week, above their salaries of $25,000 to $50,000 a year. The broadcasters know this. It is that flagrant.

Rebuttal • Mr. Lazar did not document his charges. At least one record promoter, Bob Stern of Hollywood, who represents close to 500 performers, says the committee asking for a chance to refute the testimony but never got a reply, let alone an invitation to appear.

It is Mr. Stern's contention that competition if nothing else has kept Los Angeles and many other markets clean: If one deejay is dominant in a city, perhaps he can afford to take payola, but in a market like Los Angeles no one jock (or station) is so powerful that he (or it) can take the risk. The deejay who knowingly plugs bum records, Mr. Stern reasons, isn't going to keep an audience loyal to a station.

"There may be payola but there's no dictatorial pay-off," he contends, meaning that deejays aren't paid to play specific records. He acknowledges that at Christmas time "we show our appreciation for what they've done in the past year," and maybe if a jock's wife is in the studio while her bill might be paid. "But we never pay them to play any certain record," he declares.

Season's Greetings • This point of view does not conflict with the sizeable body of opinion which holds that record promoters can be as thoughtful as other businessmen—giving Christmas. It is only consistent with the spirit of the occasion, aside from prudent business, to remember one's friend and repay past favors. And it would be gross ingratitude if the remembrances were not accepted in the spirit in which they were given. In all this camaraderie and seasonal good will a considerable lot of merchandise changes hands, and this is not denied any more than in any other business.

But sometimes the spirit of fellowship gets out of control and gifts are passed that seem to tax the limits of ordinary generosity. The Christmas wrappings may even yield up a car or a boat among the other geegaws. And it is said that some deejays have become so hardened to such things that they have been known to suffer temporary lapses in their manners. A classic example is the jock who, as such legends go, received a color TV set and promptly called the donor, not to express gratitude but to break the news that "it's too bad that I can't use it where I live without spending $150 for a special antenna installation."

Report from L.A. • One of the principal recent contributors to the body of existing literature on payola is KPOL-KABC-TV's Mr. Irwin. His broadcast breaking the story of the would-be payola "alliance" a couple of weeks ago was one in a series he has devoted to the subject over the past few months.

One recent guest was attorney Lazar, who this time was a little more specific about the source of his information than he had been in his congressional testimony.

"I know of instances among my own clients where payoff exists," he declared. "I know it exists because I know of individuals that pay individuals all over the country for it."

Payola, he said, can take many forms—$50 or $100 bills enclosed with records, or cookies, a suit of clothes. A jock in an "influential position," he hazarded, can add $50,000 to $150,000 to his salary via payola. He viewed it as a "national" problem, asserting that there are perhaps 20 to 25 "key situations" where top 40 records are made and where, therefore, the deejays are much more apt to be pressured. "Many of these disc jockeys do take payola," he charged.

Writers and Publishers • Mr. Lazar also contended that songwriters and music publishers are culprits in the payola game. This is part of ASCAP's standing charges against BMI. In the case of an "honest-to-goodness songwriter, a person who writes a good song," Mr. Lazar contended, payola is necessary or "his music will not be heard, and if it is not heard it can never be a hit."

"Music publishers themselves testify that radio stations will be even more important to them than to recording companies, because they get more than half of their revenues from performance credits."

In another broadcast Mr. Irwin maintained that payola is paid "not for the sake of selling records, but for the sake of deceiving the Internal Revenue Bureau."

He quoted an unidentified recording company official as contending that gangsters control jive boxes which they cite as source of revenues that actually come from illicit operations. To make their jukebox business look good, he asserted, they produce records and promote them into hits via payola.

Another Irwin guest, Wolfe Gilbert, West Coast director of ASCAP, speculated that "major houses"—he was referring to music publishing firms—are not as guilty of payola as smaller and newer ones. This concept seems to be generally accepted, not universally shared, with regard to payola charges against recording companies.

Dick Whittinghill, KMPC Los Angeles deejay, and Al Jarvis of KFWB Los Angeles, one of the first of the nation's deejays, also have appeared on Mr. Irwin's program.

Mr. Whittinghill said that he had been "approached by a couple of song pluggers, and the head of a record company, and they've offered me anything from putting a pool in my house to re-roofing the house, and [there was] one incident with cash." But he said he knew for a fact that "no one at KMPC is taking it [payola]." We're known as a very clean station. We get enough decency—there they pay us a pretty good salary. There's no reason for us to resort to anything as low as that." His judgment of the payola business: "It stinks."

Mr. Jarvis said "some" distributors engage in the practice and "some" don't. "I think the bigger ones do," he added. But he contended that nobody has to pay for plays of a first-rate record—and "I don't think that any first rate disc jockey," he said, "intentionally plays second-rate records." Even if a station permits the deejay to pick his own records "he still must play to please his listeners."

A Case of Good Will • If anyone had any doubts about the importance that record makers attach to radio he should have attended the deejay convention sponsored at Miami Beach last spring by the Storz Stations (BROADCASTING, June 1, 8). The number, variety and neatness of the speeches were rivaled by the number, variety and neatness of the extra-curricular diversions set up for the boys by recording companies. Some of the hosts displayed singularly fundamental ideas about recreation, along with seemingly unlimited sources of supply (which some of them are, indeed, said to have).

It is accepted fact that recording companies may be excluded from the next such get-together, but in fairness it ought to be reported that at least some recording executives contended this was by no means the worst display of hospitality they had ever witnessed. "It just got the worst press," they explain in what is probably the biggest understatement associated with that gathering.

Anything but Cash • More direct testimony to the esteem in which influential radio programmers are held by recording people is given by an executive whose company is not a major but is successful and in clean repute regarding payola. "We'll give then anything they want short of money, so long as it doesn't mean demeaning ourselves," he asserts. His idea is not to buy specific plays but to keep his label in favor among as many so-called decision-makers as possible.

At the other extreme is the record pluggers who, according to President and General Manager Robert M. Purcell, once walked into the program director's office at KFWB Los Angeles with this proposition: "I want your 'pick tune of the week' and here's a check for $1,700, which I'm told is your price." When the program director