by NBC makes its competition very difficult for MBS, he declared.

**Greater Freedom Foreseen by Weber**

Senator Clark interposed, however, that a number of his constituent stations are satisfied with their NBC affiliations. Mr. Weber said this was probably because those stations, with no competitors in the same city, have an advantage since they get the commercial benefit of the Red and the sustaining programs of the Blue. He insisted the new regulations would give existing network outlets first choice and therefore provide greater freedom.

Mr. Caldwell said that since the issuance of the rules, MBS has received a number of communications from Blue stations which interpreted the rules as permitting them to affiliate with MBS, as well as to retain their present network association.

Taking up the question of FCC jurisdiction, Mr. Caldwell said he did not interpret Section 303 (i) of the law as limiting the Commission to regulation of only physical aspects of network operation. There have been past attempts, he pointed out, to regulate network broadcasting by the FCC, but these failed to materialize.

He mentioned particularly the effort of former Commissioner Irvin Stewart, whom he described as "one of the ablest men ever to sit on the Commission", which proved futile. And he claimed that in its earlier days CBS solicited "the aid of the Government" to make its competitive position more favorable by more rigid regulation of NBC.

Present at the hearing were Senators Wheeler, Gurney, Clark, Tunell and McFarland.

**MBS Ownership Explained by Weber**

Resuming the stand for the second day, Messrs. Caldwell and Weber performed as a dual witness team, answering questions in their particular spheres, while Mr. Caldwell offered the direct testimony.

Senator Wheeler said he had received a call from an unidentified Montana broadcaster who told him that if the rules went into effect it would be impossible for CBS to run a station into the State.

Mr. Weber said he could only anticipate the reason, but he thought that apparently this was founded on the belief that if there are no time slots, the network would not regard it as feasible to extend its line into the State. On behalf of MBS, he said, it was planned to offer service in Montana and that elimination of the existing 28-day option held by the other networks would make this feasible.

As asked by Senator Wheeler who are the "real owners" of MBS, Mr. Weber outlined the cooperative ownership of the company. He said that WOR, WGN and Don Lee each own 25 shares of 99 shares issued, with 6 shares each held by Colonial Network, United Broadcasting Co. (WHK-WCLE), WRC, Cincinnati, and CKLW, Windsor-Detroit.

He said there were prospects of 4 additional stockholders within the next 6 months. MBS, he declared, as a cooperative organization, makes no corporate profit but acts as a clearing house. The individual stations get their card rates minus commissions and earn the profits.

Denying a report that the Chicago Tribune, operating WGN, recently put $500,000 into MBS, Mr. Weber said that WOR, WGN and Don Lee each had contributed $100,000 toward MBS operation last year and the other stockholder stations $41,000 each. Those which paid the $100,000 figure had guarantees of $200,000 payments and the others of $50,000 payments.

**Caldwell Discusses Authority of FCC**

Responding to Senator Clark, Mr. Weber said that MBS has been "profitable in varying degrees to the stations". He said there is no program or engineering expense and that sustaining service is provided by the affiliates. If MBS were operated like the other networks, Mr. Weber said, it would be difficult to ascertain whether it would make a profit because of the varying program and expense factors.

Returning to his analysis of the FCC's jurisdiction, Mr. Caldwell was interrupted by Chairman Wheeler, who asked whether the Commission has the power to regulate purported monopoly in broadcasting. Mr. Caldwell argued that the Commission has the power to grant and deny licenses and that the law specifically requires it to...
ascertain the character, financial, technical and other qualifications of applicants. Consequently, he said, it was his judgment the Commission can take into account all relevant matters.

Mr. Caldwell declared the FCC had three specific regulatory fields — physical or technical aspects, concerning which there could be no question of jurisdiction; the economic field, now under debate, and the question of program control. In the latter instance, he said, the law specifically forbids the Commission to exercise censorship powers and that he felt the Commission had gone too far into this phase.

Senator Clark interposed that the "monopoly thing doesn't bother me" and that it is important only when it affects the public interest. He pointed out that Pan-American has had a monopoly in aviation and that monopolies exist in many other fields because no other enterprises would risk the investment or had the inventive genius to pioneer.

Free Competition Defined by White

On the economic phase, Mr. Caldwell said the Supreme Court in deciding that the so-called Sanders case had upheld the FCC's free competition theory. Expressing that he had lost this case, he said nevertheless it was his notion that the Supreme Court had decided the case properly.

Senator White, however, refused to accept this theory. He declared that all of the FCC's rules, establishing clear channels, and locals, limiting power, time and other allocations, negated the idea that "we have adopted the theory of free competition in radio".

Before the breakdown of the old law in 1926, when stations were permitted to operate on any wavelength with any power they desired, "free competition existed", he said. But Congress turned away from that when it enacted the Radio Act of 1927, on the theory that there could not be free competition because of the technical and physical limitations.

While Mr. Caldwell agreed in principle with Senator White's philosophy, he said that even with the limitations, the Commission may take competition into account.

When Senator White commented that he couldn't find a "consistent course" from the start of radio regulation to this hour, even in the briefs and writings of attorneys, Mr. Caldwell said he was concerned about "briefs" and other documents stacked before Senator White. He said he had argued other theories in the Sanders case and in representing the Clear Channel Group. Totally aside from Section 303 (1), giving the FCC jurisdiction to regulate chain broadcasting, Mr. Caldwell said that under Section 310 (b), involving transfers, he felt the Commission had the authority to ascertain "the degree of control" passed along to networks by stations under exclusive contracts and time options.

Recall Origin of Radio Act of 1927

What amounted to a memory contest on the origin of the original Radio Act of 1927 developed during examination of Mr. Caldwell by Chairman Wheeler and Senator White. Senator White said it should not be overlooked that the monopoly provision of the Act had to do with a finding of guilt by the courts, as the basis for automatic denial of a license.

Senator Wheeler recalled that the reason for the provision grew out of RCA having been found guilty of violation of the anti-trust laws and in this connection he mentioned that "one particular individual", now employed by RCA, had led this anti-RCA fight. He referred, presumably, to Oswald F. Schuette, RCA public relations advisor, who formerly headed the Radio Protective Assn., which fostered dissolution of what was characterized as the "radio trust".

Senator White insisted the inspiration for the provision was a study made by the Federal Trade Commission of the so-called radio monopolies, preceding the dissolution of the original ownership of RCA. Mr. Caldwell, however, said that the monopoly complained of initially had to do with patent apparatus and RCA exclusive traffic arrangements for its communications service.

The so-called Davis Equalization Amendment of the original act, concentration of power in the hands of individuals or closely held companies, and clear channels all were thrown into the discussion during the "memory contest".

Mr. Caldwell criticized sharply the "propaganda" of opponents to the rules, which predicted chaos, confusion, anarchy and destruction. Actually, he said, only two of the new rules pose serious questions. One is on exclusive contracts and the other time options.

Urges Net Programs For Remote Areas

He said that NBC had operated without exclusive contracts or time options for many years and that it has succeeded in selling time outside the option period so that the "difficulty can't be too great". CBS, he held, had one-year contracts up until 1936.

On the network competition phase, Mr. Caldwell predicted that the networks will be fixed by economic considerations and the law of supply and demand. He chided Senator White for his suggestion that the FCC equalize the network affiliation situation through use of its power to allocate frequencies and facilities. He cited the situation in Louisville as an example of difficulty in enforcing such a reallocation.

The examination drifted to the

Frankly, we stopped the April sales of Bond Clothes in Kansas City would double. They didn't. Not quite, as you'll note from this Bond commercial used May 19th. But Erle Smith and his 5:45 p.m. newscast did boom business 99.7%, so you understand why we're not too heart-broken.

Looking For Results Like This? KMBC CAN DELIVER THEM!

GOLDEN HORSESHOE girls was the title given this duo, who distributed traditional gold-ink symbols at the NAB convention last month in St. Louis for WJR, Detroit, and W GAR, Cleveland.

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BROADCASTING • Broadcast Advertising
CONGRATULATING singers Dinah Shore and Lanny Ross on their duet rendition of his ballad, “Dixie Girl”, is balladeer Kent Cooper (center), better known as general manager of AP, now serving radio through its subsidiary, PA. The song was heard June 8 on Lanny Ross’ program sponsored by Campbell Soup Co. for Franco-American spaghetti on CBS.

The desirability of clear channels, when Senator Wheeler insisted it was the duty of the networks to put programs on small stations in remote areas. The networks are making “big money”, he said, and it is their responsibility to see that the smaller stations get good programs, even though they make “a little less money”. He said he hoped the Commission would do something about it. Maybe “a few of the clear channels are justified”, he said.

Mr. Caldwell, a staunch advocate of clear channels as a means of providing rural service and counsel for the Clear Channel Group, said there might be some justification for the “rural free delivery” theory, by making the more profitable areas pay for the non-profitable ones.

Alluding to the position taken by Mr. Ethridge, the MBS attorney predicted that the Louisville executive would rather accept the FCC regulations than have the Commission force WHAS, Louisville Courier-Journal station to “swap its assignment” with some other station in Louisville, as has been suggested by Senator White. The Maine Senator, however, observed that by the same token the FCC might find it expedient to reduce the wattage of WGN and WOR.

Praises Radio for Impartial Attitude

Again criticizing politics in radio regulation, Chairman Wheeler said he wanted stations to be “free from domination of both Government and private concerns”. He said he did not like the idea of the Commission saying to stations “you shouldn’t put on particular programs” or to “hold a club over the station” because the owner might be in disfavor with the Administration. He charged that the FCC has been dominated politically during the Republican Administration and that “it has been true to some extent during the Democratic Administration.”

Taking a somewhat different stance, Senator Wheeler said it was his view that radio has very materially assisted in bringing about “freedom of discussion”. Many newspapers were partisan and gave less prominence to news they did not agree with until radio came into the field and both sides were heard on the air, he added. The radio industry on the whole has done a good job but many newspapers still color news and do so to a greater extent than has radio, he said.

Another tirade against commentaries on the air was opened up with this line of discussion. Senator Clark asked whether the FCC has the power to compel networks and stations to list “news” as such and not “editorial opinion”. He said that 17% of the “news reporters” so listed, are actually “nothing more than editorial commentators.”

Mr. Caldwell said he did not think the Commission had the power to handle such a matter. Mr. Weber interposed that the newspapers themselves made the listings and that networks and stations have no control whatever over them. Insofar as MBS is concerned, he said, commentators are called “news analysts” and regular news periods of press association bulletins are labeled otherwise.

Caldwell Opposes Network Licensing

Insisting that something should be done, Senator Clark said that the “wildly biased editorial tirades” under the heading of news, constitute misrepresentation to the public and that unless something is done about it, there will be “some sort of legislation”.

Mr. Caldwell said he was opposed to grant of power of that nature to any regulatory body, since it would approach censorship. He added he was opposed to the licensing of networks as such, since such power might eventually mean licensing of program production and resultant in censorship.

When Senator Wheeler observed that the Commission might take care of the commentator-news situation by citing stations on renewal of license if they did not present both sides, Mr. Caldwell reiterated
Net Rules May Curtail Church Programs, Pastors Predict in Letter to President

MAINTAINING that enforcement of the FCC monopoly regulations would curtail and jeopardize the increasingly important program of religious broadcasting, a group of 62 Christian ministers, headed by Dr. Harry Emerson Fosdick, of New York's Riverside Church, on May 26 letter to President Roosevelt urged that enforcement of the regulations await "a full and searching investigation."

In the letter, introduced last Wednesday by Louis G. Caldwell, MBS counsel, into the record of the Senate Interstate Commerce Committee, the clerics held that the action proposed by the FCC is "hasty, drastic, and ill-considered."

"Propaganda"—Caldwell

During her testimony before the Committee last Wednesday, Mr. Caldwell called attention to the letter, citing it as another example of the "propaganda" instigated by opponents of the FCC monopoly regulations. Mr. Caldwell also mentioned a previously offered petition of similar character circulated by the Women's National Radio Committee of the General Federation of Women's Clubs.

He commented that apparently there would be no programs for the laity, agriculture or the religious if the monopoly regulations were put to effect. He added that MBS proposed to continue providing such sustaining programs, nonetheless.

Mr. Caldwell's comments on the ministers' letter also drew the observation from Chairman Wheeler (D-Mont.) that it was "typical of the misinformation that gets out with every piece of legislation."

The large majority of the 62 signers of the letter were from the New York area.

The letter to President Roosevelt stated: "We, the undersigned Christian ministers, of many different denominational backgrounds, who have had the privilege of using the radio networks of NBC, appeal to you in this letter because we are convinced that all programs of religious broadcasting stand today in serious peril."

"The recently issued report of the FCC, if put into effect, would, in our judgment, greatly curtail the opportunity for such nationwide service, and would jeopardize cultural, educational, musical, and religious broadcasting in general. During recent years while the present national network system has enabled us to build up a continental audience for a non-sectarian, inclusive, religious message, we have received some five million letters."

"This response from the American people has convinced us that religious broadcasting is rendering a real service to the nation. Since none of us has any personal gain whatever at stake in the matter, we feel free to plead for careful consideration of this important subject before action is taken.

Hasty and Drastic

"The action proposed by the FCC seems to us hasty, drastic, and ill-considered. Before so radical and precipitate an action is taken, we appeal to you for a full and searching investigation, in the endeavor to determine whether the present organization of the radio industry or the proposed alternative will better serve the interests of all the people."

"In a time of crisis, when morale is vitally important, and when a spiritual ministry of non-sectarian character is desperately needed as never before, it seems to us deplorable thus to throw religious broadcasting into confusion. Certainly we feel sure that no such action should be taken except after thorough investigation and upon convincing evidence of need."

Senator Wheeler observed that he (Lewis) "has been cussed out by the New Deal!"

Getting back to the hearing topic, Mr. Weber disputed contentions that "fly-by-night" networks and brokerage concerns would enter radio if the rules were invoked. He said that network service involves something more than mere provision of commercial time, and that there must be technical, production, announcing and engineering staffs as well as the provision of sustaining program. Sustaining service, he pointed out, has to be "a source of income" to NBC and CBS. Moreover, he described it as the best way of building up sustainties for future sponsorship.

Nor does the FCC monopolize networks, as they are supposed to be created only after a public hearing and the appointment of a special committee. The radio stations will make the final decision as to whether they will join into the stations that do not make the stations but that the development is reciprocal.

Fairness of Line Charges Is Discussed

Answering Senator Wheeler, he said that lines were still the FCC's and would not be disposed to set up networks, since wire lines are expensive and no single agency would have sufficient business to justify a network operation. He contended this was so, in answer of Senator Wheeler, even if an agency had a half-dozen of the leading sponsors.

Wire lines, he pointed out, cost $8 per mile per month. Moreover, these must be produced, merchandising, engineering and the other ramified network service.

Given a discussion of the reasonableness of AT&T's line charges was precipitated by Senator Clark. Mr. Weber pointed out that loops and connections also constitute heavy expense, with the connection cost averaging $175 per month, irrespective of how often it may be used.

Senator Clark said that while he had no knowledge of the basis of these charges, it appeared to him that the line costs were prohibitive insofar as service to remote areas is concerned. He suggested that the FCC might look into these charges to ascertain whether they are out of line.

Mr. Weber said that some reduction in these charges had been effected and that the AT&T's statement that the costs would be higher for the small communities if the income from the larger markets did not result in the average costs estabished. Senator Wheeler joined in the view that the FCC should look into these matters, declaring that
while the charges might be justified for larger stations, they certainly appear out of line for smaller ones.

**Canadian Angle**

*Is Cited by Weber*

MBS wound up its presentation at the Thursday, June 12, session during which Alfred J. McCosker, chairman of the board of the network and president of WOR, summed up that network's position in support of the FCC regulations and in opposition to favorable legislative action on the White Resolution.

The committee, with only a half-dozen members sitting, also heard the opening portion of the testimony of FCC Commissioner T. A. M. Craven, first witness in opposition to the FCC rules and one of the two FCC members to vote against them.

Messrs. Caldwell and Weber repeated the stand at the outset of the session. Mr. Weber recapitulated his testimony of the preceding two days and also placed in the record exhibits showing that there are 43 cities of 50,000 population or greater in which MBS has no outlet. He pinned responsibility on the present NBC and CBS exclusive contracts.

Seeking rejection of the White Resolution, Mr. Weber said that the proposed regulations will have an effect internationally. Canada, he said, is awaiting the change in the existing rules so it can alter its network requirements. As an example, he contended that network television is not available in Toronto, where he said three stations are on NBC and one on CBS, with the result that Mutual does not have an outlet.

When Mr. Weber testified he felt the new rules would encourage competition in network broadcasting, Chairman Wheeler agreed it would be beneficial to “put them on their toes”. Mr. Weber declared that under the regulations, stations can continue to do business with a single network if they choose, but it gives them the opportunity to use other networks.

Refuting contentions that chaos would be caused among advertisers and that listeners would be confused, Mr. Weber said these claims had been disproved in actual practice. Opposition of some stations to the regulations, Mr. Weber asserted in response to Senator Wheeler, can be attributed largely to a “misunderstanding” of the rules, and he said that most of it came from the “so-called well-fed affiliates”.

Senator White asked Mr. Weber if he would agree, whether justified or not and without regard to how they made up their minds, “that a great majority of the stations are afraid of these regulations and are opposed to them as they stand”. Mr. Weber declined to give a yes or no answer during a rather heated colloquy. He said he did not believe the majority of stations had expressed themselves.

Mr. Weber said he believed the regulations would result in a continuation of operation largely on the same basis as today. Most stations, he predicted, will continue to affiliate with one network in cities where there are an adequate number of stations. The difference, he said, will be that those stations not now receiving substantial commercials from existing networks can look to “a supplementary source of programs and revenue” and render an additional service. He predicted it would be unlikely that any station would want to take more than two network services, primarily because of line costs.

In concluding his presentation, Mr. Caldwell said the record at the FCC on the monopoly hearing is clear on the point that many network affiliated stations are not satisfied with their major network contracts. He quoted testimony of Samuel R. Rosenbaum, WPIL, Philadelphia, chairman of IRNA, professing dissatisfaction with network requirements. The position taken by IRNA was that the industry should be free to decide these issues, rather than have the Government undertake it.

Mr. Caldwell contended that IRNA not only had accomplished nothing, but apparently had attempted nothing during the two or three years since its formation. Returning to the network competitive situation, Mr. Caldwell said MBS constitutes only one of several attempts, during recent years to set up a new national network but it alone has survived. He pointed out that resolutions to that end had been introduced in both houses.

**Voices Faith in Commission’s Assurances**

Continuing his statement, Mr. McCosker said he did not infer that the regulations were perfect and agreed that further experience under them may show the minor defects which should be cured. Asserting that they represent a result arrived at “slowly, honestly, and in good faith”, he said they deserved a try-out in an equal good faith by the industry, subject to the right to ask the FCC for changes if hardship or injustice results.

“We are counting on the assurances of Chairman Fly and the rest of the Commission to this end and see no reason to doubt those assurances. I have faith in his assurances that these regulations are not intended to be, and are not, any step toward Government ownership or what the lawyers call regulation of the common carrier variety, where rates, business policy and management are actually subjected to close control.

“I trust, while willing to adjust details of some regulations, the Commission will never permit the industry to be set back eight or ten years by deviating from its expressed policy of competition and the restrictions which Mutual has found by sorry experience to be so stultifying”.

Mr. McCosker echoed the views of his counsel, Mr. Caldwell, in predicting that if MBS cannot establish itself as a full-scale network, he did not believe that “any one will attempt to operate a network under these restrictions”.

Such an individual would need a guarantor rather than a wavelength, he said. He pointed out that MBS, while it has a substantial number of stations, does not have high-powered outlets. Calling this a “synthetic growth of affiliates”, he said that to mention MBS as having 170 affiliates is like “counting the bills in your pocketbook rather than looking at the denominations”.

Mr. McCosker said that developments since the FCC hearing have only served to confirm “the wisdom of the Commission” in initiating the proceeding and arriving at the conclusions in the report. He said he was not exaggerating when he expressed the view that competition in network broadcast-

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** McGruder**

**VERY MUCH A FATHER** on Father's Day was Warren Sweeney, CBS newscaster, surrounded by his six qualifications for paternal bliss. In the foreground 4-year-old Lynne tugs off daddy's shoes as Jean Ann watches. Others of the Sweeney brood are (1 to r), Michael, 6; Paul, 16 months; Patricia, 5; and Mary Eileen, 7.
Free for Soldiers

WOR, New York, joins CBS in establishing a policy of free admission to all broadcasts for men in the service. Reducing the ticket represented to its simplest denomination, Harry Miller, supervisor of the WOR-Mutual Playhouse on Times Square, has announced, "A man's uniform will serve as his ticket".

During early May as well as during the NAB convention in St. Louis when the WOR, WGN and Don Lee resigned from the NAB because it was clear that the association "is no longer representative of the entire industry". He quoted from his May 13 letter of resignation, in which he made that observation, plus the conclusion that Mr. Miller had taken a position in various matters "adverse to our interests and in favor of those others".

The NAB Board at the time, Mr. McCosker said, consisted of 26 members, 3 of which represented the major network companies, with one representing Mutual, and a majority of the other members being representatives of affiliates of NBC and CBS.

Calling for disapproval of the resolution, on the ground that it would result in indefinite postpone- ment of the regulations, Mr. McCosker said that he doubted whether there would have been any "hue and cry" from the networks or the industry if the particular regulations had been invoked one by one. MBS has lived under unfavorable competitive conditions, he said, and while it has not flour- ished, it has made progress despite these restrictions. He said he was convinced that the regulations, in actual practice, would not prove drastic and that MBS would not be coming into being, later on will be congratulated for its position.

Says Craven

In conclusion, Mr. McCosker predicted that during the next two or three years a "truly American sys- tem of broadcasting" would develop under the rules, and that competition would be restored and harmony would return in the industry.

Craven Says Main Issue Is Jurisdiction

Just 15 minutes before the committee adjourned Thursday, Commissioner Craven took the stand. To clear the record, Senator White said he had requested that the committee call Commissioner Craven because he thought it should have the benefit of the minority Commission views.

Commissioner Craven said he did not consider his testimony. He said that in most cases and unfounded criticisms, he and his colleague, Governor Case, felt the majority was "honest and sincere" but that their conclusions were wrong.

Reading a prepared statement, Commissioner Craven said the minority is not crusading on behalf of its views and that the matter of the White Resolution was one solely for the Senate to determine. The FCC, he said, is but an agency of Congress and should not attempt to tell Congress what it should do. He said that personally he would welcome an investigation.

The real issues between the majority and the minority on the FCC, Commissioner Craven said, sur- rounded the question of jurisdiction. He said the minority felt that the majority had "usurped power" in adopting the regulations. Agreeing there are abuses in radio which need correction, Commissioner Cra- ven declared he felt there should be at least four independent network- ers, each operating in "stern competition", inferring that he thought NBC should divest itself of one of its networks. But he added he did not believe that mo- nopoly exists in broadcasting and he said that a case of being criticized, later on will be congratulated for its position.

In conclusion, Mr. McCosker predicted that during the next two or three years a "truly American sys- tem of broadcasting" would develop under the rules, and that competition would be restored and harmony would return in the industry.

Wheeler Reminds FCC It Is Arm of Congress

Contending that full opportunity was given all parties during the hearings to present their cases and that ample warning had been given of the issues, Mr. McCosker said that if, after having been so thorough and fair on an important sub- ject and after having "conquered" the controversial issues, "the Commission is to be subjected to a barrage of personal charges, misleading generalities and unfounded criticisms, how is it to be expected that this Commission or any other commis- sion will again have the courage to deal constructively with such a sub- ject?"

Describing the Commission as an "expert body", Mr. McCosker said he felt sure the committee did not want the Commission, in deciding cases, to be "constantly wondering how the members of this committee individually feel about the issue".

Chairman Wheeler interrupted that he did not like to have the Committee presided over by a body wondering how the executive branch will feel about it either. He said that in- dependent agencies are an arm of Congress and that after they are created they are soon prone to for- get it because members owe their appointments to the Chief Execu- tive. They become "subservient either to the industry or to the ad- ministrative branch", he said. "We want them to do a good job and do it impartially. If they do a good job, I should not bring them up here!"

McCosker Attacks NAB and Miller

Senator White, however, said this was the first year that since 1931 that Congress had gone into the radio law. In spite of that, he had proposed several times, and Chair- man Wheeler had joined him, in urging a Congressional investiga- tion. Chairman Wheeler said he thought it was the duty of Con- gress to inquire into the activities of administrative agencies when "there are flagrant abuses".

A sharp attack upon the NAB and its president, Neville Miller, was issued by Mr. McCosker. He told the committee that when Mr. Miller appeared as a witness, he may be in a position to 'say for some "elements of the industry, but not all. He pointed out that three principal account holders of MBS and some others connected with MBS have resigned from the NAB because, among other things, its president, "promised to look after the industry inclusively, engaged in public denunciation of the Com- mission and its report".

After reading into the record an exchange of letters with Mr. Mil- ler during early May as well as during the NAB convention in St. Louis when the WOR, WGN and Don Lee resigned from the NAB because it was clear that the association "is no longer representative of the entire industry". He quoted from his May 13 letter of resignation, in which he made that observation, plus the conclusion that Mr. Miller had taken a position in various matters "adverse to our interests and in favor of those others".

The NAB Board at the time, Mr. McCosker said, consisted of 26 members, 3 of which represented the major network companies, with one representing Mutual, and a majority of the other members being representatives of affiliates of NBC and CBS.

Calling for disapproval of the resolution, on the ground that it would result in indefinite postpone- ment of the regulations, Mr. McCosker said that he doubted whether there would have been any "hue and cry" from the networks or the industry if the particular regulations had been invoked one by one. MBS has lived under unfavorable competitive conditions, he said, and while it has not flour- ished, it has made progress despite these restrictions. He said he was convinced that the regulations, in actual practice, would not prove drastic and that MBS would not be coming into being, later on will be congratulated for its position.

In conclusion, Mr. McCosker predicted that during the next two or three years a "truly American sys- tem of broadcasting" would develop under the rules, and that competition would be restored and harmony would return in the industry.

Craven Says Main Issue Is Jurisdiction

Just 15 minutes before the com- mittee adjourned Thursday, Com- missioner Craven took the stand. To clear the record, Senator White said he had requested that the com- mittee call Commissioner Craven because he thought it should have the benefit of the minority Commission views.

Commissioner Craven said he did not consider his testimony. He said that in most cases and unfounded criticisms, he and his colleague, Governor Case, felt the majority was "honest and sincere" but that their conclusions were wrong.

Reading a prepared statement, Commissioner Craven said the mi- nority is not crusading on behalf of its views and that the matter of the White Resolution was one solely for the Senate to determine. The FCC, he said, is but an agency of Congress and should not attempt to tell Congress what it should do. He said that personally he would welcome an investigation.

The real issues between the majority and the minority on the FCC, Commissioner Craven said, sur- rounded the question of jurisdiction. He said the minority felt that the majority had "usurped power" in adopting the regulations. Agreeing there are abuses in radio which need correction, Commissioner Cra- ven declared he felt there should be at least four independent network- ers, each operating in "stern competition", inferring that he thought NBC should divest itself of one of its networks. But he added he did not believe that mo- nopoly exists in broadcasting and he said that a case of being criticized, later on will be congratulated for its position.

In conclusion, Mr. McCosker predicted that during the next two or three years a "truly American sys- tem of broadcasting" would develop under the rules, and that competition would be restored and harmony would return in the industry.

Wheeler and White Join Colloquy

Senator Wheeler interrupted the former Naval officer to ask him about his views on exclusive con- tracts and whether the FCC had jurisdiction to deal with them. Commissioner Craven said that such matters should be treated in specific instances under the Com- mission's function, on renewals of licenses, to review past perform- ance and in situations where the rules apply. However, he said, the Commission is "finding them guilty of violation of the anti-trust statutes".

Senator Wheeler, however, agreed with Comdr. Craven's view, asserting that the Commission, in its rules, "put the cart before the horse" by going into things not specified in the Act. The Act gives the Commission authority to revoke licenses only after a final ad- judication of guilt on monopoly grounds, he said.

White Says Power Not Given by Congress

The trouble with the Commiss- ion, Senator White asserted, is that it is undertaking to usurp what it regards as monopoly in broadcasting, and then has pro- ceeded to determine whether the principals are guilty of monopoly. The Commission has "reversed this thing", he charged, without any safeguards, by using the broad public interest clause.

Senator Brooks, held there was a disposition on the part of the FCC to bring in regulations declaring that all stations shall not do certain things, particu- larly since the regulations would apply with equal force to all con- cerned.

Senator White said Congress did not presume to give the Commis- sion such rights. It was never in
the mind of Congress and it is not up to the legislative branch to define monopoly, he held. He reiterated previous views that he would like to see new legislation declaring in specific terms what the Commission can do on chain broadcasting.

Answering Senator Tobey, Commissioner Craven said he thought the Commission should have made legislative recommendations to Congress, rather than adopt the drastic regulations. Two courses were open, he said. One was to ask Congress for the power, and the other, if the anti-trust statutes were affected by the matter to the Department of Justice.

Backdoor Method Criticized by Craven

Comdr. Craven made a strong plea that Congress tell the FCC in the form of new legislation precisely what authority it has over business aspects of broadcasting. The committee listened rapitly to his strongly expressed views and was evidently he made a favorable impression, and succeeded in exploding many of the notions advanced by previous witnesses in favor of the rules.

"We cannot believe Congress intended to give this Commission such broad powers," he stated. Referring to a recent address by Senator Wheeler during the lease-land debate, he quoted the committee chairman as having said that the FCC "has put constructions upon a law (FCC Act) which were never intended by Congress."

He added that the FCC should use its license renewal review powers rather than "usurp" functions not given it, Comdr. Craven declared the Commission cannot undertake to use the "back door when we are forbidden to do it by the front door". He relied heavily upon the Supreme Court decision in the Sandeers case, as curtailing the FCC's authority to invade business practices of stations.

Disputing the view of Senator Tobey that the FCC has the power to determine what constitutes a monopoly, Commissioner Craven said he thought the regular

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in which competition among competently managed networks will be replaced by an unwholesome conglomeration of local monopolies in the various towns and cities of the nation". He said the incentive would be removed for origination of sustaining programs and that the American broadcasting idea would be plucked from the "known of good service to the unknown in which all the consequences cannot be foreseen".

The Time Issue Aroused Concern

Senator Clark reopened the question of equality of time on public issues, aside from the political section of the Act requiring that equal time be given political candidates for public offices. Commissioner Craven said he knew of the complaints and would advance a recommendation that Congress extend the principle of Section 315, on political broadcasts, to other controversial issues.

He pointed out that this subject has arisen in Commission meetings, with strong sentiment for certain kinds of censorship.

There appeared to be unanimity among committee members that Section 315 should be extended. One
of the highlights of the hearings developed when Senator Clark asked Commissioner Craven whether he thought the existing law should be revised. He pointed out that the White Resolution called only for a review. He asked whether Commissioner Craven thought it desirable to hold the White Resolution in abeyance while Congress immediately considers a bill looking toward hearings and writing of a new law, with "reasonable studies" granted by the FCC. Commissioner Craven said he thought such a move would be helpful but that it was within the province of Congress and not of the FCC to determine its legislative course.

Senator Clark said he thought the whole matter should be approached from a broader aspect than contemplated under the resolution and that if the law should be revised, the matter of controversial broadcasts should be taken up at sessions after the summer, since there appeared to be a "dull summer ahead." A Senate subcommittee might then go to work on a bill looking toward revision of the law and not unduly hold up the regulations.

'Bkitskrieg' Tactics
In Adoption of Rules

Senator White said he had a draft bill prepared but introduced the resolution because he saw no immediate prospect of legislation. He declared that his position throughout was that the FCC's rules was one that made it highly desirable that Congress hold up the regulations to write a new law.

He declared the chairman should suggest to the FCC that it hold up the regulations until Congress has a reasonable chance to consider legislation. "I think the whole problem would be solved," he said, in urging Senator Clark to "work on the chairman."

Commissioner Craven told the committee how the new rules were "bulletproof" and defended the FCC. He said the rules were received about 18 hours before the meeting at which the final vote was taken and that he was sick at the time. Declaring the rules went beyond the ideas contained in the report, he said there had been "no real discussion of the rules," whereas he felt on a matter of such importance the Commission should have gone over every word and all of the punctuation.

Commissioner Craven expressed surprise at the special treatment of his speech during the deliberations of the FCC. He said he was not informed of the FCC until he was called before it to explain the matter. He said that at least one member (Thompson) felt the time-option ban would create an impossible situation. He said he was very likely the only one when a group of men without industry experience tell broadcasters how to run their business.

Commissioner Craven referred to the super-power situation of several years ago as analogous to the position now taken by the FCC majority.

He said he favored super-power as an engineer because he felt it would provide necessary service to under-served rural areas, but that when balanced against social and economic factors, he voted against superpower, feeling that the coverage advantages granted by other considerations.

Asserts Rules Would Foster Monopoly
The same concept holds under the monopoly regulations, he declared, because rather than make for free competition, the rules would foster monopoly, calling attention to the fact that it was "strongly worded" and that Commissioner Craven had voted for it.

The witness said he voted for the resolution on the theory that the FCC has the power to "study and investigate" but not the power to enforce regulations when they contravene the law. Recommendations should have been made to Congress or the monopoly matter turned over to the Department of Justice, he said. He said he thought the regulations were beyond the scope of the order.

Senator Wheeler agreed the Commission should not usurp power, but that in his view the question was whether it actually exceeded its authority in adopting the rules. He agreed the law is not entirely clear and that the Department of Justice might think the Commission has the right to do under the statute.

He said he thought there was a question as to the Commission's authority in adopting the committee's recommendations on whether Congress should go ahead with new legislation and hold up the regulations until a new law is passed. It may be that there's no "legal sessions" before Congress can complete the job, he declared.

Best Stations Would Get Advertising
Commissioner Craven said he thought Congress should "think twice" before it gives the FCC the power to control a medium of public expression such as radio. The question of censorship repeatedly has been discussed, he said, and he felt Congress should specify the bona fide stations upon which the FCC should operate.

Elaborating on previous views on business aspects of broadcasting under the rules, Commissioner Craven said he predicted that advertising inevitably would gravitate to the best stations in each market. He agreed with Senator Wheeler that the networks should be encouraged to give better deals to smaller stations, since local self-expression must be preserved.

Senator Wheeler felt this service should not be forced by law but cooperatively, taking into account the question of reduction of telephone line charges.

Commissioner Craven said the FCC had not made an adequate canvass of the long-line rate structure, though it has the power to regulate the AT&T. He agreed the Commission's action was more remedial this situation and concurred in the view that the best result might be procured if the networks, AT&T and the FCC sat down together and the overstations would also advocate "a little pressure on this".

Recalls MBS Fear Of Transcontinental
Revision of present proposals barring point-to-point shortwave facilities for network relays was advocated by Commissioner Craven as one possible solution to the long-line rate problem.

Sharply disagreeing with MBS, he recalled that several years ago a high official of that network came to him to protest the threat of the "Roosevelt- headed Transcontinental Broadcasting System," which allegedly was "raiding MBS affiliates." He said he took the position that the network had advocated the "raider" because the "raider" did not have broadcast experience and that networks which defected would return to MBS. MBS then went after exclusive contracts, he said.

Even the majority, Commissioner Craven declared, held in its report that the MBS operation could not be completely solved by the problem, and he recognized that the co-ventures with MBS is the same as the other networks. He described MBS as being "just a little hungrier because of its situation," he said.

He added that he always felt that the powerful owners of the MBS key stations were capable of taking care of themselves.

Commissioner Craven did not think it possible that a listener in MBS in the long run; that it would mean something to the owners but not the smaller stations. He again alluded to the superpower principle and brought out that "while the advocate superpower on the one hand as not constituting a monopoly, but took a diametrically opposite view in connection with the current rules. He said smaller stations on MBS would "go out the window," since they would be unable to compete with the best outlets in the major markets. MBS, he said, "wants to go to any station whose time is not being sold and have us want to go to the best stations, too."

Compliance Based on Fear of Repraisal
Senator Clark said he was impressed by these arguments and would have to think about the working effect. Commissioner Craven said promptly that the rules would not function in the manner outlined by Chairman Fly and MBS. The rules, he said, "force compliance through fear of reprisal!" They also would give the chain companies "a whip hand over affiliates," he declared. He said the effect of the rules would be to emphasize commercial programs at the expense of public service features.

Declaring he had always advocated as many national networks as the traffic would bear, plus healthy development of regional networks, he predicted the rules will have an opposite effect. He reiterated his views of the preceding day that there should be at least four national networks to contend for competition, developed on a sound economic basis and made up of independent stations.

Pointing out that under existing standard broadcast allocations horizontally competitive service cannot be afforded, he said such a development might be possible with FM. Under the present structure, he felt station licensees should have a greater voice in the formulation of the policy of the networks. Affiliates perhaps should have representation on the boards of the networks, he said.

Maegregor to C-P-P
GEORGE P. MAEGOR, former advertising manager for Colgate-Palmoce- Peet Co., was named advertising manager for Colgate dental cream, Cashmere Bouquet soap and toilet- rine, and/Say-Compton Adv, New York, has joined Colgate-Palmolive- Peet Co., where he was named advertising manager for Colgate dental cream, Cashmere Bouquet soap and toilet- rine, and/Say-Compton Adv. According to Hugh McKay, C-P-P advertising director, "As Advertising for Super Suds, Col- gate toothpowder and shaving cream, we have a wide soap line and Halo shampoo is directed by Sav- ington Crampton, former radio dis- trict manager for the food office of William Esty & Co. Robert E. Healy continues in charge of advertising for Palmolive soap, shave cream, soap, products, Keele and Cue.

Rich Heart Test
RICH HEART CHICAGO Co., (Rich Heart flour), approaches July 1 with a five-weekly quarter-hour test campaign on WMBD, Peoria, Ill., using the transcribed program "Wrap-Up," in a contract signed 13 weeks after which it is expected the sponsor will place this show on a national network. Newly appointed agency is Lane, Benson & McClure, Chicago.

Page 50 June 10, 1941 BROADCASTING  •  Broadcast Advertising
URGES 5-YEAR CENSUS
MOVING to expedite the supplementary survey activities of the Census Bureau, at the same time clearing the decks for a comprehensive census study of the entire industry, Senator Bailey (D-N.C.), chairman of the Senate Commerce Committee, last Wednesday introduced a bill (S-1627) providing for a quinquennial census of industry and business, starting in 1945. The five-year census studies in the manufacturing and business fields would be conducted at the same time rather than at two and five-year periods, respectively, as provided under present law. The Bailey measure is strongly backed by the Census Bureau, and speedy action is expected in view of the proposal's indirect defense aspects.

Plan Grove Shows
FREEMAN KEYES, president of the Russell M. Seeds Co., Chicago, and his assistant, H. J. Richardson Jr., are currently on the Pacific Coast completing arrangements for the Sherlock Holmes series, sponsored by Grove Labs, St. Louis (Bromo Quinine), which started the air Sept. 28 over NBC Red. While there they will negotiate with talent for a new set-to-coast show that will emanate from Hollywood this fall. The sponsor or network has not as yet been released.

JERGENS DRAMA
ANDREW JERGENS Co., Cincinnati (Woodbury's face cream and powder), on July 2 replaces the two-quarter-hour programs, Tony Martin From Hollywood and How Did You Meet? in the Thursday 8:30 p.m. period on 66 NBC-Red stations with a half-hour dramatic show, The Adventures of the Thin Man. Agency is Lennen & Mitchell, New York.

Ten-B-Low Spots
TEN-B-LOW Co., Columbus, O. (ice cream mix), recently started a series of 231-weekly one-minute transcribed announcements for 10 stations. Stations being used are WBNS WBZ - WBLA WCAU WCBS WHO WOIO WJSF WSPD WTTAM. Agency is Ralph H. Jones Co., Cincinnati.

Dave Rose, musical director of the Don Lee Network, and conductor of two MBS programs, Adventures in Rhythm and California Melodies, and Judy Garland, movie star, were married June 15.

PROFESSIONAL DIRECTORY

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PAUL F. GODLEY
Consulting Radio Engineer
Box 11-615, 1200 24th St., N.W.
Washington, D. C.

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Consulting Radio Engineer
Munsey Bldg., District 8456
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McNARY & CHAMBERS
Radio Engineers
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Frequency Measuring Service
EXACT MEASUREMENTS
ANY HOUR—ANY DAY
R.C.A. Communications, Inc.
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RAYMOND W. WILMOTT
Consulting Radio Engineer
Designer of First Directional Antenna Controlling Interference
Bowen Bldg., Wash., D. C. or DI 7417

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Advertise in BROADCASTING for Results!
TRANSMITTER STAFF of WOR, New York, demonstrated their abilities as chefs, teachers and ball players June 7 when they were host to nearly 50 members of the WOR staff at the station's 50,000-watt transmitter in Carteret, N. J. J. R. Poppele, WOR chief engineer (extreme left), conducted the guests on a tour of the transmitter, after which the visitors trounced their engineering hosts at soft ball.

Join Blue Network

WHMA, Anniston, Ala., has joined NBC-Blue Southern Group as a bonus outlet and on June 21 WINC, Winchester, Va., will become a bonus station on the Basic Blue. Both stations operate full time with 250 watts, WHMA on 1450 kc. and WINC on 1400 kc. Cut-in announcement rates for each station are $6 per evening program and $3 per daytime program. WISH, Indianapolis, will not join the Basic Blue until July 1, because of delays in the installation of its equipment.

Pillsbury Returns

PILLSBURY FLOUR CO., Minneapolis, out of network radio for several years, early in September will start a 10-10:15 a.m. program, to be heard Thursday through Sundays on NBC-Blue. No further details have been released. Me. Comt-Eriekson, Minneapolis, handles the account.

AUGUST 25

(KFJW, Grand Forks, N. D., New-timer and modification of license to operate special hour to be 11 a.m. to 9 p.m. NEW. Dallen LeMasurier, Grand Forks, N. D.-CP 1460 kc 500 w N 1 kw D specific hours.)

The compression cone, of electrical porcelain, is used in service as the most satisfactory design to carry the mechanical and electrical loads imposed on antenna structure insulators. And by curving the sides, Lapp engineers doubled the strength of this “teacup to hold a million pounds.” In 20 years, no antenna structure has ever failed because of the failure of a Lapp porcelain part.

Network Accounts

All Time EDS/Un otherwise indicated

**NEW BUSINESS**

ALBERS BROS. MILLING CO., Seattle (floor), on July 1 starts for 14 weeks Kellenber edits the News on 11 NBC Pacific and North Mountain-Red network stations, Tues., Thurs., 10:15-11:00 p.m. Agency: Erwin, Wasey & Co., Seattle.


**RENEWAL ACCOUNTS**


LEVER BROS. Co., Cambridge (Lifebuoy soap), on July 27 renews on 71 CBS stations, Thurs., 10-10:30 p.m. Agency: McCann-Erickson, Minneapolis.

PETER PAUL Inc., Oakland (candy, gum), on July 16 renews Bob Garrett Reporting on 4 CBS Pacific stations (KNX KARM KSFJ KIRO) with KOIN to be added in September, Mon., Wed., Fri., 4:45-5:05 p.m. (EST) Agency: Buescher, Davis & Staff, San Francisco.

P. Lorillard Co., New York (Beechnut Cigarettes), on July 6 renews Don't Be Personal on 6 CBS Pacific Coast stations, Sun., 8:30-9 p.m. Agency: Lauen & Mitchell, N. Y.

**NEW Turner Mike**

TURNER Co., Cedar Rapids, Iowa, has announced the addition of a new cardboard to its line of microphones. The Turner Cardioid uses a two-element generator to obtain cardiod characteristics: it consists of a ribbon velocity element and a dynamic pressure element, combined through a specially designed transformer network that properly mixes the two elements to obtain high sensitivity to sounds originating in front of the microphone, and extremely low sensitivity to sounds originating to the rear of the mike.
AN INTENSIVE nationwide program of spot announcements is scheduled to introduce the new Philco line. Sayre M. Ramsdell, vice-president in charge of public relations, has announced that the company is launching the largest advertising and merchandising campaign in its history, with special emphasis on a transcription series on 400 stations throughout the country.

Mr. Ramsdell outlined the intensive program of spot announcements at Philco dealer meetings held recently in Atlantic City and Del Monte, Cal.

The radio campaign, to run on a cooperative basis with dealers and distributors sharing in the cost, will consist of musical jingles ranging from one to two minutes as a feature of the Broadcast, Television, and Telephony Corp., under the direction of Murray Grabhorn. Already in progress for the past two years in cooperation with the Manufacturers Association of Philco, the campaign will eventually run on 400 stations in 17 different jingles weekly.

Talent includes Erskine Butterfield's orchestra, the Kay Thompson Singers, the Johnsons, the Mitchell Cowboy Group, Hugh Martin Group and Frank Gallup. Commercials advertising the Philco line of radios will be interspersed in the middle of the jingles, and local announcers may fill in the last few seconds of the transmissions with special station jingles.

Staff to WZB-WBZA

E. F. STAFFORD, former New York newspaperman and radio script writer, has been appointed publicity manager of Westinghouse Station WZB, Boston. Stafford will also head the publicity department of international shortwave station WBOS, Boston.

Grove Spot Plans

GROVE LABS, St. Louis (Bromo-Seltzer) is completing, through J. Walter Thompson Co., New York, a schedule of spot announcements on an undisclosed number of stations.

Court Dismisses Action Of NBC Against MBS

ACTION brought by NBC against 20th Century Sporting Club, Gillette Safety Razor Co., Boston, and MBS was dismissed July 12 in New York Supreme Court by Judge Lloyd Church, thereby ending the litigation over the broadcast rights to boxing bouts held in Madison Square Garden during the 1941-42 season.

Gillette and MBS signed with 20th Century and Mike Jacobs for the bouts March 18, after which NBC claimed that made a prior oral contract for the fights. This claim was denied by Mike Jacobs in his answer to NBC's complaint and in testimony given before the trial. A motion was made by the defendants to dismiss the complaint on the grounds that the contract sued upon by NBC violated the statute of frauds as it was not in writing. The motion was granted by Judge Church, who stated that such a contract had to be in writing.

Callahan Gets Post

VINCENT F. CALLAHAN, former manager of WBZA, Boston-Springfield, has been named chief of the press section for the Treasury's Defense Savings Staff. Mr. Callahan, who already heads the radio section of the bond drive, will have charge of all newspaper and magazine publicity for the bond and stamp drive.

Baukhage Honored

HEADED by Vice-President Wallace and Secretary of the Treasury Morgenthau, more than 100 members and guests attended the second annual dinner of the Radio Correspondents Assoc. last Wednesday at Burning Tree Club, near Washington.

Many members of the House and Senate, including Speaker Sam Rayburn, were present to see H. R. Baukhage, NBC Washington correspondent, installed as president, succeeding Albert Warner, CBS Washington reporter. Mr. Warner (left) is shown congratulating Baukhage while Vice-President Wallace looks on.

Entertainment, furnished by NBC and CBS, featured two new Irving Berlin songs "Any Bods' Today" and "Arms for the Love of America", written for the Treasury and the Army Ordnance Department. Mr. Berlin, who was present, sang a verse of his number "God Bless America".

Billey CRYSTAL UNITS

Guaranteed Accuracy...

Billey precision-made Crystal Units are supplied for all frequencies from 20Kc. to 30Mc. Catalog G-12 contains complete information.

Billey Electric Company
UNION STATION BUILDING
ERIE, PA.
RMA Will Ask Better Rating To Solve Production Problems

Motorola Executive Praises FCC Chairman Fly; Signal Corps Official Calls for Speed

DEEPLY INCENSED at the priority rating given the radio industry (now B-7, or 29th in the list of 30 available ratings), the Radio Manufacturers Assn, at its 17th annual convention and general meeting held June 12-13 in Chicago, unanimously prepared to do everything in its power to work toward not only a better rating but special priority consideration for manufacturers of replacement transmitting and receiving components.

For some time an RMA Priorities Committee, headed by Paul V. Galvin, president of the Galvin Mfg. Corp., Chicago (Motorola), has been functioning. This committee's scope, already wide, will be extended with full cooperation of the industry.

James S. Knowlson, chairman of the board and president of Stewart-Warner Corp., Chicago, was re-elected president of RMA for 1941-42. All other officers were also re-elected with the exception of one vice-president. They include—Bond Geddes, Washington, executive vice-president and general manager; vice-presidents, Paul V. Galvin; Roy Burlew, Ken-Rad Tube & Lamp Corp., Owensboro, Ky; H. E. Osmun, Centralab, Milwaukee; James F. Quam, Quam-Nicholls Co., Chicago. The last-named replaced Donald MacGregor of the Webster-Chicago Corp.

Only two changes were made in the board of directors, which numbers 24. Ray Congrove, of The Crosley Corp., Cincinnati, replaced Pcwll Crosley Jr., and E. F. McDonald Jr., president of the Zenith Radio Corp., was re-elected following his reinstallation as a member of the RMA. Last year Mr. McDonald withdrew from this organization, only recently rejoining.

Mr. Knowlson warned manu- facturers they are under a cloud of Government disfavor. Radio, he said, has been classified as a "non-essential" industry and "ranked midway between toothpaste and hair tonic."

Mr. Galvin urged that the association try to get radio out of its B-7 luxury classification. Both speakers reiterated that radio is a potent weapon of national defense and deserves recognition by the Government as an essential industry.

While Mr. Galvin lashed out at bureaucrats in Washington, Mr. Knowlson paid tribute to the FCC for its cooperation and under- standings. He acclaimed Chairman Lawrence J. Fly, chairman of the FCC, as an "extremely simple-minded and cultured gentleman" and "a person of acute perception and marked ability." Mr. Knowlson said he expected, but did not find, Mr. Fly to be "a muckraking, flag-waving political type, who would overwhelm me with cheap patter."

The friendly attitude of the Chairman was reflected, he said, in a program to the RMA expressing regret at being unable to be present because of the Senate committee hearings on the monopoly report. He spoke of the high hopes he held for television "not in the distant future, but immediately"; he added that he hoped radio would not have to make new sacrifices for defense but that the industry must be prepared to make them.

Mr. Knowlson congratulated the FCC for giving television the green light, approving the National Tele- vision Standards committee recom- mendations, and added that he expected "television is going to be a service that outrivals radio."

Use of Substitutes

Government priorities, Mr. Gal- vin told the RMA, will be the No. 1 problem not only for radio, but for all civilian industries until the present emergency is over. He warned against unneeded inventories and urged a more serious consideration to substitutes. He demanded that further explorations be made as to the possibility of using steel in condensers and at other points where aluminum is deemed vital.

Mr. Galvin urged appointment of a joint engineering committee in the radio industry to explore sub- stitute materials. The industry, he stated, is in contact with Federal authorities on nickel, zinc, copper, and, very particularly, aluminum. As a result of these contacts, he said, a plan has been worked out to allocate aluminum supplies to the various manufacturers, in which regulation would be conducted by the aluminum administrator's office. This plan is now awaiting the legal approval of the OPM and the Dept. of Justice—a necessary preliminary, he said, "because it calls for very definite inter-industry regula-

John W. Van Allen, general counsel of RMA, discussing "Legal Problems of National Defense," said many suggestions that had been made to speed national de- fense orders could not be used because of laws still on the statute books.

Cooperation Urged

Col. Thomas L. Clark, chief procurement officer of the Signal Corps, in charge of the Chicago office, prophesied that in a year, or thereabouts, the radio industry would be over the peak in its de- fense deliveries. He suggested that in bidding on defense orders one manufacturer become the prime contractor, allocating to others in company. Further, he urged pooling of engineering resources and warned manufacturers that all but one were behind in deliveries. One company had 2,000 sets ready to go to the corps, but that no condensers were available, he said, insisting that bottlenecks could be cleared if a greater unity of purpose were manifested.

Independent MBS Body Is Dissolved

Cisler Says Clarification of Issues Reached With Weber

DISSOLUTION of Independent Mutual affiliates, formed in mid- 1940, at the St. Louis NAB Convention, was announced by MBS last Thursday in Washington. The move was revealed in a memoran- dum sent the preceding day to all MBS affiliates by Steve Cisler, general manager of WGRG, Louisville, and IMA chairman.

The action in disbanding the group, which grew out of dissatisfaction of MBS affiliates over the network's negotiations with ASAP, resulted because of insufficient membership and a clarifi- cation of affiliation representation on the MBS operating board, according to Mr. Cisler. The clarification was developed in conversations with Fred Weber, MBS general manager, and it was revealed [BROAD- CASTING, May 19, 26].

Little Fault Found

"We also believe that Mutual stockholders were justified in clos- ing a deal with ASCAP for network programs," Mr. Cisler declared in observing that with exception of the music situation, few affiliates had found fault with the MBS method of operation. He pointed out also that two affiliates—Eugene "O' Fallon, of KFEL, Denver, and Wil- liam B. Bolph, of WDL, Washing- ton—sit on the MBS operating board and are unable to transmit to the board any requests or recom- mendations that should come before the stockholders.

"Of course, Fred Weber has al- ways been readily accessible to every Mutual affiliate for discus- sion of personal affiliation problems that he can help settle," Mr. Cisler continued. "I see no reason why programs being MBS could not be taken up through their respective offices, provided Mr. Weber is unable to handle them first."

One such confidence is in Mr. Weber that Mutual will continue to operate along progressive lines," he concluded.

Brewery on 16

GENERAL BREWING Co., San Francisco, on June 9 started a spot announcement campaign for the summer months on 16 California stations. Thirty-five and 50-word time signals are being used, both day and night, six times weekly. Agency is McCann-Erickson, San Francisco. The station list: KTKC, KVPX, KFPS, KVTI, KDON, KTMS, KIEN, KERN, KMJ, KOH, KFBK, KKO, KYCV.

Junket Spots


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"Yes sir! I'm Old Doc Quiz . . . and if you Answer Every Question Right, You Get a Prize!"
RADIO CITY MUSIC HALL, world's greatest theatre, calls on virtually every modern acoustic development to distribute high-fidelity sound to audiences of 6,200. A few years ago, such theatres were acoustically impossible. Modern microphones, amplifiers, loudspeakers provided the answer.

RCA Laboratories have contributed much to the modern science of Acoustics.

BACK IN 1924, when a thin, tinny squawk from a gooseneck loudspeaker was radio's highest reward to the patient broadcast listener, RCA saw the need for perfecting quality sound reproduction. Leading acoustic engineers were put to work in RCA Laboratories, to improve loudspeakers, microphones and broadcasting and recording techniques.

From their research emerged, in 1926, the first cone loudspeaker — and in 1928, the first dynamic speaker. Two years later, with the development of the RCA Velocity Microphone, radio programs attained a quality capable of pleasing even the most musically-critical audiences...

**By-Products of Radio Research**

But out of the RCA research that made possible a higher standard of broadcasting and greater realism in reception, came also many other achievements in the field of acoustics... RCA Laboratories produced the electric phonograph pick-up, that made possible today's higher-fidelity record reproduction; they created the special microphones, amplifiers and reproducers for Public Address Systems, used in auditoriums and super-theatres such as the Radio City Music Hall; they gave the movies a "voice," Photophone; and, just recently, developed RCA "Fantasound," the new recording technique that gives the amazing three-dimensional stereophonic effect to the music and voices of motion pictures...

Today, thanks to RCA research, the science of acoustics has come of age! Human voices and the great music of the world now vault the barriers of time and space... and lose virtually nothing in the process.

RCA LABORATORIES

A Service of the Radio Corporation of America

Other RCA Services: RCA Manufacturing Company, Inc. • Radiomarine Corporation of America National Broadcasting Company, Inc. • R.C.A. Communications, Inc. • RCA Institutes

CLEAR Voices—through Radio Research!

In the 'twenties, a "loudspeaker" looked like this. Its iron diaphragm rasped out a thin gargle that bore little resemblance to the original program.

Millions of families today enjoy—even on receivers costing as little as $9.95—life-like tonal reproduction that a few years ago was unattainable at any price.
"THANK YOU, RADIO"

A tribute delivered to radio on the Westinghouse "Salute to WBAL" program, a pre-opening feature of the New WBAL.

When the wars and wicked days of this epoch are noted down for the unbelieving eyes of those who will follow—pray that the recorder will temper the dark pages with some mention of that which shines bright and clear.

Let him say a word concerning radio.

Let him tell of the genius of a generation which brought forth a miracle of goodness.

Let him not pass by the names of Conrad, Marconi, de Forest, Armstrong. And let him remember the later men, who—thinking always of the people—took the infant miracle and gave its benefits to the million-masses who inhabit the far-flung reaches of the earth—the people in every class—the populations in all climates.

Thank you, Radio. Thank you for the change, the challenge, the cherished freedom which you help us to preserve.

Thank you for your voices of inspiration. Invoking invocations, benedictions and hallowed miracles. Revealing God's own World in Man's own words.

Thank you for your voices of Democracy. Pegging History to its milestones. Ripping passages from their contexts. Sounding off with foolishness or fury. Or Sagacity or Sayings.

Thank you for the voices of your actors. Breaking sentences in half. Stabbing hearts with jagged dagger-words. Telling tales of triumph. Weaving tragic Tapestries of Drama.

Thank you for your voices of Enlightenment. Smashing walls of steeped up ignorance. Documenting eager minds with symbols of the truth. Concocting progress with Ideas.

Thank you for your voices of Merriment. In gladsome gales of laughter. To lighten up a darkened world. With jokes and jollity. And what they call frivolity.

Yes, thank you for your voices and your Music and your sweet-mingled sounds of life as we love it and believe in it and want it for ourselves and for our kin and kind. Thank you, Radio. Thank you!

WBAL
50,000 WATTS
BALTIMORE
ONE OF AMERICA'S GREAT RADIO STATIONS