

BROADCASTERS'



NEWS BULLETIN

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS
NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director.

January 5, 1932

READ THIS CAREFULLY

A careful review of the activities of the past year has proved the desirability of discontinuing such committees as the Commercial, Educational, Agricultural, Engineering, Regional and Local Committees and the establishment in their stead of well-organized sections.

For example, there were upward of 30 applicants for membership on the Engineering Committee and between 30 and 40 applicants for membership on the Commercial Committee. This interest in the work of the Association is gratifying and should be stimulated.

In order that all stations may derive the same benefit from deliberations of groups of the Association it was decided that there shall be established three sections as follows: 1. Commercial; 2. Engineering; and 3. Program.

It will be observed that this classification follows the natural departments of each broadcasting station.

Each member station is entitled to one membership in each of these sections. While it is suggested that the commercial manager be designated for membership on the Commercial Section, that the chief engineer be designated for membership on the Engineering Section and that the program director be designated for membership on the Program Section, it is not mandatory that this suggestion be followed.

COMMERCIAL SECTION

President Shaw has designated H. K. Carpenter, Station WPTF, Raleigh, N. C. as chairman of the Commercial Section. Mr. Carpenter will be charged with outlining the program for this section, the appointment of a number of committees to consider specialized matters, and report at the annual convention the deliberations of this Section along with such resolutions as the Section desires to propose.

It is planned that the Commercial Section hold its meeting at the time of the annual meeting of the Advertising Federation of America. The Association now holds membership in the Advertising Federation of America, and this organization has consented to provide a place in its program for a meeting of the NAB Commercial Section.

The Managing Director will serve as secretary to the Commercial Section.

ENGINEERING SECTION

John V. L. Hogan, New York, has been designated as chairman of the Engineering Section. Mr. Hogan will be charged with formulating a definite program for this section, the appointment of various committees to consider specialized matters, and report at the annual meeting of the Association the deliberations of this section along with such resolutions as the Section desires to propose.

It is planned that the Engineering Section hold its meeting at the time of the annual convention of the Institute of Radio Engineers. Most of the engineers attached to NAB stations attend the IRE meetings anyway and the meeting of the NAB Engineering Section meeting therefore will entail no additional expense to stations.

Eugene V. Cogley, assistant to the managing director, will serve as secretary to the Section.

PROGRAM SECTION

The Program Section will be headed by Edgar L. Bill of Station WMBD, Peoria, Ill. As the Commercial Section absorbs the Commercial Committee and the Engineering Section absorbs the Engineering Committee, the Program Section will absorb both the Educational and Agricultural Committees. Mr. Bill will have charge of outlining the program for this section, will appoint committees to study different phases of program content and presentation and will report the deliberations of his section to the annual meeting of the Association along with such resolutions as the Section desires to propose.

No time or place has been planned for the meeting of the Program Section and it may be necessary to hold the meeting in conjunction with the annual convention of the Association although another date would be more desirable.

One of the tasks which has gone ahead of the organization of the Program Section is the cooperation with the Office of Education, Department of the Interior, in the preparation of a factual study of education by radio. This work is being undertaken by the Association by invitation from the Office of Education and the fullest cooperation of all stations is being sought.

John J. Daly of the managing director's staff will serve as secretary to this section.

OTHER COMMITTEES

The creation of sections does not in any way supplant certain standing and special committees. The Executive Committee, the Legislative Committee, the Membership Committee, and the Copyright Committee are among the standing committees that will be continued. Special committees on Credit Bureau, Cost Accounting, Income Tax, and International Radio, likewise will be appointed to function during the year.

The Ethics Committee will be abolished and the work of this group will be taken over by the Board of Directors. This is proper inasmuch as the Constitution and By-Laws as well as the Code of Ethics itself make the Board the proper body to consider the matter of ethics.

It will be observed that each of the three sections has as its secretary a paid employe of the Association. This is done in order to relieve the section chairmen and committee chairmen of as much of the administrative work as possible.

From the funds of the Association there will be set aside an appropriation to carry on the work of all committees and sections.

In abolishing the Regional and Local Committees it should be borne in mind that the work of each of the three Sections should be arranged to give proper consideration to clear, regional and local channel stations. Stations of different classes have differing problems whether they be in the studio, the engineering or sales departments. It is not intended that the problems of any class of station shall be neglected.

CONCLUSION

This new plan comes as a natural development and is based upon the experiences of the past year. It is believed that it will serve to bring about better cooperation among NAB members and produce profitable results. Furthermore, it will tend to distribute the work more equitably among members and enable the Association to expand its activities.

As pointed out before, each member station is entitled to name a delegate to each of the three sections. It is not obligatory that he name any but the opportunity is made available.

PLEASE USE THE NEXT SHEET TO NAME YOUR DELEGATES TO THE COMMERCIAL, ENGINEERING AND PROGRAM SECTIONS AND DROP IT IN THE MAIL IMMEDIATELY.

Philip G. Loucks, Managing Director
National Association of Broadcasters
National Press Building
Washington, D. C.

Dear Sir:

Our station desires to name the following delegates
to serve on the newly created sections of the NAB.

Commercial Section _____

Title _____

Engineering Section _____

Title _____

Program Section _____

Title _____

Cordially yours,

(Signed) _____

(Station) _____



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director.

January 11, 1932

WE PREPARE TO FIGHT!

The Board of Directors of the National Association of Broadcasters held a special meeting in Washington, D. C. on Sunday, January 10, considered at length the problems confronting American broadcasters and evolved a definite program for their solution.

The meeting, the most enthusiastic ever held by the Association's Board, commenced at 10 a.m. and continued until 6 p.m.

Matters considered by the Board during its all-day session were as follows:

1. The Couzens-Dill resolution to investigate the feasibility of Government ownership of broadcasting stations.
2. Plans of the Federal Government to tax the broadcasting industry.
3. The music copyright situation.
4. Establishment of a bureau of information at NAB headquarters.
5. Attitude to be taken with respect to unfair and untrue propaganda being disseminated about broadcasting in this country.
6. Formulation of a definite program for the Madrid Conference.
7. Foundation of a sinking fund or war chest to actively combat forces seeking to destroy broadcasting by the American plan.
8. Numerous miscellaneous matters.

AMONG THOSE PRESENT

The meeting of the Board was called by President Shaw on Thursday. Before the meeting was called to order on Sunday morning every member of the Board had either sent word that he would be present or could not attend due to the short notice of the meeting. Those present were: President Shaw, Vice President Storey, Vice President Morency, Treasurer Howlett, Messrs. Fitzpatrick, Ryan, (Caldwell), McClelland (Russell), Hedges (Russell) Church, Cummings, McCosker (scott), Lee (Butcher), Carpenter, Craney (Shaw) and the Managing Director.

REPORT OF MANAGING DIRECTOR

The Managing Director reported that arrangements had been made for the annual audit of the books of the Association; that the present membership stood at 174; that the Executive Committee had approved the budget for the current fiscal year based upon a total anticipated income of \$42,000; that in accordance with action of the Executive Committee, sections had been organized in place of certain committees; that the President had appointed committees and that announcements would be made within the next few days; that proceedings of the annual meeting were now on the presses; that certificates of membership and a new issue of the Code of Ethics would be ready for distribution within the next ten days; that the NAB had made an arrangement with the Remington Rand Inc. to supply leather binders to members and that an announcement to that effect had been published in the Bulletin.

PRESIDENT SHAW WARNS

President Shaw then addressed the Board, outlining the purposes for which the meeting was called. The President said he had spent nearly all his time since becoming head of the Association investigating general conditions prevailing in our industry, sounding out the attitude of Congress, and studying the sources of propaganda which is being disseminated against the American Plan of broadcasting.

"This sniping," he declared, "has been going on for a long time and all we have done is shake our heads and talk about it. We have done nothing. We have been content to leave the protection of this industry to a few of our friends in certain places. We have been fortunate. We have been lucky. Not that our friends have failed us. They have done a noble job. And they will continue to work for us but they cannot perform the task which lies before this industry without the unstinted cooperation of every member of this Association.

"The purpose of the meeting," he said, "is to decide whether we are going to give to those who are willing to carry on, the moral and financial support they will need to meet successfully the opposition now in existence.

"I want the Board to sit here and consider these questions," he concluded, "I want this Board to discuss each of these problems separately and arrive at a conclusion with respect to each. I want you to do that if you must stay here all day, all night, and all day tomorrow - all week, if necessary."

PROBLEMS ARE OUTLINED

The Managing Director then reported generally on the present legislative situation. Before the Congress are the Fess Bill to set aside 15 per cent of broadcasting channels for education, the Horr resolution to investigate the Radio Commission, the Couzens-Dill resolution to investigate the feasibility of government ownership, four copyright bills with others in prospect, the Sirovich Bill to transfer the Commission back to the Department of Commerce and the Dill Bill to transfer the Radio Division to the Radio Commission (which has passed the Senate) and other miscellaneous legislation. The Ways and Means Committee of the House next week will begin consideration of a tax bill to raise \$900,000,000 to meet governmental deficit and it appears very probable that the radio industry will be taxed handsomely under this measure. Hearings will commence next week and continue for ten days.

President Shaw pointed out that there is a growing feeling on Capitol Hill that politicians should keep their hands on radio and that this situation certainly was not helping radio.

INFORMATION BUREAU ESTABLISHED

The Board passed a motion creating a Bureau of Information in the Association and authorized the Managing Director to employ Mr. John J. Daly, feature writer and newspaper columnist, to take charge of the Bureau. Mr. Daly will be instructed to commence work immediately.

INVESTIGATION OF RADIO

With respect to the Couzens-Dill resolution requiring the Commission to investigate the feasibility of government ownership of broadcasting stations, the following resolution was adopted:

RESOLVED, That it is the sense of the Board of Directors of the National Association of Broadcasters that

1. The Board welcomes any fair and impartial investigation of the broadcasting industry as an opportunity to demonstrate that the American Plan of competitive broadcasting, in the hands of private industry, is immeasurably superior to the system prevalent in Europe, of broadcasting stations owned or controlled by governments and supported by heavy taxes on receiving set owners.

2. The Board is ready and willing to place at the disposal of Congress and the Federal Radio Commission any and all records, data and information which it has or which, through its organization, it may be able to obtain, and to this end offers its unqualified cooperation.

3. The Board is confident that in the foregoing it is expressing the views of the entire membership of this Association.

THE DILL AMENDMENT

The Dill Amendment to the Couzens resolution as reported in last week's bulletin is as follows:

8. Since education is a public service paid for by the taxes of the people, and therefore the people have a right to have complete control of all the facilities of public education, what recognition has the commission given to the application of public educational institutions? Give name of stations, power used, and frequency.
9. What applications by public educational institutions for increased power and more effective frequencies have been granted since the commission's organization? What refused?
10. What educational stations have been granted cleared channels? What cleared channels are not used by chain broadcasting systems?
11. How many quota units are assigned to the National Broadcasting Company and the other stations it uses? To the Columbia Broadcasting System and other stations it uses? To stations under control of educational institutions?
12. In what cases has the commission given licenses to commercial stations for facilities applied for by educational institutions?
13. Has the commission granted any applications by educational stations for radio facilities previously used by commercial stations? If so, in what cases? In what cases have such applications been refused? Why refused?
14. To what extent are commercial stations allowing free use of their facilities for broadcasting programs for use in schools and public institutions? To what extent are such programs sponsored by commercial interests? By chain systems?
15. Does the commission believe that educational programs can be safely left to the voluntary gift of the use of facilities by commercial stations?

RESOLUTION PASSED BY SENATE

The Couzens-Dill resolution was adopted by the Senate on Tuesday afternoon, January 12.

BROADCASTING AND TAXES

The various plans which are being rumored for taxing the radio industry were discussed at length and it was decided that the matter should be referred to the Executive Committee for action with a suggestion that the Executive Committee come to Washington at the earliest possible date in order to take part in the hearings, if necessary, next week. The radio portion of the revenue bill will likely be reached January 20 and 21 if not before.

NEW ORLEANS MEETING POSTPONED

The Board voted to postpone until the latter part of March the propose Regional Meeting originally scheduled for New Orleans, La. during February. The seriousness of the problems which the industry faces coupled with the high hotel rates prevailing in New Orleans at the Mardi Gras time contributed to the action.

COMMEND JUDGE ROBINSON

The Board adopted the following resolution commending the work of Judge Ira E. Robinson as a member of the Federal Radio Commission:

RESOLVED, That in view of Judge Ira E. Robinson's decision to retire January 15 from his post of Federal Radio Commissioner in order to resume the practice of law,

The Board of Directors of the National Association of Broadcasters, on behalf of its representative membership of broadcasters throughout the country, expresses its deepest appreciation to Judge Robinson for the splendid record of service on behalf of radio and the public which he has rendered during his four years of stewardship as commissioner from the Second Zone. The Board views his decision to retire from the public service with sincere regrets. To Judge Robinson as a man, a jurist and a public servant, it repeats the assurances of its highest regard and deepest respect and offers its best wishes for continued success and happiness.

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PHILIP G. LOUCKS, Managing Director

January 16, 1932

INVESTIGATION BEGINS

The Federal Radio Commission will begin immediately the investigation of American broadcasting provided for in the Couzens-Dill resolution adopted by the Senate this week.

The first step in this sweeping investigation will be the forwarding of questionnaires to all broadcasting stations seeking information on every phase of broadcasting activity.

The Board of Directors of your Association has adopted a resolution welcoming this investigation as an opportunity to demonstrate to the American people the superiority of our system of broadcasting over that prevalent in any other country in the world.

Much false and misleading information about our system of broadcasting has been circulated in Congress, in the press and even in the public schools, and the investigation, if fairly and impartially made, will do much to prove the falsity of this information.

There is nothing difficult about the situation. There is nothing between broadcasting conducted on a competitive basis through private enterprise and complete Government monopoly and all that the term implies. Furthermore, if the present Radio Act is Constitutional, Congress by the simple expedient of an act could terminate every license now outstanding within six months. But the great mass of radio fans in this country will have something to say before their broadcasting system is fundamentally changed.

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LAFOUNT DISCUSSES INVESTIGATION

"The Commission is ready and willing to make the investigation asked by Senators Couzens and Dill," Commissioner Harold A. LaFount said, following the Senate's adoption of the resolution. "There is no doubt that the advertising and education problems need immediate attention, and the Commission is glad to make the study.

"The advertising investigation will require considerable work and time," Mr. LaFount continued. "In all probability the Commission will mail questionnaires to broadcasters, asking for complete statements of their financial transactions during the last year. After compiling figures obtained as a result of this nationwide inquiry, the Commission will hold hearings in any cases where such action seems necessary. It is likely that the large chains will participate in these hearings.

"In studying the use of radio by educational institutions, a similar procedure probably will be followed. There are several institutions now broadcasting with different methods of instruction. These methods will be studied and analyzed and the results of the investigation compiled.

"These problems need study. They are paramount in the radio industry today. We hope that satisfactory solutions may be reached after the investigations are completed and believe that broadcasters and the listening public will be benefited."

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DAVIS INTRODUCES RADIO BILL

Chairman Davis (D) of the House Merchant Marine, Radio and Fisheries Committee, this week introduced a bill (HR 7716) proposing certain amendments to the Radio Act of 1927.

Among other things the bill provides that the Virgin Island, Porto Rico, Alaska, Guam, Eastern Samoa and Hawaii be excluded from the radio zones; that the chairman of the Commission be elected annually; that no changes in station assignments be made without hearing or with consent; that the present system of hearings be given legislative sanction; that radio towers be illuminated; that transfers of licenses or control of facilities be made only with Commission approval; and that the appeals section be corrected and improved.

The bill proposes the following amendment to the Radio Act with respect to lotteries:

"No person shall broadcast by means of any radio station for which a license is required by any law of the United States, any information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any information concerning any ticket, certificate, or instrument representing any chance, share, or interest in or dependent upon the event of any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of prizes or information concerning any list of prizes awarded by means of any such scheme, and any person so doing, upon conviction thereof, shall be fined not more than \$1,000 or imprisoned not more than one year, or both."

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January 16, 1932

SENATOR DILL DISCUSSES EDUCATION

When the Couzens resolution came up for passage in the Senate, Senator Dill, (D) Washington, radio leader in the Senate made a speech from which the following is quoted:

"American radio is weakest on the educational side," said Senator Dill, in introducing his amendment, on the floor of the Senate. "The Radio Commission in interpreting the words 'public interest' - and some one has called them the 'magna charta' words of the radio law - has interpreted those words too narrowly by over-emphasizing the part played by advertising over the radio. Judging from their grants of licenses and their refusals of licenses, the Commission seems to take the view that the 'public interest' is best served when stations whose owners have large amounts of money and are able to put on popular programs are given the cream of the radio facilities. I am sure the answer to these questions will show that again and again educational stations have asked for better wave lengths, for permission to use more power, and to have time upon wave lengths that would be desirable in the States where it was asked for, and that the Commission has refused those applications.

"It has given as the reason generally that the educational station is not prepared to use all the time or is not prepared to give the programs that the public desires and similar reasons, when it seems to me that the Commission should have taken into consideration the fact that there is a large percentage of the public that would welcome more education by radio. It might well do something to develop a love of educational programs. The Commission should divide time upon cleared channels which it has created in order that more people might hear educational programs. It could do this by permitting State universities and colleges and even public school systems to use wave lengths for certain hours when they are desired and then allow commercial stations to use the remaining time for commercial and sponsored programs.

"I hope that the information that will come from the Commission will be such as to make the public realize how the Commission has discriminated against educational stations and stations that are ready to put on educational programs, and that thereby we will build up a public opinion in this country that will induce the Commission to take a proper view of the words 'public interest' from the standpoint of education. If we can do that, it will be far better than attempting to legislate by provisions of a statute the priorities of different services to be granted by the Commission.

"Education over the radio should be free from commercial interests. It should be independent and free, just as our systems of public education are free and independent."

Recent Bulletins of the NAB carried both the text of the Couzens Resolutions and the Dill Amendment.

January 16, 1932

"THE EMPIRE OF THE AIR"

A series of 61 newspaper stories, some 45,000 words in all, has been sent to the newspapers of the country through the medium of the National Congress of Parents and Teachers.

The authors of this series, entitled "The Empire of the Air", believe it "will become the textbook of those who believe that a radio monopoly will mean domination of the United States by a small group of men able through their control of mass communication to elect presidents, governors, to dictate to Congress and legislatures, to decide on war and peace and, through the perfection of television, cut down the circulation and the income of the newspapers to a point which will leave the press impotent to oppose the rule of the few."

The series, prepared by the Ventura Free Press of California, was placed in the hands of leaders of the National Congress of Parents and Teachers by the chairman of the organization's radio committee, Joy Elmer Morgan, who is also editor of the journal of the National Education Association and a member of the National Committee on Education by Radio.

"Will you take this story of the "Empire of the Air" to your local editor with the request that he consider favorably the use of it in his paper?" Mr. Morgan writes to these parents and teachers. "America cannot afford to turn radio over to a commercial monopoly which is already going over the heads of parents in an effort to influence the children in their homes."

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WHEN EDUCATORS LOBBY

The National Education Association is "one of the most highly organized professional associations in the capital" and in its field "has been one of the militant of modern lobbies," according to a report on Group Representation before Congress issued by the Brookings Institution.

The annual report of the Secretary of the NEA, issued in 1924, reveals how this organization functions:

"The legislative secretary was employed to develop lay support for the program of the National Education Association and to promote in particular the Education Bill (to create a Federal Department of Education). Believing that the way to so successful legislative work was to do it, the secretary has, with the approval of the Executive Committee confined her activities largely to the National Capital, making trips into the field only when they proved of immediate advantage to the legislative work.

"In developing support for the Education Bill 43,617 pieces of literature were distributed, 2,680 personal letters sent out, in addition 1,340 letters were written in answer to requests for information on the Bill, 9,521 form letters in 32 sets were sent out to various cooperating groups, 36 meetings of the two sub-committees of the Women's Joint Congressional Committee supporting the two measures were attended, 105 individuals of prominence were interviewed, 4 large group conferences were held, 21 addresses were made to educational and lay groups in 11 States, 7 national conventions of allied organizations were attended and endorsements of five new national organizations were secured."

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January 16, 1932

PLANS FOR RADIO TAX

The Treasury Department's tax revision plan was revealed to the House Ways and Means Committee this week by Secretary Mellon and Undersecretary Mills.

Briefly the recommendations of Secretary Mellon were as follows:

"Increasing in individual income tax rates and reduction of the personal exemptions; an increase from 12 per cent to 12½ per cent in corporation income taxes with a reduction of exemptions; increase in taxes on tobacco products, except cigars, and on sales or transfers of capital stock; extension of the taxes on admissions; imposition of taxes on manufacturers' sales of motor vehicles and accessories, on conveyances of realty, manufacturers' sales of radio and phonograph equipment; a stamp tax of 2 cents on each check and draft; and taxes on telephone, telegraph, cable and radio messages costing more than 14 cents. Increases in the estate tax and in postal rates also were asked."

Congressman LaGuardia, a member of the Committee, advocated a tax upon radio equipment and devices for the production of pictures and sound, during the hearings.

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SYNCHRONIZATION HEARING

The Commission, sitting en banc, this week heard testimony on the WBAL-WJZ and WTIC-WEAF synchronization experiments with a view to determining whether the experiments will be continued in the future. It was brought out that more than \$75,000 has been expended in the conduct of these experiments and that \$32,000 has been expended for new equipment which has not yet been installed. Much of the testimony adduced was of a technical nature tending to show that future experiments would contribute valuable information to synchronization methods. The Commission's engineer testified that he doubted if future experiments along the lines now being followed would contribute much additional engineering knowledge on the subject.

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WHAM GETS STAY ORDER

The Court of Appeals of the District of Columbia this week granted a stay order to Station WHAM (Docket No. 5570) restraining the Commission from enforcing conditions in the construction permit authorizing the Rochester, N. Y., station to increase its power to 25 KW. The station has appealed from the Commission's refusal to grant it 50 KW.

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KFWF INJUNCTION DISMISSED

The Supreme Court of the District of Columbia this week dismissed the injunction obtained by Station WIL, St. Louis, Mo., against the Commission staying issuance of a modification of construction permit to Station KFWF to move locally in St. Louis, Mo.

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January 16, 1932

WOULD FIX WEAO-WKBN SCHEDULE

If the Commission sustains the recommendation of Examiner Walker (Report No. 318) issued this week, the operating hours of Station WEAO, Columbus, Ohio, operated by Ohio State University, will be fixed at daily periods from 9:00 to 11:00 a.m.; 12:30 to 2:30 p.m., and 5:00 to 7:00 p.m. The remainder of the time would be given to Station WKBN, Youngstown, Ohio, operated by the WKBN Broadcasting Company.

According to the statement of the Examiner, Stations WEAO and WKBN have been operating under a time sharing agreement which permitted the Columbus station to operate on the following schedule: 9:00 to 11:00 a.m.; 12:30 to 2:00 p.m.; 4:00 to 5:00 p.m., daily, except Sunday; 7:00 to 10:00 p.m., Monday; 7:00 to 11:00 p.m., Wednesday and Friday; and during October and November the period from 2:00 to 5:00 p.m., in order to broadcast certain sport events, as well as a total of five periods from 8:00 to 9:15 p.m., during the basketball season. The station has been silent on Sunday. All other time has been used by Station WKBN.

The operating schedule requested by the University station, according to the Examiner's statement, asked that the periods from 9:00 to 11:00 a.m., 12:30 to 4:30 p.m., be assigned the station for daily broadcasts, and the hours from 7:00 to 10:00 p.m., Mondays and Thursdays; 7:00 to 11:00 p.m., Wednesday and Friday; 8:00 to 9:30 p.m., Saturday and in addition 4:00 to 5:00 p.m., on Saturday during October and November. No Sunday time was sought.

In commenting upon the service rendered by Station WEAO, the Examiner said: "It appears from the record that the present programs of Station WEAO are dictated by the desires of the University itself, rather than of the listening public. Additional time is requested because a sufficient number of hours are not now available to accommodate all requests from the various departments of instruction of the University for time on the air".

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TELEVISION EXPERIMENTS RECOMMENDED

Examiner Elmer Pratt this week recommended the granting of the three television applications filed by stations WJR, Detroit, Michigan, and WGAR, Cleveland, Ohio, (Report 319) on the ground that the proposed program of visual broadcasting research proposed by the applicants is sufficiently meritorious that the stations should be permitted the fullest use of the requested frequencies.

Station WJR is asking authority to erect a new television transmitter at Pontiac in the same building with the station's regular broadcast transmitter. The frequencies to be used are 2000-2100 kc with power of 500 watts; and 42000-46000; 48500-50300; 60000-80000 kc with 200 watts. The Cleveland station under the program outlined at the hearing will operate on the latter group of frequencies with the same power. It is the purpose of the engineers connected with the two applicants to make particular studies with reference to the effect of reflection and obstacles in the way of direct line of sight and also to observe the effect of transmission over water. According to the examiner, if the applications are granted the applicants propose an exhaustive study into the use of reflectors both in connection with the production of large field intensities and with respect to shadows on transmitter pictures. Experiments will also be made with the use of the cathode ray in an endeavor to eliminate the scanning disc.

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TELEVISION EXPERIMENTS RECOMMENDED (Continued)

The report of the examiner considers the question of possible interference on the frequencies sought with the statement: "The interference range of these frequencies, according to the generally accepted opinion, does not exceed 70 or 100 miles. Hence, it is not expected that any interference would result from the operation of the applicants' proposed stations."

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BUREAU OF INFORMATION ORGANIZED

John J. Daly, dramatic critic and columnist, has been appointed Director of the Bureau of Information for the National Association of Broadcasters, by authorization of the Board of Directors.

In the work ahead, it is planned that Mr. Daly collect information concerning American broadcasting in all its phases. The idea is to have available a constant source of data. From this ever increasing material will be written interesting articles and tracts concerning radio and, particularly, broadcasting.

This new adjunct of the Association, the Bureau of Information, is looked upon as something that will particularly appeal to the membership. At all times the cooperation of the station managers will be enlisted in the collection of material.

Because of his background in theatricals, Mr. Daly brings with him a keen sense of showmanship. He is not unfamiliar with the problems confronting broadcasters. For seven years he was dramatic editor of the Washington Post. A writer of known ability, Daly's career in journalism embraces service on New York and other newspapers. This experience is now diverted into radio channels where the Managing Director feels it will be of infinite worth.

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APPLICATIONS RETURNED

During the current week the Commission returned the following applications for failure to comply with regulations or to answer correspondence:

5-ML-B-894	The Tribune Publishing Company Oakland, California	KLX	Increase power (G.O. 102)
4-P-B-2427	The House of Gurney, Inc., Yankton, South Dakota	WNAX	Change in equipment and increase in daytime power. (G. O. 102)
3-P-B-2220	Hunter Watkins & Bill Pape Mobile, Alabama	NEW	Construction permit for a new station on 1210 kc. (No reply to Commission's letters.)
4-ML-B-856	Evening Wisconsin Company Milwaukee, Wisconsin	WISN	Increase power to 500 w. (No reply to Commission's letters.)
5-ML-B-858	KID Broadcasting Company Idaho Falls, Idaho	KID	Increase power to 500 watts. (No reply to Commission's letters.)

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January 16, 1932

JUDGE ROBINSON HONORED

Senators, Congressmen, Government officials and a large number of friends honored Judge Ira Robinson at a dinner and dance on Friday night at the Shoreham Hotel here.

Judge Robinson last week resigned as a member of the Federal Radio Commission following nearly four years of service.

In accepting his resignation, President Hoover wrote:

"My dear Judge Robinson:

"I have your letter of January 8th tendering your resignation as a member of the Federal Radio Commission. I must, of course, accept your wish in the matter. You have performed a real public service and I wish to express my personal appreciation, to which I know I may add the appreciation of many thousands of your friends and countrymen .

Yours faithfully,

(Signed) Herbert Hoover"

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BROWN'S APPOINTMENT EXPECTED

Press reports supposedly emanating from the White House predict the appointment of Col. Thad Brown, general counsel of the Commission, as a member of the Commission to succeed Judge Ira E. Robinson, resigned. These reports state that Col. Brown has the support of Postmaster General Brown and Senator Fess, Chairman of the Republican National Committee. Senator Couzens (R), Michigan, chairman of the Senate Interstate Commerce Committee is reported as being opposed to Brown's appointment.

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RADIO ACT BEFORE SUPREME COURT

The Supreme Court of the United States is asked to review the decision of the Circuit Court of Appeals for the Seventh Circuit holding the Radio Act of 1927 constitutional in the famous American Bond and Mortgage case. In the petition for review the petitioner argues that the Radio Act, under which the licenses of stations WMME-WOK were denied, is unconstitutional. Previously the Circuit Court had certified certain questions to the Supreme Court which were unanswered. The Circuit Court then proceeded with the case and upheld the lower court's decision which upheld the validity of the Radio Act and sustained the action of the Commission in refusing license renewals.

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DENY DISMISSAL MOTION

The Court of Appeals of the District of Columbia denied the motion of the Commission to dismiss the appeal of Murray and Singletary, who were denied permission to erect a new station at Baton Rouge, La. At the request of the applicants the WENR and WLS cases were finally dismissed by the court.

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January 16, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WMAL	M. A. Leese Washington, D. C.	Granted consent voluntary assignment of license to M. A. Leese Radio Corporation.
WCBS	American Radio News Corporation New York, N. Y.	Granted Mod. C. P. make changes in equipment to conform G. O. 111, 115 and 116; also granted license 1180 kc; 500 watts, LT.
W2XR	Radio Pictures, Inc. Long Island, City	Granted Mod. Lic. change frequencies 1600-1700 kc.
W1XAV	Shortwave & Television Labs. Inc. Boston, Massachusetts	Mod. Lic. (visual broadcasting) change frequency from 2850-2950 to 1600-1700 kc.
W2XR	Radio Pictures, Inc. New York, N. Y.	Granted authority to use frequency band 1600-1700 kc prior to February 1, 1932 for experimental visual broadcasting.
<u>SECOND ZONE</u>		
WAIU	Associated Radiocasting Corp. Columbus, Ohio	Granted C. P. make changes in equipment to conform to G. O. 111, 115 and 116.
<u>THIRD ZONE</u>		
WSM	The National Life & Accident Ins. Co. Nashville, Tennessee	Granted special authority to conduct field intensity measurements in the metropolitan area of Nashville for a period of 20 days with power of 250 watts between midnight and 6 a.m. on 650 kc.
WCOA	City of Pensacola Pensacola, Florida	Granted consent voluntary assignment of license to Pensacola Broadcasting Co.
WFLA- WSUN	Clearwater Chamber of Commerce Clearwater, Florida	Granted authority to conduct transmitter tests with temporary antenna starting January 15th for purpose of determining the transmitter quality and operating conditions of new equipment at Bayview while factory engineer is present.
<u>FOURTH ZONE</u>		
WLBL	State of Wisconsin - Dept. of Agric. & Markets, Stevens Point, Wisconsin	Mod. C. P. extend completion date to March 20, 1932.

January 16, 1932

APPLICATIONS GRANTED (Continued)

FOURTH ZONE (Continued)

KFDY	South Dakota State College Brookings, South Dakota	Granted extension completion date on C. P. to January 30th.
WOC- WOC	Central Broadcasting Company Des Moines, Iowa	Granted special authority to conduct field intensity measurements in the metropolitan area of Des Moines for period of 20 days between midnight and 6 a.m., using power of 250 watts on 1000 kc.

FIFTH ZONE

KFXP	Colorado Radio Corporation Denver, Colorado	Granted C. P. to move transmitter outside of Denver, Colorado
KFPY	Symons Broadcasting Company Spokane, Washington	Granted authority to extend completion date for period of six months.
KOL	Seattle Broadcasting Company Seattle, Washington	Granted authority to erect and operate two broadcast pickup transmitters to be used January 10 and 17 in connection with Ski tournament.

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RENEWALS GRANTED

During the current week the Commission granted renewal of licenses for the regular period to the following stations:

WAAW, Omaha, Neb.; WAEC-WBOQ, New York; WBAL, Baltimore; WBEM-WJBT, Chicago; WBT, Charlotte, N. C.; WBZ, Boston; WCAU, Philadelphia; WCAZ, Carthage, Ill; WCBD, Zion, Ill.; WCCO, Minneapolis; WDFY, Minneapolis; WDE, Tuscola, Ill.; WEAT, New York; WENR-WPCW, Chicago; WFAA, Dallas, Texas; WGN-WLIB, Chicago; WGY, Schenectady, N. Y.; WHAS, Louisville, Ky.; WEBB, Kansas City, Mo.; WEDH, Boston; WEO, Des Moines, Iowa; WINS, (Formerly WGBS) New York.

WOI, Ames, Iowa, WJAG, Norfolk, Nebraska; WJJD, Mooseheart, Ill.; WJZ, New York; WKBY, Connersville, Ind.; WLS, Chicago; WMAQ, Chicago, WMAZ, Macon, Ga.; WMBI, Chicago; WOAI, San Antonio, Texas; WOC, Davenport, Iwa; WOR, Newark, N. J.; WFGH, New York; WPTF, Raleigh, N. C.; WRAX, Philadelphia, Pa.; WRUF, Gainesville, Fla.; WRVA, Richmond, Va.; WSE, Atlanta, Ga.; WTAM, Cleveland, Ohio; WWL, New Orleans, La.

KEX, Portland, Ore.; KCEM, Stockton, Calif.; KGO, San Francisco; KJES, San Francisco; KMMJ, Clay Center, Nebraska; KMOX, St. Louis, Mo.; KOA, Denver; KPCE, Seattle; KRLD, Dallas, Texas; KSL, Salt Lake City; KSCO, Sioux Falls, South Dakota; KTHS, Hot Springs, Ark.; KWJJ, Portland, Ore.; WOV, New York; WAPI, Birmingham, Ala.; WCFL, Chicago, Ill.; WEW, St. Louis, Mo.; WTIC, Hartford, Conn.; KDKA, Pittsburgh, Pa.; KNX, Hdlywood, California.

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January 16, 1932

APPLICATIONS DENIED

During the current week the Commission denied and dismissed the following applications for want of prosecution as they have remained inactive for a period of one year or more:

<u>FILE NO.</u>	<u>NAME OF APPLICANT</u>	<u>CALL</u>
3-PB-914	Spartanburg Broadcasting Company Spartanburg, South Carolina	NEW
2-PB-968	Avenue Radio & Electric Shop Reading, Pennsylvania	WRAW
2-PB-1107	Avenue Radio & Electric Shop Reading, Pennsylvania	WRAW
1-SAB-6	General Broadcasting System, Inc., New York, N. Y.	WGBS
1-PB-1407	William H. Hill Binghamton, New York	NEW
2-PB-1314	Dairy Farmers Station, Inc. Mayfield, Kentucky	NEW
4-PB-1017	A. Hendricks Company Evansville, Indiana	NEW
2-PB-1620	Independence Broadcasting Company Philadelphia, Pennsylvania	WHAT
4-MB-90	Missouri Broadcasting Corporation St. Louis, Missouri	WIL

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APPLICATIONS DISMISSED

During the current week the Commission dismissed the following applications at the request of the applicants:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
3-PB-2201	NEW	John E. V. Jasper Baton Rouge, Louisiana	C. F. 1420 kc; 50 watts; share time with WJBO.
3-PB-2202	NEW	John E. V. Jasper Baton Rouge, Louisiana	C. F. 1310 kc; 50 watts; share time with KWFA.
2-MLB-908	WJBK	James F. Hopkins, Inc., Detroit, Michigan	Mod. Lic. 1370 kc; 50 watts; share time with WIBM at night, simul. day.
2-MLB-909	WIBM	WIBM, Inc. Jackson, Michigan	Mod. Lic. 1370 kc; 50 watts; share with WJBK at night, simultaneous day.

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January 16, 1932

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following miscellaneous action:

- KSOO** Sioux Falls Broadcast Ass'n. Inc.,
Sioux Falls, South Dakota
Granted special authorization to continue operating daily until 6:30 p. m. CST, and on Sunday nights beginning at 9:30 p.m. CST, with reduction of power to 1 KW, subject to cancellation at any time upon withdrawal of consent of Station WRVA, Richmond, said authority to be for period beginning February 1 and ending August 1, 1932.
- WJJD** Supreme Lodge of the World
Loyal Order of Moose
Mooseheart, Illinois
Granted special authority from February 1 to August 1, 1932, to operate until 8:30 p.m. each evening CST, provided power of station is reduced beginning at 7:00 p.m. from 20 KW to a reduction of 50% or 10 KW, within one hour thereafter, or by 8:00 p.m. on condition that no future requests for operating after 8:30 p.m., CST, will be made.
- KGMP** Homer F. Bryant
Elk City, Oklahoma
Applications involving assignment of license and petition of D. R. Wallace to intervene in the case granted, and case remanded to docket to hear further evidence.
- KGFW** Central Nebraska Buick Company
Kearney, Nebraska
Application for renewal of license withdrawn from hearing docket; applicant for this station's facilities defaulted, and station is now operating 12 hours daily.
- KFEQ** Scroggin & Company Bank
St. Joseph, Missouri
Application for this station's facilities withdrawn and hearing cancelled; renewal granted.
- WCFL** Chicago Federation of Labor
Chicago, Illinois
Granted special authority to operate unlimited time experimentally on 970 kc; period beginning February 1, and ending August 1.
- KFWF** St. Louis Truth Center, Inc.
St. Louis, Missouri
Mod. Construction permit issued authority change in studio and transmitter location in St. Louis; the injunction secured by Station WIL, St. Louis, Missouri, in the Supreme Court of the District of Columbia, having been dismissed after hearing.

January 16, 1932

APPLICATIONS SET FOR HEARING

During the current week the Commission designated the following applications for hearing:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
NEW	Wade H. Dellinger Charlotte, North Carolina	Requests C. P. for visual broadcasting.
NEW	The First National Television Corporation, Kansas City, Missouri	Requests C. P. for visual broadcasting.
NEW	John Brownlee Spriggs Pittsburgh, Pennsylvania	Requests C. P. 800 kc, 5 KW, Daytime.
WNBO	John Brownlee Spriggs Pittsburgh, Pennsylvania	Requests C. P. to install new transmitter.
WIBA	Badger Broadcasting Company Madison, Wisconsin	Requests Mod. of Lic. to increase night power from 500 w. to 1 KW.
NEW	W. H. Allen & Company Alexandria, Virginia	C. P. 1210 kc; 100 watts; daytime, Facilities of KWTA.
NEW	Conard Studios Garden City, Kansas	C. P. 1370 kc; 100 watts; share time with KGDA; Facilities of KGDA.
NEW	Black Hills Broadcasting Company Sturgis, South Dakota	C. P. 1200 kc; 100 watts; share time with WCAT; Facilities of WCAT.
KTFI	Radio Broadcasting Corporation Twin Falls, Idaho	Mod. Lic. to change frequency from 1320 to 1240 kc; change operating hours from sharing with KID and unlimited day to unlimited daytime and 1/2 time at night.
WFIW	WFIW, Inc. Hopkinsville, Kentucky	Renewal of License.

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LICENSE APPLICATIONS GRANTED

During the current week the Commission granted applications for license covering previously authorized construction permits to the following stations:

WFIW, Hopkinsville, Kentucky; W6XAO, Los Angeles, California; (Visual Broadcasting)
WOAX, Trenton, New Jersey.

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January 16, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, January 18, 1932. All hearings commence at 10. a.m.

TUESDAY, January 19, 1932

Docket #1441 WJBC Wayne Hummer & H. J. Dee C. P. 1500 kc 100 watt
Kaskaskia Broadcasting Co. One half time
La Salle, Illinois
Present Assignment: 1200 kc, 100 watts
Shares with WJBL.
(Requests authority to move station from
La Salle, Illinois, to Racine, and to
make changes in equipment also.)

Docket #1440 WJBC Wayne Hummer & H. J. Dee Ren. Lic. 1200 kc 100 watt
Kaskaskia Broadcasting Co. Shares with WJBL
La Salle, Illinois

Docket #1436 WRJN Racine Broadcasting Corp. C. P. 1370 kc 100 watt
Racine, Wisconsin 250 w. LS unlimited time
(requests facilities of WJBC)
Present Assignment: 1370 kc, 100 watts
unlimited time.

WEDNESDAY, January 20, 1932

Docket #1454 WJBK James F. Hopkins, Inc. Ren. Lic. 1370 kc; 50 watt
Detroit, Michigan Simultaneous day operation,
sharing at night with WIBM.

Docket #1455 WIBM WIBM, Inc. Ren. Lic. 1370 kc; 100 watt
Jackson, Michigan Simultaneous day operation,
sharing at night with WJBK.

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COURT DENIES WPTF-KECA REHEARINGS

The Court of Appeals of the District of Columbia this week denied the petitions for rehearing filed by Station WPTF, Raleigh, N. C., and Station KECA, Los Angeles Calif., in the cases involving increases in power for both stations. Station WPTF was denied an increase to 5 KW on its assignment of 630 kc. The Los Angeles station sought authority to use a 5 KW on its regional frequency of 1430 kc and to increase power to 2500 watts local sunset. The Court sustained the Commission in its original decision denying these appellants the increases. The Davis Amendment and the validity of G. O. 102, and 92 were sustained by this decision. This case is an appeal.

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January 16, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-MPB-279	WFOX	Paramount Broadcasting Corp. Brooklyn, New York	Requests additional time comp. construction until March 22, 1932.
1-PB-2441	NEW	Anthony F. Crissalli Long Island City, N. Y.	C. P. erect new station 1500 kc; 100 watts share time with WMIL; WWRL; WMBQ. Facilities of WLBX.
<p>The applicant requests authority to erect a new station on the frequency assigned to Station WLBX, Long Island City, operated by John H. Brahy. The Commission denied station WLBX a renewal of license in May, 1931. The station is now operating under a stay order issued by the Court of Appeals of the District of Columbia.</p>			
<u>SECOND ZONE</u>			
2-PB-2387	WAIU	Associated Radiocasting Corp. Columbus, Ohio	C. P. amended to omit request to increase power from 500 to 1 KW ET on 640 kc.
2-MLB-928	WHDF	The Upper Mich. Broadcasting Company Calumet, Michigan	Mod. Lic. change operating hours from unlimited to specified hours on 1370 kc.
2-PB-2439	WDAS	WDAS Brdcstg. Station, Inc. (Formerly WELK) Philadelphia, Pennsylvania	C. P. make changes in equipment.
2-FB-156	WLBG	WLBG, Inc. Petersburg, Virginia	Install automatic frequency control.
<u>THIRD ZONE</u>			
3-ZB-43	WJAX	City of Jacksonville Jacksonville, Florida	Determine license power by direct measurement of antenna input.
3-ALB-411	KFJZ	Margaret Meacham Hightower Fort Worth, Texas	Voluntary assignment of license to Ralph S. Bishop.
3-MPB-280	WBHS	The Hutchens Company Huntsville, Alabama	Mod. C. P. extend completion date 90 days after request is granted and amended as to equipment.
3-PB-2432	NEW	J. T. Griffin Tulsa, Oklahoma	C. P. erect new station on 1400 kc; 500 watts; unlimited. Facilities of KOCW.

January 16, 1932

APPLICATIONS RECEIVED (continued)

THIRD ZONE (Continued)

The facilities requested are now assigned to Station KOCW, Chickasha, Oklahoma, operated by Oklahoma College for Women, and operating unlimited time on the requested frequency with power of 250 watts and 500 watts LS. The granting of the application would increase the Oklahoma quota 0.1 unit.

FOURTH ZONE

4-FB-157	KDLR	KDLR, Inc. Devil's Lake, North Dakota	Install automatic frequency control.
4-MLB-817	WKBH	WKBH, Inc. La Crosse, Wisconsin	Mod. Lic. amended to request to operate simultaneously with Station XSO, Clarinda, Iowa until sunset, instead of until 6:00 p.m.
4-FB-2438	KGNO	The Dodge City Brdcstg. Co. Dodge City, Kansas	C. P. make changes in equipment.
4-FB-2443	NEW	Caldwell Brothers Mt. Pleasant, Iowa	C. P. erect new station on 1200 kc; 100 watts, share with KFJB.

The applicant requests authority to share with station KFJB, Marshalltown, Iowa, operated by the Marshall Electric Company. The distance from the proposed location to Marshalltown is approximately 100 miles. Station KFJB is now licensed to operate one half time. The Fourth Zone is over quota; Iowa is over quota.

4-FB-2442	NEW	Marsh Ore Mt. Vernon, Illinois	C. P. erect new station on 1310 kc, 100 watts. Share with WBOW.
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The applicant requests authority to share with Station WBOW, Terre Haute, Ind., operated by Banks of Wabash, Inc. The distance from Terre Haute to the proposed location is approximately 115 miles. The Fourth Zone is over quota; Illinois is over quota; Indiana is under quota. The granting of this application would decrease the Indiana quota and increase the assignment of facilities in Illinois.

FIFTH ZONE

5-ZE-47	KMTR	KMTR Radio Corporation Los Angeles, California	Determine Lic. power by direct measurement antenna input.
5-MFB-286	KMPC	R. S. McMillan Beverly Hills, California	Mod. C. P. extend completion date from 1/8/32 to 2/25/32.
5-ZE-44	KGW	Oregonian Publishing Company Portland, Oregon	Determine license power by direct measurement antenna input.
5-APLB-9	KGW	City of Fort Morgan Fort Morgan, Colorado	Voluntary assignment of license and C. P. to S. H. Patterson.

January 16, 1932

APPLICATIONS RECEIVED (Concluded)

FIFTH ZONE (Continued)

5-MPB-287 KGEW S. H. Patterson Mod. C. P. requests authority to
Cheyenne, Wyoming move station from Ft. Morgan, Colo.
to Cheyenne, Wyoming.

The station is now licensed to operate at Fort Morgan, Colorado, with 100 watts power, sharing time on 1200 kc with station KGEK, Yuma, Colorado. The application proposes to move the station to Cheyenne, Wyoming, a distance of approximately 90 miles from the present location. The Fifth Zone is over quota; Colorado is over quota; Wyoming is under quota. The granting of this application would reduce the Colorado quota, and increase the Wyoming quota.

5-MLB-931 KGB Don Lee, Inc. Mod. Lic. increase power from 500
San Diego, California to 1000 watts.

The applicant is now licensed to operate unlimited time on 1330 kc. The closest station to San Diego on this frequency is KSCJ, Sioux City, Iowa, approximately 1325 miles distant, operating with power of 1 KW. The Fifth Zone is over quota; California is over quota; the granting of this application would increase the quota.

5-MLB-930 KERN Santa Maria Radio Mod. Lic. change name of licensee
(Formerly KSMR) to the Bee Bakersfield Broadcast-
Santa Maria, California ing Company.

5-ZB-44 KFVI Radio Entertainments, Inc. Determine license power by direct
San Francisco, California measurement antenna input.

5-MLB-929 KID KID Broadcasting Company Mod. Lic. increase power from 250
Idaho Falls, Idaho watts, 500 watts LS to 500 watts,
1 KW LS, and increase hours of
operation to unlimited.

The applicant is now licensed to operate on 1320 kc, sharing time at night with station KFFI, Twin Falls, Idaho. The Fifth Zone is over quota; Idaho is under quota. The applicant and station KFFI are now charged 0.4 unit under the quota. An unlimited time station operating with the power requested is charged 0.5 unit.

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LICENSE APPLICATIONS RECEIVED

During the current week the following applications for license covering previously authorized construction permits were received at the Commission from the following stations: WFPB, (formerly WRBJ) Hattiesburg, Mississippi; KFJL, Klamath Falls, Ore.; KIT, Yakima, Washington, WDEL, Wilmington, Delaware; WBOW, Terre Haute, Indiana; WACH, Presque Isle, Maine, WREU, Reading, Pennsylvania.

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Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director.

January 23, 1932

SENATE GETS BROWN NOMINATION

President Hoover on Thursday sent to the Senate the nomination of Col. Thad H. Brown of Ohio to be a member of the Federal Radio Commission from the Second Zone to succeed Judge Ira E. Robinson of West Virginia, resigned.

A fight over confirmation loomed as Senator Couzens of Michigan, chairman of the Senate Interstate Commerce Committee, to which the nomination has been referred, charged that the President was appointing Col. Brown in payment of a political debt. Senator Fess and other supporters of Col. Brown are of the opinion that he will be confirmed at an early date. At this time it is not known whether or not hearings will be held.

Col. Brown has been general counsel of the Commission for two years. He was admitted to the Ohio bar in 1912 and practised law in Columbus until his entry into the Army during the World War. He served as Secretary of State in Ohio from 1923 until 1927 and became chief counsel of the Federal Power Commission in 1929.

Col. Brown entered the Army in the World War as a captain and served from July 13, 1917 to February 1, 1919. He was appointed major and later lieutenant colonel, Judge Advocate General's Reserve Corps.

January 23, 1932

PRESIDENT SHAW NAMES COMMITTEES

President Shaw made public this week the list of Committees for the current year. The Committees are as follows:

LEGISLATIVE - Henry A. Bellows, Chairman; Alfred J. McCosker; Henry Rines; Leo Fitzpatrick; H. J. Brennan; A. L. Miller; C. R. Clements; Major John S. Cohen; L. M. Kennett; R. W. Hoffman; Arthur F. Kales; Louis Wasmer; Joseph S. Gettler; Harry C. Butcher; F. M. Russell; Quinn A. Ryan; and Col. Charles I. Stengle.

COMMITTEE ON COST ACCOUNTING - Arthur B. Church, Chairman; Byron A. Stump; Miss Vera Burke; and LeRoy Mark.

COMMITTEE TO COOPERATE WITH THE INTERNAL REVENUE BUREAU - Walter C. Evans, Chairman; Harry McKeon; M. R. Runyon; A. Z. Moore.

COPYRIGHT COMMITTEE - Alfred J. McCosker, Chairman; A. L. Ashby; Edward Klauber; R. V. O. Swartwout; Sydney M. Kaye; Birt F. Fisher; Walter J. Damm; A. S. Clarke; A. L. Miller; Rev. James A. Wagner; and John Shepard III.

SPECIAL COMMITTEE TO COOPERATE WITH THE OFFICE OF EDUCATION, DEPARTMENT OF THE INTERIOR - Edgar L. Bill, Chairman; F. M. Russell; Harry C. Butcher; Don E. Gilman; and Frederic Willis.

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SOME QUESTIONNAIRE EXPLANATIONS

The following explanations may prove helpful to members in filling out the questionnaire sent out by the Commission:

At the head of the questionnaire after "City" the address of the main studio should be given.

Question 1 should be answered "unlimited" if the license so reads or the actual number of hours if the station divides time.

Questions 3 and 4 should be answered without regard to the answer to Question 2. "Local" programs means programs other than chain programs.

Question 13 could be answered in the most helpful manner if the networks were to supply complete schedules for the week with computations which have been made in the stations originating the programs. In giving a proper answer spot announcements, of course, will have to be considered. Sub-section (c) means time used for purposes other the basis for a strictly commercial program.

Question 17 should be answered without regard to music incidental to the main program or sound effects which have been excluded from the category of mechanical reproductions.

Under section 19 "Actual invested capital" means how much money actually put into the business and without regard to depreciation rates. It is not absolutely necessary to specify the "Good Will" item but amounts for "good will" should not be considered in answers to other questions.

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January 23, 1932

SENATE HEARS MEXICAN TROUBLES

Senator C. C. Dill (D) Washington, on two occasions during the week called the attention of the Senate to the dangers faced by American broadcasters because of the rapid construction of new broadcasting stations in Mexico and Cuba.

"The State Department, for some reason or other, refuses to take any official action whatsoever in this matter," Dill declared in the Senate. "It has been charged by some that the State Department is really in favor of seeing these stations built along the Mexican border and in Cuba. I refuse to believe that. I cannot believe that the State Department takes that attitude, but I do think that the department is to blame for a continuation of the present conditions."

"I may say regarding this matter that since my remarks in the Senate," Senator Dill said on another occasion, "I have received a number of letters that impressed upon me more than ever the necessity of the Government doing something about this situation. Unless some steps are taken by the State Department in the near future I shall feel compelled to introduce a resolution, have it referred to the Committee on Foreign Relations, and ask for hearings to see whether we cannot find out why the State Department does not take steps to protect radio stations in this country."

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UTAH TOBACCO CASE ARGUED

The Supreme Court of the United States this week heard argument in the case brought by the Packer Corporation against the State of Utah involving the validity of an act prohibiting tobacco advertising on billboards in Utah. The act permits tobacco advertising in newspapers but prohibits such advertising on billboards. Counsel for the billboard company claimed that it could also be argued that other media, including the radio, are just as effective as billboards in advertising tobacco adding that the legislature cannot determine whether the medium of billboard advertising is any more inimical, if at all, than other media.

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EXPECT REPORT IN ICC CASE

A report from the examiner in the rate case brought by the Sta-Shine Products Company against Station WGBB, Freeport, N. Y. and the National Broadcasting Company before the Interstate Commerce Commission is expected shortly. Counsel for both sides filed briefs supporting their contentions. The Sta-Shine company claims that the ICC has authority to regulate advertising rates of broadcasting stations under the Act of 1920 while the respondents argue that the act does not affect broadcasting stations because they are not common carriers for hire. Whether or not the ICC has jurisdiction is the only question involved.

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COST OF LIVING LOWER

Cost of living in the United States was 3.0 per cent lower in December, 1931, than in the preceding June and 9.3 per cent lower than in December, 1930, according to the Bureau of Labor Statistics of the U. S. Department of Labor.

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January 23, 1932

BILL FOR LABOR CHANNEL

Senator Hatfield, West Virginia, and Congressman Connery, Massachusetts, have introduced identical bills in the Senate and House (S.3047 and HR 7253) providing for the assignment of one cleared channel to labor. The text of the measure follows:

"That the Federal Radio Commission shall assign one cleared channel frequency within the broadcasting band, with unlimited time and with power equal to the maximum power assigned any broadcasting station in the United States, to the owner or owners of the broadcasting station or stations approved by the recognized labor organizations which in the opinion of the commission are most representative of the labor interests of the United States, and shall issue no license or licenses for the use of said frequency except with the written consent of such so recognized labor organizations to any other person, association, corporation, or copartnership."

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THE COMMISSION'S QUESTIONNAIRE

The American system of broadcasting is on trial.

A far-reaching investigation of the entire broadcasting industry has been started by the Federal Radio Commission in order to comply with the terms of the Couzens-Dill resolution adopted by the United States Senate.

Questionnaires have been mailed by the Commission to all broadcasting stations, networks, advertising agencies handling radio accounts and other groups interested in broadcasting. No phase of the broadcasting situation will be overlooked by this sweeping investigation.

Upon the evidence collected by the Commission and submitted to the Senate will the future broadcasting policy of our Government be based. The report will show that broadcasting by the American plan is either in the public interest generally or that Government ownership and operation is feasible.

The questionnaire sent to you by the Commission is the most important matter which you as a broadcaster have before you. No time or effort should be spared in giving full, complete and correct answers to the questionnaire.

You are a witness in the most important case in which your industry, or any other industry for that matter, has ever been involved.

Your Association has pledged its cooperation in making this investigation thorough and honest. Your Association believes that a fair and impartial investigation will convince the Senate and the American People that our system of competitive broadcasting, conducted by private enterprise, is the best the world can produce.

Give the questionnaire your personal attention. Spare no time or effort to report the questions completely and accurately.

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January 23, 1932

SHULER REVIEW DENIED

The Supreme Court of the United States this week refused to review the decision of the Court of Appeals of the District of Columbia denying a stay order sought by the Trinity Methodist Church. The church formerly operated Station KGEF, Los Angeles, from which Rev. "Bob" Shuler broadcast. The station was denied a renewal of its license by the Federal Radio Commission and an appeal is now pending before the Court of Appeals. From the court's denial of a stay order, the appellant appealed to the Supreme Court.

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RMA FIGHTS SALES TAX

The proposed five per cent sales tax on radio is discriminatory, cannot be absorbed by the industry and must be passed on to the public, was the gist of the opposition of the Radio Manufacturers Association to the sales tax expressed before the House Ways and Means Committee Friday. Those who appeared for the RMA were President Coit, A. Atwater Kent, Arthur T. Murray, B. J. Grigsby and B. G. Erskine. The witnesses told the committee that a small general sales tax would be preferred to a discriminatory special tax.

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WDAF BROADCASTS DESPITE FIRE

While one of its studios was destroyed by fire, Station WDAF, Kansas City, kept right on broadcasting. The fire originated in the library of the Kansas City Star and did damage estimated at \$35,000. Station WDAF switched on a network program and stayed on the air although the control room was threatened for a time.

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EXECUTIVE COMMITTEE MEETS

The Executive Committee of the National Association of Broadcasters held a three day meeting in Washington this week. Bills pending before Congress were analyzed and studied and calls were made upon radio leaders in Congress. The only affirmative action taken was to instruct the Managing Director to notify chairmen of Committees in both the House and Senate that the Association desires to be heard on all legislation affecting radio.

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WEAO SENDS OUT CARDS

Station WEAO has sent out a number of self-addressed postal cards seeking to determine which are the best hours for educational talks and programs. The card states that "the Federal Radio Commission threatens to stop many WEAO programs. You can help prevent this by answering this card. WEAO is the station of your own Ohio State University and the only educational broadcasting station in Ohio."

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CLEAR CHANNEL DUPLICATION

Senator Dill, (D) Washington, introduced in the Senate a bill (S 3046) providing for an amendment to Section 9 of the Radio Act of 1927. The amendment, which would authorize simultaneous operation on certain clear channels, is as follows:

"That the second paragraph of section 9 of the Radio Act of 1927, as amended by the Act of March 28, 1928, is hereby further amended by adding at the end of said paragraph, the following: 'Provided further, That no frequency used for broadcasting shall be reserved for the use of one station for a distance of more than two thousand three hundred miles, airline, if any person, firm, or corporation, capable of rendering radio service in the public interest, make application to operate broadcasting apparatus on any frequency so reserved, at a point beyond the distance of two thousand three hundred miles, airline, from the station or stations already licensed and operating on said frequency, and all applications and licenses considered and granted under this provision shall not be counted as a part of the quota of the zone in which said additional stations are located.'"

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SUMMER SCHOOL AT WMAQ

G. P. Drueck, principal of the Curtis Junior High School in Chicago, announced that a radio summer school for the public school children of the city will be broadcast over WMAQ, Chicago, this summer. As an economy measure summer schools in Chicago, both elementary and high, will be closed this summer. The subjects of instruction will be mathematics, history, geography and literature.

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DILL PREPARING COPYRIGHT BILL

Senator C. C. Dill (D) Washington, is engaged in the preparation of a copyright bill which he hopes to have ready for introduction within the next few weeks.

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NAB HANDBOOK BINDER

The new rules and regulations of the Commission become effective on February 1, 1932. A number of NAB members have ordered NAB Handbook binders of leather suitable for the rules and regulations which are being furnished to NAB members only at \$4.25 per binder. Only one binder will be furnished to a member. It is the purpose of the Association to publish and have ready for distribution at an early date other material for insertion in the binder. NAB members who have sent in their orders will receive the binders just as soon as the factory can supply them. If you have not ordered do so at once. Write NAB headquarters.

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WOULD COMPEL FREE SPEECH

Station WGR, Buffalo, N. Y. would be compelled "to extend to the said Rev. Hahn the right to free speech" if the resolution introduced in the House by Representative Amlie of Wisconsin, is adopted.

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January 23, 1932

IRE LISTENER SURVEY PLANNED

The Emergency Employment Committee, created by the Board of Directors of the Institute of Radio Engineers, has devised a plan "to permit the employment of a number of engineers in the making of a radio broadcast survey at a wage which will keep them in food and shelter until they get something more lucrative."

According to R. H. Marriott, chairman of the Committee, "such a survey will prove of value in the development of radio which is the objective of the Institute." It can also be of "great value to the Federal Radio Commission, Congress, broadcast stations, radio advertisers, radio manufacturers, and the public," he writes. "Such an impartial organization as the IRE will be given the confidence of the public and all other groups vitally interested in the broadcast structure in this country."

"The plan, in general," says the announcement, "is to have suitable broadcast stations outline the survey. Listeners who desire to cooperate will be requested to send their name and address to the Institute of Radio Engineers with a statement giving the time at which it will be convenient for our observer to call."

"The observer will ask such questions as will be decided upon by those organizations cooperating in this survey and also request permission to operate the listener's receiver so that he may note its qualities specifically as they are influenced by the particular installation arrangement."

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MADRID INTERNATIONAL CONFERENCE

Representatives of the National Association of Broadcasters have been invited by the State Department to attend the International Communications Conference at Madrid, Spain, next September. Association representatives have attended the meetings preliminary to the conference and a special committee is at work studying the proposals of foreign countries.

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"WRITE YOUR CONGRESSMAN"

"Dictate a letter to your congressman and senators today," says a letter from the Ventura Free Press to all newspaper publishers. "Tell them that you are receiving a constantly increasing number of protests against excessive and objectionable radio advertising, that the Parent-Teacher Associations, with 1,500,000 members, want all advertising driven off the air. Tell them that a Canadian commission has recommended government ownership of broadcasting stations and that as a result Canadian stations no longer broadcast any advertising matter except the name and business of a sponsor. Tell them that broadcasting in the United States is headed straight for monopoly control, that such control will deliver the government into hands of the corporations exercising this control. Demand legislative action against all forms of direct radio advertising; ask for a tax of at least ten per cent on the gross revenues of broadcasting stations."

Here is another shred of the story which has nationwide ramifications.

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January 23, 1932

DAVIS BILL REPORTED

The House Merchant Marine, Radio and Fisheries Committee reported favorably and without amendment on January 21 the bill introduced by Chairman Davis (HR 7716) which amends 12 different sections of the radio act of 1927 by clarifying and amplifying provisions dealing chiefly with the procedure and administration. The bill provides for a new section prohibiting lotteries by radio. "The Committee does not think that the United States should permit any radio station, licensed and regulated by the Government, to engage in such unlawful practices," the report states. "Furthermore, the broadcast of such information is unfair to the newspapers, which are forbidden the use of the mails, if they contain such information."

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PROHIBIT SEDITIOUS STATEMENTS

Congressman McLeod, Michigan, has introduced a bill in the House which would make it unlawful for any person "to advocate or advise the overthrow or to write, or knowingly to print, publish, utter, sell, or distribute any document, book, circular, paper, journal, or other written or printed communication, or by transmission by radio in or by which there is advised the overthrow, by force or violence, or by physical injury to person or property, of the Government of the United States."

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USES NAB INSIGNIA

The NAB seal is prominently displayed on the new rate card issued by Stations WCBA-WSAN, Allentown, Pa. Recently Station WKJC, Lancaster, Pa. began using the NAB seal on its stationery. A limited number of the seals are still available at cost.

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WMCA-WNYC HEARING CONTINUES

Involving the present time division agreements of both stations, the hearing on the renewal applications of stations WMCA, Knickerbocker Broadcasting Co. New York City, and WNYC, City of New York, Department of Plants and Structures, New York City continued this week before Chief Examiner Yost. The hearing was first called on January 12th and has been in progress since that date. Among the witnesses called to testify on behalf of the City of New York station was Armstrong Perry, Director of the Service Bureau of the National Committee on Education by Radio.

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RECOMMENDS CANCELLATION REVOCATION

Cancellation of the order of revocation issued by the Commission against the continued operation of Station WHDL, Tupper Lake, N. Y. is recommended by Examiner Hyde in Report No. 317 issued last week. This station has been licensed to operate with power of 100 watts and daytime hours on 1420 kc.

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January 23, 1932

ADVERTISING INSURANCE POLICIES

Stations are receiving offers from insurance companies and agencies handling insurance advertising to broadcast long and uninteresting "spot" announcements on the basis of a given percentage per inquiry or a given amount per policy placed by the company. Many of these policies are offered at a penny a day or less than that amount. These offers do not provide for talent or entertainment of any kind.

Stations are urged again to stick to card rates and deny the use of facilities to advertisers unwilling to buy time on this basis. In most of these deals the stations and public are the only ones taking chances. The advertiser has everything to win and nothing to lose. Would any respectable newspaper or magazine accept advertising and expect to be paid upon the basis of coupons returned or inquiries received? Would any respectable advertiser buy time on your station if he could stick in spot announcements now and then and pay only if direct sales resulted?

Insurance companies who are seeking this type of radio publicity should be investigated locally in order to protect your audiences. In many instances the contract of insurance offered contains an assessment provision which is not mentioned in the announcements offered. Consult your Better Business Bureau.

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KLUGH HITS GOVERNMENT OWNERSHIP

Paul Klugh, first managing director of the National Association of Broadcasters and now vice president of the Zenith Radio Corporation, this week declared that government ownership and operation of broadcasting stations would lower the standard of programs at the expense of the public. Speaking before the annual meeting of the National Federation of Radio Associations, Mr. Klugh pointed out that under government ownership the taste of the American public for radio entertainment, highly developed through superior broadcasts, would degenerate. In his speech he referred to the Couzens-Dill resolution under which the Federal Radio Commission is now investigating the feasibility of government ownership of stations.

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ASSOCIATION GETS QUESTIONNAIRE

The Federal Radio Commission, in connection with its investigation under the Couzens-Dill Resolution, has sent to the National Association of Broadcasters a questionnaire seeking information about broadcasting systems in Argentine, Australia, Austria, Brazil, Canada, Chile, France, Germany, Great Britain, Italy, Mexico, Russia, and Spain. A list of ten questions are propounded about broadcasting in each of these countries.

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WORC PRINTS "RADIO NEWS"

Station WORC, Worcester, Mass. has started the publication of a bulletin called "Radio News". The first issue made its appearance January 15. It contains information about broadcasting for use by advertisers.

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January 23, 1932

REDUCE WCAT HOURS

The Commission this week granted a renewal license application to Station WCAT, operated at Rapid City, South Dakota, by the South Dakota State School of Mines, sustaining in part the recommendation of Examiner Yost (Report No. 285). The operating hours of the station under the new license have been restricted to the following daily schedule: 9:30 to 11:30 a. m.; 12:30 to 2:30 p. m. The station has been authorized to operate unlimited time on 1200 kc with power of 100 watts. The Commission concluded in giving reasons for reduction in the licensed hours of the applicant, that the "granting of the application in part only, to permit the operation of WCAT during these hours, will enable the licensee to continue to render any service it has heretofore rendered." This action of the Commission reduces the South Dakota quota 0.17 unit.

The Examiner had recommended renewal of license to give Station WCAT unlimited time, on the ground that the operators of the station intended to increase the operating schedule to conform with the 12 hours daily provision of G. O. 105. The Examiner said, however, "if within a reasonable time, it is found to be a hardship on the applicant to operate full time, then the Commission may well consider limiting the applicant to daytime operation or sharing time with another station."

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DENY ST. LOUIS TELEVISION

Finding the proposed program of television research and development could be satisfactorily conducted by laboratory research, the Commission this week denied the application of the Greater St. Louis Broadcasting Company, St. Louis, Missouri, seeking authority to erect a new visual broadcasting station on 2850-2950 kc with power of 500 watts and unlimited time. The Commission concluded further that the further development of the scanning technique and other problems outlined by the applicant could be carried forward without the use of a visual broadcasting channel. Another conclusion given by the Commission in denying the application states that it does not appear the applicant's research would result in any substantial development of the visual broadcasting art. The recommendation of Examiner Hyde (Report No. 301) was sustained.

The application of the Isle of Dreams Broadcasting Corporation, (WIOD) Miami Beach, Florida for authority to increase day power from 1 KW to 2500 watts on 1300 kc was also denied by the Commission sustaining the recommendation of Examiner Walker (Report No. 302). Under the decision of the Commission, it was found the applicant has not made the fullest use of present facilities, since it is possible to employ an additional output of 200 watts and still comply with the Commission regulations. The Commission concluded finally that the proposed equipment would not comply with existing regulations.

Seeking authority to erect a new 100 watt unlimited time station on 1310 kc, the application of the Parkersburg Chamber of Commerce, Parkersburg, West Virginia, was denied by the Commission, sustaining the findings of Examiner Walker in Report No. 306. The Commission in its findings, commented upon the lack of financial ability of the applicant to construct and properly maintain the station, and concluded further the erection of the proposed station would create additional interference to other stations now licensed to operate on 1310 kc and in addition cause the State of West Virginia to be over quota.

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January 23, 1932

WLOE DELETED; NEW APPLICANT DENIED

Acting on three recommendations of Examiner Hyde (Reports No. 280; 281; 282), and sustaining his findings in each case, the Commission this week deleted Station WLOE, Boston, Massachusetts, formerly assigned to operate full time on 1500 kc with power of 100 watts, and denied an application for a new station to use these same facilities filed by Fred H. Goss of Boston, while the third application involved denial for an involuntary assignment of the license of Station WLOE to William S. Pote of Chelsea, Massachusetts.

The lack of financial ability of the applicants in the cases was commented upon by the Commission in denying each of the applications. The Commission further found Boston and vicinity now receives good broadcasting service from a number of existing stations and the continued operation of Station WLOE would not add to this service, nor does the showing made by the two other applicants indicate the programs they propose would materially increase broadcast service in the Boston area.

In the statements of facts accompanying the decisions the Commission has set out at length the agreements looking toward the transfer of the WLOE license from the former operators, William S. Pote and the New England Broadcasting Company to the Boston Broadcasting Company. Prior to the cases being heard before the Examiner, the agreement in question was made the subject of a bill in equity by the New England Broadcasting Company, in an effort to regain control of the station in December, 1929.

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WBAX DENIED FULL TIME

The Commission this week denied the modification of license requested by Station WBAX, Wilkes Barre, Pennsylvania, seeking authority to increase operating hours to unlimited time on 1210 kc. The Wilkes Barre station has been licensed to share time with Station WJBU, Lewisburg, Pennsylvania, operated by Bucknell University. The application for increased time was heard before Examiner Hyde, who recommended denial of the request (Report 289). The Commission concluded while the service of Station WBAX "is generally meritorious and the programs broadcast appear to be diversified and of interest to the listening public, the service rendered and the programs broadcast by Station WJBU likewise appear to be meritorious and of interest to the public." The denial of the application was further based on the fact, the Commission found Wilkes Barre is now receiving good broadcasting service from two stations located in that community and a number of other stations outside the city, and that station WBAX had failed to make a sufficient showing to justify a forfeiture of the facilities now assigned to Station WJBU.

The application of the Weber Jewelry & Music Company, St. Cloud, Minnesota, for authority to erect a new station on 1500 kc with power of 50 watts to share time with Station KGEK, Moorehead, Minnesota, was denied as in cases of default sustaining the recommendation of Examiner Yost (Report 304).

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NAB LIBRARY

January 23, 1932

APPLICATIONS DESIGNATED FOR HEARING

During the current week the Commission designated the following applications for hearing:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
NEW	Louisiana Broadcasting Company, Baton Rouge, Louisiana	C. P. 1310 kc; 100 watts; Unlimited. (Fac. of stations KMLB; KRMD; WTSL).
NEW	Shreveport Broadcasting Company, Shreveport, Louisiana	C. P. 1310 kc; 100 watts; Unlimited. (Fac. of stations KMLB and WTSL).
WKBH	WKBH, Inc., La Crosse, Wisconsin	Mod. Lic. for permanent hours of operation and for simultaneous operation with station KSO until Sunset at Clarinda, Iowa, dividing with KSO at night.

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DENY W R E N MOTION

The Court of Appeals of the District of Columbia this week denied the motion of the Jenny Wren Company, Lawrence, Kansas, (WREN) asking the Court to deny permission to the Kansas City Star, Kansas City, Mo., (WDAF) and the WHB Broadcasting Company, Kansas City, Mo., (WHB) to intervene in the WREN appeal (Docket No. 5542). The Lawrence station appealed from a decision of the Commission denying it authority to move the transmitter to a point in Kansas closer to Kansas City.

The same Court granted the motion of the Commission to dismiss the appeal of John H. Dolan, Boston, Massachusetts. v. F R C (Docket No. 5516) for failure of the appellant to deposit costs for printing. Dolan had sought authority to erect a new station to share time with WLEY on 1370 kc with power of 100 watts. After hearing, the Commission denied the request in September, 1931, from which the appeal arose.

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RENEWALS GRANTED

During the current week the Commission issued renewal licenses for the regular period to the following stations: WAIU, Columbus, Ohio; WBAP, Fort Worth, Texas; WBZA, Boston, Mass.; WJR, Detroit, Mich.; KFVD, Los Angeles, Calif.; KMFC, Beverly Hills, Calif.; KVOO, Tulsa, Okla.; KWKH, Shreveport, La.

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TEMPORARY RENEWALS ISSUED

The Commission during the current week issued temporary renewal licenses to the following stations, pending decision on the stations applications for regular renewals: WLWL, New York, N. Y.; WPG, Atlantic City, N. J.; KMO, Tacoma, Washington, KOB, State College, N. M.; KVI, Tacoma, Washington.

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. January 23, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WJSV	The Independent Publishing Co., Mt. Vernon Hills, Virginia	Granted Consent to Voluntary Assignment of license to WJSV, Inc.
WHEC- WABO	Hickson Electric & Radio Corp., Rochester, New York	Granted consent to Voluntary Assignment of license to WHEC, Inc.
WGY	General Electric Company Schenectady, New York	Granted C P to make changes in equipment to conform to G. O.'s 111, 115 and 116.
WTAG	Worcester Telg. Publ. Co. Inc. Worcester, Massachusetts	Granted special 30 day authority to use 500 watts daytime, on experimental basis, at times and under conditions prescribed by Engineering Division, in order to de- termine whether any objectional inter- ference would result from increased power.
NEW	Jenkins Laboratories, Inc., Wheaton, Maryland	C. P. (Visual Broadcasting) 43000-46000 and 48500-50300; 60000-80000 kc; 1 KW.
<u>SECOND ZONE</u>		
W8XK	Westinghouse Elec. & Mfg. Company E. Pittsburgh, Pennsylvania	Mod. Lic. (Relay Broadcasting) change frequency 11880 to 11870 kc; 40 KW.
WDAS	WDAS Broadcasting Company Philadelphia, Pennsylvania	C. P. Make changes in equipment to conform to G. O. 111; 115; 116.
<u>THIRD ZONE</u>		
WJAX	City of Jacksonville, Jacksonville, Florida	Granted authority to make direct measure- ment antenna input.
KFJZ	Estate of H. C. Meacham, Fort Worth, Texas	Granted consent voluntary assignment of license to Ralph S. Bishop.
WPFB	Hattiesburg Broadcasting Company Hattiesburg, Mississippi	Granted authority to extend test period for ten days.
<u>FOURTH ZONE</u>		
WCCO	Northwestern Broadcasting Inc., Minneapolis, Minnesota	Granted authority to install 50 KW trans- mitter at present site of 5 KW trans- mitter.

January 23, 1932

APPLICATIONS GRANTED (Continued)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FOURTH ZONE</u> (Continued)		
KFEQ	Scroggin & Company Bank St. Joseph, Missouri	Granted authority to operate from 11:30 PM, CST on January 22nd, to 12:30 AM January 23, in order to broadcast program by National Veterans of Foreign Wars.
KFGQ	Boone Biblical College Boone, Iowa	C. P. make changes in equipment to conform to G. O. 111; 115; 116.

FIFTH ZONE

KSL	Earl J. Glade Salt Lake City, Utah	Granted 15 day extension of special authority of provision three of 50 KW CP, regarding selection of site.
KROW	Radio Station KROW Oakland, California	Granted extension of program test period of 15 days from January 15th, pending action on application for license.
KGY	St. Martins College Lacey, Washington	Hearing on renewal of license scheduled for February 8th, cancelled. Station is now operating 12 hours per day.
KMPC	R. S. MacMillan Beverly Hills, California	Granted Mod. of CP to extend completion date to February 25th, 1932.
KXRO	KXRO, Inc. Aberdeen, Washington	Granted license covering new equipment 1310 kc, 100 watts unlimited time.
KFAC	Los Angeles Broadcasting Company Los Angeles, California	C. P. move studio and transmitter locally in Los Angeles; install new transmitter to conform to G. O. 115; 111; 116.
KGW	The Oregonian Publishing Company Portland, Oregon	Granted authority to make direct measurement of antenna input.
KGY	St. Martin's College Lacey, Washington	Granted consent voluntary assignment of license to KGY, Inc., and also granted authority to move station to Olympia, Washington.

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LICENSES GRANTED

During the current week the Commission granted licenses, covering previously authorized construction permits to the following stations: WPEB, Hattiesburg, Miss.; KROW, Oakland, Calif.; KIT, Yakima, Wash.; KFJI, Klamath Falls, Oregon.

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January 23, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, January 25, 1932. All hearings commence at 10 a. m.

THURSDAY, January 28, 1932

BROADCASTING

Docket #1457 WFDV Rome Broadcasting Corp., Mod. Lic. 1500 kc 100 watts
Rome, Georgia Specified hours.

Present Assignment: 1310 kc, 100 watts
daytime.

FRIDAY, January 29, 1932

BROADCASTING

Docket #1255 NEW Troy Broadcasting Company C. P. 1500 kc 50 watts
Troy, Alabama Daytime hours.

Docket #1433 WSIX 638 Tire & Vulcanizing Co. Ren. Lic. 1210 kc 100 watts
Springfield, Tennessee Unlimited time.

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MISCELLANEOUS COMMISSION ACTION

WGL F. C. Zieg (Allen-Wayne Co.) Reconsidered and granted modified license
Fort Wayne, Indiana and ordered application withdrawn from
hearing docket.

KLPM J. H. Cooley Granted Mod. Lic. with specified hours;
Minot, North Dakota in consideration of agreement filed with
the Commission.

WLEY The Lexington Air Station) Granted Mod. Lic. after receipt of telegram
Lexington, Massachusetts) specifying licensee would operate during
KFJB Marshall Electric Company) the following hours, in answer to Commission
Marshalltown, Iowa) request, as part time station; 6 a. m. to
9 a. m.; 12 p. m. to 3 p. m.; 6 to 9 p. m.
daily.

WNBO John Brownlee Spriggs Granted authority to take depositions at
Washington, Pennsylvania on January 26,
1932. Application for renewal of this
station and WHBC, Canton, Ohio, have been
designated for hearing. Depositions are
to be taken in connection with this hear-
ing.

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January 23, 1932

APPLICATIONS DENIED

During the current week the Commission denied the following application, due to failure of the applicant to enter an appearance within the time specified of hearing in General Order 93:

2-MLB-917 WJAY Cleveland Radio Brdcstg., Mod. Lic, 610 kc; 250 watts 500 W
Corporation, LS - Unlimited.
Cleveland, Ohio

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APPLICATIONS DISMISSED

During the current week the Commission dismissed the following applications at the request of the applicants:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
1-PB-1190	NEW	Seward & Weiss Music Store, Rutland, Vermont	C. P. 1390 kc; 10 watts 3 hours daily and Sunday.
3-PB-985	WREC	WREC, Inc. Memphis, Tennessee	C. P. 600 kc; 500 W night 1 KW day; Divides with WOAN. (Appl. requests auth. install new trans)
3-PB-1248	WREC	WREC, Inc. Memphis, Tennessee	C. P. 680 kc; 5 KW. Divides with WOAN.
3-MB-557	WREC	WREC, Inc. Memphis, Tennessee	Mod. Lic. 680 kc; 2500 W. Un- limited time.
3-MB-491	WREC	WREC, Inc. Memphis, Tennessee	Mod. Lic. 600 kc; 500 W. night 1 KW Day; Unlimited.
2-MB-602	WLBW	Radio-Wire Program Corp., Oil City, Pennsylvania	Mod. Lic. 1260 kc; 1 KW; Un- limited.
3-PB-2375	WROL	Stuart Brdcstg. Corp., Knoxville, Tennessee	C. P. 1250 kc; 250 W. Unlimited (Asked facilities of WSKV)
5-PB-1372	KROW	Educational Brdcstg. Corp., Oakland, California	Appl. asked authority to use 740 kc if station KROW was assigned to this frequency as limited time station. KROW was not granted the use of the 740 kc channel, and this application became void.
2-FB-1727	(Former) WMBJ	John W. Spraul Pittsburgh, Pennsylvania	This application for new trans- mitter was filed while licensee was authorized to operate station WMBJ. Since that time the station has been deleted.

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January 23, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission:

<u>FRC</u>	<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-MPB-292		WOR	Bamberger Broadcasting Serv., Newark, New Jersey	Mod. C. P. for 50 KW asking approval of equipment and authority to make field tests.

SECOND ZONE

2-ALB-412		WELL	Enquirer-News Company, Eattle Creek, Michigan	Voluntary assignment of license to WELL, Inc.
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THIRD ZONE

3-PB-2434		NEW	F. A. Martin & Wm. Ross, Alamo Heights, Texas	C. P. erect new station on 1050 kc; 100 watts; share time with Station KNX.
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The location of this proposed station is in the Third Zone. Under General Order 40, the requested frequency is assigned to the Fifth Zone and is now used by Station KNX, Los Angeles, California, an unlimited time station with power of 5 KW. The granting of this application would appear to violate the terms of G. O. 40. The power requested is under the minimum now assigned to this class of service.

FOURTH ZONE

4-FB-158		WMBI	Moody Bible Institute, Chicago, Illinois	Authority to install automatic frequency control.
4-ALB-413		WGN- WLIB	The Tribune Company, Chicago, Illinois	Voluntary assignment of license to WGN, Inc.
4-SAB-19		KGDY	The Voice of South Dakota, Huron, South Dakota	Special authority to operate less than 12 hours per day for a period of less than three months.

The applicant is now licensed to operate unlimited time on 1200 kc with power of 100 watts.

4-MPB-289		WHO- WOC	Central Broadcasting Company Davenport, Iowa	Mod. C. P. for 50 KW requests approval of equipment and transmitter location near Colfax, Iowa.
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January 23, 1932

APPLICATIONS RECEIVED (Concluded)

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIFTH ZONE</u>			
5-FB-160	KGGM	New Mexico Broadcasting Co., Albuquerque, New Mexico	Authority to install automatic frequency control.
5-FB-159	KIDO	Boise Broadcast Company Boise, Idaho	Authority to install automatic frequency control.

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LICENSE APPLICATIONS RECEIVED

During the current week the following applications for license covering previously authorized construction permits were received at the Commission: WRBL, Columbus, Georgia; WHBF, Beardsville, Illinois.

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CONSTRUCTION PERMITS RECEIVED

During the current week the following applications for construction permits requesting authority to change transmitter sites locally, or make changes in equipment, were received at the Commission from the following stations: WHBU, Anderson, Ind.; WGCP, Newark, New Jersey; WALR, Zanesville, Ohio; WSMB, New Orleans, La.

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APPLICATIONS RETURNED

During the current week the Commission returned the following applications for failure of the applicants to comply with regulations:

1-P-B-2433	Roberto Mendez San Juan, Porto Rico	NEW	Construction permit for a new station to use 1370 kc. (Did not comply with General Order 116.)
3-P-B-2436	J. L. Neville Tulsa, Oklahoma	NEW	Construction permit for a new station on 1210 kc. (Did not comply with General Order 116, 105, 102.)
4-P-B-2425	I. D. Cornett & N. H. Yarger Massena, Iowa	NEW	Construction permit for a new station on 1240 kc. (Did not comply with General Order 102, 116).

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NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING

WASHINGTON, D. C.

January 23, 1933

TO THE OFFICERS AND DIRECTORS OF THE
NATIONAL ASSOCIATION OF BROADCASTERS:

The Supreme Court of the United States on Monday of last week refused to review the case of Trinity Methodist Church v. The Federal Radio Commission. This case, familiarly known as the Shuler case involves principles of great importance to all broadcasters. It arose from a decision of the Radio Commission, refusing to renew the license of Station KGEF because of certain utterances made over the station by Shuler. The utterances were alleged to be defamatory of candidates for public office and the Radio Commission assumed that it could therefore refuse to renew the station's license. It is argued that this action of the Commission constitutes censorship and violates the provisions of Section 29 of the Radio Act as well as the First Amendment of the Constitution.

The Court of Appeals of the District of Columbia, moreover, upheld the Commission's contention that this action was not an abridgment of freedom of speech when it declared:

"But this does not mean that the Government, through agencies established by Congress, may not refuse a renewal of license to one who has abused it to broadcast defamatory and untrue matter. In that case, there is not a denial of the freedom of speech but merely the application of the regulatory power of Congress in a field within the scope of its legislative authority."

The application of this legal theory to radio broadcasting amounts to a discrimination against broadcasting in favor of newspapers since the

January 23, 1933

Supreme Court has already held in the case of Near v. Minnesota that a newspaper cannot be suppressed for the publication of "defamatory and untrue matter."

In order to clarify this situation and to place broadcasters on a parity with the press so far as their liability for a publication is concerned, it is proposed to urge the Supreme Court to reconsider its denial of KGEF's petition for certiorari. If the Supreme Court's action stands, it amounts in practical effect to an affirmance of the decision of the Court of Appeals and as a result, broadcasters will not dare to allow the use of microphones for speeches which have not been previously censored and found to be innocuous. Freedom of speech in its most important aspect will cease to exist in radio broadcasting.

Counsel for Station KGEF has indicated his intention to make application for a rehearing of the matter before the Supreme Court within the next two weeks and the question is now submitted to you as to whether the National Association of Broadcasters should join in the request and urge a review of this most important question. The Association, of course, has no interest in the individual station involved and its participation is deemed important solely because of the specific importance of the question to the entire broadcasting industry.

Will you please give this matter your prompt consideration and advise me of your views?

PHILIP G. LOUCKS, Managing Director.



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director.

January 30, 1932

YOUR PROBLEMS

Announcement was made this week that general hearings will be commenced in the House of Representatives with a view to revising the copyright laws.

Four copyright bills are now pending in the Congress and a fifth will be introduced shortly.

Your Association is prepared to present the case of the broadcasters before the House Committee on Patents and you will be kept advised of all activities.

Within the next week or so the Interstate Commerce Commission will receive from one of its examiners a report on the hearing involving the right of the Commission to fix rates for advertising.

In the meantime the Federal Radio Commission is going forward with its investigation of the entire industry to report to the United States Senate on the feasibility of Government ownership of stations.

The subjects of copyright fees, advertising rates and even the continued existence of your business are now receiving consideration.

The work of your Association is rapidly reaching its highest peak.

Give the Association your best financial and moral support in this - your - fight.

COPYRIGHT HEARINGS IN HOUSE

Representative Sirovich (D) New York, new chairman of the House Committee on Patents announced this week that his committee will begin general copyright hearings on Monday, February 1. The Committee will not have any specific bill before it when hearings begin. Each industry affected by revision of the copyright statutes will undoubtedly appear and suggest changes in the present law. The National Association of Broadcasters will request permission to appear before the Committee and present the views of the broadcasters on the subject of copyright legislation. Plans are now being made for the presentation of the case of the broadcasters.

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BROWN NOMINATION PENDING

The nomination of Col. Thad Brown to be a member of the Federal Radio Commission is still pending before the Senate Committee on Interstate Commerce. While some opposition to the appointment has been evident it is believed that the Senate will confirm the appointment in the near future. Col. Brown is now general counsel of the Commission and would fill the Second Zone vacancy created through the resignation of Judge Robinson.

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DAVIS CONSIDERS ADVERTISING BILL

Rumors continue to persist that Representative Davis (D) Tennessee, chairman of the Merchant Marine, Radio and Fisheries Committee of the House, will introduce a bill to limit commercial credits in broadcast programs and impose a license fee on broadcasting stations. The bill has not been introduced up to the present time. Chairman Davis avers that he is not opposed to the American plan of broadcasting but believes that improvement can be made in advertising announcements.

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WORLD FAIR ATTENDANCE GAINS

The 1932 Radio-Electrical World's Fair will be held in New York City, in September, and the 11th Annual Chicago Radio-Electrical Show, in Chicago, January, 1933, it was announced by U. J. Herrmann and G. Clayton Irwin, jr. at the close of the 1932 Chicago Show, January 24. An increase of 21,101 show visitors was noted over the last exposition. In all, 215,491 visitors attended.

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FREEDOM OF THE AIR

Radio will be the greatest public forum, Representative LaGuardia of New York declared in a radio address this week in which he discussed "Taxation, Lobbying and the Freedom of the Air."

"When the American Taxpayers League announced a series of talks over the radio by eminent and distinguished statesmen, I protested to the National Broadcasting Company and the Taxpayers League which had been the subject of a Senatorial investigation, was not only exploiting the good name of the eminent men on their program, but that they were using this radio network for their own propoganda in the furtherance of the personal interest of a few promoters," Representative LaGuardia declared. "The President of the National Broadcasting Company, Mr. Aylesworth, offered me the opportunity as he stated 'in accordance with the company's policy to always permit the presentation of the other side of the question.' Thanks National Broadcasting Company. As long as the freedom of the air is maintained on such a high and fair level, radio will be the greatest public forum ever known in the history of the world."

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TO BLOCK TRAFFICKING IN RADIO FACILITIES

On motion of Commissioner Harold A. Lafount, the Commission adopted an order effective today, requiring all applications for assignment of broadcasting radio station licenses to be accompanied by a sworn statement containing the following information:

- (a) A complete list of all assets to be transferred including intangibles and a description of all equipment.
- (b) An itemized statement showing actual cost of replacement of individual items transferred.
- (c) An itemized statement showing present value of the individual items transferred.
- (d) A financial statement executed by the proposed assignor showing receipts and disbursements also profit or loss for the three months preceding the month in which the assignment is requested.
- (e) A financial statement executed by the proposed assignee showing individual items of assets and liabilities.
- (f) Where assignment is voluntary, an executed copy of the contract or lease agreement shall be attached which must provide:
 - (1) That the assignee shall have complete control of station equipment and operation including unlimited supervision of programs to be broadcast from the station;
 - (2) Transfer shall be subject to the consent of the Commission;
 - (3) Including the price, whether paid or promised, and all terms and conditions of the proposed sale or transfer.
- (g) Where the assignment is involuntary, there shall be attached a certified copy of the court order, or legal instrument, effectuating the transfer and showing all the terms and conditions under which the transfer was made.
- (h) A copy of the articles of incorporation of assignee, if a corporation, showing its power to engage in radio broadcasting, certified to by the Secretary of State of the State in which assignee is incorporated.

In support of his motion, Mr. Lafount said:

"The information now required by the Federal Radio Commission is not complete enough to permit the Commission to determine whether or not value is being placed upon the wave length or license, and as a result there is considerable commercializing and trafficking in wave lengths and licenses, which I believe to be contrary to both the spirit and letter of the Radio Act".

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NEW RULES AND REGULATIONS FEBRUARY 1

The new rules and regulations of the Commission become effective on February 1. Copies of the rules and regulations were mailed recently to all stations. The attention of stations is called specifically to the change in the phonograph order which now reads as follows:

"A mechanical reproduction shall be announced as such just before it is broadcast, except when its use is merely incidental, as for an identification or background. The exact form of announcement is not prescribed, but the language shall be clear and in terms commonly used and understood. The following are examples of statements sufficient for the purpose:

- (a) "This is a mechanical reproduction".
- (b) "This is a player-piano record".

The new order relating to station announcements is as follows:

"Each licensee of a broadcast station shall announce the call letters and location as frequently as practicable during the hours of operation, and in any event before or after each program being broadcast. In no event shall more than 30 minutes elapse between such announcements, and in so far as practicable these announcements shall be made on the hour and half hour. These requirements are waived when such announcements would interrupt a single consecutive speech; and in such cases the announcement of the call letters and location shall be made as soon as possible."

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WLOE GETS STAY

The Court of Appeals of the District of Columbia this week granted the petition of Station WLOE, Boston, Mass., staying the decision of the Commission deleting the station, pending a formal hearing by the Court on the appeal filed by the Boston station. Station WLOE is licensed to operate on 1500 kc with power of 100 watts.

Radio Station KFH, Wichita, Kansas, has filed notice of intention to intervene in the appeal in this Court taken by Station WOQ, Kansas City, Mo., (Docket No. 5582). The Kansas City station has appealed the action of the Commission denying this station a renewal of license on 1300 kc with power of 1 KW sharing time with Station KFH, Wichita, Kansas. The statement of Facts and grounds for decision were filed by the Commission in same case.

A motion asking the Court to dismiss the appeal of the Ozark Corporation, Cartersville, Mo., was filed by the Commission in Docket No. 5544. The Missouri applicant was denied authority to erect a new broadcasting station and also was denied a request to modify an experimental license which the applicant now holds.

Station WCAJ, Nebraska Wesleyan University, Lincoln, Nebr., has filed a brief in the appeal of the Woodmen of the World Life Insurance Association, (WOW) Omaha, Nebr., (Docket No. 5425). Station WOW has appealed the Commission denial of this station's application for unlimited time. At present the Omaha station shares time with Station WCAJ.

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OFFICE OF EDUCATION ASKS ASSISTANCE

The National Association of Broadcasters, pursuant to the report of the Educational Committee adopted at the last annual convention of the Association, is cooperating with the Office of Education, Department of the Interior, in the preparation of a booklet on methods of instruction by radio. The work when completed will be of great assistance to educational institutions and broadcasting stations in the preparation and presentation of educational programs.

"We believe that educational features which are to be broadcast should be so arranged and presented as to conform to the standards that are set up for other broadcasts," says Dr. Wm John Cooper, Commissioner of Education.

At the request of the Office of Education, a special committee, headed by Ed Eill, Station WMBD, Peoria, Ill. has been appointed by President Shaw to assist in the preparation of the work.

Members of the Association are urged to give careful thought to the questionnaire which the Office of Education has sent to all commercial and educational stations. This project constitutes a constructive step in the development of educational programs over all stations, and is not connected in any way with the drive of certain educational groups to secure 15 per cent of all facilities for the exclusive use of education. The booklet, when completed, will constitute an aid to educators and broadcasters alike in making educational programs more valuable and interesting whether broadcast from commercial or educational stations. The best thought of broadcasters and educators will be related in the finished text which will be published by the Government. Give prompt and careful consideration to the questionnaire and return to the Office of Education.

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CERTIFICATES IN MAILS

Certificates of membership for the present fiscal year and copies of the code of ethics of the National Association of Broadcasters, suitable for framing, are now in the mails, addressed to all Active members of the Association. Certificates for Associate members will be mailed within the next few days. Watch the mails for your certificate and code. If not received within a reasonable time communicate with NAB headquarters.

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CONVENTION PROCEEDINGS MAILED

Printed proceedings of the Ninth Annual Convention of the National Association of Broadcasters held at Detroit, Mich. last October have been mailed to all members who attended the meeting. The cost of a copy of the proceedings, \$3, was included in the registration fee collected from all who attended the meeting. Extra copies may be obtained at \$3 per copy by writing NAB Headquarters, National Press Building, Washington, D. C. Copies will be sold until the supply on hand is exhausted and all requests will be filled in the order received.

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RADIO AND POLITICS

The New York Sunday News of January 10, which has as its first plank in its platform "a seat for every child in the public schools," published the following editorial under the caption "Radio and Politics:"

"The poor old radio industry has just come in for another sock on the jaw. This latest left hook is delivered by a Mr. Armstrong Perry, representing the National Committee on Education by Radio. Mr. Perry unloaded the haymaker at a New Orleans convention of scientists.

"It is Mr. Perry's feeling that radio should be rigidly controlled if not owned by the Government, as it is in most European countries; that advertising should be taken off the air; and that radio should be used "to serve the people instead of to exploit people."

"Mr. Perry then turns around and says that people don't listen to the radio advertising which he feels is exploiting them. That's a funny canceling-out of one argument against advertising by radio. If the people don't listen to the advertising, how are they being affected by it at all?

"We presume that what Mr. Perry wants most is Government control of radio, and that he's gathering up all the arguments he can find to support that proposal. Lots of people are. It's a question that will probably have to be decided sooner or later in this country.

"Mr. Perry's most substantial argument for Government radio control is that 94 per cent of all songs, speeches, special acts and so on, broadcast in the United States, are subject to the censorship of business groups. He would like them transferred to the control of politicians.

"Would this be a change for the better?

"Maybe the politicians would have the energy and artistic ambition and real courage which was shown by certain private broadcasters when they determined to put the Metropolitan Opera on the air, and carried the project through with sensational success.

"The politicians might put on the air such worthwhile and educational features as the recent radio debate on reparations between Norman Thomas and Representative McFadden; such superb musical programs as the Philadelphia Symphony Orchestra broadcasts directed by Leopold Stokowski; such balm for the souls of millions of lovesick, romance-damp boys and girls as the sloppy but comforting croonings of Rudy Valle, Morton Downey, Russ Columbo and Fing Crosby.

"It might happen with radio under political control, but we have our doubts.

"Politicians are too apt to let their friends in on a good thing, and to bow to organized special groups. The air would probably become much more loaded with political propaganda and appeals for this and that worthy but tiresome cause than it is now loaded with advertising. Few people, for instance, are very strong for the run of programs broadcast over WNYC, New York's municipal radio station, though WNYC is fairly well managed.

"There is just something about politics which doesn't mix with entertainment. Censors kill the best lines in shows, suppress the most interesting books. It will be a long time before many Americans will want to soak up much education from radio in their homes. Until most Americans do want such education, let's leave radio largely to the professional showmen (they put on the best shows), supported by private capital (it doesn't have to ask about a ham performer's politics before it bounces him)."

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"MAKE IT FIFTY-FIFTY"

The following editorial was published in the CAROLINA STATE NEWS, Spartanburg, S. C. under the caption "Let's Make It Fifty-Fifty":

"Newspapers are conducting a vigorous campaign against Radio. A poor, half starved newspaper and editor at Ventura, Cal. has devoted his plant and full time to the fight on radio. Undoubtedly some interest is furnishing the money. The Newspapers and their association (The Editor and owner of this paper is a member of the Association) protest that America should have the European system of broadcasting, viz: all stations owned by the Government and operated by the Government. A tax on receiving sets pays the bill. You pay for listening to poppy cock bunk, and hokum handed out over the stations by the political party in power. The newspapers, at least some of them, have brought themselves to the actual belief that they are acting in a purely altruistic spirit in behalf of the public. The President has declared himself in favor of the independent method of broadcasting operation now practiced in the United States. Leading Congressmen and Senators have declared for the same method. There seems little possibility that the newspapers campaign will bring results, so they have begun to demand more restrictions for Broadcasters. Broadcasters in the United States can, in ten minutes, reach and talk to more people than any one issue of every newspaper printed in America combined. It is a sad indictment of the Fourth Estate when they would be led by a few radical fools in attacking progress, science and development. What about the buggy manufacturers. They didn't howl when automobiles came in!

"Now if you, gentle reader, would like to know the real reason newspapers are attacking radio, then read this -- Newspapers lost in excess of 38% advertising revenues in 1930 from the peak revenues of 1929. During the same year Radio gained approximately 97%. Newspapers took another nose dive in 1931 while Radio went up another 50% over the 1930 figures. Local advertisers, not counting chain advertisers, spent \$170,000,000 advertising over radio stations in 1931. Do you wonder why newspapers, at least some of them, will not publish Radio programs and are attacking radio and demanding more government restrictions or adoption of the European system of broadcasting? Radio's answer is:

"O. K. Gentlemen of the Press -- we are willing to have the European system of broadcasting, provided you agree to the same governmental regulation of your newspapers as experienced by European newspapers at present. Or we are willing to have more Governmental regulation provided the Government makes the same rules that apply to Broadcasting stations apply to your newspapers. In other words, the Government must also tell you when you shall open your business and when you shall close it. The Government will tell you that you cannot take sides in a political fight but must give both sides equal space, the Government will license you to publish for 90 days at a time, and subject you to hearings at Washington at all times, should your paper not comply with regulations of the Government, and, incidentally hearings are very expensive. You will be limited in the number of papers you will publish and your pressmen and other employees will have to stand examinations and secure a Government license and must be on duty at all times while your paper is being published. Indecent and obscene matter will be barred from your papers. Of course you do not have such in your papers now, but such little phrases as, "ten, twenty or forty feet of intestine," "bowels," "sour stomach," "constipation," "sore feet," "periodic pains," "women's ailments," "poisonous matter," "bad breath," "B. O. (body odor)" might be barred by the Government and then your revenues would suffer. Think what might happen now if the newest inventions for the comfort of women were exploited over the radio? Lydia Pinkham would soon become history if the radio was depended upon to tell suffering ladies of her tonic. Certain bath room accessories would have never

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"MAKE IT FIFTY-FIFTY" (Continued)

become known and and we probably would not know corn on the cob to be the delicacy it is. It is good business for newspapers however. And Yeast -- think what relief to mankind has been done by the Constipation ads -- we doubt if the world could have learned of the great advantage of yeast without the newspapers. The grotesque expressions on the faces of sufferers from tooth ache, back ache, kidney pains and exhibitions of various parts of the anatomy pictured in newspaper ads would be sorely lacking on the Radio. Pictures of feet, ugly distorted feet with long toes, crooked toes, toes such as no person would admit as theirs, are not shown over the Radio -- but in Newspapers.-- Tiz. And did you ever hear a suggestive smutty sexy story read over the Radio? "Her Secret Love," would have fallen flat as a serial if Radio had been depended upon to carry it to the public. Did you ever hear a broadcast from a penitentiary death house, actual scenes of a woman being electrocuted? And last, but not least, ladies and gentlemen of the newspaper and radio audience -- when equal regulation of Radio and Newspapers is actually put into practice by the Government, postal rates for newspapers will be raised to a par with all other mailings. The Taxpayers of these United States will not be forced to pay millions of dollars to cover the expense of delivering newspapers through the mails at postage rates that do not cover one tenth the actual cost of handling the newspapers and distributing them.

"Radio wants a fifty-fifty break with newspapers, but wants no odds, nor does Radio want the newspapers to have odds -- Radio will insist that the fifty-fifty proposition be not like the restaurant owner who used horse meat in his rabbit stew. Fifty-fifty, one horse and one rabbit."

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PROPAGANDA FROM PARENTS AND TEACHERS

The National Committee on Education by Radio, which has been disseminating widely propaganda for passage of the Fess bill to set aside 15 per cent of the channels for education, quotes in its most recent bulletin an excerpt from Special Bulletin Number Five of the National Congress of Parents and Teachers as follows:

"The home is the richest soil ever given for the growth of human life. It deserves every aid and protection, that wise and devoted parents may rear intelligent and upright children. Is not high-powered advertising aimed at children over the heads of their parents a menace to the integrity of home life? Can we afford to allow smartalecky salesman on the air to invade our homes -- even on Sunday -- and to destroy the ideals of sincerity and good taste which are at the heart of sound character?"

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A. A. A. A. MEET IN APRIL

The Fifteenth Annual Convention of the American Association of Advertising Agencies will be held April 14 and 15 at the Mayflower Hotel, Washington, D. C.

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RECOMMENDS NEW YORK TELEVISION

Examiner Walker this week in Report No. 322 recommended to the Commission that the application of the Knickerbocker Broadcasting Company, New York City, for authority to erect a new visual broadcasting station be granted. The construction permit seeks the use of 2850-2950 kc with 1 KW power, and at the time of the hearing, according to the Examiner, the applicant stated it would accept any frequency for this proposed service that the Commission may assign.

The recommendations of the Examiner describes the program of the applicant in the following language: "The applicant's plan of research and experimentation in visual broadcasting is twofold: First, the development and improvement of technical apparatus for use in transmission and reception; and, Second, studio technique, lighting, makeup, etc." Further reference is made to the connection between the applicant and the Baird Television Corporation, with the statement by the Examiner that the applicant is to furnish and install a complete transmitter in which the engineers of the applicant and the Baird Television Corporation are to cooperate.

Radio Pictures, Inc., New York City, is now licensed to use this requested frequency, and in connection with the possibility of interference developing, the Examiner concluded that the "granting of this application will restrict to some extent the actual hours of transmission of W2XR (operated by Radio Pictures), but such restriction appears to be warranted in view of the showing of the applicant herein."

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SYNCHRONIZATION TESTS EXTENDED

Pending a formal decision on the hearing held recently, the Commission this week extended for a period of 90 days from February 1, the special experimental synchronization authority of Stations WBAL, Baltimore, Md.; and WTIC, Hartford, Connecticut. No change was made in the requirements of the tests or the manner in which they are to be continued. Station WBAL will conduct tests with Station WJZ, New York City on 760 kc during those periods when the Baltimore station is not regularly operating on 1060 kc. Station WTIC will carry on similar tests with Station WAAF, New York City, on 660 kc when Station WBAL is operating on 1060 kc.

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DENY NEW STATION

Denying the application of Capitol City Broadcasters Company, Pierre, South Dakota, for authority to erect a new station on 580 kc with power of 100 watts and 12 hours operation daily, the Commission this week sustained the recommendation of Examiner Hyde (Report 308). The applicant asked assignment of the facilities of Station KGFX, Pierre, S. D., operating as a daytime station with 200 watts power on 580 kc. In this same decision the Commission dismissed the renewal application now on file by Station KGFX and will issue a regular renewal license. The decision of the Commission in denying the new station at Pierre was based on the failure of the applicants to show sufficient availability of talent or the type of programs proposed to be broadcast.

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COMMISSION'S QUESTIONNAIRE

Members of the National Association of Broadcasters are again urged to give careful consideration to the questionnaire sent out by the Federal Radio Commission in response to the Couzens-Dill resolution requiring the Commission to investigate the feasibility of government ownership of broadcasting stations. The Commission intends to have each question fully and accurately answered and failure to supply the proper answers will result in the Commission sending out supplementary questionnaires until complete information is received from every station. Your Association has agreed to cooperate in every way with the Commission in this important task and members are admonished to spare no time or effort to supply complete information sought by the Commission.

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HAVE YOU ORDERED A HANDBOOK?

Nearly one-fourth of our membership have not placed orders for NAB Handbook binders, suitable for binding the rules and regulations of the Commission, the new station lists to be issued shortly and the Constitution and By-Laws, membership list, and Standards of Commercial Practice of the NAB. Orders received so far have been forwarded to the factory and delivery in Washington has been promised for next week. If you have not ordered one of these leather binders, which are made of the best materials obtainable and which will last a lifetime, do so at once. The cost per NAB member is \$4.25 although the catalogue price is \$6.75. A second order will be placed with the manufacturers just as soon as additional requests are received for members.

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MAGAZINE ADVERTISING DOWN

Total advertising expenditures in national magazines in 1931 were 17.5 per cent less than in 1930, 18.2 per cent less than in 1929 and 10 per cent less than in 1928, according to data compiled by National Advertising Records and published by Denney Publishing Company, New York. The figures are: 1931 - \$166,555,864; 1930 - \$201,854,510; 1929 - \$203,776,077; 1928 - \$185,204,588. -- From ADVERTISING AND SELLING, January 20, 1932.

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COMMERCIAL OPERATORS INCREASE

The Commerce Department's Radio Division licensed 3076 commercial operators in the last six months of 1931 compared with 2,472 in the same period of 1930, according to information made public today by Director W. D. Terrell. This number includes operators in all the six classifications.

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SEND IN SECTION DATA

About a dozen members of the NAB have not sent in the names of their delegates to the Commercial, Engineering and Program Sections. These sections are now being organized and stations which have not named delegates should do so without delay.

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DENVER STATION DELETED

Deleting Station KFUP, formerly operated by Fitzsimons General Hospital, United States Army, Denver, Colorado, the Commission this week denied the application of Harry Byron Lee, Lamar, Colorado, requesting the assignment of the deleted station. At the same time, the Commission granted a renewal of license to Station KFXJ, Grand Junction, Colorado, but declared that station's application for modification of license in default. The Grand Junction station requested authority to operate unlimited time. The application for assignment of the KFUP license to S. H. Patterson was also denied.

The decision of the Commission denying the new station at Lamar was based on the ground the applicant failed to show sufficient financial ability to properly construct and maintain the proposed station and further it was declared the town now receives good broadcasting service from existing stations. Holding that Station KFUP has made but little use of the assignment of facilities formerly licensed to it, the Commission declared from the evidence it would not be indicated that the City of Denver and vicinity would be deprived of any service that is now received from existing stations by deletion of KFUP. The same reasons were set forth in denying the assignment of this station's facilities to S. H. Patterson.

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TEXAS RENEWAL GRANTED

Declaring two applications in default for new stations in Texas and Alabama, the Commission this week ordered a renewal of license issued to Station KGKB, Tyler, Texas, and authorized an assignment of license requested by this station to East Texas Broadcasting Company, sustaining the finding of Examiner Yost (Report 300). The two applications for new stations were filed by John E. V. Jasper, Sherman, Texas, and The Voice of Montgomery, Montgomery, Alabama. Both applicants sought authority to erect stations on 1500 kc to share time with station KGKB. The Commission dismissed the applications with the statement that no evidence was found in the record in support of either applications. Station KGKB is licensed to operate unlimited time on 1500 kc with power of 100 watts.

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JAPAN CONSIDERS SPONSORED PROGRAMS

The present regulation of Japan forbidding sponsored radio programs may be modified to permit advertising in order to finance broadcasting in that country, according to a statement issued this week by Dr. C. M. Koon, radio specialist of the Office of Education, Department of Interior, in connection with a report which was received from the American Consulate General at Tokyo. No advertising is permitted in broadcasts at the present time. All Jap programs are subject to government censorship. Japanese broadcasting companies are faced with considerable difficulties and the main one is lack of funds. This condition, it is hoped, may be remedied by the additional revenue that may be derived from permitting sponsored material to be placed in programs.

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FREQUENCY STABILITY PLEASES TERRELL

The cooperative work being carried on between the broadcasting stations of the United States and the Commerce Department's Radio Division is definitely improving the reception of programs through decreasing the number of stations operating outside their assigned channels, figures made public today by Director W. D. Terrell of the Radio Division indicated.

The Division, through its monitoring stations in the nine radio districts, made 35,489 measurements of United States broadcasting stations in the last six months of 1931 and found a total of 401 deviations. In the same period of 1930, the Division made 30,052 measurements and found 922 deviations.

"We are extremely pleased with this report," said Director Terrell, "as it indicates to us that the cooperative work we are doing is finding a ready response on the part of broadcasters to take advantage of our findings and correct whatever may be responsible for deviations from assigned channels.

"The decrease in the number of deviations found indicates quite clearly that throughout the country radio listeners are enjoying programs more because of the measurements taken by workers of the Division".

During the month of December, the monitoring stations of the Division measured 422 broadcasting stations, which was a larger number of individual stations than have been checked during any previous month. Of the 422, 190 or 45% deviated less than 50 cycles; 98 or 23.2% deviated less than 100 cycles; 64 or 15.2% were less than 200 cycles off frequency and the remaining 70 or 16.6% went over the 200 cycle mark.

The following is a list of stations, deviating less than 50 cycles, during December, according to the Radio Division record:

KCRC; KELW; KEX; KFAB; KFAC; KFBK; KFDM; KFEQ; KFJF; KFJR; KFKU; KFLV;
KFOR; KFPM; KFQU; KFSO; KFUL; KFVS; KFWI; KFXF; KFYZ; KGB; KGBA; KGDM;
KGER; KGFJ; KGGC; KGHI; KGKB; KGNF; KGNO; KGO; KGW; KHQ; KJBS; KJR; KLX;
KLZ; KMAC; KMED; KMLB; KMO; WBBZ; WBEN; WBNX; WBRE; WBSO; KMOX; KMPG;
KOAC; KOH; KOIL; KOMO; KPO; KPCC; KRE; KRLD; KRMD; KRSC; KSAC; KSD; KSL;
KSO; KSOO; KSTP;

KTAB; KTAR; KTAT; KTBS; KTFI; KTHS; KTM; KTRH; KTSM; KVOO; KWJJ; KWK;
KXA; EXL; KYA; WAAF; WADC; WAWZ; WBAA; WBAK; WBAL; WBAP; WBBL; WHK; WHN;
WHO; WHP; WBT; WBTM; WBZ, WBZA; WCAH; WCAJ; WCAL; WCAO; WCAU; WCBG; WCBM;
WCDA; WCFL; WCHI; WSH; WDAE; WDAF; WDAG; WDBJ; WDEL; WDOD; WEBC; WEBQ;
WEBR; WEDC; WEEI; WENR; WFAA; WFE; WFI; WFIW; WFOX; WGAL; WGBI; WGM;
WGES; WGH; WGR;

WHAS; WHAZ; WHB; WHBD; WHDH; WHEC; WABO; WSBT; WSEN; WSM; WSUI; WTAG;
WTAM; WIBO; WIIM; WIP; WFAN; WISN; WJAC; WJAG; WJAX; WJBO; WJJD; WJSV; WJZ;
WKBH; WKRC; WLBC; WLBZ; WLIT; WLS; WLW; WMAL; WMAQ; WMBC; WNBH; WOAI; WOC;
WODA; WOI; WOKO; WOL; WOMT; WOQ; WOR; WORC; WEPS; WOS; WOW; WOWO; WPG;
WPTF; WQBC; WRAX; WRC; WRHM; WRUF; WSAR; WSB; WTAR; WPOR; WTIC; WWJ; WWSW;
WXYZ.

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APPLICATIONS GRANTED

At its sessions during the current week the Commission granted the following applications:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WHAM	Stromberg Carlson Tel. & Mfg. Co., Rochester, New York	Granted renewal of license to August 1, 1932; 1150 kc, 5 KW unlimited time, pursuant to and in conformity with Mandate of Supreme Court of D. C. of June 28, 1930.
WHDL	Tupper Lake Brdcstg. Company, Inc. Tupper Lake, New York	Granted extension of existing license from February 1st to March 1st, 1932, subject to decision on any pending proceeding affecting the licensee.
WFOX	Paramount Broadcasting Corp., Brooklyn, New York	Granted Mod. of CP to extend completion date to March 22, 1932.
WHN	Marcus Loew Booking Agency, New York, N. Y.	Granted authority to conduct field tests to determine transmitter site.
<u>SECOND ZONE</u>		
WWVA	West Virginia Brdcstg. Corporation, Wheeling, West Virginia	Granted special authorization to August 1, 1932, to operate simultaneously during daytime with Station WOWO.
<u>THIRD ZONE</u>		
KGMP	Homer F. Bryant Elk City, Oklahoma	Granted extension license from February 1st to April 1st, 1932, pending result of Commission's decision in proceedings affecting station KGMP.
<u>FOURTH ZONE</u>		
KWKC	Wilson Duncan Broadcasting Company Kansas City, Missouri	Granted Mod. of Lic. 1370 kc, 100 watts, hours of operation: 6 to 9 AM, 12 to 3 PM, 6 to 9 PM, daily.
WOWO	Main Auto Supply Company Fort Wayne, Indiana	Granted special authorization to August 1, 1932, to operate simultaneously during daytime with Station WWVA.
KUSD	Univ. of S. D. Vermillion, S. D.	Stations KUSD and WILL granted authority to broadcast simultaneously on following date and hour: Monday, February 16, 8 to 9 PM, CST.
WILL	Univ. of Illinois, Urbana, Ill.	
KFNE	Henry Field, Co., Shenandoah, Ia.	

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APPLICATIONS GRANTED (Concluded)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FOURTH ZONE</u> (Continued)		
KWCR	Cedar Rapids Broadcasting Company Cedar Rapids, Iowa	Granted Mod. Lic. increase hours to sharing with Station KFGQ
<u>FIFTH ZONE</u>		
KGCX	First State Bank of Vida Wolf Point, Montana	Granted Mod. of Lic. 1310 kc, 100 watts, 250 w. LS, hours of operation: 6 AM to 9 AM; 12 .M to 3 PM, 6 PM to 9 PM daily.
KUJ	KUJ, Inc., Walla Walla, Washington	Granted Mod. of Lic. 1370 kc, 100 watts, hours of operation; 6 to 9 AM; 12 to 3 PM; 6 to 9 PM, daily.
KVOA	Robert M. Riculfi Tucson, Arizona	Granted Mod. of Lic. 1260 kc, 500 watts, hours of operation: 6 to 9 AM; 12 to 3 PM, 6 to 9 PM, daily.
KGKX	W. W. Von Cannon, Trustee Sandpoint, Idaho	Granted temporary license subject to the condition that licensee shall establish and maintain a schedule of operation of at least 2/3 of the hours authorized daily; and that station shall be operated by the proper licensee.
KGY	KGY, Inc. Lacey, Washington	Granted CP to increase power from 10 to 100 watts on 1210 kc, half time.
NEW	W. E. Whitmore, Clovis, New Mexico	Granted CP for new station 1370 kc, 100 watts sharing facilities of KGFL.
KERN	Santa Maria Radio (Formerly KSMR) Santa Maria, California	Granted Mod. Lic. change name licensee The Bee Bakersfield Broadcasting Company.
KFWI	Radio Entertainments, Inc., San Francisco, California	Granted authority to make direct measurement antenna input.
KFAC	Los Angeles Broadcasting Company Los Angeles, California	Granted temporary authority to operate unlimited time beginning February 1, 1932, using facilities vacated by Station KGEF on 1300 kc.

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CONSTRUCTION PERMITS GRANTED

During the current week the Commission granted construction permits covering changes in transmitter sites or equipment to the following stations: WSMB, New Orleans, Louisiana; WHO-WOC, Des Moines, Iowa.

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January 30, 1932

LICENSES GRANTED

During the current week the Commission granted licenses covering previously authorized construction permits to the following stations: WLAP, Louisville, Ky.; WDEL, Wilmington, Del.; WBOW, Terre Haute, Ind.; WJMS, Ironwood, Mich.; WRBL, Columbus, Ga.; WNBW, Carbondale, Pennsylvania.

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RENEWALS GRANTED

During the current week the Commission issued renewal licenses for the regular period to the following stations: WOWO, Fort Wayne, Ind.; WWVA, Wheeling, West Va.; WSM, Nashville, Tenn.; KFAB, Lincoln, Nebr.; KFEB, St. Joseph, Mo.; KFI, Los Angeles, California; KPO, San Francisco, Calif.; WLW, Cincinnati, Ohio; KFBI, Milford, Kan.; KJR, Seattle, Washington.

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APPLICATIONS RETURNED

During the current week the Commission returned the following applications for failure of the applicants to comply with regulations or at the request of the applicant:

3-P-B-2435	Peninsular Broadcasting Co., St. Petersburg, Florida	NEW	Construction permit for new station to use 1010 kc. (Did not comply with G. O. 102.)
5-P-D-2363	James McClatchy Company, Fresno, California	KMJ	Construction permit to move transmitter locally, make changes in equipment, change frequency from 1210 kc to 1350 kc and increase power to 500 watts. (Returned at request of applicant).
5-MP-B-287	S. H. Patterson Denver, Colorado	KGEW	Request to move station to Cheyenne, Wyoming. (Applicant not licensee).

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CONSTRUCTION PERMITS RECEIVED

During the current week the Commission received applications for construction permits requesting authority to change transmitter site locally or make changes in equipment from the following stations: WBBM, Chicago, Ill.; WDOD, Chattanooga, Tenn.; KVL, Seattle, Washington.

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MISCELLANEOUS COMMISSION ACTION

WSYB	Philip Weiss Music Company, Rutland, Vermont		Granted authority to take depositions in matter now pending hearing.
KGEW	Central Nebr. Brdcstg. Corp., Kearney, Nebraska		Appl. ren. lic. dismissed from hearing docket; license granted for remainder of period - 1310 kc.

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January 30, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, February 1, 1932. All hearings commence at 10 a. m.

TUESDAY, February 2, 1932

BROADCASTING

Docket #1452 NEW Filler of Fire C. P. 1420 kc 100 watts
Cincinnati, Ohio Unlimited time.

THURSDAY, February 4, 1932

Docket #1456 NEW Eastern Ohio Brdcstg.Co., C. P. 850 kc 500 watts
New Philadelphia, Ohio Limited time.

FRIDAY, February 5, 1932

Docket #1439 WEBZ C. L. Carrell Renewal 1200 kc 100 Watts
Ponca City, Oklahoma Unlimited time.

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APPLICATIONS SET FOR HEARING

During the current week the Commission designated the following applications for hearing:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
KYW- KFKX	Westinghouse E & M Company, Chicago, Illinois	Granted temporary license and designated appl. for renewal of license for hearing.
NEW	Shreveport Broadcast Company Shreveport, Louisiana	C. P. for visual broadcasting service.

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RENEWALS SET FOR HEARING

During the current week the Commission designated for hearing applications for renewal of license received from the following stations: WAWZ, Zarephath, N. J.; KARK, Little Rock, Arkansas; ENOW (Formerly KUT) Austin, Texas.

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APPLICATIONS DISMISSED

During the current week the Commission dismissed the following applications at the request of the applicant:

2-PB-2385 New Western Michigan Brdcst. Co., C. P. 1500 kc; 100 watts; Share time
Muskegon, Michigan with WEBZ

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January 30, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-ZB-48 (Formerly WGBS)	WINS	American Radio News Co., New York, N. Y.	Determine license power by direct measurement of antenna input.
1-MLB-938	WILM	Delaware Broadcasting Co., Wilmington, Delaware	Mod. Lic. move studio from Wilming- ton to Chester, Pennsylvania.
1-PB-2450	WAAT	Bremer Broadcasting Co., Jersey City, N. J.	C. P. install new transmitter; in- crease power to 500 watts.
1-MLB-936	WAAT	Bremer Broadcasting Co., Jersey City, N. J.	Mod. Lic. increase power to 500 watts.

The applicant seeks authority to move studio a distance of approximately 15 miles. If the main studio of the station is to be located in Pennsylvania, this will increase the quota of that State. The station is licensed to operate on 1420 kc with power of 100 watts and unlimited time. The First Zone is under quota; Delaware is due 0.67 unit and is assigned 0.70 unit. The Second Zone is under quota; Pennsylvania is under quota. The granting of this application would increase the Pennsylvania quota 0.2 unit.

The applicant is now licensed to operate on 940 kc with 300 watts power and day-light operation until 6 p. m. eastern standard time. The closest station to New York on this frequency is WCSH, Portland, Maine, operating unlimited time with power of 1000 watts. The distance is approximately 295 miles. The recommended separation under similar circumstances as required by the Engineering Division mileage tables of the Commission is 310 miles.

1-PB-2338	NEW	Granite State Broadcasting Company, Portsmouth, New Hampshire	C. P. amended request 740 kc instead of 1310 kc; with power of 250 watts instead of 100 watts; daytime operation instead of sharing with WKAV.
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The applicant now seeks authority to erect a new station on the cleared channel frequency assigned for unlimited use to the Third Zone and used by station WSB, Atlanta, Georgia. The distance from the proposed location to Atlanta is approximately 995 miles. New Hampshire is under quota; the First Zone is under quota. The granting of the application would increase the quota 0.2 unit.

SECOND ZONE

2-MLB-934	WTEL	Foulkrod Radio Engr. Co., Philadelphia, Pennsylvania	Requests authority to operate when WCAM is operating.
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January 30, 1932

APPLICATIONS RECEIVED (Continued)

SECOND ZONE (Continued)

The applicant requests authority to increase operating hours. At present Station WTEL is licensed to operate on 1310 kc sharing time with Station WHAT, Philadelphia. Station WCAM, Camden, New Jersey, is licensed to operate with power of 500 watts on 1280 kc. There is a frequency separation of 30 kc between this assignment and that of the applicant. At present Stations WTEL and WHAT are not authorized to operate, while Station WCAM is broadcasting. Under the mileage tables of the Commission Engineering Division the recommended separation for simultaneous operation under similar circumstances is 39 miles. The actual distance in this case is less than the recommended distance. The granting of this application would increase the Pennsylvania quota.

2-MPB-293 WCAU Universal Broadcasting Co., Mod. C. P. for 50 kw. Requests Philadelphia, Pennsylvania approval proper equipment.

THIRD ZONE

3-PB-2455 NEW Attala Milling & Produce Co. C. P. erect new station 1500 kc; 100 Kosciusko, Mississippi watts; unlimited time.

The applicant requests authority to erect a new local station on 1550 kc. The closest station to the proposed location on the requested frequency is Station KGKB, Tyler, Texas, operating with power of 100 watts and approximately 325 miles distant. The Third Zone is over quota; Mississippi is under quota. The granting of this application would increase the quota 0.2 unit.

3-PB-2453 NEW W. T. Hamilton, C. P. erect new station 1240 kc; 250 Greenville, South Carolina watts night 500 watts LS; Unlimited time.

The applicant requests authority to erect a new station on 1240 kc. The closest station to the proposed location on the requested frequency is Station WXYZ, Detroit, Michigan, operating with power of 1 KW and approximately 605 miles distant. The mileage tables of the Commission Engineering Division recommends under similar circumstances a separation of 1050 miles. The Third Zone is over quota; South Carolina is due 4.83 units and is assigned 1.70 unit. The granting of the application would increase the quota 0.5 unit.

3-MPB-294 WCOA Pensacola Brdcstg. Company, Mod. C. P. move station locally; install different equipment; extend Pensacola, Florida comm. and completion dates to 2/1/32 and 5/1/32 respectively.

3-MLB-933 KMLB Liner's Brdcstg. Station, Mod. Lic. change operating hours to Monroe, Louisiana permit operation until 8 p. m. (Facilities of Station WJBO)

The applicant is now licensed to operate as a daylight station on 1200 kc with power of 100 watts. The closest station on this frequency is KGHI, Little Rock,

January 30, 1932

APPLICATIONS RECEIVED (Continued)

THIRD ZONE (Continued)

Arkansas, operating unlimited time with power of 100 watts. The distance is approximately 155 miles. This is less than the Engineering Division mileage tables recommend for simultaneous operation under similar circumstances. The Third Zone is over quota; Mississippi is under quota. The facilities requested by the applicant are assigned to Station WJBO, New Orleans, Louisiana, operating unlimited time with 100 watts on 1420 kc. Louisiana is over quota. The granting of this application would increase the Mississippi quota.

3-ALB-414	KRMD	Robert M. Dean, Shreveport, Louisiana	Voluntary assignment of license to Radio Station KRMD, Inc.
3-PB-2449	WQDX	Stevens Luke, Thomasville, Georgia	C. P. make changes in equipment; increase day power from 100 to 250 watts.

The applicant is now licensed to operate with power of 100 watts and unlimited time on 1210 kc. The closest station on this frequency is WJBY, Gladsden, Alabama, operating unlimited time with 100 watts. The distance is approximately 255 miles. The granting of the application would increase the Georgia quota 0.1 unit. Georgia is under quota.

FOURTH ZONE

4-MLB-935	WFBM	Indianapolis Power & Light Company, Indianapolis, Indiana	Mod. Lic. requesting specified hours.
4-MLB-937	WSBT	The South Bend Tribune, South Bend, Indiana	Mod. Lic. requesting specified hours.
4-MLB-940	KGNF	Great Plains Brdcastg.Co. North Platte, Nebraska	Mod. Lic. increase power to 1 KW.

The applicant is licensed to operate as a daylight station on 1430 kc with power of 500 watts. The closest station on this frequency to North Platte is WCAH, Columbus, Ohio, operating with 500 watts power and 945 miles distant. The Fourth Zone is over quota; Nebraska is over quota. The granting of this application would increase the quota 0.2 unit.

FIFTH ZONE

5-PB-2379	KSEI	Radio Service Corp., Pocatello, Idaho	C. P. amended request 250 watts 750 watts LS instead of 250 watts 500 watts LS.
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The applicant is now licensed to operate as an unlimited time station on 900 kc. The closest station to Pocatello on this frequency is KHJ, Los Angeles, California, operating with 1 KW and approximately 710 miles distant. The granting of this application would increase the Idaho quota.



February 6, 1932

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS
NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director.

SUNDAY BLUE LAWS

Congressman Thomas R. Amlie, Progressive Republican, Wisconsin, has introduced the following bill in the House of Representatives:

"That on Sundays there shall be no commercial announcements, whether direct or indirect, broadcast by any radio station, except that the name of the sponsor of the program may be given at the beginning and at the end of each program and with a minimum period of one hour between such announcements."

Congressman Amlie says that business as a whole respects the Sabbath and he cannot see why "broadcasters should not be made to respect our finer sensibilities on that one day of the week."

The bill says nothing about limiting the amount of advertising in Sunday newspapers carried in interstate commerce or in the mails.

The bill recalls the old Calvinistic injunction which reads something like this:

"Remember the Sabbath day and keep it holy; unless men in authority command ye to do so; then break it as an evidence of your liberty."

February 6, 1932

COPYRIGHT HEARINGS BEGIN

The House Committee on Patents this week commenced general copyright hearings which will be continued next week at which time the National Association of Broadcasters will probably be heard.

The hearings began on Monday with a general review of the copyright questions which have presented themselves from the viewpoint of the Copyright Office.

Representatives of the Authors League of America appeared on Tuesday. Among the witnesses were Will Irwin, Fannie Hurst, Arthur Guiterman, Silas Bent, Rupert Hughes, Sigmund Romberg and others.

Wednesday's hearings were opened to book and periodical publishers.

Dr. Sirovich (D) New York, chairman of the Committee, is vigorously pushing the hearings with a view to getting information upon which he can draft a satisfactory bill. He hopes to have the bill ready for introduction by March 1.

The following principles seem to have favorably impressed the Committee:

1. The ownership of copyright to be originally in the author or creator of the work.
2. Power of the author to assign his copyright or any part of it, provided such assignment is registered in Washington.
3. Divisibility of copyright, subject to registration.
4. A definite term of copyright protection of either 56 years or 60 years, but no more, and elimination of any renewal feature.

Except for the general principles outlined above, there was little of interest to the broadcaster in the first week's hearings.

The Association will be heard next week or the week following. Among other groups to appear will be the American Society of Composers, Authors and Publishers, motion picture interests and others.

The case of the broadcasters will be presented by Louis G. Caldwell, special counsel for the Association and the Managing Director.

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BROWN STILL UNCONFIRMED

The Senate Committee on Interstate Commerce has not yet acted on the nomination of Col. Thad H. Brown to be a member of the Federal Radio Commission. The Committee has not yet decided whether hearings will be held. In informed quarters it is held that the nomination will be reported and that it will receive confirmation by the Senate in due course.

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February 6, 1932

SEEKS ADVERTISING LIMITATION

Representative Ewin L. Davis (D) Chairman of the House Committee on Merchant Marine, Radio and Fisheries, plans to introduce shortly a bill proposing a heavy license fee on broadcasters and at the same time limit the commercial content in programs on all stations having more than 1,000 watts to mere mention of sponsorship.

Through the license fee, Representative Davis proposes that the broadcasters should partially pay for the cost of administration and policing the frequencies.

"When the broadcasting industry began operating there was comparatively little expense involved in handling licenses, supervising operations and policing the air," he said in a statement. "The whole thing has grown so rapidly that it now costs thousands of dollars annually for the Federal Government to protect the public's interest in the free privilege of using the ether. I contend that broadcasters who profit from the granting of these facilities should be made to share the financial burden of administration."

The limitation on advertising which Mr. Davis will propose, he said, would be applied on a basis of time used and the character of the matter broadcast. He said he also considers it imperative to place further restrictions on the different classes of stations.

Transmitters of over 1000 watts would be allowed to advertise only by identifying the sponsor of the program and the nature of his business, although less powerful stations would be permitted to broadcast additional commercial information, Mr. Davis explained. He stated that this formula should improve the calibre of programs presented by the networks and by the larger independent stations.

The proposal of Senator Couzens providing for an investigation of operations of the industry was approved by Mr. Davis, who said that he is "not entirely in favor" of the Commission's policies and that the investigation will serve to warn broadcasters against continued abuse of their privileges as well as to provide valuable information for congressional use in formulating policies.

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EDUCATOR DISCUSSES RADIO

After an experience of several years in broadcasting educational programs, Rev. Arthur K. White, vice president and secretary of the Pillar of Fire, an international evangelical organization, testified this week before Examiner Pratt that the preparation and delivery of educational programs for broadcasts could not be based upon the methods used in the classroom or with the assumption that a listener will follow such programs as a student works with text books.

In commenting upon the policy controlling the operation of Station WAWZ, Zarephath, N. J. and Station WPOF, Denver, Colo. both operated by the Pillar of Fire, Dr. White said:

"We have tried to be very careful students of the best educational broadcasting policy in the United States, and have steered away from the purely academic and systematic kind of educational delivery, feeling that it would tend to become dry, for the reason that you are not in the classroom where people can see. They have to take you just as they hear you. It is oral; and we have felt that a close, rigid systematic course of study might not get over. The result is that we have tried to popularize the subjects and to disguise the rigidly academic work so as to enlighten the people more or less unconsciously from their viewpoint."

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DILL SEEKS MEXICAN CONFERENCE

Senator C. C. Dill, (D) Washington, on Friday afternoon introduced in the Senate a resolution calling on the State Department to proceed with negotiations looking for an agreement between the United States and Mexico in the broadcasting controversy. Senator Dill has on several occasions discussed the growing interference between Mexican and American stations on the floor of the Senate and he is now calling upon the State Department to proceed with a solution of the problem through formal channels.

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THE BROADCASTING INVESTIGATION

Many stations are receiving requests from the Federal Radio Commission for information in addition to that supplied in the form questionnaires recently sent out in response to the Couzens-Dill resolution. Stations are again urged to give full and complete answers to all questions in order that the Commission will have all the facts upon which to base its report. The Commission intends to get all of the facts if it must continue to return questionnaires or keep after stations for additional information. Members of the NAB are urged to give the most careful consideration to the questions asked by the Commission. A full, fair, honest and complete investigation will be helpful to the Senate, the Commission, the industry and the public.

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MILLS TO RETURN TO ASCAP

E. C. Mills, formerly president of Radio Music Company, will become general manager of the American Society of Composers, Authors and Publishers on March 1. Mr. Mills, who formerly directed the activities of the Society, will succeed J. C. Rosenthal, who died recently. Mr. Mills returns to the Society with an understanding of the problems of the broadcasters and should be in a position to develop a constructive solution to the copyright problem as it affects all classes of stations.

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EDUCATIONAL QUESTIONNAIRE

Members of the NAB are again urged to give prompt and careful consideration to the questionnaire recently sent out by the U. S. Office of Education. The purpose of this questionnaire is to gather facts and experiences from broadcasters which, when published, will aid educators and broadcasters alike in the preparation and presentation of educational material by radio. The questionnaire in no way is connected with the campaign for certain educational groups for 15 per cent of the channels. It is part of a constructive effort on the part of the Office of Education to assist both educators and broadcasters in a more intelligent use of radio as an educational medium.

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REGULATION OF LOTTERIES

The jurisdiction of the United States over lotteries, any part of the general scheme of which utilize the mails, is demonstrated in the action of the Post Office Department issuing a fraud order against Station XED, Reynosa, Mexico.

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February 6, 1932

RECOMMENDS KVI-KXA FREQUENCY CHANGE

In a lengthy report Examiner Yost this week recommended that Station KVI, Tacoma, Washington, now assigned to 760 kc, Limited Time, and Station KXA, Seattle, Washington, operating on 570 kc unlimited time, be authorized to interchange assignments. In the same report, (No. 327) the application of KGVO, Missoula, Montana, operated by Mosby's Inc., for the facilities of KXA, was recommended for denial. The Montana station is now licensed to operate until 6 p. m. with 100 watts on 1420 kc.

The case arose when Station KVI requested the facilities of Station KXA, seeking the use of 1 KW power on 570 kc. This was later amended to 500 watts. At the hearing, Station KXA protested the taking of evidence, claiming the amendment to the application had been made within twenty days of the hearing date. It contended this was contrary to procedure. This motion was denied, adequate notice having been given to all parties. Another motion filed by this station was also overruled, involving application of Station KVI and its failure to specify exact facilities of Station KXA.

A considerable part of the report involving the renewal application of Station KVI is devoted to correspondence between the applicant, Station WJZ, the dominant station on 760 kc, and the Commission. There appeared some question as to the authority of the Seattle station to resume operation after Station WJZ had discontinued broadcasting. As a matter of record, the Examiner found the Tacoma station "continues to broadcast programs of a high type and standard and desirable and interesting to the listening public". It was further found the equipment of the station complies with Commission regulations and is efficiently and properly operated.

Disposing of the evidence in connection with the renewal of this station, the Examiner next considered the application for change in assignment to the frequency used by Station KXA, Seattle, Washington. In a thirty-five mile radius of Tacoma is a population of 190,000 and within fifty miles a population of 220,000, the Examiner said and "on account of the present distribution of radio facilities in the State of Washington, the radio listening public in this territory to the West and South of the City of Tacoma, do not receive consistent and dependable radio broadcast service, except during the hours when broadcasting station KVI is now permitted and licensed to operate". The Examiner found hardship worked upon the listeners in this area with Station KVI on a Limited Time assignment, this station the only dependable source of service within the area.

Admitting that the City of Missoula, Montana, at present has only Station KGVO to give its inhabitants continuous dependable broadcasting service, the Examiner concluded, in denying the application of this station for increased operating hours, that: "The talent, number of listeners, financial resources and probable income available to Station KGVO, do not warrant a finding that full time operation of this station on the 570 kc with power output of 500 watts, would be maintained in the public interest." An added conclusion of the Examiner states, however, that a full time local station with 100 watts and 250 watts LS would "meet the present needs of the people of Missoula".

February 6, 1932

NEW STATION DENIED KFPM HALF TIME

Sustaining Examiner Walker in part, the Commission this week denied the request of Vernon Taylor Anderson, Big Spring, Texas to erect a new station with power of 100 watts to share time with Station KFPM, Greenville, Texas. (Report 309). In the same case, the Commission issued a renewal license to the Greenville station but reduced the licensed operating time of this licensee from unlimited to one half time. Station KFPM is licensed in the name of the New Furniture Company, and has been using 15 watts power. The Commission found this station was not utilizing the maximum time, and has specified in its decision the station be licensed to operate daily during the following hours: 6 to 9 a. m.; 12 noon to 4 p. m.; 6 to 9 p. m. Examiner Walker had recommended denial of the Big Spring application and the granting of a renewal to the Greenville station with one fourth time. In its conclusions, the Commission said the applicant for the new facilities had failed to show sufficient financial ability to properly construct and maintain the station, and in addition adequate broadcasting service is now received in Big Spring and vicinity. The reasons given for reducing the operating hours of Station KFPM would indicate the Commission is of the opinion this licensee has failed to make the maximum use of the assignment, and the service which can be rendered to Greenville and vicinity by the specified schedule will be adequate for this community. Reduction operating hours will tend to equalize the present over quota status of Texas.

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RECOMMENDS REDUCTION WSIX TIME

Because the evidence at the hearing indicated the station was not operating with a minimum 12 hour daily schedule, as required by Section 3, G. O. 105, Examiner Pratt this week recommended a schedule of specified hours to be inserted in the renewal license of Station WSIX, Springfield, Tennessee, operated by 638 Tire & Vulcanizing Company. This was the conclusion of the Examiner, although the applicant had been operating more than 12 hours daily since December 10th, and expressed the intention at the hearing to continue on this basis. The hours set out in the Examiner's conclusions specify daily operating hours as follows: 8:00 to 10:00 a. m.; 12 noon to 4:00 p. m.; 6:00 to 9:00 p. m. The renewal application of Station WSIX had been designated for hearing in addition to this, because the facilities of the station had been requested by the Troy Broadcasting Company, Troy, Alabama, seeking authority to erect a new station on 1500 kc with power of 50 watts and daytime operation. The application for the new station was recommended for denial by the Examiner on the ground the equipment proposed does not comply with the technical regulations of the Commission.

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RECOMMENDS KMO DENIAL

Failure of the applicant to show a sufficient inadequacy of broadcast reception in Racoma, Washington, was one of the reasons given by Examiner Walker in recommending denial of the application of Station KMO, Tacoma, Washington, seeking authority to change frequency and increase operating hours to unlimited time. The applicant is now licensed to operate as a Limited Time station with power of 500 watts

February 6, 1932

RECOMMENDS KMO DENIAL (Continued)

on 860 kc. The application requested a 250 watt unlimited time assignment on 1330 kc. In the statement outlining the facts in the case, the Examiner said the granting of the application would result in an increase of about three additional operating hours daily, and a substantial decrease in coverage due to the difference in power. Examiner Walker further concluded the granting of the application would work a violation of the Davis Amendment in that it would increase the assignment of an over quota State and Zone.

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WKBO WITHDRAWS APPEAL

At the request of the Camith Corporation, Jersey City, N. J., operators of Station WKBO, the Court of Appeals of the District of Columbia this week dismissed the pending appeal of that station from action of the Commission denying this station a renewal of license in favor of Station WHOM, Jersey City. Station WKBO had two pending appeals under Dockets No. 5545 and 5562. The case arose from the decision granting the application of Station WHOM to use additional hours on 1450 kc which had been previously assigned to Stations WKBO and WNJ, Newark, N. J. Both stations appealed and secured stay orders pending hearings on the appeals. Station WNJ it is understood will continue to prosecute its appeal.

The same Court sustained the decision of the Commission denying the request of Station WHB, Kansas City, Mo., for increased power on that station's present assignment. This case was carried under Docket No. 5416.

Argument on the appeal of Station WFI, Strawbridge & Clothier, Philadelphia, Pennsylvania, (Docket No. 5436) for increased facilities was also heard this week by the Court of Appeals. Decision in the case is pending.

The Court dismissed the appeal of the Ozark Radio Corporation, Cartersville, Mo. (Docket No. 5544) for non-payment of printing costs. This appellant sought reversal of the Commission's denial of its request to erect a new broadcast station.

Fred H. Goss, Boston, Massachusetts, an unsuccessful applicant in the recently decided case involving deletion of Station WLOE of Boston has appealed to the Court from the denial of authority to operate the station. (No. 5604).

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STAY ORDER DISMISSED

The Supreme Court of the District of Columbia this week dismissed the case (No. 51439) brought against the Commission by the Baltimore Radio Show, Baltimore, Md. (WFBR) staying its action, granting another Baltimore station authority to change frequency to a channel within 60 cycles of the WFBR assignment. This order dismissing the case was entered on motion of the plaintiff.

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February 6, 1932

LOTTERY BILL GOES OVER

Representative Ewin L. Davis (D) Tennessee, chairman of the Merchant Marine and Fisheries Committee proposed to bring up and pass the bill recently reported by his committee prohibiting the broadcasting of lotteries. The bill will come up next Wednesday and chances are that it will be passed.

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TEACHER ILLEGALLY PAID

Dr. John L. Clifton, former director of education for the State of Ohio, was paid \$35 illegally for delivering a commencement address at Washington, C. H. an examiner from the office of Joseph T. Tracy, state auditor, reported in Columbus, Ohio, last month.

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A. A. A. AIDS COMMISSION

Fred R. Gamble, executive secretary of the American Association of Advertising Agencies has asked members of his organization to "give careful personal attention and answer fully the questions" asked by the Commission in its questionnaire to agencies. "We believe the Commission wants helpful and constructive suggestions for improvements, if you have any to give," the bulletin said.

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HAVE YOU PLACED YOUR ORDER?

Have you placed your order for the NAB Handbook binder which will hold both the rules and regulations of the Commission and data prepared by the Association? The cost, made up in leather, is \$4.75. Address NAB headquarters, Washington, D.C.

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TABULATED RENEWALS ISSUED

A complete tabulation of all the applications other than broadcasting acted upon by the Commission during the month of January was made public this week at the Commission. The total number of renewals issued, including ship licenses, was 1,768. Ninety seven individual cases were also handled by the Commission in addition to the listing under the specified classifications. Copies of this tabulation may be secured by writing NAB Headquarters, Washington, D. C.

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FIRE POLICE LIST ISSUED

The Commission this week issued a list of all stations operating in emergency police and fire service throughout the United States. The call letters, location and names of the licensee with the power and frequency used are given showing 53 municipalities are utilizing this service. In addition, eight state police systems have been authorized to operate transmitters. There are fourteen outstanding construction permits for new facilities in this classification. Copies of this list may be secured by writing NAB Headquarters, Washington, D. C.

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February 6, 1932

APPLICATIONS GRANTED

At its sessions during the current week the Commission granted the following applications:

FIRST ZONE

WHOM	New Jersey Broadcasting Corporation Jersey City, New Jersey	Authorized to use time heretofore assigned to WKBO, Camith Corporation, Jersey City, since Court of Appeals of D. C. has dismissed the appeal of WKBO (at its request) from decision of Commission deleting this station. This order gives WHOM $\frac{1}{2}$ time, WNJ, Newark, $\frac{1}{4}$ time and WBMS, Hackensack, N. J. $\frac{1}{4}$ time on 1450 kc.
W2XAD	General Electric Company, Schenectady, New York	Granted Mod. of relay broadcasting license to change frequency.
WGCP	May Radio Broadcasting Corporation Newark, New Jersey	C. P. move transmitter locally; make changes in equipment.

SECOND ZONE

WKAR	Michigan State College East Lansing, Michigan	Granted renewal of license 1040 kc, 1 KW hours - 12 M to 12:45 daily except Sunday; 3 PM to 4:15 PM daily except Saturday and Sunday; 1:30 to 2 PM Mondays only.
WCAU	Universal Broadcasting Company Philadelphia, Pennsylvania	Granted Mod. C. P. approving equipment in construction permit.
WJBU	Bucknell University Lewisburg, Pennsylvania	Granted special authorization to operate Sunday February 7th from 4 P. M. to 5 P. M. on condition that WBAX remain silent.

THIRD ZONE

KMLB	J. C. Liner Monroe, Louisiana	Granted authority to operate unlimited hours for period of 10 days from Jan. 29th, because of flood conditions.
WSB	The Atlanta Journal Atlanta, Georgia	Granted permission make field intensity measurements to determine location for 50 KW transmitter.
WSM	National Life & Accid. Ins. Co., Nashville, Tennessee	Granted Mod. C. P. allow construction of transmitter at newly selected site.

February 6, 1932

APPLICATIONS GRANTED (Continued)

THIRD ZONE (Continued)

KFLX	Geo. Ray Clough Galveston, Texas	Granted authority to change last radio stage from 250 w. tubes to two 50 w. tubes and employ level modulation while repairing motor generator.
WTOC	Savannah Broadcasting Company, Savannah, Georgia	C. P. make changes in equipment.

FOURTH ZONE

WBBM	WBBM Broadcasting Corporation, Chicago, Illinois	C. P. install new transmitter. Maximum power 35 KW.
KDLR	KDLR, Inc. Devils Lake, North Dakota	Granted authority to install automatic frequency control.
KGDY	Voice of South Dakota Huron, South Dakota	Granted mod. lic. decrease operating from unlimited time to 8 hours daily 3 hours Sunday for period of 90 days.
KFJB	Marshall Electric Company Marshalltown, Iowa	Granted authority to operate from 9 P. M. to midnight, Friday, February 5th.

FIFTH ZONE

KRKD	Dalton's Inc. (formerly KMCS) Los Angeles, California	Granted permission to use old transmitter at Inglewood as auxiliary for 30 days while new transmitter is operating, to check defects that may develop in new transmitter.
KRKD	Dalton's Inc. Los Angeles, California	Granted permission modify C. P. install WE 301 A (1 KW) equipment.
KLO	Interstate Broadcasting Corp., Ogden, Utah	Granted permission to extend 90 days to install automatic frequency control.
W9XA	National Broadcasting Co. Inc., Denver, Colorado	Granted renewal of special experimental license.
KFXJ	Western Slope Broadcasting Co., Grand Junction, Colorado	Granted renewal of license 1310 kc; 100 watts; 6 to 9 a. m.; 12:00 noon to 3:00 p. m.; 6 to 9 p. m. daily.

February 6, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, February 8, 1932. All hearings commence at 10 a. m.

WEDNESDAY, February 10, 1932

EXPERIMENTAL

Docket #1461 NEW Division of Water Resources C. P. Pre-assgnd. 10 watts
Department of Public Works Exp. bands Unlimited time
State of California

VISUAL BROADCASTING

Docket #1462 NEW Kansas State College of C. P. Freq. within Irreg.
Agriculture & Applied Science television band
Manhattan, Kansas Time irregular

THURSDAY, February 11, 1932

BROADCASTING

Docket #1444 WMRJ Peter J. Prinz Renewal 1210 kc 100 watts
Jamaica, New York of license Shares with WGBB, WJBI
and WCOH

Docket #1459 NEW Charles L. Bennett C. P. 1210 kc 100 watts
Jamaica, New York Shares with WGBB, WCOH
and WJBI

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APPLICATIONS SET FOR HEARING

During the current week the Commission designated the following applications for hearing:

KGMP Bryant Radio & Electric Company, Requests C. P. to move station locally
Elk City, Oklahoma in Elk City; make changes in equipment;
also renewal of license 1210 kc; 100
watts, unlimited.

NEW Stewart A. Heigold, Requests C. P. 1420 kc; 100 watts; $\frac{1}{2}$
Yuma, Arizona time; facilities of KFXV, Flagstaff.

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LICENSE APPLICATIONS GRANTED

During the current week the Commission granted applications for license covering recently authorized construction permits to the following stations: WJR, Detroit, Mich.; WPEN, Philadelphia, Pa.; WEEU, Reading, Pa.; KGFX, Pierre, S.D.; WHBF, Rock Island, Ill.; KUJ, Walla Walla, Washington.

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February 6, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-PB-2457	NEW	New England Brdcstg.Co., Boston, Massachusetts	C. P. new station on 1500 kc; 100 watts; 250 watts LS; $\frac{1}{2}$ time.
<p>The applicant requests the facilities assigned to Station WLOE, Boston, Mass. The Commission recently denied the Boston station a renewal of license. Station WLOE is now operating by authority of a stay order issued by the Court of Appeals of the District of Columbia which was secured after the Commission had deleted the station. The applicant in this case was a party to the hearing before the Examiner when the WLOE renewal application was heard.</p>			
1-MPB-296	WGBB	Harry G. Carman Freeport, New York	Mod. C. P. extend completion date to March 1, 1932.
1-PB-2461	WOV	International Brdcstg.Corp. New York, N. Y.	C. P. make changes in equipment.
<u>SECOND ZONE</u>			
2-IB-2459	NEW	Steubenville Brdcstg.Co., Steubenville, Ohio	C. P. new station 1420 kc; 100 watts unlimited
<p>The frequency requested was formerly assigned to Station WIBR, Steubenville, Ohio, operating with $\frac{1}{2}$ time. This latter station was denied a renewal of license by the Commission subsequently deleted. Station WIBR was formerly licensed in the name of George W. Robinson. The closest stations to the proposed location are Station WEDH, Erie, Pennsylvania, 125 miles distant, and Station WTBO, 120 miles distant. Both distances are less than recommended by the mileage table of the Engineering Division of the Commission. The Second Zone is under quota; Ohio is under quota. The granting of this application would increase the quota 0.2 unit.</p>			
2-ALB-416	WNBW	Home Cut Glass & China Co., Carbondale, Pennsylvania	Voluntary assignment of license to WNBW, Inc.
2-MLB-942	WJAS	Pittsburgh Radio Supply House Pittsburgh, Pennsylvania	Mod. Lic. change frequency from 1290 to 1020 kc and increase power from 1 KW to 5 KW (Fac. of KYW).
2-PB-2463	WJAS	Pittsburgh Radio Supply House Pittsburgh, Pennsylvania	C. P. install new transmitter; change frequency from 1290 to 1020 kc; increase power from 1 KW to 5 KW (Fac. of KYW).

APPLICATIONS RECEIVED (Continued)

SECOND ZONE (Continued)

The assignment requested by these two applications is now used in full time service by Station KYW, Chicago, Illinois. Under the provisions of Rule 116 of the Commission Rules and Regulations, the requested frequency is listed as a Second Zone Channel. The Second Zone is under quota. Pennsylvania is under quota. The granting of this application would increase the quota 3.75 units.

THIRD ZONE

3-MFB-295	WSM	National Life & Accident Insurance Company, Nashville, Tennessee	Mod. C. P. for 50 KW Req. approval of equipment and transmitter location 12 miles on Franklin Road, Nashville.
3-PB-2458	WIS	South Carolina Brdcstg.Co. Columbia, South Carolina	C. P. install new transmitter.
3-MLB-941	WDBO	Orlando Brdcstg. Company Orlando, Florida	Mod. Lic. change from $\frac{1}{2}$ to unlimited time.

The applicant is now licensed to operate on 1120 kc with power of 250 watts 500 watts LS. The Third Zone is over quota; Florida is over quota. The granting of this application would increase the quota 0.25 unit.

3-FB-161	WDSU	Joseph H. Uhalt New Orleans, Louisiana	Application to install automatic frequency control.
3-PB-2464	NEW	South Carolina Brdcstg.Co. Charleston, South Carolina	C. P. erect new station on 1360 kc; 500 watts Unlimited time. (fac. of WCSC).

The assignment requested is now assigned in area to Station WCSC, Charleston, South Carolina, operated with power of 500 watts on this channel by Lewis Burk. The granting of the application would not increase the quota.

3-PB-2462	NEW	Daily Independent & Mail, Anderson, South Carolina	C. P. erect new station 1370 kc; 100 watts; unlimited time.
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The application requests authority to erect a new local station. The closest station on this frequency to the proposed location is Station WJTL, approximately 95 miles distant. This is less than the recommended distance under the Commission Engineering Division mileage tables. The Third Zone is over quota; South Carolina is under quota. The granting of this application would increase the quota 0.2 unit.

FOURTH ZONE

4-PB-2448	WMT	Waterloo Broadcasting Co. Waterloo, Iowa	C. P. move station from Waterloo to Des Moines and utilize a spec. antenna system. Also change power from 250 watts; with 250 watts exper. to 500 watts.
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February 6, 1932

APPLICATIONS RECEIVED (Continued)

FOURTH ZONE (Continued)

The applicant is now licensed to operate unlimited time on 600 kc. This proposed change in location would move the station approximately 105 miles in a southwesterly direction. The granting of the application would not increase the quota since the station is now charged 0.6 unit. The closest station to Des Moines on this frequency is Station WREC, Memphis, Tennessee, approximately 480 miles distant. The application specifies the proposed use of an elaborate and special antenna system which is claimed to have directional effects.

4-MLB-901 WCAJ Nebraska Wesley. Univ. Mod. Lic. increase power from 500 to
Lincoln, Nebraska 1000 watts.

The applicant is now licensed to operate on 590 kc sharing time with Station WOW, Omaha, Nebraska. The Omaha station is licensed to use the power now sought by this applicant. If this application is granted there will be no additional interference on the frequency. The Fourth Zone is over quota; Nebraska is over quota. The granting of this application would increase the quota.

4-MLB-892 WOWO The Main Auto Supply Co. Mod. Lic. amended request unlimited
Fort Wayne, Indiana time, instead of 6/7 time and to re-
quest increase in power to 25 KW.

The applicant is now licensed to operate with power of 10 KW on the clear channel frequency of 1160 kc sharing time with station WWVA, Wheeling, West Va. The Fourth Zone is over quota; Indiana is under quota. The frequency under Rule 116 of the Commission Rules and Regulations is assigned for use in the Fourth Zone. The granting of the application would increase the quota.

4-FB-162 WNAX The House of Gurney, Inc. Req. install automatic frequency con-
Yankton, South Dakota trol.

4-PB-2465 WNAX The House of Gurney, Inc. C. P. install new transmitter; increase
Yankton, South Dakota day power to $2\frac{1}{2}$ KW LS.

The applicant is at present licensed to operate on 570 kc with power of 1 KW and unlimited time. The Fourth Zone is over quota; South Dakota is over quota. The granting of the application would increase the quota 0.25 unit.

4-MPB-297 KFAB KFAB Broadcasting Co., Mod. C. P. for 25 KW. Requests approv-
Lincoln, Nebraska al 25 KW equipment; present trans. site
for proposed equipment.

FIFTH ZONE

4-PB-2460 KFXV Albert H. Scherman C. P. move station to Yuma, Arizona.
Flagstaff, Arizona

The applicant is now licensed to operate unlimited time on 1420 kc with power of 100 watts. The application proposes changing the location to a site approximately 250 miles south west of Flagstaff, near the Arizona-California State line. The

February 6, 1932

APPLICATIONS RECEIVED (Concluded)

FIFTH ZONE (Continued)

closest station on this frequency to the proposed location is Station KGID, Las Vegas, Nevada, approximately 240 miles distant. The granting of this application would not involve the quota.

5-APB-28	KPO	Hale Brothers & Chronicle Publishing Company, San Francisco, Calif.	Voluntary assignment C. P. to National Broadcasting Company, Inc.
5-ALB-415	KPO	Hale Brothers & Chronicle Publishing Company, San Francisco, Calif.	Voluntary assignment of license to National Broadcasting Company, Inc.

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LICENSE APPLICATIONS RECEIVED

During the current week applications for license following previously authorized construction permits were received at the Commission from the following stations: WAAT, Jersey City, New Jersey; WFEA, Manchester, New Hampshire; KERN (Formerly KSMR) Bakersfield, California.

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APPLICATIONS RETURNED

During the current week the Commission returned the following applications at the request of the applicants:

4-F-B-155	The Journal Company Milwaukee, Wisconsin	WTMJ	Automatic frequency control. (Request of applicant).
5-ML-B-887	Mosby's Inc. Missoula, Montana	KGVO	Increase hours of operation. (Request of applicant).

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FTC APPOINTS CHIEF EXAMINER

The Federal Trade Commission this week announced the appointment of Ishmael Burton as Chief Examiner to succeed the late Herbert L. Anderson. The new Chief Examiner has been with the Commission since its organization in 1915, and has been assistant chief examiner since 1928.

Mr. Burton has worked on a number of investigations, the more important of which were those on cooperative marketing and petroleum products. In the Senate he served as special expert on petroleum products to the Committee on Manufacturers.

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BROADCASTERS' NEWS BULLETIN

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

February 13, 1932

ON THE SUBJECT OF DUES

President Shaw recently addressed a letter to each member of the National Association of Broadcasters pointing out that additional funds will be necessary to carry on the fight which is developing over government ownership of radio. The response, so far, has been gratifying.

But notwithstanding such matters as the Couzens Resolution, the Fess Bill, Copyright and other extraordinary activities, the work of the Association must go forward. The ordinary work, as well as much of the extraordinary work, can be carried forward without touching the emergency fund now being built up if members will pay their dues promptly.

Bills were mailed to all members owing dues this week. Won't you please send in your check? The expenses of the Headquarters Office are carefully budgeted and are predicated upon prompt payment of all dues.

If members will not, or for some reason or other cannot, pay their dues into the Association, the work of the Headquarters Office will have to be curtailed.

And if you think this is the time to curtail the activities of the National Association of Broadcasters we suggest that you come to Washington and make an investigation of your own.

February 13, 1932.

HOUSE PASSES LOTTERY BILL

The Davis Bill (H. R. 7716) prohibiting the broadcast of lotteries passed the House Wednesday. The bill involves no radical changes from existing law. The amendments embodied in it are general and for the most part make more definite the language of the present Act.

The House rejected a motion to recommit it to the House Committee which reported it, with instructions to report it back with an amendment requiring that any hearing on the question of revocation or suspension of license shall be held in the city or town where the station is located. This motion was defeated by a vote of 126 ayes to 187 nays.

The provision prohibiting lotteries (Section 13) reads as follows:

"No person shall broadcast by means of any radio station for which a license is required by any law of the United States, any information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any information concerning any ticket, certificate, or instrument representing any chance, share, or interest in or dependent upon the event of any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of prizes or information concerning any list of prizes awarded by means of any such scheme, and any person so doing, upon conviction thereof, shall be fined not more than \$1,000 or imprisoned not more than one year, or both."

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"CRADLE OF LIBERTY" STATION

A bill providing for the erection of a broadcasting station to be known as Faneuil, The Cradle of Liberty, in Boston, is provided in a bill introduced in the Massachusetts Legislature by Mr. Niles (House Bill No. 809). The station would operate upon "such wavelength and such power as may be assigned to it from time to time by the Federal Radio Commission." The bill has been referred to the State Administration Committee.

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NEW A. A. A. MEMBER

The American Association of Advertising Agencies has announced that Bowman, Deuts, Cummings, Inc. Los Angeles, Calif. has been elected to membership.

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WANTS TRANSMITTING EQUIPMENT

A Canadian broadcasting company is in the market for a 500-watt or 1000-watt station. If you have such equipment for sale communicate with NAB Headquarters, Washington, D. C. and we will give the address of the prospective purchaser.

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February 13, 1932.

SENATE COMMITTEE HEARS BROWN

The Senate Committee on Interstate Commerce this week held hearings on the confirmation of Col. Thad Brown recently appointed as a member of the Federal Radio Commission from the Second Zone. Senator Couzens, chairman of the Committee, who has objected to Brown's appointment, did practically all of the questioning. The Senator went into Brown's record as Secretary of State of Ohio and into his record as General Counsel of the Commission. Charge after charge made against Brown was explained and it is expected that the Committee will vote a favorable report and that the Senate will confirm the appointment at an early date.

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NEW YORK LIBEL BILL

"A malicious broadcast of matter to the public by radio, which exposes any living person, or the memory of any person deceased, to hatred, contempt, ridicule or obloquy, or which causes or tends to cause any person to be shunned, or avoided, or which has a tendency to injure any person, corporation or association of persons, in his or their business or occupation" would constitute a libel under the provisions of a bill introduced in the New York State Assembly by Mr. Dickey (No. 852)

To sustain a charge of broadcasting a libel by radio it is not necessary that the matter complained of should have been seen by another, the bill provides. It is enough that the defendant personally broadcasted such matter to the public by radio or that the defendant knowingly permitted such matter to be broadcasted by radio to the public from a radio station owned, operated or controlled by such defendant. The bill would make responsible "every person, firm or corporation owning, controlling or operating a radio station broadcasting programs to the public."

The bill has been referred to the Committee on Codes.

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SEEKS EDUCATIONAL STATION

Mr. Murphy has introduced in the Massachusetts Senate a bill (Senate Bill No. 156) providing for the establishment of a short wave radio broadcasting station for educational purposes. A sum of \$50,000 would be provided for erection of the station. The bill has been referred to the State Administration Committee.

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TENNESSEE TAXES STATIONS

The General Revenue Bill recently passed by the Tennessee Legislature (Chapter 13 - Public Acts) provides that "each person, firm or corporation engaged in the business of operating or conducting for advertisement purposes the broadcasting of programs by radio or similar devices, or who for a consideration, transmits or rebroadcasts any such programs over radio sets in this State shall pay for each station per annum as follows: Stations of less than 1,000 watts power \$15; 1,000 watts and not more than 2500 watts, \$30; 2500 watts and not more than 5000 watts, \$75; 5000 watts and over \$100."

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February 13, 1932.

WHAT'S GOING ON HERE?

On two previous occasions members of the NAB were requested through this Bulletin to give prompt and careful personal attention to the questionnaire sent out by the Federal Radio Commission in response to the Couzens-Dill Resolution. The NAB felt then, and feels now, that the Government should be given all of the facts - - the true, unvarnished facts.

But here is the advice sent out to members of the Association of College and University Broadcasting Stations from its headquarters.

EXTENSION DIVISION
Department of Town and Country Service
University of Oklahoma
Norman, Oklahoma
Jan. 25, 1932.

RUSH BULLETIN

TO--MEMBERS OF THE ASSOCIATION OF COLLEGE
AND UNIVERSITY BROADCASTING STATIONS:

Each of our members has received in the past few days a questionnaire from the Federal Radio Commission. Most of you have received an additional one-page questionnaire from the Commission today.

I am in receipt at 1:00 P. M. today of a day letter from one of our program directors who evidently has inside information on this questionnaire. He advises in his wire, "SEND RUSH BULLETIN TO ALL EDUCATIONAL STATIONS TO INTERPRET AS EDUCATIONAL BROADCASTING EVERYTHING THEY DO EXCEPT ANY TIME SOLD COMMERCIALLY STOP AT LEAST THE PERCENTAGE SHOULD BE CLOSE TO ONE HUNDRED."

This rush bulletin is being released and may I especially urge that you give particular attention to the questionnaire you have received from the Commission and make an interpretation on your report as suggested in this wire. IT IS QUITE IMPORTANT THAT IT IS BE DONE.

Please advise this office if the questionnaire you are filing for your station has been sent to the Commission on the basis as outlined above.

Sincerely yours,

T. M. BEARD, EXECUTIVE SECRETARY

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February 13, 1932.

TEXT OF DILL RESOLUTION

The State Department and the Federal Radio Commission would be required to negotiate agreements with Canada and Mexico with respect to the allocation of broadcasting channels under a resolution introduced in the Senate by Senator Dill (D) Washington, (S. Res. 163). The text of the resolution follows:

"WHEREAS radio broadcasting stations in Mexico and Cuba are using frequencies being used by radio broadcasting stations in the United States and thereby causing interference with the service of said stations to the American people, and it is reliably reported that a number of additional radio broadcasting stations are planned and under construction near the American border of Mexico; and

"WHEREAS there is no international agreement or treaty dividing the use of frequencies for radio broadcasting among the nations of North America, and only by such an international agreement can the Governments of these countries protect the radio broadcasting stations within their borders from interference by radio broadcasting stations in other North American countries; and

"WHEREAS the value of vast investments in the radio broadcasting business in the United States and good reception by the receiving sets of the millions of listeners in the United States are dependent upon the prevention of interference by radio broadcasting stations located in adjoining countries: Now, THEREFORE, be it

"RESOLVED, That the Senate hereby requests the Secretary of State with the assistance of the Federal Radio Commission, to negotiate international agreements with Canada, Mexico, and Cuba and any other countries he may deem advisable either separately or by joint convention for the protection of radio broadcasting stations in all of these countries from interference with one another, whereby a fair and equitable division of the use of radio facilities allocated for broadcasting under the International Radio Telegraph Convention of Washington, in 1927, may be made."

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DOMINION CONTROL UPHOLD

The Privy Council has upheld the authority of the Dominion Government to regulate radio in Canada in a decision dismissing the appeal from the Canadian Supreme Court taken by the Province of Quebec. The provinces argued that their right to control radio was superior to that of the central government.

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REGULATE ANTENNA INSTALLATION

Antenna installation would be regulated under the multiple dwelling law of New York State under an amendment introduced in the New York Assembly by Mr. Steingut (No. 740). The bill provides that "all radio antenna and other wires heretofore or hereafter placed over any roof of any multiple dwelling shall, unless otherwise permitted by the Department charged with the enforcement of this chapter, be kept at least ten feet above such roof." The bill has been referred to the Committee on Judiciary. A similar bill has been introduced in the State Senate by Mr. Hofstadter (No. 538).

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February 13, 1932.

PRIEST PRAISES BROADCASTING

A tribute was paid to broadcasting by Father Coughlin in a sermon delivered from the Shrine of the Little Flower over Station WJR and other stations on Sunday, February 7. Here are excerpts from Father Coughlin's sermon:

"During the past few years the American people have become the victims of a deluge of filth. The screen and stage have gone as far as they dare. Obscene publications are on sale at newsstands and extend far beyond the degree of risqueness. I want to take this brief moment to pay tribute to one form of entertainment which, with the decline of the others, has stood out foremost in cleanliness, education and entertainment. It is radio broadcasting.

"The owners of broadcasting stations, realizing their responsibility placed upon them, have carried their banners high. Not once in the history of my radio work have I ever heard anything broadcast that could not be listened to by the youngest child in the family. Broadcasters realize that they are the guests in your home and the programs are prepared, not for one individual of the family, but for the family group, which is the keystone of America today.

"And yet, with all this, the radio stations throughout the country are being subjected to a Senatorial investigation, while the commercial filth of other forms is approved by the silence of the same august body.

"Although certain organizations, jealous of the progress of radio, have abetted this investigation, which would not stop at nationalizing a clean, honest industry, they will themselves accept copy that is often times questionable --- and yet the owners of the broadcasting stations have never once criticised them.

"From my personal experience I am well acquainted with the tremendous cost associated with broadcasting a presentation. And I am well acquainted with the comparative profits made by the owners of the stations.

"Let no propagandist deceive you on this matter.

"These words I freely speak to you in reciprocation for the kindness and cooperation which I have received from the broadcasting stations over which this presentation comes to your homes. At no time have they stopped to commercialize filth. At no time have they shocked you with the horrid details of lust and murder. But at all times they have endeavored to bring you clean entertainment and sane education.

"Although in no wise is this presentation of mine donated by the stations over which I broadcast -- because such a donation would be unethical -- I am happy to add my voice in protest against those who are seeking to socialize the radio industry and to destroy such expensive and sometimes unprofitable enterprises to realize their own ulterior motives.

"Radio is a modern Aladdin's lamp ----- one of the greatest achievements of science. I feel I am not going too far in expressing on behalf of the fifty million listeners in the United States this brief tribute to this marvelously clean and well conducted industry."

February 13, 1932.

BRITISH POST OFFICE REFORM URGED

Reform of the British Post Office, which has charge of broadcasting, is urged in a memorial signed by 320 members of Parliament and recently presented to the Prime Minister. It is suggested by the memorialists that a public utility company would be the most satisfactory means of carrying on the post office work. Nothing can be done about the matter until Parliament reconvenes.

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EDUCATION OFFICE EXPRESSES THANKS

The U. S. Office of Education has expressed its thanks to members of the NAB for their cooperation in preparing answers and suggestions in response to the questionnaire recently sent out.

Approximately twelve per cent of the questionnaires sent out have been returned and members of the NAB who have not yet done so are urged again to give their personal attention to this matter.

As stated before the NAB is working in cooperation with the Office of Education in the preparation of booklets on the use of radio in education and the material obtained as a result of the questionnaires will constitute the basis for the text matter of these pamphlets.

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HANDBOOK BINDERS ARRIVE

NAB HANDBOOK binders arrived at NAB offices on Friday and will be forwarded to members who have entered orders just as fast as they can be prepared for shipment. Stations which have not sent in orders should do so at once.

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DAVIS GOING AFTER BROADCASTERS

Chairman Davis (D) Tennessee, of the House Merchant Marine, Radio and Fisheries Committee, served notice during the radio debate in the House this week that he intended to investigate broadcasting and make an effort to curb broadcast advertising. He is understood to be considering the introduction of a bill to limit advertising to mere mention of sponsorship on high power stations and restricting announcements to a very small percentage of time on stations of low power. He is also considering the levying of a heavy license tax on broadcast stations and in addition to this, it is understood, he is opposed to granting licenses for a period of more than one year although the present law provides for three year licenses. The first bill introduced by Chairman Davis in this session was passed by the House this week.

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COPYRIGHT HEARINGS MONDAY

The National Association of Broadcasters will appear before the House Committee on Patents in connection with the general copyright hearings on Monday, February 15. The presentation will be made by President Shaw, Louis G. Caldwell and the Managing Director.

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February 13, 1932

LICENSED TELEVISION STATIONS

The Commission issued a complete list of all experimental visual broadcasting stations this week. The list which follows shows thirty stations licensed to operate on five frequency bands:

<u>CALL LETTERS</u>	<u>POWER (WATTS)</u>	<u>COMPANY</u>	<u>LOCATION</u>
<u>1600-1700 KC</u>			
W1XAV	1000	Shortwave & Television Laboratories, Inc.	Boston, Massachusetts
W2XR	500	Radio Pictures, Inc.	Long Island City, N. Y.
<u>2000-2100 KC</u>			
W3XK	5000	Jenkins Laboratories	Wheaton, Maryland
W2XCR	5000	Jenkins Television Corp.	New York, N. Y.
W2XAP	250	Jenkins Television Corp.	Portable
W2XCD	5000	DeForest Radio Company	Passaic, New Jersey
W9XAO	500	Western Television Corp.	Chicago, Illinois
W6XAH	1000	Pioneer Mercantile Co.	Bakersfield, Calif. (CP)
<u>2100-2200 KC</u>			
W3XAK	5000	National Broadcasting Co. Inc.	Portable-Initial Location Bound Brook, N. J.
W2XBS	5000	Nat. Broadcasting Co. Inc.	New York, N. Y.
W3XAD	2000	RCA Victor Company	Camden, New Jersey
W2XOW	20000	General Electric Company	S. Schenectady, New York
W8XAV	20000	Westinghouse Electric & Manufacturing Company	E. Pittsburgh, Pa.
W6XS	500	Don Lee, Inc.	Near Gardena, Calif. (CP)
W9XAP	2500	Nat. Brdestg. Co. Inc.	Chicago, Illinois
<u>2750-2850 KC</u>			
W9XAA	500	Chicago Fed. of Labor	Chicago, Illinois (CP)
W3XE	1500	Philadelphia Storage Battery Company	Philadelphia, Pa. (CP)
W9XG	1500	Purdue University	W. Lafayette, Indiana
W2XAB	500	Atlantic Brdestg. Corp.	New York, N. Y.
<u>43000-46000 kc, 48500-50300 kc and 60000-65000 kc</u>			
W10XG	500	DeForest Radio Company	Portable (CP)
W9XD	500	The Journal Company	Milwaukee, Wisconsin
W3KAD	2000	RCA Victor Company, Inc.	Camden, New Jersey
W2XBT	750	National Broadcasting Co.	Portable
W1XG	30	Shortwave & Tel. Company	Portable (CP for 200 W)
W2XR	1000	Radio Pictures	Long Island City, N. Y.
W2XP	5000	National Broadcasting Co.	New York, N. Y.
W2XDS	2000	Jenkins Television Co.	Portable (CP)
W6XAO	150	Don Lee	Los Angeles, California
W3XK	1000	Jenkins Laboratories	Wheaton, Maryland (CP)
W3XE	1500	Philadelphia Storage Battery Company	Philadelphia, Pa. (CP)

February 13, 1932

FILE BRIEF IN LIBEL CASE

Attorneys for Station KFAB this week filed in the Supreme Court of Nebraska a brief in the suit brought by C. A. Sorensen against Richard F. Wood and the station charging that speeches delivered by Wood over the station in the campaign of 1930 were libelous. Sorensen was a candidate to succeed himself as attorney general of Nebraska and Wood was his opponent. A jury in the District Court of Lancaster County found for the plaintiff in the sum of \$1. From this verdict an appeal was taken. Station KFAB, in its brief, argues that a radio broadcasting station licensed under acts of Congress has no power of censorship over political speeches and that persons acting under compulsion of law are immune from civil suits for damages arising from such acts. The case presents an interesting question with respect to Section 18 of the Radio Act of 1927 and should be followed closely by every station.

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NAB ACTIVITIES ENDORS D

William H. Purnell, executive secretary of the League of Wisconsin Radio Stations, has forwarded to NAB headquarters a copy of a resolution adopted at a meeting of the Wisconsin stations held at Madison, Wis. on February 9. The resolution follows:

"RESOLVED that the League of Wisconsin Radio Stations assembled in its Annual Meeting at Madison, February 9, 1932, is heartily in accord with the activities of the National Association of Broadcasters and further the League of Wisconsin Radio Stations pledges its unqualified support to the N. A. B. in its efforts to stabilize the radio industry, and in its attempt to secure legislation equitable to both listener and broadcasters."

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IT'S OFF SO IT CAN'T BE ON

Recently an Altoona newspaper made a telephone survey to ascertain how many people in that city were listening to Station WFRG. The newspaper report showed that no one person was listening to the local station. Station WFRG shares time and the newspaper survey was made at a time when the station was not on the air.

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PROPOSES STATE COMMISSION

Creation of a radio commission to investigate the subject of radio broadcasting and reception and to devise ways and means under which Massachusetts "shall be enabled to erect radio broadcasting stations with such means of reception of radio broadcasting as will allow the citizens of the commonwealth to have free use of such radio methods, inventions or devices -- for the purpose of free discussion, education or entertainment or other purposes which will maintain inviolate our inalienable rights of freedom of speech" is provided in a bill introduced by Mr. Thore in the Regular Session of the Massachusetts legislature. (House Bill No. 1093). The bill has been referred to the State Administration Committee.

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February 13, 1932

AUTHORIZE PHILADELPHIA TELEVISION

Evidencing a thorough interest in the advancement of television research and with the apparent intention of furthering development in visual broadcasting from every quarter, the Commission this week granted the Philadelphia Storage Battery Company, Philadelphia, Pa., two construction permits authorizing a general experimental and a visual experimental construction station. This decision sustained the recommendations of Examiner Pratt (Report No. 303). The applicant is authorized to begin immediate construction in the band from 2750-2850; 43000-46000; 48500-50000 and 60000-80000 kc with a maximum power of 1500 watts and for the general experiment service the frequencies of 8650 and 17300 kc were authorized with the same power.

In the statement of the case, the Commission mentioned the work which has been conducted thus far by the applicant's television engineer, Philo T. Farnsworth and said: "The progress of the applicant's experimental work has reached a point where further development is dependent in large measure upon a study of actual transmission and reception conditions on radio waves in order not only that the laboratory results which heretofore have been produced over wires may be checked but that studies may be made of such problems as the distribution of service, the suitability of frequencies, the width of frequency band necessary for satisfactory transmission, interference, antenna design, efficiency in transmitting, etc. Much of the development work in television is bound up with problems of transmission and reception". The frequencies of 8650 and 17300 kc will be used according to the Commission's decision, for experiments in narrowing the television band, since the applicant is now engaged in the development of "a transient generator" and plans to develop these frequencies for transmission of "transient impulse", a television signal which has a direct relation to visual broadcasting.

The RCA Victor Company, Camden, New Jersey, operators of Station W3KAD now licensed for television experimental work on the bands 43000-46000; 48500-50300; 60000-80000 kc, appeared as respondents at the hearing and protested the granting of the applications on the ground that serious interference would develop in the simultaneous operation of television stations on the same frequencies at Philadelphia and Camden. In this connection, the Commission said: "One of the most important problems requiring solution in the television field has to do with interference and the evidence indicates that should the RCA Victor Company's station and the applicant's proposed station operate simultaneously for experimental purposes much would be learned with reference to the interference problem, and in this connection much data could be gathered which would promote the economical use of frequencies, efficiency of transmission, and the methods of minimizing interference".

The conclusions of the Commission found the applicant is amply qualified both technically and financially to erect and operate the stations proposed and the applicant is now engaged in television research to such an extent that a television frequency is needed for further development. Attention is directed to the regulations of the Commission providing that if serious and objectionable interference develops in the experimental bands, the operators of the stations involved are required to arrange a division of time. The Commission further concluded: "Although the research programs of the licensees of stations required to share time by the granting of this application might be delayed to some extent by the operation of the proposed station, it appears that the probable contribution to the art of visual broadcasting by the research activities of applicant justifies the reduction in time used by these other experimentors."

February 13, 1932

RECOMMENDS REFUSAL INCREASED POWER

The application of Station WELL, Battle Creek, Michigan, to move the station locally and install new equipment was recommended for approval this week by Examiner Walker in Report No. 332. The request of this applicant to increase power from 50 to 100 watts on 1420 kc, however, was recommended for denial on the ground of creating additional interference. After finding the applicant station is presenting a diversified and well balanced program to the listening public in Battle Creek, the Examiner concluded the granting of the request for increased power would "Increase the congestion of interference on 1420 kc", and to some extent would reduce the present service of Station WMBC, Detroit, Michigan, operating on this same frequency 110 miles distant. The Examiner also said there might be a possible slight increase in interference between the Battle Creek station and Station WBCN operating with 500 watts on 1410 kc at Bay City, Michigan, approximately 120 miles distant. The recommended separation under such circumstances is 147 miles.

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WLEY SPRINGFIELD MOVE DENIED

The Commission this week denied the application of Station WLEY to move from Lexington to Springfield, Massachusetts, sustaining the recommendation of Examiner Hyde (Report No. 218). The station is licensed to operate on 1370 kc with power of 100 watts and 250 watts LS and one-half time. In considering the possibilities of increased interference to stations now assigned to 1370 kc and adjacent frequencies by the change in station location proposed, the Commission, in connection with the field intensity surveys made by the applicant in the Springfield area, said: "In view of these measurements, it would appear that the services of stations WFEL (Syracuse, N. Y.) WDRC (Hartford, Conn., operating with 500 watts on 1330 kc 20 miles from Springfield) and WGGF (Glen Falls, N. Y.) are now limited by heterodyne interference and the operations of WLEY at Springfield would not result in any material increase in such interference, and that the service area of WLEY at Springfield would probably be limited to a radius of approximately five miles which is about the same area now served in Lexington". The Commission concludes that Springfield and its vicinity now receive good broadcasting service from a number of established stations, and that it does not appear this community has need for additional service proposed by the change in location.

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DENY NEW OHIO STATIONS

The applications of the Community Broadcasting Company, Toledo, Ohio and Clayton B. Johnson, Sandusky, Ohio, for authority to erect new stations in these communities on 1500 kc with power of 100 watts, were both denied by the Commission this week sustaining the recommendations of Examiner Hyde (Report No. 313). In both cases, it was found the communities are receiving good broadcast reception from existing stations, that the applicants are not in financial position to erect and operate the proposed stations, and further that the establishment of these stations would result in increased interference to stations now assigned to the requested frequency.

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February 13, 1932.

TRIBUNE RELAY RECOMMENDED DENIAL

Finding the Tribune Company, Chicago, Illinois, is qualified technically and financially to construct and operate a proposed experimental relay broadcasting station, nevertheless Examiner Pratt this week recommended denial of the application in Report No. 328. The Examiner concluded the proposed program of experimentation does not give reasonable assurance "of affording a substantial contribution to the relay broadcasting technique". The applicant seeks authority to operate on one of the relay channels with the bands from 6140-6425 kc and 8900-9610 kc with power of 1500 watts and unlimited time. Showing that all of the standard relay channels, except 9510 kc, are assigned at present to licensees in the United States, the Examiner has set out the allocation of frequency and power now given to this class of service. In connection with the use of 9510 kc in the United States, the Report states: "The frequencies 9505 and 9515 kc are used by stations of the League of Nations in Switzerland and the use of 9510 kc by the applicant would probably result in interference with reception from these stations". After stating that the proposed program of research and development would not warrant "the curtailment of the time now used by any other relay broadcasting station licensed for operation in the United States", the recommendations concludes: "It does not appear therefore that there are frequencies in either of the bands in question available for assignment to the applicant. This conclusion is based upon the theory that the burden of proof is upon the applicant to establish, as a necessary part of its case, that frequencies are available for assignment for the proposed station and service. The applicant has failed to establish that burden".

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SIMULTANEOUS OPERATION RECOMMENDED

With the statement: "The evidence shows that the simultaneous operation of these two stations, which has been permitted under special authority, does not cause appreciable interference," Examiner Hyde this week recommended (Report No. 330) that the Commission grant the application of Station KRMD, Shreveport, Louisiana, to modify its license to permit operation during certain specified hours. The applicant station is now licensed on a "share time" basis with Station WPSL, Laurel, Mississippi on 1310 kc. The Mississippi station was formerly located at Shreveport and it is with an agreement drawn under this condition that the stations are now sharing hours. The application arose on the request of the Shreveport station to increase operating hours and also to raise the station power to 100 watts. The Examiner found that the applicant is rendering a meritorious program service and the granting of the proposed increase in time and power would permit a substantial improvement in this service.

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MINNEAPOLIS TELEVISION DENIED

The Commission this week denied the application of George W. Young, Minneapolis, Minn., for authority to erect a new television station in the frequency band of 2000-2100 kc with 500 watts power and daily operation. This decision sustained the recommendation of Examiner Walker (Report No. 312). In its conclusion, the Commission found that the applicant did not have sufficient technical experience to warrant the conduct of an efficient program of television research, and that the granting of the application would not assure any advancement or development in the visual broadcasting art.

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February 13, 1932

POWER INCREASE REFUSED

The application of the First Congregational Church of Springfield, Vermont, to increase the power of Station WNBX from 10 watts to 100 watts daytime and to 50 watts nighttime on 1200 kc was denied this week by the Commission, sustaining Examiner Pratt (Report No. 267). Decision was based on facts showing the applicant had not made full and adequate use of all facilities formerly assigned to the station and a failure to show sufficient availability of talent and program material or a need for the additional service proposed. On the question of possible increase in interference, if the application were granted, the Commission said: "There would probably result objectionable interference with WORC-WEPS, a 100 watt station at Worcester, Mass., about 80 miles away, operating on the same frequency, the distance between the two being less than half the 200 miles separation necessary to avoid objectionable interference between two such stations operating on the same frequency. It is likely there would also be interference with WIRX, Utica, N. Y., a station operating at night with 100 watts on the same frequency. Utica is 140 miles away from WNBX or 60 miles less than the 200 mile separation necessary to avoid objectionable interference. While the increase in power to other 50 or 100 watts would improve the service of the applicant station it would nevertheless reduce the service of other stations on the same frequency."

FREQUENCY CHANGE DENIED

The application for renewal of license filed by Station WLBG, Petersburg, Virginia was granted this week by the Commission, denying the application of Station WLVA, Lynchburg, Virginia, for authority to change frequency from 1370 to 1200 kc and the facilities of the Petersburg station. This decision sustained the recommendation of Examiner Yost in Report No. 311. Station WLVA now operates with 100 watts and shares time with Station WBTM. The application requested authority to operate unlimited time and increase day power to 250 watts. In its conclusion, the Commission after finding both stations were rendering good program service to their communities concluded the Lynchburg station could increase its present operating schedule without an additional assignment of operating hours and that Station WLBG could further increase its service area by increasing its antenna efficiency.

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RENEWALS GRANTED

During the current week the Commission granted renewal applications of the following stations for the regular six-month period:

WAAF, Chicago; WPEW, Buffalo, N.Y.; WBSO, Needham, Mass.; WCAJ, Lincoln, Neb.; WCAO, Baltimore, Md.; WCOO, Meridian, Miss.; WDAF, Kansas City, Mo.; WEAU, Providence, R. I.; WBEI, Boston; WFAN, Philadelphia; WFPA-WFSA, Clearwater, Fla.; WGRF, Evansville, Ind.; WGBI, Scranton, Pa.; WGR, Buffalo, N.Y.; WGST, Atlanta, Ga.; WICC, Bridgeport, Conn.; WILL, Urbana, Ill.; WIP, Philadelphia; WJAR, Providence, R.I.; WKZO, Kalamazoo, Mich.; WLBL, Stevens Point, Wis.; WLRE, Bangor, Maine; WLIT, Philadelphia; WMAL, Washington, D. C.; WMC, Memphis, Tenn.; WMAN, Fairmont, W. Va.; WMAX, Yankton, S. C.; WNOX, Knoxville, Tenn.; WOBU, Charleston, W. Va.; WOS, Jefferson City, Mo.; WOW, Omaha, Neb.; WQAM, Miami, Fla.; WQAN, Scranton, Pa.; WRFC-WOAN, Memphis, Tenn.; WSYR-WMAC, Syracuse, N.Y.; WTAG, Worcester, Mass.; WVAR-WPOR, Norfolk, Va.; WTMJ, Milwaukee, Wis.; WWJ, Detroit, Mich.; KPDM, Beaumont, Tex.; KPFI, Denver; KPKA, Greeley, Colo.; KTFP, Shenandoah, Iowa

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February 13, 1932

APPLICATIONS GRANTED

At its sessions during the current week the Commission granted the following applications:

FIRST ZONE

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| WPRO | Cherry & Webb Broadcasting Company
Providence, Rhode Island | Granted Mod. of C. P. to increase hours of operation from sharing with WPAW to unlimited. WPAW voluntarily discontinues broadcasting in favor of WPRO. |
| WAAM | WAAM, Inc.
Newark, New Jersey | Granted authority to operate with reduced power for period not to exceed one week from February 8th. |
| WGFB | Harry H. Carman
Freeport, New York | Granted Mod. C. P. extend completion date from February 16th to March 1st, 1932. |
| WINS | American Radio News Corporation,
New York, N. Y. | Granted authority for direct measurement of antenna input. |

SECOND ZONE

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| WJPK | James F. Hopkins, Inc.,
Detroit, Michigan | Granted license covering changes in equipment. |
| WHBC | St. John's Catholic Church,
Canton, Ohio | Granted C. P. install new equipment. |

THIRD ZONE

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| WIS | South Caroling Brdcstg. Company, Inc.
Columbia, South Carolina | Granted C. P. to install new transmitter. |
| KMLB | J. C. Limer
Monroe, Louisiana | Granted 10 day extension to operate unlimited hours because of flood. |
| KARK | Arkansas Radio & Equipment Company
Little Rock, Arkansas | Granted authority to install automatic frequency control. |

FOURTH ZONE

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| WFEM | Indianapolis Light & Power Company
Indianapolis, Indiana | Granted Mod. Lic. increase hours of operation from sharing with Station WSPM to continuous nighttime operation. |
| WSPT | South Bend Tribune
South Bend, Indiana | Granted Mod. Lic. change from sharing with Station WFEM to specified hours. |

February 13, 1932

APPLICATIONS GRANTED (Concluded)

FIFTE ZONE

KVOZ	Robert M. Riculfi Tucson, Arizona	Granted permission to change regular schedule on Sundays in order to broadcast church services at 11 A. M. during Feb. only.
KTFI	Radio Broadcasting Corporation Twin Falls, Idaho	Granted Modification of License to change frequency from 1320 to 1240 kc and change time from sharing with KID at night to unlimited.
KXRO	KXRO, Inc. Aberdeen, Washington	Granted authority for direct measurement of antenna input.
KGBU	Alaska Radio & Service Company Ketchikan, Alaska	Granted permission to install 100 watt immediately and add additional equipment on September 15, 1932 to increase power to 500 watts.

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APPLICATIONS SET FOR HEARING

During the current week the Commission designated the following applications for hearing:

WKRC	WKRC, Inc. Cincinnati, Ohio	Granted temporary license and designated application for hearing.
WHAP	Defenders of Truth Society, Inc. New York, N. Y.	Granted temporary license and designated renewal application for hearing because facilities of this station have been applied for.
KGIZ	Grant City Park Corporation Grant City, Missouri	Granted temporary license and designated renewal application for hearing because facilities of this station have been applied for.
KMLB	Liner's Broadcasting Station, Inc. Monroe, Louisiana	Granted temporary license and designated renewal application for hearing because facilities of this station have been applied for.
NEW	Caldwell Brothers Mount Pleasant, Iowa	C. F. new station 1200 kc, 100 watts; Share with KFJD.
KMLB	Liner's Broadcasting Station Monroe, Louisiana	Mod. Lic. increase hours from daytime to 6 a. m. to 8 p. m. daily. Fac. of WJFO.

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February 13, 1932

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following miscellaneous action:

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| NEW | J. E. Wharton & M. B. Wray,
Texarkana, Arkansas | C. F. requesting facilities of KARK, 890 kc 100 w. unlimited time, dismissed from hearing docket because applicant requests 100 watts power on regional frequency, inconsistent with Rule 120. |
| WSUI | State University of Iowa
Iowa City, Iowa | Renewal of license 880 kc, 500 watts, hours: daily except Saturday and Sunday, 9 a.m. to 10 a.m. 11 a.m. to 12:30 p.m. 2 p.m. to 4 p.m., 6 to 10 p.m. on Tuesdays, also 12 a.m. to 12 M. 1 to 5 p.m. 6 to 10 p.m.; Sundays 4 to 5 p.m., 6 to 10 p.m. CST. |
| WLCI | Luthern Association of Ithaca, N.Y.
Ithaca, New York | Granted authority to operate on February 10th from 7 to 7:30 a.m. |
| WJAY | Cleveland Broadcasting Corporation
Cleveland, Ohio | Petition to reinstate application for modification of license granted. Applicant defaulted in hearing scheduled for January 22, 1932. |
| WIBO | Nelson Bros. Bond & Mortgage Co.,
Chicago, Illinois |) Granted renewal of license pursuant to
) mandate of the District of Columbia Court
) of Appeals pending decision on appeal
) pending before that Court. |
| WPCC | North Shore Church
Chicago, Illinois | |

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APPLICATIONS RETURNED

During the current week the Commission returned the following applications to the applicants:

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| 2-F-B-2409 | St. John's Catholic Church,
Canton, Ohio | WHFC | Change equipment and increase power.
(Similar application denied 6-24-31). |
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ADDITIONAL RENEWALS GRANTED

KPRC, San Francisco; KFRU, Columbia, Mo.; KFXF, Denver.; KFYR, Bismarck, N. D.; KOKO, Wichita Falls, Tex.; KHQ, Spokane, Wash.; KHJ, Los Angeles.; KLX, Oakland, Calif.; KLZ, Denver.; KOAC, Corvallis, Ore.; KONO, Seattle; KPRC, Houston, Tex.; KSAC, Manhattan, Kans.; and KSD, St. Louis, Mo.; WJAY, Cleveland, Ohio; WSAZ, Huntington, West Va.; KSD, San Diego, Calif.; KGW, Portland, Ore.; KSEI, Pocatello, Idaho.

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February 13, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission:

<u>PRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-MLE-948	WPRO	Cherry & Webb Brdcstg. Co., Providence, Rhode Island	Mod. Lic. increase hours from sharing time with WPAW to unlimited.

The applicant has been licensed to operate on 1210 kc with power of 100 watts. The application was granted during the current week by the Commission, after notification that Station WPAW, Providence, was surrendering its facilities to the applicant station. The granting of this application did not increase the quota.

1-MLE-945	WJAR	The Outlet Company Providence, Rhode Island	Mod. Lic. increase power to 500 watts day and night on experimental basis.
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The applicant is now licensed to operate with 250 watts and 500 watts LS, unlimited time on 890 kc. This is a Canadian Shared Channel. The distance to the closest Canadian border is approximately 250 miles. Rule 123 of the Commission Rules and Regulations in connection with power to be authorized on this class of frequency states: "Stations more than 250 and less than 500 miles from the boundary will be assigned a power of not greater than 250 watts during the night time and 500 watts during daytime." The closest station to Providence on this frequency is Station WMMN, Fairmont, West Virginia, operating unlimited time with power of 250 watts night and 500 watts LS, and the distance is approximately 480 miles. The separation recommended by the mileage tables of the Commission Engineering Division in similar circumstances is 770 miles. The First Zone is under quota; Rhode Island is under quota. The granting of this application would increase the quota 0.1 unit.

1-MISE-16	W3XAI	R C A Victor Company, Inc. Camden, New Jersey	Modification of license for change in frequencies to 1550, 2100-2200 43000-46000, 48500-50300, 60000-80000 kc. Special experimental service.
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1-PE-2469	NEW	A. V. Tidmore Hagerstown, Maryland	C. P. erect new station on 1210 kc; 100 watts; unlimited time.
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The application requests authority to erect a new local station. The closest station on this frequency to the proposed location is Station WJBU, Lewisburg, Pa., approximately 100 miles distant. The separation recommended by the Commission Engineering Division mileage tables under similar circumstances is 200 miles. Station WBL and WMPG are also operating on this frequency at Richmond, Virginia, with power of 100 watts and approximately 160 miles distant. The First Zone is under quota; Maryland is under quota. The granting of this application would increase the quota 0.2 unit.

February 13, 1932

APPLICATIONS RECEIVED (Continued)

SECOND ZONE

- 2-MLB-943 WFAN Keystone Brdcstg. Company Mod. Lic. increase power to 1 KW.
Philadelphia, Pennsylvania
- 2-MLB-944 WIP Gimbel Frothers Mod. Lic. increase power to 1 KW.
Philadelphia, Pennsylvania

The above two applicants are now licensed to share time on 610 kc with power of 500 watts. The closest stations to Philadelphia on this frequency are Station WJAY, Cleveland, Ohio, a 500 watt daylight station, approximately 350 miles distant and Station WDAF, Kansas City, Missouri, operating 1 KW unlimited time, approximately 1030 miles distant. The recommended separation according to the Commission Engineering Division mileage tables for daylight operation under similar circumstances is 310 miles; the recommended separation for unlimited time operation of two 1 KW stations under similar circumstances is 1050 miles. Station WCAO, Baltimore, Md., is now licensed to operate unlimited time with 250 watts power on 600 kc and is 90 miles distant. The recommended separation under similar circumstances is 139 miles. The Second Zone is under quota; Pennsylvania is under quota. The granting of these applications would increase the quota 0.4 unit.

- 2-MLB-947 WJAY Cleveland Radio Brdcstg. Co. Mod. Lic. change frequency to 590
Cleveland, Ohio kc with power of 250 watts; 500
watts LS and unlimited time.

The applicant is now licensed to operate a daytime station on 610 kc with power of 500 watts. The closest stations to Cleveland on the requested frequency are Station WKZ, Kalamazoo, Michigan, operating with power of 1 KW as a daytime station, approximately 220 miles distant; Station WEEI, Boston, Massachusetts, operating with 1 KW and unlimited time and approximately 550 miles distant; and Station WOW, Omaha, Nebraska, operating with 1000 watts sharing time with Station WCAJ, and approximately 745 miles distant. The Commission Engineering Division mileage tables recommend under similar circumstances for daylight operation a separation of 310 miles; and for night operation with a 1 KW and a 250 watt station on the same channel, a separation of 1050 miles. Station WKBN, Youngstown, Ohio, is now licensed to operate with power of 500 watts on 590 kc. The distance from Cleveland to Youngstown is approximately 60 miles. The recommended separation for two 500 watt stations under similar circumstances is 74 miles. The Second Zone is under quota; Ohio is under quota. The granting of the application would increase the quota 0.2 unit.

- 2-PE-2470 VRBX Richmond Development Corp. C. P. move station to Charleston,
Roanoke, Virginia West Virginia.

The applicant is now licensed to operate on 1410 kc with 250 watts power and shares time with Station WHIS, Bluefield, West Virginia. The granting of this application would move the location of the station approximately 120 miles northwest of Roanoke. The Second Zone is under quota. West Virginia is under quota 0.1 unit. Virginia is over quota 2.55 units. The granting of this application would increase the West Virginia quota 0.2 unit and decrease the Virginia quota by the same amount.

February 13, 1932

APPLICATIONS RECEIVED (continued)

SECOND ZONE (Continued)

2-PB-2471 WJW Mansfield Brdcstg. Ass'n. C. P. Move station to Akron, Ohio,
Mansfield, Ohio and make changes in equipment.

The applicant is now licensed to operate unlimited time with power of 100 watts on 1210 kc. The granting of this application would move the station approximately 60 miles East of its present location. At present the closest stations to Mansfield on this frequency are: Station W S E N, Columbus, Ohio, approximately 65 miles distant (at Akron this distance would be increased to 110 miles); Station WALE, Zanesville, Ohio, approximately 70 miles distant (at Akron this distance would be increased to 90 miles); Station WOGL, Jamestown, N. Y., approximately 100 miles (at Akron this distance would be decreased to 130 miles). Station WERC, Canton, Ohio, approximately 25 miles distant from Akron, is now assigned to use 10 watts power on 1210 kc. This distance from Mansfield is now 60 miles. The recommended separation under similar circumstances for 100 and 50 watt stations on the same frequency is 200 miles. This application does not involve the quota.

THIRD ZONE

3-PB-2475 KFYO Kirksey Brothers C. P. move station to Lubbock, Texas.
Abilene, Texas

The applicant is now licensed to operate on 1420 kc with 100 watts and 250 watts LS. The proposed change in location would move the station approximately 137 miles northwest of the present site. The application does not involve the quota.

FOURTH ZONE

4-MLE-946 WLB- University of Minnesota Mod. Lic. increase hours of operation
WGMS Minneapolis, Minnesota (Facilities of WREM).

The applicant is now licensed to operate on 1250 kc with power of 1 KW and sharing time with Station WCAL, KFMX and WREM. The granting of this application would not increase the quota.

4-MPB-298 WHO- Central Broadcasting Co., Mod. Lic. submitting two proposed
WOC Davenport, Iowa transmitter sites on 50 Kf. C. P.
for approval of Commission.

4-PB-2460 NEW The Community Station C. P. erect new station on 1210 kc;
of the West 100 watts; unlimited time. (Fac.
Elsie, Nebraska of KFOR).

The facilities requested are now assigned to Station KFOR, Lincoln, Nebraska, operated by Howard A. Shuman, with unlimited time and power of 100 watts and 250 watts LS. The closest station to the proposed location on the requested frequency is Station KGNO, Dodge City, Kansas, operating unlimited time with power of 100 watts and approximately 225 miles distant. Lincoln is approximately 255 miles from Elsie. The granting of this application would not increase the quota.

February 13, 1932

APPLICATIONS RECEIVED (Concluded)

FOURTH ZONE (Continued)

4-A-1-P-7 W9XAD Western Television Corp., Chicago, Illinois Assignment of license to Western Television Research Company. Visual Broadcasting service.

FIFTH ZONE

5-FB-2363A KMJ James McClatchy Company Fresno, California C. P. resubmitted: Now requests authority to change frequency to 580 kc using power of 500 watts and unlimited time.

The applicant is now licensed to operate unlimited time on 1210 kc with power of 100 watts. The closest station to Fresno on the requested frequency is Station KHQ, Spokane, Washington, operating unlimited time with power of 1 KW, and approximately 800 miles distant. The separation recommended by the Commission Engineering Division mileage tables under similar circumstances is 1050. The Fifth Zone is over quota; California is over quota. The granting of the application would increase the quota 0.4 unit.

5-ALP-417 KGGX W. W. Von Cannon, Trustee Sandpoint, Idaho Voluntary assignment of license to Sandpoint Broadcasting Company.

5-FB-2412A NEW R. J. Morrow & R. F. Frill Roseville, California C. P. resubmitted to request 1420 kc instead of 1400 kc; 100 watts instead of 30 watts; and 11 hours daily instead of daytime; and request to change name of applicant.

The closest station to the proposed location on the requested frequency is Station KGGC, San Francisco, California, now licensed for $\frac{1}{2}$ time operation with power of 100 watts and approximately 95 miles distant. The Fifth Zone is over quota; California is over quota. The granting of this application would increase the quota.

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PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications from the following stations requesting authority to install new equipment or make changes in present transmitters from the following stations: WFBR, Baltimore, Md.; WMBG, Richmond, Va.; WGL, Fort Wayne, Ind.; WLEY, Lexington, Mass.; WWBO, Washington, Pa.; KLZ, Denver, Colo.; WFBR, Baltimore, Maryland.

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LICENSE APPLICATIONS RECEIVED

During the current week the Commission received application for license covering previously authorized construction permit from the following station: KWCR, Cedar Rapids, Iowa.

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Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director.

February 20, 1932

RADIO FOR THE LISTENER

The Congressional Record of February 18 reproduces a report on "Radio Broadcasting in Europe" prepared by Mr. Armstrong Perry of the National Committee on Education by Radio. The report is the result of "interviews with radio officials and officials of public education" of European countries.

Bear in mind that "radio officials" and "officials of public education" were interviewed -- not the listeners. Advertising is permitted in some form in 11 of the 29 European countries. These 11 countries have nearly half of all of the receiving sets in Europe.

The report must be accepted for exactly what it is - a report of the opinions and views of radio officials and educators. These foreign radio officials and educators say that the listeners are dissatisfied with advertising in the countries where it is permitted. In countries where advertising is not permitted, the report does not state whether or not listeners are satisfied.

Radio officials in the United States say that listeners here generally are well-satisfied with the broadcasting they receive. If Mr. Perry is willing to believe to be true what foreign radio officials say about broadcasting in their countries is there any logical reason why he should doubt what our own radio officials say about our broadcasting?

February 20, 1932

NAB COPYRIGHT PROPOSALS

Revision of the copyright laws providing adequate protection of the broadcasting industry against combinations of copyright owners was urged by the National Association of Broadcasters during hearings this week before the House Copyright Committee. Chairman William I. Sirovich of New York presided.

The case of the broadcasters was presented by Louis G. Caldwell as special counsel for the Association. He was introduced by President Shaw who outlined briefly to the committee the purposes of the Association and its interest in copyright legislation.

The testimony of Mr. Caldwell, which reviews the entire case of the broadcasters and suggests legislative remedies to the present difficulties is being mimeographed and will be mailed to all members of the NAB.

It should be pointed out that Chairman Sirovich has indicated a genuine interest in revision of the copyright laws and is desirous of writing a bill which will be fair to all interests involved. The NAB, through Mr. Caldwell, will aid Chairman Sirovich in the preparation of the draft of a bill.

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ADVERTISING IN EUROPE

The Department of Commerce has just issued a booklet entitled "Broadcast Advertising in Europe" which is extremely interesting in view of the present interest in this question here. Copies of the booklet will be sent to each member of the Association.

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MOLYNEAUX DECISION REVERSED

The Circuit Court of Appeals for the Second Circuit this week reversed the decision of the lower court and held that evidence in the case of Cecil Molyneaux was not sufficient to support a conviction for violation of the Radio Act of 1927. Molyneaux was convicted of operating a radio transmitting station without a license as required by law.

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DOC ELLIOTT FOR CONGRESS

Dr. Frank W. Elliott of Davenport, Iowa, former president of the National Association of Broadcasters and at present a member of the Board of Directors, this week announced himself as a Republican candidate for Congress from the Second Iowa district.

Dr. Elliott will make his race on a "moist" platform and in the Republican primary will oppose the present incumbent, Congressman Cole, an avowed dry.

Broadcasters wish Dr. Elliott every success in his campaign. His broad knowledge of broadcasting, gained from the very beginning of the art, would be helpful to the Congress in formulating legislative policies with respect to radio. Dr. Elliott is an excellent speaker and is one of the ablest men in broadcasting.

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February 20, 1932

RECOMMENDS WABI DELETION

The findings in Report No. 335 issued this week contains the conclusions of Examiner Walker recommending the renewal application of Station WABI, Pine Tree Broadcasting Corporation, Bangor, Maine, be denied. An application for involuntary assignment to the First Universalist Society was also recommended for denial in the same report. The application of this station for renewal was originally heard in September, 1931, and it was recommended subsequently in Report No. 261 that the station be relicensed for one third time in place of its former assignment of unlimited hours. Following this recommendation, the Commission remanded the case to the hearing docket for the taking of further testimony. This station was formerly licensed in the name of the First Universalist Society of Bangor. It was later leased to the Pine Tree Broadcasting Corporation which operated the station until October, 1931. Some difficulty arose as to possession of the transmitter and equipment when the Universalist Society refused representatives of the Pine Tree Corporation admittance to the transmitter and control room of the station. The report states the Pine Tree Broadcasting Corporation has encountered serious financial difficulties and it now appears to be insolvent. In view of this condition, the Examiner concluded the Pine Tree Broadcasting Corporation is now insolvent and neither owns, nor controls a station for which a renewal of license could be issued. In denying the request of the Universalist Society for an involuntary assignment of the station license, the Examiner found Bangor is now receiving good reception from a number of stations and it does not appear that the proposed service of Station WABI under the control of the Universalist Society would add materially to broadcast service in that area.

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LOS ANGELES INTERFERENCE REGULATION

The municipality of Los Angeles has passed an ordinance for the purpose of reducing interference to broadcast reception. The ordinance states in part, it shall be unlawful to operate "any device, appliance, equipment or apparatus which creates or causes high-frequency oscillations which interfere with the reception of broadcast signals". Further provision is made that where a listener has reported interference to reception, it must be shown that the receiver is operating properly and the regulations provide: "Any or all radio receivers coming within the provisions of this ordinance shall be thoroughly and effectively shielded. No receiver shall be considered 'thoroughly and effectively shielded' which shall deliver a 50 milliwatt output at any frequency within its tuning range when placed in a field intensity of ten thousand millivolts per meter without an antenna or ground and with volume control at the point of greatest sensitivity". The violation of this ordinance is punishable by a fine of \$500 or imprisonment if not more than six months.

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CHARGES RADIO MARINE MONOPOLY

Charging there is a monopoly in radio communication in the Great Lakes area, the Midwest Wireless Company this week filed exceptions with the Commission against the recommendations contained in Examiner Pratt's recent report, finding the Radiomarine Corporation of America should be granted additional facilities. The Midwest Wireless Company had applied for construction permits.

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February 20, 1932

WOULD CHANGE DAVIS AMENDMENT

Senator Shipstead of Minnesota introduced in the Senate this week a bill which would provide a new basis for allocation of broadcasting facilities throughout the United States.

The text of the bill follows:

"It is hereby declared that the people of all the States and the District of Columbia are entitled to substantial equality of radio broadcasting service, both of transmission and of reception, and in order to provide such equality, the licensing authority shall as nearly as possible make and maintain an equitable allocation of broadcasting licenses, of bands of frequency or wave lengths, of periods of time for operation, and of station power, to each of said States and the District of Columbia when and in so far as there are applications therefor, and in determining such equitable allocation the licensing authority shall give equal weight, as nearly as may be, to population, to gross area, and to the number of receiving sets in homes as determined by the Bureau of the Census. The licensing authority shall carry into effect the equality of broadcasting service hereinbefore directed, whenever necessary or proper, by granting or refusing licenses or renewals of licenses, by changing periods of time for operation, and by increasing or decreasing station power, when applications are made for licenses or renewals of licenses: PROVIDED, That if and when there is a lack of applications from any State for the proportionate share of licenses, wave lengths, time of operation, or station power to which such State is entitled, the licensing authority may issue licenses for the balance of the proportion not applied for from any State, to applicants from other States for a temporary period of ninety days each, and shall specifically designate that said apportionment is only for said temporary period. Allocations shall be charged to the State, District, Territory, or possession wherein the studio of the station is located and not where the transmitter is located: PROVIDED FURTHER, That for the purpose of preventing a needless waste of broadcasting facilities, the licensing authority may in its discretion allocate to States situated wholly or principally west of the Continental Divide, broadcasting facilities in excess of those to which such States would normally be entitled on the basis of population, gross area, and number of receiving sets in homes, when such additional allocations will not materially impair radio broadcasting transmission or reception in other sections of the country."

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"A very simple method for determining the proper quota for each State, so as to give each of the three specified factors approximately equal weight," says Senator Shipstead, "is to take the total population of the continental United States, its gross area in square miles, and the total number of receiving sets in homes, as shown by the 1930 census, and bring the three figures to approximate equality by multiplying the smaller ones by the proper factors. Multiplying the total number of square miles by 40, and the total number of receiving sets by 10, the resulting figures are: Population, 122,770,546; area, 121,071,560; receiving sets, 120,783,450. The sum of these three figures is 364,625,556, one-third of which is 121,541,852. This becomes the weighted total figure for the entire country on which distribution of radio facilities is based."

At the same time he offered a table showing the number of units each state is entitled to now, the number represented by stations now licensed, and the number of each state under the proposed law. The table follows:

	UNDER PRESENT LAW		: Under Proposed :
	: Number of Units :	: Number of Units :	: Amendment, Num-:
	: to which :	: actually :	: ber of Units to:
	: entitled :	: allocated :	: which entitled :
NEW YORK	35.07	39.20	36.02
MASSACHUSETTS	11.84	9.98	11.49
NEW JERSEY	11.26	11.53	11.65
MARYLAND	4.55	4.10	4.13
CONNECTICUT	4.48	3.55	4.32
MAINE	2.22	2.20	3.17
RHODE ISLAND	1.91	1.40	1.84
DISTRICT OF COLUMBIA	1.35	1.30	1.28
NEW HAMPSHIRE	1.29	.80	1.50
VERMONT	1.00	.60	1.25
DELAWARE67	.70	.66
PENNSYLVANIA	27.63	20.24	24.35
OHIO	19.07	18.65	17.98
MICHIGAN	13.89	11.40	14.42
KENTUCKY	7.50	7.62	5.87
VIRGINIA	6.95	9.50	5.58
WEST VIRGINIA	4.96	4.95	3.91
TEXAS	16.22	22.77	20.87
NORTH CAROLINA	8.82	7.82	6.57
GEORGIA	8.10	7.95	6.50
ALABAMA	7.37	6.22	5.80
TENNESSEE	7.29	12.83	5.66
OKLAHOMA	6.67	9.00	7.04
LOUISIANA	5.85	8.50	5.03
MISSISSIPPI	5.60	3.00	4.54
ARKANSAS	5.16	4.40	4.81
SOUTH CAROLINA	4.83	1.70	3.57
FLORIDA	4.09	8.35	4.82
ILLINOIS	22.52	34.67	22.64
MISSOURI	10.71	12.05	10.89
INDIANA	9.56	7.48	9.01
WISCONSIN	8.67	7.95	9.68
MINNESOTA	7.57	9.04	9.68
IOWA	7.30	11.45	8.56
KANSAS	5.55	4.71	7.73
NEBRASKA	4.06	7.26	6.71
SOUTH DAKOTA	2.05	3.01	4.94
NORTH DAKOTA	2.01	2.99	4.50
CALIFORNIA	36.89	36.43	¹ 22.38
WASHINGTON	10.15	15.80	¹ 6.72
COLORADO	6.72	9.42	6.81
OREGON	6.19	9.15	¹ 6.56
MONTANA	3.49	3.00	7.52
UTAH	3.30	6.60	¹ 4.81
IDAHO	2.89	2.60	4.53
ARIZONA	2.83	2.60	5.69
NEW MEXICO	2.75	4.03	5.97
WYOMING	1.46	.20	4.75
NEVADA59	.80	5.04
TOTAL, UNITED STATES	392.90	431.50	399.75

¹Subject to increase under the discretionary provision of the amendment.

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NEW GEORGIA STATION GRANTED

With the granting of the application of the Americus Broadcast Company, Americus Georgia, to construct a 100 watt daytime station on 1420 kc, the Commission this week sustained in part the recommendations of Examiner Walker in Report No. 307. The renewal application of Station WMBR, Tampa, Florida, involved in the same hearing, was also granted. On the grounds that the granting of the Georgia application would deprive the City of Tampa of its only source of community service, Examiner Walker recommended denial of the new station application, at the same time admitting that the granting of the requested facilities would work a more equitable distribution of quota in the Third Zone.

In answer to this the Commission found that the Florida station is rendering a generally meritorious service throughout a relatively large area, programs appearing to be well diversified and of interest. In its conclusions, granting the Americus application, the Commission held the applicants had sufficient financial ability to construct and maintain the station; the service proposed would render broadcast service which is not now received from any existing station and that the granting of the application would not result in the creation of any objectionable interference to existing stations.

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TUPPER LAKE STATION, WHDL VINDICATED

Taking action on the first case where an order of revocation had been issued against a broadcast station, the Commission this week granted a renewal of license to Station WHDL, Tupper Lake, N. Y., sustaining the recommendation of Examiner Hyde (Report No. 317). The licensee, Tupper Lake Broadcasting Company had originally been charged with operating its transmitter without a licensed operator in charge; failure to maintain an operating log; and improperly announcing phonograph records. After a lengthy review of the facts presented, the Commission briefly concluded: "The allegations set forth in the Order of Revocation, stating the causes for such action, are not supported by substantial evidence in this case. The evidence contained in the record is not such as would warrant a finding that the operation of Station WHDL by Tupper Lake Broadcasting Company has not been in public interest convenience and/or necessity".

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NEW WISN-WHAD SCHEDULE LICENSED

Sustaining time division schedule recommended by Examiner Pratt (Report No. 321) the Commission this week issued renewal licenses to Stations WISN and WHAD, Milwaukee Wisconsin, sharing time with 250 watts power on 1120 kc, and specified the operating hours of both stations. After hearing the Examiner recommended Station WHAD, operated by Marquette University, be licensed to operate 9:30 to 10:15 a. m.; 3:00 to 4:00 p. m. each day of the week; 8:30 to 9:00 p. m. Monday, Tuesday and Wednesday of each week; 8:30 to 9:30 p. m. on Thursday; and 8:30 to 11:00 p. m. Friday of each week. All other hours to be assigned to Station WISN, licensed in the name of the Evening Wisconsin Company. The Commission sustained this recommended schedule in its entirety.

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February 20, 1932

WIBO-WPCC RECORD TRANSCRIPT FILED

One of the most voluminous transcripts of record ever filed in the District of Columbia Court of Appeals was filed in Court this week in the WIBO-WPCC appeal. The transcript, comprising two volumes and 1136 pages of excerpts from the evidence taken at the Commission hearing, included numerous maps showing service areas and coverage charts of the stations involved; graphs and charts indicating trade distribution statistics in the Chicago area and many photographs typifying salient points concerning the operation of the two appellant stations. The cases concern the appeals of Stations WIBO, Nelson Brothers Bond & Mortgage Company, and Station WPCC, North Shore Congregational Church, both of Chicago (Dockets No. 5530 and 5533). The cases arose originally when Station WJKS, Johnson-Kennedy Radio Corp., Gary, Ind., now licensed to operate on 1360 kc applied for the facilities of the Chicago stations on 560 kc.

The same court granted the motion of the Station WCHI, Peoples Pulpit Association Chicago, Illinois, allowing the appellant until February 27 to make printing deposit in Docket No. 5550-5557-5551-5575. This case arose on appeal after the Commission had granted the application of Station WCKY, Covington, Kentucky, seeking the hours assigned to the Chicago station.

Statements of Facts, and Record were filed in the Court of Appeals in the following pending cases: WLOE, Boston Broadcasting Company v. F R C (Docket No. 5598); Fred H. Goss v. F R C (Docket No. 5604) and William S. Pote v. F R C (Docket No. 5605)

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NEW CALL LETTER ADDENDA

The Commission has issued a new addenda sheet dated February 1, 1932, indicating current changes in the current broadcasting list as issued last year. The new broadcasting station list is expected to be ready for distribution within the next two weeks. Requests for the addenda sheet dated February 1, 1932 should be made to the Commission or the NAB Headquarters, National Press Building, Washington, D. C.

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OPPOSE WMED-WOK COURT REVIEW

The Department of Justice has filed a brief with the Supreme Court of the United States opposing review of the decision of the circuit Court of Appeals for the Seventh Circuit in the American Bond and Mortgage Company case. The case involves the decision of the Commission refusing renewal of license to Station WMED-WOK at Chicago. The decision of the lower court sustaining the Commission's action was upheld by the Circuit Court.

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February 20, 1932

A STATION TALKS BACK

Station KECA of Los Angeles, Calif. recently had occasion to report to its audience several misstatements which appeared in one of the local newspapers with reference to its program schedule. After mentioning the occasion for the correction, the station's editorial continued:

"And, while we are on the subject of the daily press, and its problems as to how they will treat radio broadcasting - - fairly or unfairly, let us call to your attention a recent development in the struggle for large advertising revenue.

"You people with radio sets, who already pay personal property taxes on them and on practically everything else you possess, will be still further taxed if certain newspaper publishers are successful with the propaganda they are now conducting in an effort to subvert American radio.

"Through private enterprise, by which all American progress has been attained, and which the Press rightfully insists on preserving for itself as a constitutional right, you are now getting by far the highest quality of entertainment in the radio world today - at no cost to you. But the Press, greedy for the money that is invested in radio program production, want to have it arranged that you pay for your radio entertainment through a system of further and annoying taxation, so that all advertising revenue will be diverted to their own pockets.

"Every visiting European, after tasting of our abundant variety and quality of radio material, finds his own tax-supported entertainment at home inexpressibly dull. He is restricted to what the political party in power thinks is good for him, or to none. But whether he listens or not, he must pay his tax if he owns a receiving set.

"There is no more reason why radio should be government operated and supported by taxation, than that the Press should be so manacled. More government bureaus and political high-trougs are evils that the Press resists vigorously in every other field of individual enterprise, yet seeks to impose on radio.

"The reason is an entirely selfish one. It is not a matter of high-minded public interest, which the Press pretends to guard. It is simply a matter of dollar grabbing. It is hoped the public will see through the scheme and give it the scant regard it deserves.

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OPPOSES OWOSSO STATION

Basing his conclusion upon the inadequacy of the proposed system of financing the project, Examiner Hyde this week in Report No. 334 recommended to the Commission that the application of Owosso Broadcasting Co. Owosso, Mich. for authority to erect a new 1 KW daytime station on 830 kc be denied. The Examiner found daytime broadcast service in Owosso "is not dependable enough to be altogether satisfactory," and further that while "the plan of the applicants to establish a station to serve local needs has merit," nevertheless "the applicants are inexperienced in the broadcast business, and, it appears, dependent on considerable outside help for the initial financing of the project." The Report in considerable detail sets out the major points of the testimony given by the various witnesses at the hearing.

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February 20., 1932

WCSH GETS INCREASED DAY POWER

Reversing the findings of Examiner Pratt (Report No. 305) the Commission granted an increase in day power from 1 KW to 2500 watts to Station WCSH, Portland, Maine, on 940 kc. The entire question before the Commission was whether or not the evidence presented at the hearing would warrant the granting of the application to the point where the State of Maine would be over quota 0.05 unit. Examiner Pratt after a report that favored in its entirety the granting of the request on the grounds of public service, left this question to the decision of the Commission and recommended denial of the increase due solely to the quota difficulty. The State of Maine quota has been increased 0.25 unit. The Commission, concurred with the findings of the Examiner in concluding that the station has made full and adequate use of its facilities and is rendering a generally meritorious service in its present area and that the granting of the increased day power would result in the extension of the present good service area of the station to include a substantial area that does not now receive any satisfactory service.

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FLORIDA RELAY STATION GRANTED

The Commission this week granted the application of The Isle of Dreams Broadcasting Corporation, Miami Beach, Florida, authorizing the erection of a relay broadcasting station on the frequency of 6040 kc with power of 2500 watts. This decision of the Commission reversed the recommendation of Examiner Pratt (Report No. 299). The application as originally presented to the Commission sought the use of the frequencies 6000; 9600; 11800; and 15,100 kc. The opinion of the Commission sustains the Examiner's decision so far as these particular frequencies are involved, since it was concluded that none of these channels could be used under Commission Regulations carrying out the provisions of the International Radiotelegraph Convention of 1927 without creating interference with stations in other countries. In considering the general relay broadcasting situation the Commission said: "Priority of appropriation of frequencies seems to be the rule as between nations. Most of the United States stations using various relay broadcasting frequencies have prior registrations over foreign countries and are therefore entitled to interference-free use of such frequencies." According to the decision, the applicant intends to re-broadcast programs to Central and South America as well as Porto Rico. In its conclusions, the Commission said the granting of the application would assist in the development of relay broadcasting field, since the proposed program should have such a result. Reference was further made to the availability of financial and technical resources on the part of the applicant to carry out the project. At present Station WIXAL, Boston, Mass., has a construction permit to use the frequency of 6040 kc. The Commission held that while this was a fact, this frequency appeared suitable for the use of the applicant, and that in case interference developed, both licensees would be required to work a satisfactory time sharing agreement, as provided in the issuance of relay broadcasting licenses operating in the United States.

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REGULATING RADIO BY EAR

The above is the title of an editorial which appeared in the Janesville Gazette of February 12, 1932. The editorial in full text is as follows:

"Like all congressmen when new on the job, Thomas R. Amlie has the urge to regulate something. Mr. Amlie is a radio fan. Hence his desire to have programs come under government supervision so that he can have what he wants when he wants it. If we can regulate radio programs by government and ear we may also have a commission to regulate church music programs, 4-H club offerings in the way of entertainment, what the vaudeville stage offers, how long the preacher may preach and when and how, and all the other things which have to do with public contact in speaking or singing.

"Before Mr. Amlie regulates the radio he should offer a preliminary resolution compelling all persons between the ages of seven and 99 to listen to a broadcasting program for three hours a day. When listening-in on radio programs is compulsory then he may regulate the programs. One is as silly as the other if not more so. What has the government got to do with whether the person likes the 'Mule Skinners,' Wayne King or the Rev. Fr. Coughlin? What has Mr. Amlie got to do with the fact that people differ as to Seth Parker or Bing Crosby? The commission from heaven direct to the member from the First district to have things his own way and laws made for these things is not recognized by the common earth people with whom he deals.

"Radio will regulate itself. One does not have to listen to tooth paste nor cigarettes if he so chooses. Nothing was ever invented for man's perfect convenience and selection like the radio. If one sits in the gallery at Washington he must listen to a lot of hooey from congressmen. Put he can and may walk out. So he can on radio. Paul Whiteman said the other day that the day of the croon singer was over and done with. The public has seen to that. The 'fan' mail tells any station what is wanted. The newspaper paragraphers can do more in a day than would all the legislation Mr. Amlie can introduce, to regulate programs.

"We regulate bed sheets. We regulate cracks in dishes. We regulate bath tubs. We regulate electric wiring. We regulate maternity. We regulate labor. We regulate fishing and hunting. We regulate food and drink. We print magazines and bulletins about everything from door knobs to sanitary appliances. We have inspectors and experts and we allow the government to gnaw holes in fifty million pocket books already flattened by disuse. Now we are to get regulated as to what we shall hear. How will this work? A radio station wants to present the Stabat Mater. It asks one of Amlie's inspectors if it may. He never heard of such a thing and thinks it is something good to eat. The inspector has been appointed because he can deliver nine votes from the second precinct of the 99th ward to La Follette or Amlie or who have you. His range of musical education starts with 'On Wisconsin' and ends with 'Sidewalks of New York.' So he wires the Central Radio Inspection and Censorship office at Washington. The boss is over at the Willard eating with a delegation from Mexico and putting it on his expense account. Finally a day after the Stabat Mater was to have been presented a questionnaire is received from Sol Bloom, head of the Artists and Composers association for gathering in cash and the station presents something else.

"Nothing quite so assinine has been presented even in the Oklahoma or North Dakota legislatures as this Amlie radio regulation bill. It is a part of that same political philosophy that has taxed the states and nations to death. Dis-service and service -- regulation by statute when it ought to be done by private understanding and weight of public opinion. That is why we stagger under tax burdens; that is why we have delinquent tax sales in such counties as Walworth and Rock growing bigger every year. That is why we have ten times the number of federal payrollers that we had fifteen years ago. Too much Amlie legislation will add a few more moth holes in the taxpayers' pocket book.

February 20, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications, subject to the provisions of Rules 44 and 45 which permit the filing of proper protests within twenty days from the date of the action:

FIRST ZONE

WOV	International Broadcasting Corp., New York, N. Y.	Granted C. P. to make changes in equipment and install automatic frequency control.
RCA	Victor Company, Inc. Camden, New Jersey	Granted Mod. Lic to change frequencies to 1550; 2100-2200; 43000-46000; 48500-50300; 60000-80000.
WAAM	WAAM, Inc., Newark, New Jersey	Granted authority to operate with 1 KW day and night until March 7.

THIRD ZONE

WBHS	The Hutchens Company Huntsville, Alabama	Granted Mod. of C. P. to extend completion date of CP from January 4, 1932 to 90 days after February 16th; also to change type of equipment.
WDBO	Orlando Broadcasting Co. Inc., Orlando, Florida	Granted Mod. of Lic. to increase hours of operation from specified hours to unlimited; decrease power from 500 w. night 1 KW LS to 250 watts.
KVOO	Southwestern Sales Corporation Tulsa, Oklahoma	Granted 30 day extension within which to comply with Provision 3 of 25 KW CP.
WSB	The Atlanta Journal Atlanta, Georgia	Granted 30 day extension to comply with Provisions 3, 4, & 5 of 50 KW CP.

FOURTH ZONE

KGFX	Dana McNeil Pierre, South Dakota	Granted Mod. of License to change frequency from 580 to 630 kc.
WHO- WOC	Central Broadcasting Company Des Moines, Iowa	Granted Mod. of CP approving transmitter site at location one mile south of Mitchell ville, Iowa.

FIFTH ZONE

KGU	Marion A. Mulroney & Advertiser Publishing Company, Ltd. Honolulu, T. H.	Granted CP to make changes in equipment change frequency from 940 to 750 kc, power from 1 KW to $2\frac{1}{2}$ KW, and time from unlimited to limited on experimental basis.
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February 20, 1932

APPLICATIONS GRANTED (Concluded)

FIFTH ZONE (Continued)

KERN	The Bee Bakersfield Broadcasting Co. Bakersfield, California	Granted license covering installation of new equipment and removal of station from Santa Maria to Bakersfield, 1200 kc, 100 watts, unlimited time.
KIDO	Boise Broadcasting Station, Boise, Idaho	Granted authority to install automatic frequency control.
KGCM	New Mexico Broadcasting Company Albuquerque, New Mexico	Granted authority to install automatic frequency control.
KSL	Radio Service Corporation of Utah Salt Lake City, Utah	Granted 15 day extension to comply with Provision 5 of 50 KW CP.

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MISCELLANEOUS COMMISSION ACTION

KMTR	KMTR Radio Corporation Los Angeles, California	Granted temporary license pending Commission's decision as a result of investigation now being conducted with respect to type of programs broadcast over this station.
WMT	Waterloo Broadcasting Company Waterloo, Iowa	Granted temporary license and designated application for renewal for hearing because of request to remove transmitter to Des Moines and change power.
WOR	Bamberger Broadcasting Service, Inc. Newark, New Jersey	Given 30 days extension of time in which to select a site and show evidence that they have purchased a transmitter.
WCAC	Connecticut Agr. College, Storrs, Connecticut	Granted authority to operate from 2:30 to 4 P. M. on February 20th provided Station WICC remains silent.
WKSV	Knox Battery & Electric Company Connersville, Indiana	Granted authority to operate from 2 to 4 P. M. March 12th.

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RENEWALS GRANTED

During the current week the Commission granted renewal applications to the following stations for the regular six-month period: WMCA, New York City; WNYC, New York City; KARK, Little Rock, Ark.; KXA, Seattle, Wash.; WFI, Philadelphia, Pa. WJAX, Jacksonville, Fla.; WKY, Oklahoma City, Okla.; KELW, Burbank, Calif.; KFUC, Clayton, Mo.; KTAR, Phoenix, Arizona.

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February 20, 1932

APPLICATIONS SET FOR HEARING

At its sessions during the current week, the Commission designated the following applications for hearing:

WAAB	Bay State Broadcasting Corporation Boston, Massachusetts	Requests Mod. of Lic. to increase daytime power from 500 w. to 1 KW.
WMT	The Waterloo Broadcasting Company Waterloo, Iowa	Requests CP to move transmitter from near Waterloo to 5 Mi. S. of Des Moines, Ia. Move studio from Waterloo to Des Moines, and change power from 250 w. and 500 w. exp. to 500 watts. Also to utilize a special antenna system.
KFXV	Albert H. Scherman Flagstaff, Arizona	C. P. change location from Flagstaff to Yuma.

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RECOMMENDS WMPC SCHEDULE REDUCTION

Recommending denial of the application of Edmund J. Meurer, Mount Clements, Michigan, to erect a new 100 watt station on 1500 kc to share time with Station WMPC, Lapeer, Michigan, Examiner Walker this week in Report No. 333, proposed to the Commission that the present unlimited time assignment of Station WMPC be reduced to a schedule of specified hours. After setting out in its entirety the present operating hours of the Lapeer station, the recommendation concludes: "Station WMPC, although licensed to operate unlimited time, has actually operated an average of less than twelve hours per day and cannot, therefore, be granted a renewal license to operate unlimited time". The hours recommended for licensing are those that have been used by the station in recent months. The recommended denial of the new station application is based on conclusions that there was a failure to show availability of sufficient program material to enable broadcasts of general interest, and further that this community now receives good broadcast service from existing stations.

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NEW TELEVISION APPLICATION REJECTED

Sustaining the recommendation of Examiner Yost (Report No. 315), the Commission this week denied the application of Radio Vision Company, Pittsburgh, Pennsylvania, to erect a new television station to operate with power of 50 watts on the frequency band 2850-2950 kc. The Commission concluded there was not sufficient evidence of the applicant's financial ability to properly construct and operate the proposed experimental, nor was any evidence introduced at the hearing to indicate that laboratory experiments had progressed to the point where a visual channel was necessary for the further advancement of television experiments.

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February 20, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, February 22, 1932. All hearings commence at 10 a. m.

THURSDAY, February 25, 1932

BROADCASTING

Docket #1437 WSYD Philip Weiss Music Company C. P. 1340 kc 250 watt
Rutland, Vermont Unlimited time.

Present assignment: 1500 kc 100 watt
Unlimited time.

Docket #1450 WCAX Burlington Daily News, Inc. C. F. 1340 kc 250 watt
Burlington, Vermont 500 W. LS
Unlimited time.

Present assignment: 1200 kc 100 watt
Shares with WNEX

FRIDAY, February 26, 1932

VISUAL BROADCASTING

Docket #1463 NEW Wade H. Dellinger C. F. 1550, 41000, 43000-
Charlotte, North Carolina 46000; 48500-50300; 51400;
60000-80000 kc. 75 watts
Unlimited time.

Docket #1485 NEW Shreveport Broadcast Company C. F. 1608-2080 kc 100 watt
Shreveport, Louisiana Unlimited time.

COASTAL SERVICE

Docket #1481 WSK C. Reiss Coal Company Ren. Lic. 410, 425, 454, kc 1
Sheboygan, Wisconsin KW Week days 7 AM to 7 PM
Sundays and Holidays, 8 AM to
11 AM, and 4 to 7 PM, CST.

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TEMPORARY RENEWALS ISSUED

During the current week the Commission issued temporary licenses to the following stations, and designated the regular applications for hearing, as the facilities of the stations are being sought by other applicants:

WCDA, New York, WNBR-WGBC, Memphis, Tennessee; KGDA, Mitchell, South Dakota; WCOA, Pensacola, Florida; KGRS, Amarillo, Texas.

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February 20, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-PB-2478	WNBX	First Congregational Church Springfield, Vermont	C. P. change frequency to 1260 kc increase power to 250 watt and daylight operation; install new transmitter.
<p>The applicant is now licensed to operate with power of 100 watts on 1200 kc sharing time with Station WCAX. The closest station to Springfield on the requested frequency is WLBW, Oil City, Pennsylvania, operating unlimited time with power of 500 watts and approximately 390 miles distant. The First Zone is under quota; Vermont is under quota. The granting of this application would increase the quota.</p>			
1-MLB-953	WEAN	Shepherd Broadcasting Serv. Providence, Rhode Island	Mod. Lic. increase power from 250 watts night; 500 watts LS to 500 watts both day and night, on experimental basis.
<p>The applicant is now licensed to operate unlimited time on the Canadian Shared channel of 890 kc. The distance to the closest Canadian border is approximately 250 miles. Rule 123 of the Rules and Regulations of the Commission in connection with power to be authorized on this class of frequency, states: "Stations more than 250 and less than 500 miles from the boundary will be assigned a power of not greater than 250 watts during the nighttime and 500 watts during daytime". The closest station to Providence on this frequency is Station WTAR, Norfolk, Virginia, operating unlimited time with power of 500 watts, and the distance is approximately 445 miles. The separation recommended by the mileage tables of the Engineering Division of the Commission in similar circumstances is 770 miles. The First Zone is under quota; Rhode Island is under quota. The granting of this application would increase the quota 0.1 unit.</p>			
1-RSE-222	W2XAG	General Electric Company S. Schenectady, New York	Ren. spec. exper. license for 660 kc; 790 kc; 50 KW (PM) 200 KW (AM).
1-PB-2479	NEW	Louis Reis, New York, N. Y.	C. P. new station on 1350 kc 250 watts; Time used by WBNX.

The applicant seeks authority to use the time now assigned to Station WBNX, operated by Standard Cahill Company, New York City, sharing time with Stations WAWZ, WMSG and WCDA. The granting of the application would not increase the quota.

February 20, 1932

APPLICATIONS RECEIVED (Continued)

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>SECOND ZONE</u>			
2-MPB-300	WFEG	William F. Gable Company Altoona, Pennsylvania	Mod. C. P. extend completion date from 2/19/32 to 5/19/32.
2-MLB-949	WASH	Kunsky-Trendle Brdcastg. Co., Grand Rapids, Michigan	Mod. Lic. to use transmitter and studio of WOOD.
<p>The license of Station WOOD was recently assigned to the present applicant. Both stations are now licensed to share time on 1270 kc.</p>			
2-MPB-299	WGEO	York Broadcasting Company York, Pennsylvania	Mod. C. P. requesting approval transmitter site West Manchester Township, R. F. D. 4, near York and change in equipment.
2-MLB-934	WTEL	Foulkrod Radio Engineering Co. Philadelphia, Pennsylvania	Letter received amending application requesting Station WCAM, Camden, N. J. be required to enter into time sharing agreement with applicant and Station WHAT so that Rules 155 & 156 may apply to all stations.

The application as originally received sought authority to operate on 1310 kc while Station WCAM, Camden, N. J. is operating on 1280 kc (30 kc removed). The distance separating the stations is less than recommended for simultaneous operation in similar circumstances by the mileage tables of the Commission Engineering Division. The applicant is now licensed to share time on its present frequency with Station WHAT, Philadelphia, while station WCAM is not operating. Rules 155 & 156 involve the procedure for filing time sharing agreements with the Commission and the regulations in cases where time sharing stations depart from the regular authorized schedule.

THIRD ZONE

3-PB-2477	WGCM	Great Southern Land Company Gulfport, Mississippi	C. P. install new transmitter; change 590 kc. 1 KW daytime.
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The applicant is now licensed to operate unlimited time on 1210 kc with power of 100 watts and unlimited time. The closest station to Gulfport on the requested frequency is Station WCAJ, Lincoln, Nebraska, operating with 500 watts power and sharing time with Station WOW. The distance from Gulfport to Lincoln is approximately 840 miles. The Third Zone is over quota; Mississippi is under quota. The granting of the application would increase the quote 0.3 unit.

3-PB-2476	KGFI	Eagle Broadcasting Company Corpus Christi, Texas	C. P. install new equipment.
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February 20, 1932

APPLICATIONS RECEIVED (Continued)

THIRD ZONE (Continued)

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
3-FB-168	WBRC	Birmingham Brdcstg. Company Birmingham, Alabama	Install automatic frequency control.
3-FB-2482	NEW	Charles F. Scheaffer Oklahoma City, Oklahoma	C. P. new station on 620 kc 10 watts daytime.

The closest stations to the proposed location are WTMJ, Milwaukee, Wisconsin, approximately 735 miles distant, and WFLA-WSUN, Clearwater, Florida, approximately 1025 miles distant. The power requested is less than is usually assigned in this class of service for the proposed operation. The Third Zone is over quota, Oklahoma is over quota. The granting of the application would increase the quota.

FOURTH ZONE

4-MLB-951	KWCR	Cedar Rapids Brdcstg. Co., Cedar Rapids, Iowa	Mod. Lic. change from 1310 kc with specified hours to 1420 kc unlimited hours (Exchange facilities with WIAS).
4-MLB-952	WIAS	Iowa Broadcasting Company Ottumwa, Iowa	Mod. Lic. change from 1420 kc to 1310 kc, time not used by KWCR (Exchange facilities with KWCR).

These two applications seek authority to interchange the assignments of the stations involved. At present Station KWCR is licensed for specified hours on 1310 kc. Station WIAS is assigned unlimited time on 1420 kc.

4-MLB-910	WLBC	Donald A. Burton, Muncie, Indiana	Mod. Lic. change from sharing time with Station WJAK, Elkhart, Indiana, to simultaneous daytime and share time at night.
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The stations are now licensed to share time equally on 1310 kc with power of 50 watts each. The distance from Muncie to Elkhart is approximately 110 miles. The recommended separation under the mileage tables of the Commission Engineering Division in similar circumstances is 95 miles. The Fourth Zone is over quota. Indiana is under quota. The granting of the application would increase the quota.

4-PB-2418	NEW	A. E. Chapman & C. R. Brand, Rapid City, South Dakota	C. P. amended request unlimited time except 4 hours daily to Station WCAT.
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The application as originally submitted requested authority to erect a new station on 1200 kc, taking the facilities of Station WCAT, South Dakota School of Mines, Rapid City, South Dakota, excepting one half hour daily. Station WCAT formerly licensed for unlimited operation was recently assigned a specified hour

February 20, 1932

APPLICATIONS RECEIVED (Continued)

FOURTH ZONE (Continued)

schedule. The Fourth Zone is over quota; South Dakota is over quota. The granting of the application would increase the quota.

4-PB-2444	WHBU	Anderson Brdcstg. Company Anderson, Indiana	C. P. move transmitter locally amended to request authority to change equipment.
4-MLB-955	KFJB	Marshall Electric Company Marshalltown, Iowa	Mod. Lic. increase operating hours to unlimited.

The applicant is now licensed to operate under a specified hour schedule on 1200 kc with power of 100 watts. The Fourth Zone is over quota; Iowa is over quota. The granting of the application would increase the quota.

4-MLB-954	KFMX	Carleton College Northfield, Minnesota	Mod. Lic. increase operating hours to take the facilities of Station WRHM.
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The applicant is now licensed to share time with Stations WCAL, WRHM and WLB on 1250 kc using power of 1 KW. The granting of the application would not increase the quota.

4-PB-2481	WMBH	Edwin D. Aber, Joplin, Missouri	C. P. make changes in equipment.
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FIFTH ZONE

5-MLB-950	KVOA	Robert M. Riculfi Tucson, Arizona	Mod. Lic. change from specified hours to unlimited time.
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The applicant is now authorized to operate under specified hour schedule with power of 500 watts on 1260 kc. The closest station to Tucson on this frequency is KOIL, Council Bluffs, Iowa, operating unlimited time with power of 1 KW approximately 1045 miles distant. The Fifth Zone is over quota; Arizona is under quota. The granting of the application would increase the quota.

5-FB-166	KGW	The Oregonian Publishing Co. Portland, Oregon	Install automatic frequency control.
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5-FB-167	KFOX	Nicholas & Warringer, Inc. Long Beach, California	Install automatic frequency control.
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5-MPB-301	KOA	National Brdcstg. Co. Inc., Denver, Colorado	Mod. C. P. for 50 KW, requests appr. 50 KW equipment and transmitter site 10 miles East of Denver.
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February 20, 1932

APPLICATIONS RECEIVED (Concluded)

FIFTH ZONE (Continued)

5-PB-2473 LFBE Buttrey Broadcast, Inc. C. P. make changes in equipment.
Great Falls, Montana

5-PB-2472 NEW Cannon System, Ltd. C. P. erect new station on 850 kc;
Glendale, California 250 watts; daytime (fac. of KGIX)

The frequency requested is a clear channel assigned to the Third Zone and now used by Stations KWKH, Shreveport, Louisiana, and WWL, New Orleans, Louisiana. The facilities sought are now assigned to Station KGIX, Las Vegas, Nevada, operating with 100 watts on 1420 kc with unlimited time. The Fifth Zone is over quota; California is over quota; Nevada is over quota. The granting of the application would increase the California quota 0.2 unit.

5-MPB-302 KPO Hale Brothers Stores & Mod. C. P. requests approval
The Chronicle Publishing Co. 50 KW transmitter site near San
San Francisco, California Mateo, California and proposed
equipment.

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LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations: WAIU, Columbus, Ohio; WRBQ, Greenville, Mississippi, WKES, Galesburg, Illinois; WHAZ, Troy, New York; KFDY, Brookings, South Dakota.

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APPLICATIONS RETURNED

During the current week the Commission returned the following applications at the request of the applicants or because the application violated Commission Rules:

3-AL-B-410 G. A. Houseman WTSL Voluntary assignment of license to
Laurel, Mississippi Laurel Broadcasting Company. (At re-
quest of applicant).

3-P-D-2464 South Carolina Broadcasting Co. Construction permit for new station on
Inc. NEW 1360 kc. (Request of applicant).
Charleston, South Carolina

5-ML-B-932 R. G. Howell & Chas. Howell KFXJ Modification of license for increased
Grand Junction, Colorado hours. (Rule 6) (Former G. O. 102).

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Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING • • • WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director.

February 24, 1932

COPYRIGHT LEGISLATION

With a view to drafting a bill to bring existing copyright laws up to date, Chairman Sirovich of the House Patents and Copyrights Committee began early this month to hold hearings on the general subject of copyright.

The National Association of Broadcasters requested an opportunity to be heard and the Committee immediately and willingly granted the request.

Since the hearings have been of a general nature it was deemed advisable to review the whole subject of copyright from the viewpoint of the broadcaster. Mr. Louis G. Caldwell, who last year represented the Association in connection with the Vestal Bill, was engaged as special counsel to present the broadcasters' case before the House Committee and his testimony is reproduced in the special Bulletin.

The testimony was not presented exactly in the order given in this Bulletin but certain points were elaborated upon under questioning by the Chairman and other points were eliminated entirely for the sake of brevity.

The Association urges every member to give close study to the following testimony and preserve it for future reference. Mr. Caldwell's testimony begins on the next page.

The broadcasting industry is the youngest of those that will appear before you. It is only a little over eleven years since November, 1920, when the first broadcasting station in the United States (and, indeed, in the world) sent out the first broadcast program, consisting of election returns. Since then the industry has pursued a course of development and has assumed a magnitude and public importance that were foreseen by almost no one. To a large extent the broadcasting station has replaced the public platform and it has become one of the major avenues by which the public is entertained, instructed and kept informed of current events.

With this development have come a host of problems; legal, economic and social, which are novel and perplexing. One of the most important of these problems, both to the broadcasting industry and, we believe, to the owners of some 12 or 15 million receiving sets, is that of obtaining copyright legislation which will at the same time give the author and composer the protection he should have and yet will not lend itself to abuses which will stifle this new industry and cripple the service which it is giving the public. The problem is not made any easier by the rapid progress which radio continues to make, and the uncertainties as to new discoveries which may change the whole structure tomorrow. For example, no one knows whether television will be commercially practicable in the near future, or, if it is, what form it will take or what its economic basis will be.

It is not difficult to give you a list of the evils from which the broadcasting industry suffers under the present copyright law and from which it desires protection under any new law you may draft. With reference to some of these evils, however, it is not so easy to tell you how to remedy them, particularly if future developments are to be properly safe-guarded. Much depends on the structure and theory of copyright law you adopt; in one kind of bill a certain provision might be necessary, whereas in another kind of bill an entirely different provision would be called for. I assume, however, that you are at present more interested in a general presentation of our problems than in specific remedies, and that you will permit us to cooperate with you in the working out of the latter.

It is necessary first to call your attention to a few facts about the broadcasting industry, as a background for what I shall have to say. There are slightly over 600 broadcasting stations in the United States. As you know, these stations derive their authority to broadcast from licenses issued from time to time by the Federal Radio Commission, which was established under an Act of Congress approved February 23, 1927. Until December 31, 1930, under restrictions imposed by Congress, the licenses were for a maximum of three months. Under the law as it has been since then, the Commission may issue licenses for a period as long as three years although at present it issues them on a 6-months basis. The courts, in construing the Radio Act, have so far denied that a broadcaster has a property right as against the United States in the continued operation of a station but the courts have, on the other hand, recognized that a broadcaster has sort of a continuing right to renewal of his license unless some very grave reason is shown for putting him out of business. The entire industry is, of course, fervently hoping for a longer license period so that it may enjoy a corresponding increase in stability that will be reflected in improved service to the public.

The broadcasting station, to receive a license, must meet the test which Congress laid down in the Radio Act, "public interest, convenience or necessity." Some people contend that under this language broadcasting stations are public utilities; others say the contrary. I shall not attempt to answer that question. But it is clear that, if the entire United States is to receive some measure of broadcasting service, there must be a fairly equitable distribution of stations in sparsely settled areas as well as in the thickly populated centres. Congress has prescribed a rather rigid yardstick for accomplishing this and the Commission is attempting to carry it out. At any rate, I think you will agree with me that where a business is operated under license from the Government, as the broadcasting business is, and is stamped with a public interest, no private individual or combination of individuals should have the power under the law to nullify a license. Yet, as I shall show you a little more fully later on, that is just what the present Copyright Act permits. This is a matter which concerns not merely the broadcaster but the entire listening public.

Naturally there is a great disparity in the economic condition of the 600 broadcasting stations in the United States. A number of factors enter into this, but by far the most important is the station's location. A station of small or medium power in a large metropolitan center has a larger potential audience and is more attractive to an advertiser than a high power clear channel station in the sparsely settled Rocky Mountain area. The highly exaggerated stories you sometimes hear about profits in the broadcasting business are based largely on a few instances of this sort, of stations with a small overhead, fortunately located. The great majority of the smaller stations (which account for over five-sixths of the 600 broadcasting stations) are located in small cities and towns where the advertising support is, to say the least, precarious. On the other hand, the high power clear channel stations, even in large centres, have to maintain so high a standard of varied public service and have so great an overhead, that most of them are even now on a losing basis. About half of the stations are permitted to operate only part time; they divide time with each other or they must close down at sunset, etc.; still, in most respects they have the same overhead as full-time stations have. The truth is that the great majority of stations are in no position to be subjected to heavy burdens of expense for research in copyright matters or for defending litigation for alleged copyright infringements which are innocent and yet impossible to guard against in the present state of the law.

Broadcasters are interested in copyright legislation from two points of view, first, as users of copyrighted works (principally music) and second, as creators of original works. The first of these seems much the more important at present but the second is important enough so that it can not be disregarded, particularly in view of possible future developments.

By the term "users," which I use for want of a better word, I mean those industries through which the author's work reaches the public. The term carries with it no opprobrium; the group is indispensable both to the author and to the public. Examples of users are:

1. Publishers both of literature and music in the form of printed copies.
2. Persons who convert the copyrighted work into some form of mechanical record from which it may be reproduced, heard or seen, e.g. manufacturers of phonograph records, mechanical piano-player rolls, moving pictures, etc.
3. Persons who perform the copyrighted work in public, e.g. the theatrical producer, the concert artist, the moving picture exhibitor, etc.
4. Persons who communicate the copyrighted work to the public, e.g. the broadcaster whether by radio or by wire.

Obviously, in several industries these different uses overlap. For example, the larger broadcasting stations with their numerous staffs of employes engaged in program production, engage extensively in adapting and arranging music, in performing music through artists employed for the purpose, and in communicating such performance to the public.

I do not need to tell you, for it is already apparent from this and previous copyright hearings, that it is characteristic of each class of users to claim rights superior to the other classes and sometimes at the expense of the author. I gather from the testimony I have already heard that some publishers of literary works insist on the dramatic rights, the moving picture rights and every other kind of rights as against the author. I know that the publisher of music insists on keeping control of the performing rights and broadcasting rights; that is why he is opposed to divisibility of copyright and insists that the copyright be assignable only as a whole and not in part.

Let me make clear at this point that the broadcasters have no quarrel with the claims made in behalf of the author and composer at these hearings, as I have understood them. In other words, we agree

1. That the copyright should originally vest in the author or composer who creates the work.
2. That the author or composer should have the right to assign to whomever he chooses.
3. That the author or composer should have the right to assign divisible portions of his copyright, in other words, divisibility of copyright, and give good title to the several assignees.

These, of course, are all subject to proper safeguards by way of notice and registration, which I shall discuss presently.

Let me also make it clear that the broadcasters are not seeking the privilege of broadcasting of copyrighted works without paying therefor. A charge to the contrary is made against the industry every so often but it is absolutely without foundation. It dates back to a period 8 years ago at a time when it was not foreseen that broadcasting would acquire a commercial status, and virtually all stations were operated without economic support. Ever since broadcasting has become a business the broadcaster has readily recognized that he is under obligation to pay a reasonable fee for the use of copyrighted works. There have been intense differences of opinion at times as to how much that fee should be, in negotiations between the broadcaster and the American Society of Composers, Authors and Publishers, but there is no difference of opinion on the fundamental principle.

The copyrighted works which chiefly concern the broadcaster are musical compositions. Stations vary, of course, in the proportion of music used in their programs but it would be fair to assume, I think that on an average 60 to 70% of a station's hours of operation are taken up with music and that a full-time station will broadcast somewhere between 100 and 200 musical compositions a day. A large proportion of these are copyrighted and cannot be played without a license from the copyright proprietors. For the sake of simplicity I shall assume that musical compositions are the only kind of copyrighted work that is used by broadcasting stations. To make the broadcaster's problems clear to you I shall have to review very briefly the interpretation which has been placed on the present Copyright Act.

The Courts have so far held

- 1) That a broadcaster who broadcasts a copyrighted musical composition performed in his studio is engaged in a public performance for profit of that composition, and is liable for infringement if he is not authorized by the copyright owner.
- 2) That a broadcaster who broadcasts a copyrighted musical composition performed elsewhere than in his studio (e.g. by a hotel orchestra connected with the station by remote control) is likewise engaged in a public performance for profit of that composition, and is liable if neither he nor the person actually performing the composition (e.g. the hotel proprietor) is authorized by the copyright owner.
- 3) That a hotel proprietor that operates a receiving set and loud-speaker for the entertainment of the hotel guests is likewise engaged in a public performance for profit of that same musical composition and is liable for infringement if neither he nor the broadcaster is authorized by the copyright owner.

Questions which are not yet settled are such as the following:

- 1) Is the hotel proprietor in the case last mentioned liable if he does not have a license but the broadcasting station to which the receiving set is tuned does have a license?
- 2) Is the broadcaster liable for a program which he receives by remote control from a hotel dining room or a dance hall where the broadcaster does not have a license but the hotel or dance hall proprietor does have a license?

The American Society is attempting to settle such questions by itself in the form of license agreement which it imposes on the broadcaster.

Leaving such questions aside, I want you to get the complete picture of what happens as the result of the decisions already made by the courts. Let me give a few cases of what are almost every day occurrences.

Case No. 1 A broadcasting station which has done its best to protect itself by securing licenses broadcasts a football game and, in the intermission between the halves, lets the listening public hear the college bands. These bands may play, and frequently do play, compositions not covered by the license from the Society or any of the other organizations. Or they may play what is known as a restricted number, that is, a composition controlled by the Society but not permitted to be played except by special permission. Not only is the broadcaster liable for infringement, so also is every hotel, restaurant, barber shop, or drug store proprietor, which lets that program go to the listening public over a receiving set.

Case No. 2 Take a performance of a musical composition which originates in the key station of a national network such as the National Broadcasting Company or Columbia Broadcasting System. Such organizations, of course, take every possible precaution to avoid infringement and yet occasionally have been unable to avoid them. If, innocently, an unauthorized number is broadcast, the network is guilty of infringement, so also are the 40, 50 or 60 stations which take the program by wire and broadcast it in all parts of the country, so also are the countless hotel, restaurant, barber shop or drug store proprietors which operate receiving sets.

If time permitted I could recite a number of such pitfalls for the innocent infringer. The sort of case I have described leads us to advocate the principle which we have come to call the single performance principle. We urge that the man who has no control over what music is played and who cannot possibly protect himself against infringement, no matter what precautions he takes and no matter how many license fees he pays, should not be held liable under sound copyright legislation. It

seems unsound to us to say that the hotel proprietor who operates a radio receiving set is "performing" the musical compositions which happen to be transmitted from some broadcasting station, or to say that a station in Washington, D. C. temporarily hooked up to a network is performing a composition which it receives by wire and which is really being performed at the studio of the key station of a chain in New York. Let all responsibility and all liability rest with the person originating or controlling the original performance, but let all others be protected. The copyright owner is not injured by such a principle; presumably the court will allow him considerably greater damages against a network where the performance has been relayed to, and broadcast over 60 stations than where it is limited to one station. Similarly, a license to the key station will protect all the other stations, as well as all hotel proprietors, etc. Such a rule will not relieve the other stations from paying fees for broadcasting music. The stations not directly operated by the networks do not take chain programs exclusively or even a major portion of the time. They put on their own programs, for which they have to accept responsibility and must pay. But they will be protected from innocent infringement.

This brings up the question of damages. Under the present law there is a minimum of \$250 specified for each infringing performance. The nature of this provision is best described in the language of the attorney for the American Society at the hearings held before the Senate Committee on Patents last year. He said, in a brief filed with the Committee (Hearings on HR 12549, p. 309):

"The broadcasters overlook the purpose Congress has in mind in fixing the amount of recovery for infringement. The amount fixed in the statute does not represent the value of the composition, nor does it represent the license fee, or license value of the work. The purpose of the statute is to prohibit infringement of the author's work and in order to effectuate that purpose and intent, the law must have teeth so as to discourage the pirate; otherwise why not have a compulsory license fee?"

In other words, the minimum damages are not damages (as they are described in the statute); they are a penalty (which the statute expressly says they are not), and are payable not to the United States Government, but to the copyright owner. This statutory provision gives a combination of copyright owners power to cumulate vast claims for damages against a broadcaster, \$250 for each musical composition (plus attorneys' fees) and then, armed with the threat of a claim for \$50,000 or \$100,000, to force the station to enter into the sort of license agreement the combination desires. It is our position that the minimum should be reduced so as to correspond somewhere near to the damage actually suffered by the copyright owner; that in the case of innocent infringement (particularly where there has been no copyright notice or registration) there should be no damages at all, and that there should be adequate provision against the cumulating of statutory damages out of all proportion to the actual injury. In other words, damages should be damages and not penalties. Penalties should go to the United States Government. I do not know of

any other Federal statute which gives private parties the right to collect penalties from other private parties such as does the present Copyright Act. This minimum penalty clause, together with the provision for attorneys' fees, is one of the cornerstones of the power which the American Society has exercised over broadcasting stations, hotels, restaurants and others. It is the means by which an unscrupulous lawyer can make a living out of innocent infringements. It is a club by which organizations such as the American Society force broadcasting stations not only to pay license fees but to help the Society collect fees from others. For example, in the standard license form now used by the American Society, there is a paragraph reading:

"This license is limited solely to the copyrighted works of members of Society in programs rendered at said radio station or at a place duly licensed by Society to transmit rendition of such works to said radio station for the purpose of being broadcast thereupon."

In other words, a broadcasting station at Washington cannot broadcast music played by the Wardman Park Hotel Orchestra unless the Wardman Park Hotel also has a license. If the station does so, it immediately hears from the Society, and is put in the position of having to persuade the Hotel to take out a license.

Take another paragraph which reads:

"This license does not grant any right, license or privilege to transmit such renditions or performances, to any other party for re-performance or rendition, by any means, method or process whatever, except and unless the receiver of such transmission shall have license of the Society."

That is to say, a network cannot give chain programs to a station which does not have a license, and the fact that a station has a license confers no privilege on a restaurant proprietor who operates a receiving set for the benefit of his guests. Thus the Society gets around the points which are still uncertain in the law, although the Supreme Court intimated in its recent decision on the hotel case that if the broadcasting station had a license then that might be held to imply authority to the hotel proprietor to permit his guests to hear the music composition as rendered by the receiving set.

Take still another instance. The Music Publishers Protective Association, which has its offices in the same quarters as the Society, and which has in part the same directors, has retained control over recorded music, that is, phonograph records, etc. Under the Copyright Act as it now stands there is a fixed royalty of 2¢ a record. I understand, however, that the Publishers Association makes certain claims about what we call electrical transcriptions. Electrical transcriptions are phonograph records, usually of a large size, which are specially prepared for broadcasting and are not sold commercially to the public. I understand that the publishers claim that not only must the manufacturer of these records pay a royalty to the publishers, the amount of which I do not know, but he must also pay something like 50¢ a record for each time that a broadcasting station broadcasts each record. The station must also, of course,

pay a license fee to the American Society covering, in most cases, the very same music that is on the record.

Now I want to say a few words directly about the American Society of Composers, Authors and Publishers. Representatives of the Society will undoubtedly appear before you and will give you detailed information about the Society's set-up, its by-laws, forms of contract and ways of doing business. A large amount of material appears on this subject in the transcripts of previous hearings. I shall be very brief, therefore, in describing the Society to you.

It was originally organized about February 13, 1914, by a few composers, including some men of high repute and fame such as Victor Herbert. It was patterned after a similar society which had been organized in France in January and February, 1851. I may say here that one reason why the foreign notions of copyright have developed along the lines they have, first in France and later reflected in the international conventions, is due to the constant activities of this organization which preceded by many years any effective organization on the part of users of copyrighted material.

The activities of the Society were short-lived and they came to a stop in the winter of 1915 with the handing down of a decision by a Federal Court (John Page Co. v. Hilliard Hotel Co. 221 Fed 229). This was a case in which it was held by a lower federal court that the playing of copyrighted musical numbers in a hotel dining room where no direct admission fee was charged was not an infringement of the copyright. The principle of this case was reversed by the Supreme Court of the United States on January 22, 1917, in Herbert v. Shanley Co. 242 U.S. 591. After the Supreme Court's decision the Society resumed its activities, its first meeting being held February 20, 1917.

Until the end of 1920 the Board of Directors of the Society consisted of 21 directors, 9 of whom were publishers, 6 composers and 6 authors. The fees collected by the Society under the articles of association were divided 1/3 to the authors, 1/3 to the composers and 1/3 to the publishers. In other words, the authors and composers had the controlling voice and the greater portion of the fees. Due to complaints on the part of the publishers, the Society was reorganized so that it thenceforth had a board of 24 directors, 12 of whom were publishers and the other 12 were composers and authors. I understand that the royalties collected go half to the publishers and the other half to the composers and authors. It is obvious that with such an arrangement control is really in the hands of the publishers.

Every member of the Society, including both publishers and composers and authors, was required to confer upon this Society the exclusive non-dramatic performing rights in copyrighted works controlled by him for a period of 5 years from January 1, 1921. This arrangement has been continued from time to time and the present arrangement will expire, I think, in 1935.

The Society has in its membership about 95 music publishers and several hundred composers.

I am not going to try to tell you just what percentage of all copyrighted music is controlled by the Society because I do not know. In previous hearings they have claimed to control about 90% of all copyrighted popular music, a lesser per cent of what may be called classical music and about 100% of what is called production music, that is, music contained in musical comedies, etc. I am speaking, of course, only of the small performing rights which, however, are an all-important matter. Whatever the percentage is, a broadcasting station can not go through the usual day's programs which the public wants and expects without using music controlled by the Society.

It is true that every copyright is in a sense a monopoly for a certain term of years. On the other hand, just as one of the witnesses has already told you, copyrighted works compete with each other. If there is competition, while I may not be able to get a license from a given music publisher to perform one musical composition, I may easily be able to get a license from another music publisher to perform another composition which is of the same general character and which will serve the purpose just as well. This competition is destroyed when any large proportion of copyright owners are permitted to pool their interests in one combination, especially when that combination has control of enough music so as practically to have a veto power on the continued operation of a broadcasting station. In other words, copyrighted music is one of the most important raw materials from which a broadcast program is made. Yet, control over a very large percentage of this raw material is lodged in one organization. This is a condition which is not permitted by law in most industries or, in the cases where it is permitted, the combination is subjected to severe restrictions and regulation.

I have already called to your attention some of the abuses which this power has made it possible for the American Society to inflict on the broadcasting industry as well as on hotels, restaurants, barber shops. There are some others which I now want to mention.

One of the most disastrous results of the situation is that a broadcaster has no assurance as to the cost of running his business next month or next year. In the past it has been the practice of the Society to enter into license agreements for one year periods with most stations and it has consistently refused to enter into arrangements which cover a longer period of time or which permit the broadcasting industry to know what the future will be. At the end of each year it has been the practice of the Society to impose enormous increases of royalties on the licensees who are virtually powerless to oppose these increases since there is no equality of bargaining power. The station must either take the agreement or refuse it on the Society's terms and there is no room for negotiations.

Right now instead of a yearly basis practically all stations are on a month to month basis. The Society announced last November that on or before January 1, 1932, it planned to announce new terms as the basis of licenses, existing licenses to become inoperative on February 1, 1932. This, of course, meant higher rates. In its published announcement the Society complained that the sale of sheet music had fallen off 90% during the previous 12 months and blamed it all on broadcasting.

Since then on account, I believe, of illness and death of its general manager, the Society has postponed the date of reckoning, first to March 1 and probably for 2 or 3 more months. In other words, the broadcasting stations do not know right now whether they will have the right to broadcast music controlled by the Society two or three weeks from now, and yet have to carry on a business of tremendous proportions which like every other business requires advance knowledge of what costs will have to be paid before contracts can be entered into.

Another instance of the abuse of the Society's power is the right it reserves in its license agreement to conduct an inquisition into the business of every broadcaster. The agreement, for example, requires the licensees upon demand by the Society upon forms supplied by the Society to furnish a list of all music rendered at the premises, showing the title of each composition and the publisher thereof. Elaborate questionnaires have been sent out in the past, inquiring with more detail into the business of broadcasters than does the United States Government.

Needless to say, the Society recognizes no limitation on the amount of fee it may charge and recognizes no obligation not to discriminate between stations in the same class.

Now take the other side of the picture and let us see what protection the broadcaster gets who takes out a license from the Society. In the first place the license does not give him the right to perform all music controlled by the Society but only such numbers as have not been withdrawn from its repertory. Every so often the Society issues rather extensive lists of music which may not be played by the licensee. This list consists in part of music which may not be played at all and in part of music which may only be played upon permission granted after special request which is usually made by telegram or letter. In the latter case the broadcasting station must announce that the number is played by special permission of the copyright owner. In the list of restricted music are either the whole or part of many musical comedies and operas. There were about 40 of these in the list last issued. The list is added to or changed frequently by mimeographed notices, and is published in printed form, I think, about every 2 months. It means that every station to be safe must exercise a constant check which requires the time of an employe which the smaller stations are in a poor position to afford.

Even, however, if this difficulty be overlooked, the broadcasting station is not protected. The American Society does not control all of the American music by any means and only controls a portion of foreign music. There is another organization in this country known as Associated Music Publishers, Inc. which claims to control some 600,000 foreign titles, about 10% of which are registered in the United States and have copyright protection. A large number of stations have felt it necessary to take out licenses from this organization which has made a demand upon virtually all of them. There is still a third organization which during the past 18 months has appeared on the scene, Elkan Vogel Company of Philadelphia, which claims to have the grand performing rights on French music. So far as foreign music is concerned the license of the American Society gives protection, or is supposed to give protection, on music controlled by similar organizations in Brazil, Denmark, Finland, France, Great Britain,

Hungary, and Sweden. This, however, does not cover all the music in all these countries. For example, three important English publishing houses do not belong to the English Society (Stainer & Bell, Novello & Co. and Gould & Co.). The very important music of Germany and Austria is in an unsettled state. A few German and Austrian publishers are represented by this second organization, the Associated Music Publishers. There is still another organization known as the Society of European Stage Authors and Composers, which controls music which is not covered by the license of the American Society, including the Society of Spanish Authors and Composers, the Society of German Stage Authors, and miscellaneous publishers. You will notice that the Italian music is not included in the lists I have mentioned. You can readily see what would happen if all foreign music were given automatic copyright protection in this country, and the number of new organizations broadcasters might have to deal with.

To return to American music, I want to tell you briefly what one broadcasting organization has felt it necessary to do to protect itself. It is true that it is the largest but its problems are no different in kind than that of every station. In addition to securing licenses from the American Society and the Associated Music Publishers, it has found it necessary to secure 265 other licenses from other organizations, mostly American controlled music of one sort or another which is commonly necessary to the giving of programs which the public wants. This organization has to maintain a large department of employes to check every individual number on every program. Even with all this care, it suffers occasional claims for infringement. I know of one instance where the leader of the Navy Band, who is a composer himself, could not play his own number over a broadcasting station, because the publisher of his music was not a member of this Society, until he had obtained special permission. There is music which no broadcaster can get permission to broadcast. This includes MacDowell's "To a Wild Rose."

I trust that you will appreciate from what I have told you, what a problem is faced by the small broadcasting station which can not possibly maintain a sufficient staff to protect itself. A small station may be playing phonograph records for a large part of the day as many of them have to, and in so doing may run counter to the performing rights of a large number of organizations.

I have told you of the evils suffered by the broadcasting industry in the present situation. It is not so easy to tell you what the remedy should be. In view of the conflicting interests involved, and the uncertainty as to what provisions you may find necessary to protect the composer from the publisher, I think it will be best if I simply give a brief statement of the different remedies which have been proposed at one time or another in the past and not attempt to make any specific recommendation.

It has been proposed from time to time that the law should be amended so as to make a combination such as the American Society illegal. In fact, such a proposal was made on the floor of the House last year. In opposition to this it is claimed by the composers that for them the Society is an economic necessity, since the individual composer cannot, as a practical matter, protect himself against unauthorized performances of his work. I am not sure whether the broadcasters would not be better off if they had to deal with competing music publishing houses. In view of the

position taken by the composers, however, I am willing to assume, for the purpose of this hearing at least, that their claim is correct and that they do need such an organization. I may say in passing that several years ago there were several attempts to have the American Society declared an illegal monopoly. For example, the motion picture people filed a complaint against the Society before the Federal Trade Commission, which on January 2, 1933, announced its conclusions that the case was not one calling for the exercise of the Commission's corrective powers (hearings on S. 2600, April, 1924, pp. 195-196). In 1918, an action was brought by the corresponding organization in England, Performing Rights Society (Ltd) against one Thompson, in the High Court of Justice, King's Bench Division, 34 T. L. R. 351. The legality of the Society, its objects and methods were put in question, and the court upheld the Society. (Hearings on S. 2600, p. 197). An action was brought in behalf of the motion picture exhibitors to restrain the Society from demanding license fees from the plaintiff, in a case known as One Hundred and Seventy Fourth Street and St. Nicholas Avenue Amusement Company v. George Maxwell, 109 NYS. 895 (hearings on S. 2600, p. 189). This also resulted in a victory for the Society.

In *Harms et al v. Cohen* (E. D. Pa. Mar. 25, 1922) 279 Fed 276, it was held that it is no defense to a suit for infringement of copyright of musical selections that the authors, composers and publishers have formed an unlawful combination in violation of the Sherman Anti-Trust Act; that the copyright is an intangible thing and the right to perform a musical composition under a copyright is not "trade or commerce," and such combination of composers, authors and publishers under which extortionate license fees are demanded for public performances for profit of musical numbers copyrighted by the various members does not constitute a violation of the Sherman Anti-Trust Act. (Suit against a moving picture theatre owner).

On the other hand, in the case entitled *U. S. v. Consolidated Music Corporation et al*, E. 18-320, in the United States District Court for the Southern District of New York, the Government sought to enjoin an alleged unlawful conspiracy in violation of the Sherman Anti-Trust Act against six music publishers, who it was claimed had combined to fix royalties, and to make certain requirements of manufacturers of mechanical musical devices. Judge Augustus W. Hand wrote an opinion dated February 27, 1922 which found that the practices of the defendants were unlawful (hearings on S. 2600, 264-265).

(See also *Standard v. Sanitary Manufacturing Co.* 226 U. S. 20; *U. S. v. Motion Picture Patent Company*, 235 Fed 800; *Ferris v. Frohman*, 223 U. S. 424; *Standard Oil Co. of Indiana et al v. United States*, 283 U. S. 163).

On the whole, it appears from the decisions so far rendered that the Society has successfully resisted the charge that it is an illegal combination. This has been due to reasoning based partly on the fact that a copyright is in itself a monopoly, and partly on the view that interstate commerce was not involved. I do not know what the courts would hold today if a showing were made as to the restraint placed by such a combination on broadcasting. Broadcasting is clearly interstate commerce; a number of courts have so held.

Another type of remedy proposed is that which has been adopted by a number of foreign countries. In these countries, the existence of such a combination is recognized, but the combination is subjected to certain restrictions and regulation.

The first country to enact regulation along this line was, I believe, Italy, which adopted a statute on June 14, 1928, providing that as to certain classes of music the broadcaster had the right to broadcast it to the public, but was under the obligation to pay to the copyright owner an equitable compensation, the amount of which was to be determined by an arbitration commission (hearings on HR 12549, before Senate Committee on Patents, 1931, p. 71; Journal of Radio Law, Vol. I, p. 161).

New Zealand adopted the same theory in a law passed October 9, 1928, limited, however, to the broadcasting of works of a dramatico-musical character. Incidentally, Russia, under a decree of April, 1927, provided that broadcasters might broadcast certain musical and dramatic works without providing any compensation at all.

Since then, both Norway and Canada have followed suit. In Norway, there was a continuous legislative struggle between the broadcasters on the one hand and the copyright owners on the other, which resulted in protracted legislative deliberations from 1925 until June 6, 1930, when the law now in effect was finally passed. This law provided the following:

"When one year has passed since the first publication of the work, the Ministry having authority may (subject to the provisions of the last paragraph of Article 13) authorize the broadcasting of the work, if the author and the broadcasting company are unable to reach an agreement. In such case, the Ministry will fix the amount of compensation to which the author is entitled. If a dramatic work or a musical composition of substantial length is involved the Ministry shall not grant the authorization unless the work has been played in Norway." (Journal of Radio Law, Vol. I, pp 421-423).

The Canadian statute is even more striking. It was passed on June 9, 1931, after hearings in which the American Society played a prominent part:

"Each association, society or company which carries on in Canada the business of acquiring copyrights of dramatico-musical or musical works or of performing rights therein, and which deals with or in the issue of grant of licenses for the performance in Canada of dramatico-musical or musical works in which copyright subsists, shall, from time to time, file with the Minister at the Copyright Office: -

(a) Lists of all dramatico-musical and musical works, in respect of which such association, society or company claims authority to issue or grant performing licenses or to collect fees, charges or royalties for or in respect of the performance of such works in Canada; and

(b) Statements of all fees, charges or royalties which such society, association or company proposes from time to time or at any time to collect in compensation for the issue or grant of licenses for or in respect of the performance of such works in Canada.

Whenever in the opinion of the Minister, after an investigation and report by a Commissioner appointed under the Inquiries Act, any such society, association or company which exercises in Canada a substantial control of the performing rights in dramatico-musical or musical works in which copyright subsists, unduly withholds the issue or grant of licenses for or in respect of the performance of such works in Canada, or proposes to collect excessive fees, charges or royalties in compensation for the issue or grant of such licenses, or otherwise conducts its operations in Canada in a manner which is deemed detrimental to the interests of the public, then and in any such case the Governor in Council on the recommendation of the Minister is authorized from time to time to revise, or otherwise prescribe the fees, charges or royalties which any such society, association or company may lawfully sue or collect in respect of the issue or grant by it of licenses for the performance of all or of any such works in Canada.

No such society, association or company shall be entitled to sue for, or collect any fees, charges or royalties for or in respect of licenses for the performance of all or of any such works in Canada which are not specified in the lists from time to time filed by it at the Copyright Office as herein provided, nor to sue for or collect any fees, charges or royalties in excess of those specified in the statements so filed by it, nor of those revised or otherwise prescribed by Order of the Governor in Council."

(Journal of Radio Law, Vol. I, pp. 638-640).

It has been this type of law, and the school of thought which believes that broadcasting is of sufficient social importance to require a somewhat different rule than where public performances are given to limited audiences in theatres, where an admission fee is charged, that led to the provision in the Rome Convention for the protection of literary and artistic property in 1928. This provision is as follows:

"(1) The authors of literary and artistic works enjoy the exclusive right to authorize the communication of their works to the public by radio diffusion (broadcasting).

"(2) It belongs to the national legislatures of the countries of the Union to regulate the conditions for the exercise of the right declared in the preceding paragraph, but such conditions shall have an effect strictly limited to the country which establishes them. They can not in any case adversely affect the moral right of the author, nor the right which belongs to the author of obtaining an equitable remuneration fixed in default of amicable agreement, by competent authority."

In other words, the Rome Convention expressly recognizes the right of each country to adopt a different rule in the case of broadcasting than it adopts in the cases of industries where payment is received directly from the audience which enjoys the performance.

This leads directly into a question upon which we can be somewhat more specific in our position. From what I have already said, you will readily see the importance to the broadcaster of being able to ascertain what musical compositions are protected by copyright and what are in the public domain. This is why we have so vigorously urged that where copyrighted works are published, they must be accompanied by a printed notice of copyright, and also that they must be registered in a central office such as is now done under the present Copyright Act. The term of copyright protection must also be a definite term of years so that the broadcaster or other user of music can tell when the work passes into the public domain and is free for use by anyone.

Naturally, the small broadcaster is not going to be able to conduct his own research at the Copyright Office. We fully appreciate, furthermore, the difficulties and imperfections of the present system which do not make it any too easy to determine what music is in the public domain. Nevertheless, it is the hope and purpose of the broadcasters through their association or some other organization acting in their behalf to compile and collect a trustworthy list of musical compositions in the public domain which will be available to all broadcasters. There is an enormous amount of music in the public domain, but even now it is hard enough to determine what it is. You have already heard one of the witnesses tell when the publishers have four or five songs which are substantially the same thing, they pick out one of them to publish and agree to abandon the others. We know that a large amount of music is taken by publishers and composers from sources in the public domain and is published and copyrighted under a slight disguise. Copyrights which have long since expired are kept alive by so-called arrangements and adaptations which in a large percentage of cases have no real originality whatsoever.

If the floodgates are completely opened with automatic copyright in the sense which it is in force in Europe, together with a copyright term consisting of the life of the author plus 50 years so that no one can tell when the term ends, there will hardly be any public domain and there will in reality be almost perpetual copyright.

I confess that I am not able to understand the reasoning of those who urge that copyright is a natural right, in fact, a sacrosanct property right which justifies all this. The Supreme Court of the United States has held that it is not a natural right but a statutory right; committees of Congress in reporting copyright statutes have said the same thing; the Constitution itself makes it clear, since it gives power to Congress only to give protection for a limited time. Congress does not have to give this protection at all; there is nothing in the Constitution which requires it, and if it chooses to give this protection, it can give something less than the whole and subject it to restrictions and regulations. Otherwise, every Copyright Act we have ever had would be invalid, since they all impose some sort of restriction on the author's right.

The truth is, of course, that the extent of copyright protection is to be judged, like everything else, by the best interests of the public. This is only just, since the purpose of such legislation is not simply to benefit the author, but to benefit the author in so far as this will also benefit the public. No literary or musical work is completely original; every author or composer draws heavily on his contemporaries and on the literature and music which have been handed down to us from the past, a public inheritance upon which we may all draw at will.

Our law frequently suffers from figures of speech. No better instance of this can be found than that of the use of the word "property" with reference to the statutory rights conferred upon the author by copyright legislation. By use of the word "property" many persons who have appeared before this Committee seem to think that they have demonstrated that the same rules should apply (when they seem advantageous) as applied to a pair of shoes or other personal property. The fact is, of course, that copyright protection is not given to the tangible reproduction of the author's thought, such as a book which may be sold to anyone and which is in itself personal property. Copyright protects something intangible, the author's thought, which cannot be known or recognized unless it is somehow recorded; it is more a right not to have others profit from the author's thought without his consent.

We do not desire to stand in the way of the authors' wish to have the United States enter the International Union if the broadcasters' vital interests can at the same time be protected. Last year, in connection with the Vestal Bill, we proposed certain definite amendments which in substance took away virtually all rights to sue for infringement from anyone who had not fulfilled the requirements of notice and registration. There may be other ways of accomplishing the same thing. For example, and this is only a personal suggestion to which I have not given mature thought, it may be that automatic copyright could be given to the author and composer without notice and registration as against reprinting or publishing the work, but that notice and registration would be necessary as against the use of the work by certain classes of users, e. g. the broadcasters, the moving picture industry, the phonograph record manufacturers, etc. In a word, what may be loosely described as performing rights would be protected only where there are notice and registration.

There are other issues in which the broadcasters are interested as users of copyrighted works, but time will not permit me to take them up in detail. For example, if we enter the International Union the United States will be under an obligation to give legislative protection to what is known as the author's moral right. As described in the Rome Convention (Art. 6 bis) this is

"the right to claim the paternity of the work, as well as the right to object to every deformation, mutilation or other modification of said work, which may be prejudicial to his honor or to his reputation."

Each country retains sufficient liberty, under the Convention, to determine on the form which its legislation on this subject shall take. Mr. Solberg has already mentioned the subject.

No one knows exactly where this moral right begins and ends. As interpreted by some, it is innocuous and we can all agree with it. As interpreted by others, it is extremely unjust and dangerous. The broadcaster is interested only in seeing that any legislation on this subject does not prevent him from any reasonable arrangement or adaptation of a copyrighted work for broadcasting where he has a license from the copyright owner to broadcast it, or from any of the usual incidents of broadcasting.

Another issue that is likely to arise has to do with giving phonograph records copyright protection as such. Phonograph record manufacturers do not enjoy this protection at present. If a station broadcasts a phonograph record of a copyrighted musical composition it is, of course, responsible to the copyright owner but not to the manufacturer of the phonograph record. It will probably be urged that you should give the latter such protection. This would be very prejudicial to the smaller broadcasting stations, particularly those located in small towns which do not have adequate program resources to support a program of live talent. Such a broadcaster would then be subject to two license fees, one to the music copyright owner and one to the phonograph record copyright owner. Or he may find that he is forbidden to play phonograph records altogether. I am speaking, of course, of ordinary commercial phonograph records sold to the public. I do not see that it makes any difference to the broadcaster whether you extend copyright protection to the manufacturer of electrical transcriptions specially prepared for broadcasting and not sold to the public.

A word more about the International Union. Last year and in previous years, any number of organizations represented to this Committee that it was absolutely imperative that the United States adhere to the Union immediately, or at least prior to August 1, 1931, and that

"if the United States fails to enter the Union, the evidences are convincing that its authors, publishers, and producers will be subject to retaliatory legislation abroad within a very few months" (Report of House Committee on Patents, HR 12549, 71st Congress, 2d Session, p. 4)

The threatened calamity has not happened, and does not seem likely to happen. So far in these hearings this year, we have heard nothing more about the danger of retaliatory legislation. I do not say this for the purpose of arguing against adhering to the Union, but simply to point out that there is no need for rash or precipitate action. The United States may want to place reservations on its entry into the Union; if it does, it will not be the only country to attempt to do so. The Canadian Copyright Act is, as I read it, not at all consistent with the interpretation of automatic copyright which has been urged before this Committee, yet Canada is a member of the Union. Sec. 9 of the Canadian Act of June 9, 1931, provides for the registration of a grant of an interest in a copy-

right but if such grant is not registered any assignment thereunder is void (see Canadian Performing Right Society, Ltd v. Famous Players Canadian Corporation, Ltd, 1927, 60 O.L.R. 614, affirming 60 O.L.R. 250, holding that under Copyright Act, R.S.C. 1927, ch. 32, sec. 40-3, a grantee of an interest in a copyright cannot maintain an action under the Act unless his grant has been registered). Even Turkey has placed a reservation on its adherence to the Rome Convention, although I understand that the adherence has been rejected on that account. The United States may desire sufficiently to guard its entry into the Union so that protection will not be given to foreign works which are now in our public domain.

Now I turn to the interests of broadcasters as creators of artistic works. As you know, many stations, and particularly the larger ones, have large staffs engaged in the production of programs, in arranging and adapting music, in writing skits, dialogues and plays, etc. It is a distinctly creative work, analogous to what the moving picture producer does. The moving picture producer must get a license from the copyright owner of a novel, but once having done so and having turned it into a moving-picture production he can get copyright protection on that production. Similarly, if I make an arrangement and selection of a dozen songs in a book, having secured the necessary permission of the persons owning the copyright on those songs, I can also get a copyright on the resulting book. The same thing can be done on works in the public domain, so far as the original adaptation or arrangement is concerned. We feel that the broadcaster should have the same protection, particularly in view of the possible advent of television. In other words, the broadcaster, having secured from the copyright owner the exclusive right to adapt a work for broadcasting and to communicate it to the public by broadcasting, and having made a large expenditure in adapting it and in securing artists to perform it, should be protected against unauthorized use of it by others.

Now I do not mean that the broadcaster wants to collect royalties from hotel or restaurant proprietors or other persons operating receiving sets who do not profit from a direct admission fee. We believe that no one, either author, publisher or broadcaster, should have such a right. The persons listening to such receiving sets are part of the broadcaster's audience, to reach whom the advertiser pays the broadcaster. Such persons receive much more than merely a bare musical composition; they receive the benefit of large expenditures by the broadcaster in creating a satisfactory performance of the composition, and the copyright owner is not entitled to collect royalties for all this. If anyone is to have such a right it should be the broadcaster.

The broadcaster is interested in situations of a very different sort, such as the following:

1. The broadcaster broadcasts the rendition of a song by a very famous artist and A reproduces the performance on phonograph records by attaching suitable apparatus to a receiving set and sells them.

2. Or A takes the performance as received over a receiving set and sends it out to subscribers over telephone or electric power lines for a fixed monthly fee.

3. Or A opens up a theatre where he charges admission and uses the performance as rendered by the receiving set to entertain the audience.

This last instance is a very real possibility if television develops and if television receiving apparatus proves too cumbersome or expensive for the home. It will then go into the theatre where it might conceivably replace the motion picture. I don't know whether this is going to happen or not.

The other two instances are not imaginary. They have already happened. The case of piracy of a broadcast program by the phonograph record method has gone to a high court in Germany where the broadcaster was upheld in his right to enjoin it (see Columbia Law Review, Dec. 1930, p. 1104). The use of programs over telephone lines is occurring right now in three important American cities and in several European cities. In several European countries, the broadcasters have been given statutory protection against these practices.

I concede that the subject seems complicated, but believe that satisfactory provisions can be worked out based on the theory that the broadcaster, having obtained a right from the copyright owner, is entitled to be protected in the exercise of that right both as against the copyright owner himself and as against third parties who utilize the broadcaster's production for direct profit. The American Society, which also foresees the growing importance of the subject, is doing its utmost to prevent its recognition, e.g. by clauses in its license agreements, as I have already pointed out. As long as it has the whip-hand it will force broadcasters to surrender this right on paper, unless there is specific statutory protection.

The points in which broadcasters are interested may be summarized as follows:

1. A trustworthy and practicable means by which copyrighted works can be distinguished from works that are in the public domain. In the present state of our knowledge we believe that copyright notice, registration and definite term of copyright protection are all necessary for this purpose but we shall maintain ourselves openminded and receptive to any substitute which adequately accomplishes the same purpose.
2. Protection against penalties, particularly for innocent infringement. This means

- a. That the minimum damage clause should either be made to correspond with the actual damages suffered or be eliminated. Penalties, as distinguished from damages, should be payable to the United States Government, not to private parties.
 - b. That the single-performance principle should be recognized, so that only the person originating the performance will be liable and no person who does not have control over what music will be played can be held.
3. Protection against abuses of power on the part of combinations of copyright owners.
 4. If the author's so-called moral right is to be recognized, protection against the exercise of it against the usual incidents of broadcasting.
 5. That ordinary commercial phonograph records shall not be given copyright protection as such.
 6. Protection of broadcast programs from piracy.

In conclusion, I must apologize for this rather lengthy discussion of the broadcasters' position on copyright legislation. I know that I speak for the whole industry in commending this Committee on the open-mindedness with which it is conducting this inquiry and its desire to understand the complicated problems which modern scientific developments have introduced into this branch of the law.



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THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

February 27, 1932.

RATES

Broadcasting has been attacked on all sides by groups who either have selfish ends to gain by destroying commercial broadcasting or who, having been unwilling to bear the trials of pioneering, now seek to get into the broadcasting business.

But there has grown up a business practice among certain broadcasters which will do more than all of these organized attacks to injure broadcasting. That is the practice of rate chiseling. Broadcasters have but one commodity to sell and they publish to the world the basis upon which it will be sold. Recently there has been a departure from such published rates. Some stations sell time in accordance with card rates to certain advertisers and permit others to use the same facilities on a commission, profit-sharing, or inquiry basis. This is an extremely dangerous business policy and one which both the National Association of Broadcasters and the American Association of Advertising Agencies has condemned.

Stations must stick to card rates if broadcasting is to develop soundly. If your rates are too low, increase them; if they are too high, reduce them.

February 27, 1932.

CHAMBER OF COMMERCE ACTIVE

The Cleveland Chamber of Commerce has undertaken an investigation of what it terms "unethical radio advertising". The Committee in charge of the investigation states that it has no specific problems in mind.

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AMERICAN SOCIETY TESTIFIES

Gene Buck, president of the American Society of Composers, Authors and Publishers, appeared before the House Committee on Patents and Copyrights on Friday and explained to Chairman Sirovich, in a general way, the purposes of his organization and the manner in which it functions.

Little reference was made to broadcasting during the testimony of Mr. Buck and at one time he admitted to the chairman that the composers were being treated justly by broadcasters. His testimony, in the main, related to the activities of his organization and a review of the coin-operated music machine business. He agreed substantially to the five main principles which Chairman Sirovich believes should be incorporated in a new copyright law.

Buck was followed on the witness stand by Mr. Frolich, one of the attorneys of the Society and later John Philip Sousa, the march king, and Sigmund Romberg, the eminent composer, who testified briefly.

Chairman Sirovich questioned the witnesses closely with respect to the Society's licensing methods and the manner in which funds obtained through licensee fees are disbursed. Mr. Buck declared that he was not familiar with the more detailed activities of the Society and at the conclusion of the hearing requested that Nathan Burkan and E. C. Mills, general counsel, and general manager, respectively, be heard at a later date. Chairman Sirovich granted the request and these officers of the Society will appear within the next two weeks.

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VOTE BROWN CONFIRMATION

The Senate Interstate Commerce Committee on Friday concluded hearings on the nomination of Col. Thad Brown to be a member of the Federal Radio Commission and, by a vote of 10 to 1, immediately afterward voted to report the nomination favorably to the Senate. It is expected that the Senate will confirm the appointment tomorrow or early next week.

Col. Brown's appointment is for the full six year term, the unexpired portion of Judge Robinson's term having expired on February 23.

The hearings on the Brown nomination were called by Chairman Couzens of the Committee who interrogated Brown upon his experience and fitness for a commissionership and upon his work while serving as General Counsel of the Commission. Chairman Couzens cast the only opposing vote.

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February 27, 1932

SUBCOMMITTEE STUDIES LABOR BILL

Chairman Couzens on Friday appointed Senators Hatfield, West Va.; Brookhart, Iowa, and Barkley, Kentucky; as a subcommittee to consider the Hatfield bill, to set aside one clear channel for labor organizations. The Chicago Federation of Labor now owns and operates Station WCFL which operates full time on 970 kc with 1500 watts.

The National Association of Broadcasters has gone on record against the principle of Congress getting into the business of allocating channels to specific groups on the theory that the Federal Radio Commission was created for that purpose by the Radio Act of 1927. The Association, by its action, has not assumed to pass upon the question of whether or not labor is entitled to more satisfactory representation on the air.

It is not known at this time whether or not the subcommittee will hold hearings.

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BILLBOARDS CLASSIFIED BY COURT

The Supreme Court of the United States upheld the validity of an Utah statute prohibiting the advertising of cigarettes on billboards. The Supreme Court quoted from the Utah court which distinguished billboards and display signs from newspapers and radio in the following language:

"Other forms of advertising are ordinarily seen as a matter of choice on the part of the observer. The young people as well as the adults have those of the billboards thrust upon them by all the arts and devices skill can produce. In the case of newspapers and magazines there must be some seeking by one who is to see and read the advertisements. The radio can be turned off, but not so the billboards or street car placard."

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NEW YORK LABEL ACT

The New York State Senate will hold hearings next Wednesday upon the Hickey libel bill under which broadcasters would be held criminally responsible for all defamatory matter broadcast over their stations. The law attempts to place stations on the same basis as newspapers but no provision is included which would exempt the station owner from responsibility for matter over which he has no control.

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WMBB-WOK APPEAL REFUSED

The Supreme Court of the United States this week refused to review the decision of the Seventh Circuit Court of Appeals upholding the right of the Federal Radio Commission to deny a license to Station WMBB-WOK, the American Bond & Mortgage Company's station in Chicago. The Circuit Court had upheld the validity of the Radio Act of 1927 and at the same time ruled that the act gave the Commission authority to refuse to renew a station's license. The refusal of the highest tribunal in the country to review the case makes the Circuit Court's decision final.

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BROADCASTING HEARINGS LIKELY

Well-founded rumors continue to persist that Chairman Davis of the House Merchant Marine, Radio and Fisheries Committee will introduce a bill to impose certain restrictions on advertising and that hearings will be held by his committee early next month.

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COUZENS INVESTIGATION PROGRESSING

Carefully guarding all details, the Federal Radio Commission is making rapid progress with the investigation of the broadcasting industry provided for in the Couzens-Dill resolution.

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AGAINST AMLIE PROPOSAL

The Seventh Day Adventists have registered their opposition to the Amlie bill against Sunday advertising. In a statement made public here this week, C. S. Longacre said:

"The purpose of this proposed Federal legislation is, therefore, to compel radio stations to 'respect the Sabbath'. It is for the purpose of protecting a religious day from being desecrated, which, of course, makes it religious legislation. But Congress is prohibited by the Constitution from enacting religious laws.

"If Congress can prohibit commercial advertising by means of radio on Sunday, it can, with equal propriety, prohibit commercial advertising by means of the newspapers on Sunday; or by means of the billboards; or by means of display windows; or by means of films; in fact, by any means whatsoever.

"To single out radio stations, and radio stations only, to the exclusion of all other means of commercial advertising on Sunday, brands the proposed legislation as class legislation, and therefore unconstitutional. Nobody's rights are invaded; nobody's health is impaired; and nobody's safety is endangered by commercial advertising over the radio on Sunday. If a person does not want to listen to it, he has his own remedy in his receiving set. All he needs to do is to turn it off or shift the dial to another station till he finds what is agreeable to his taste. But some people seem to be very helpless. They simply cannot adjust themselves to the world's environment and they want the Federal Government to help them be religious when they have not enough backbone to shut off their own radio set to undersirable matter coming over the radio.

"Personally, I do not enjoy jazz music coming over my radio set, but I would be the last person in the world to ask the Federal Government to pass a law prohibiting jazz music over the radio. Some people seem to think that if there is anything in the world that they don't fancy, or is contrary to their religious predilection, Congress ought to pass a law prohibiting it at once. Some folks still entertain the old notion that Congress can legislate upon every subject under heaven, both civil and religious."

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February 27, 1932

MISCELLANEOUS COMMISSION ACTION

KFAB	KFAB Broadcasting Company Lincoln, Nebraska	Granted 30 day extension of time to construct new 25 KW transmitter.
WCAC	Conn. Agricultural College Storrs, Connecticut	Authorized to operate from 8:15 PM to 9:45 PM, EST, Feb. 27, provided WICC remains silent.
KGCX	First State Bank of Vida Wolf Point, Montana	Authorized to operate from 3:00 to 4:30 PM, Thursday, Feb. 25, and from 9 AM to 12 noon and 9 to 10 PM, Friday, Feb. 26.
NEW	First National Television Corp. Kansas City, Missouri	Hearing scheduled for Feb. 26, continued to March 8.

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GROCERS ASK RESTRICTION

Senator Capper of Kansas presented in the Senate this week petitions "signed by citizens, being retail grocers, in the State of Kansas, praying for the passage of legislation providing for restrictions in radio broadcasting to prevent its use for the direct sale of commodities." The petition was referred to the Senate Interstate Commerce Committee.

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RELAY BROADCASTING PROGRESSING

"Development of relay broadcasting in the United States is progressing rapidly," Commissioner LaFount declared this week, "and it seems almost certain that our broadcasts will reach to the farthest corners of the world, bringing American good will, and American interests to stimulate more intimate contact with foreign countries."

A total of 25 relay broadcasting stations are now in operation in the United States. The Commissioner said that it is intended to develop relay facilities until programs can be made available to all foreign countries with great regularity.

The Commission has just issued a list showing the frequency, power, call letters, location, and licensee of each relay broadcasting station in this country. Copies of this list may be secured by writing the Secretary of the Commission, or NAB Headquarters, National Press Building, Washington, D. C.

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RULES AND REGULATIONS DISCUSSED

The new rules and regulations of the Federal Radio Commission are discussed at length in an article appearing in the January issue of the JOURNAL OF RADIO LAW off the press this week. The Journal is published by the Northwestern University Press, Northwestern University Law School, Chicago, Illinois.

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February 27, 1932

KGW SKW REGIONAL DENIED

Denying the application of another regional station to increase power to 5 KW, the Commission this week refused such a power increase to Station KGW, operated by the Oregonian Publishing Company, Portland, Oregon, as an unlimited time station on 620 kc. This decision sustained the recommendation of Examiner Pratt (Report No. 316). Speaking of the present operating policies of the applicant station the Commission said: "Station KGW is well regarded by the listening public throughout this area (Portland and the Columbia-Willamette River Valleys) although reception is had from a number of other stations. - - - Programs broadcast by the applicant station are well balanced, include chain features of the National Broadcasting Company and appear to be well adapted to the radio needs of the listeners. The station has always been maintained and operated in accordance with the progress of the broadcasting art as well as the regulations of the Commission." In giving grounds for denial of the increase to 5000 watts, the Commission said the granting of the proposed application would cause additional interference with the services of two stations now operating on 620 kc and also with one Canadian station operating on an adjoining frequency. It was further concluded that the grant would also work a violation of the Radio Act, resulting in an increase in quota facilities of the State. Also, violating Rule 120 of the Commission Regulations (Former G.C.40).

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DETROIT, CLEVELAND, TELEVISION AUTHORIZED

The applications of WJR, The Goodwill Station, Detroit, and the WGAR Broadcasting Company, Cleveland, for authority to erect visual broadcasting stations at these two locations were granted this week by the Commission, sustaining the findings of Examiner Pratt (Report No. 319). Under the applications on file, the applicants are authorized to erect experimental stations to operate with 200 and 500 watts on the following bands of frequencies: 2000-2100; 42000-43000; 48500-50300; 60000-80000 kc with unlimited time. The Commission found the applicants are bona fide experimenters in the television field and properly qualified to carry out the proposed programs both in Detroit and Cleveland. On the question of interference the conclusion of the Commission states: "The frequencies requested by the applicants are available for assignment and no interference would be expected to result from the proposed operation of the new stations".

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WREN APPEAL DISMISSED

At the request of the appellant, the Court of Appeals of the District of Columbia, this week dismissed the appeal of Station WREN, The Jenny Wren Company, Lawrence, Kansas. (Docket No. 5542). This appeal sought to set aside the decision of the Commission denying the station authority to change the transmitter location to a point approximately 22 miles from Kansas City, Missouri, northeast of the present site. Station WREN is now licensed to share time with Station KXKU operating with power of 1 KW on 1220 kc.

Transcript of Record was also filed in the same Court in the KGRF appeal. (Docket No. 5561). This appeal was taken by the Trinity Methodist Church, Los Angeles, California, after the Commission had denied the station a renewal of

February 27, 1932.

WHEN APPEAL DISMISSED (Continued)

license on the grounds that the broadcasts of the Rev. "Bob" Shuler were not in the public interest. The station was formerly licensed to operate on 1300 kc with 1 KW power.

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RECOMMENDS WNYC-WMCA HOURS

If the Commission sustains the recommendations of Examiner Yost in Report No. 337, Stations WNYC and WMCA of New York City will be required to share time on a basis permitting each station eighty-four hours operation each week. Station WNYC is operated by the City of New York, while WMCA is licensed in the name of the Knickerbocker Broadcasting Company. The hearing involved the applications of these two stations for renewal of licenses on 570 kc, and in addition the application of Station WPCB, New York City, seeking authority to change frequency from 810 to 570 kc, sharing time with Station WMCA instead of daytime operation on the 810 kc channel. Should the application to change frequency be granted, Station WPCB requested that the license of Station WNYC be so modified as to permit that station to operate as a Limited Time station on the present WPCB assignment. The Examiner has recommended denial of this application.

In considering the record of the hearing, Examiner Yost added: "The transcript in this case is far more voluminous (in excess of 1400 pages) than the issues warrant. Too much space is occupied by arguments, motions, objections, etc., of attorneys in the case. The only controversy requiring serious consideration is that of a fair and equitable division of operating time between stations WNYC and WMCA on their present assigned frequency".

According to the outline of the present operating schedule of the stations involved, Station WNYC is now operating a total of twenty-four hours weekly. The listed schedule of Station WMCA indicates a total of 9½ hours each week, a minimum number of twelve hours daily and a maximum of seventeen on one day. The Examiner's proposed schedule for the station will permit Station WNYC to operate daily except Sunday 6 a. m. to 3 p. m.; 7 p. m. to 9:30 p. m. The hours proposed for Station WMCA are daily except Sunday, 3 p. m. to 7 p. m.; 9:30 to 12 midnight. On Sundays Station WMCA would be given full eighteen hours operation from 6 a. m. to 12 midnight.

The Examiner found in his conclusions that the stations were not operating under a fair and equitable time sharing agreement, nor one mutually satisfactory to either of the applicants, and that the continued operation of Station WNYC on the 570 kc frequency is of greater public interest than the operation on the 810 kc frequency proposed by Station WPCB. Commenting on the proposed schedule, the Examiner said he did not wish to be understood as indicating that the time division recommended is the most desirable from the standpoint of these stations, or that best calculated to insure the highest public service. In the absence of any submission of a time-sharing proposal, agreeable or acceptable to the stations, he submitted what, in his opinion, was fair and equitable.

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February 27, 1932.

APPLICATIONS GRANTED

At its sessions during the current week the Commission granted the following applications, subject to the provisions of Rules 44 and 45 which permit the filing of proper protests within twenty days from the date of the action:

SECOND ZONE

WLAP American Broadcasting Company
Louisville, Kentucky
Granted authority to extend special directional antenna experiments on 1010 kc with 250 watts after midnight until April 1st. Hearing date on application was also extended.

THIRD ZONE

KFYO Kirksey Brothers
Abilene, Texas
Granted C. P. to move station to Lubbock, Texas, and change frequency from 1420 to 1310 kc.

FOURTH ZONE

KFAB KFAB Broadcasting Company
Lincoln, Nebraska
Granted thirty day extension on 25 KW C. P.

WRNN The Jenny Wren Company
Lawrence, Kansas
Granted C. P. move transmitter 13 miles N. E. of Lawrence to Tonganoxie, Kansas. No other changes approved.

WIBU Anderson Broadcasting Company
Anderson, Indiana
Granted C. P. move studio and transmitter locally.

FIFTH ZONE

KGIR KGIR, Inc.
Butte, Montana
Granted modification of license to increase hours of operation from 1/2 time to unlimited.

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LICENSE APPLICATIONS GRANTED

During the current week the Commission granted applications for license covering previously authorized construction permits to the following stations: KWCR, Cedar Rapids, Iowa; WIBW, Topeka, Kansas; KFDY, Brookings, South Dakota.

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RENEWALS ISSUED

At its sessions during the current week the Commission issued renewal license for the regular six-month period to the following stations: WCAC, Storrs, Conn. WIBW, Topeka, Kans.; WKAQ, San Juan, P. R. and KFDY, Brookings, S. D. KPOF, Denver, Colorado.

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APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

KVOA	Robert M. Riculffi Tucson, Arizona	Mod. Lic. increase hours from one half to unlimited time.
KFWI	Radio Entertainments, Inc. San Francisco, California	Mod. Lic. increase day power to 1 KW.
WMBH	Edwin D. Aber Joplin, Missouri	Granted temporary license and designated application for hearing because station's facilities have been applied for.
WIP	Gimble Brothers, Inc. Philadelphia, Pennsylvania	Request Mod. of Lic. to increase operating power from 500 W to 1 KW.
WFAN	Keystone Broadcasting Company Philadelphia, Pennsylvania	Request Mod. of Lic. to increase operating power from 500 W to 1 KW.
KGGC	The Golden Gate Broadcasting Co. San Francisco California	Requests Mod. of Lic. to increase hours of operation from sharing with KFQU to unlimited.

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TEMPORARY LICENSES ISSUED

The Commission this week issued temporary licenses to the following stations:

KPM	Pickwick Broadcasting Company, Inc. Los Angeles, California	Granted temporary license, subject to the Commission's decision as result of the investigation now being conducted with respect to type of programs broadcast.
WWNC	Citizen Broadcasting Company, Inc. Asheville, North Carolina	Granted temporary license subject to such action as the Commission may take on licensee's pending application for renewal.
KGFX	Dana McNeil Pierre, South Dakota	Existing license extended to 3 A. M. EST., May 1, 1932.
KUSD	University of South Dakota Vermillion, South Dakota	Existing license extended to 3 A. M. EST., May 1, 1932.
KTAB	The Asso. Broadcasters, Inc. San Francisco California	Granted temporary license subject to the Commission's decision with respect to investigation now being conducted as to type of programs being broadcast.
WEAO	Ohio State University Columbus, Ohio	Existing license extended to 3 A. M. EST., April, 1932.
WKBN	WKBN Broadcasting Corporation Youngstown, Ohio	Existing license extended to 3 A. M. EST., April, 1932.

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February 27, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, February 29, 1932. All hearings commence at 10 A. M.

TUESDAY, March 1, 1932

BROADCASTING

Docket #1419	WHBC	Edward P. Graham Canton, Ohio	Ren. Lic.	1200 kc	10 Watts
				Shares with WNBO	
Docket #1417	WNBO	John Brownlee Spriggs Silver Haven, Pa.	Ren. Lic.	1200 kc	100 Watts
				Shares with WHBC	
	WNBO	John Brownlee Spriggs Silver Haven, Pa.	Auto. Freq. control	1200 kc	100 Watts
				Shares with WHBC	
Docket #1550	WNBO	John Brownlee Spriggs Silver Haven, Pa.	C. P.	1200 kc	100 Watts
				Shares with WHBC	

(Requests authority to install new transmitter)

THURSDAY, March 3, 1932

BROADCASTING

Docket #1385	WFIW	WFIW, Incorporated Hopkinsville, Kentucky	C. P.	940 kc	5 KW
				Unlimited time	

(Requests authority to install new eqpt.)

Present Assignment: 940 kc, 1 KW, unlimited time.

Docket #1466	WFIW	WFIW, Incorporated Hopkinsville, Kentucky	Mod. Lic.	940 kc	5 KW
				Unlimited time	

Present Assignment: 940 kc, 1 KW, unlimited time.

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APPLICATIONS DISMISSED

At its sessions during the current week the Commission dismissed the following applications at the request of the applicants:

1-PB-2382	WCAX	Burlington Daily News Burlington, Vermont	C.P.	1340 kc; 250 W; 500 W LS	Unlimited.
1-PF-111	NEW	D. Patasnik Company Brooklyn, New York	C.P.	2752-2848; 100 Watts	2050-2150 kc 1600-1700 kc Cert. spec. hours.
2-PB-2077	NEW	Voice of the Blue Grass Owensboro, Kentucky	C. P.	940 kc; 1 KW	Share time with WFIW

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APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-MLB-957	WCAC	Connecticut Agr. College Storrs, Connecticut	Mod. Lic. change in specified hours.
1-MLB-955	WICC	Bridgeport Brdcastg. Station Bridgeport, Connecticut	Mod. Lic. change in specified hours.
<p>The two applicants are now licensed to share time under a specified time sharing agreement on 600 kc. These applications would not involve the quota.</p>			
<u>SECOND ZONE</u>			
2-PB-2483	WIBG	WIBG, Incorporated Elkins Park, Pennsylvania	C. P. install new transmitter and increase power to 100 watts and move main studio to Glenside, Pa.
<p>The applicant is now licensed to operate as a daytime station on 930 kc with power of 10 watts. The closest station to Elkins Park on this frequency is Station WDBJ, Roanoke, Virginia, operating unlimited time with power of 250 watts. The distance separating the stations is approximately 300 miles. The granting of the application would not involve the quota.</p>			
2-MLB-947	WJAY	Cleveland Radio Brdcastg. Co. Cleveland, Ohio	Applicant requests this application be associated with 2-MLB-917, filed by this station and recently reinstated on the hearing docket.
<p>The application as originally submitted seeks authority to change frequency from 610 kc to 590 kc and change operating hours from daytime operation to unlimited time with a reduction in power from 500 watts day to 250 watts at night and 500 watts LS. The granting of the application would increase the Ohio quota 0.2 unit.</p>			
<u>THIRD ZONE</u>			
3-MPB-305	WSB	The Atlanta Journal Atlanta, Georgia	Mod. 50 KW C. P. requesting approval of proposed transmitter.
3-MPB-304	WBT	Station WBT, Inc. Charlotte, North Carolina	Mod. 50 KW C. P. requesting approval of proposed transmitter.
3-PB-2202	NEW	J. H. French Decatur, Alabama	C. P. erect a new station on 1420 kc with 15 watts and unlimited time.

The closest station to Decatur on the requested frequency is Station WFDW, Anniston, Alabama, a distance of approximately 95 miles. The Third Zone is over quota.

APPLICATIONS RECEIVED (Continued)

THIRD ZONE (Continued)

Alabama is under quota. The granting of the application would increase the quota 0.2 unit.

FOURTH ZONE

4-MLB-959 WCAL St. Olaf College Mod. Lic. increase operating hours.
Northfield, Minnesota Facilities of WRHM.

The applicant is now licensed to operate with power of 1 KW on 1250 kc sharing time with Stations MLB and WRHM. The granting of the application would not involve the quota.

4-PB-2480 KGBX KGBX, Inc. C. P. move station to Springfield,
St. Joseph, Missouri Missouri.

The applicant is at present licensed to operate as an unlimited time station on 1310 kc with power of 100 watts. This application proposes moving the station approximately 195 miles south of the present location. At Springfield, the closest station on this frequency would be Station KFXR, approximately 265 miles distant. The application does not involve the quota.

4-MLB-956 KGGF Powell & Platz Mod. Lic. move main studio to Coffey-
So. Coffeyville, Okla. ville, Kansas

The applicant is now licensed to share time with Station WNAD on 1010 kc. Changing the location of the main studio as proposed will take the station out of the Third Zone and place it under the quota of the Fourth Zone. The Third Zone is over quota; the Fourth Zone is over quota. Kansas is under quota. Oklahoma is over quota.

FIFTH ZONE

5-PB-2379 KSEI Radio Service Corporation C. P. amended request 250 watt 500 watt
Pocatello, Idaho LS; instead of 250 watt 750 watts LS.

5-MPB-303 KGNW City of Fort Morgan Mod. C. P. asking extension commence-
Fort Morgan, Colorado ment and completion dates.

5-MPB-306 KMPC R. S. MacMillan Mod. C. P. extend completion date.
Beverly Hills, California

5-MLB-958 KID KID Broadcasting Company Mod. Lic. increase power to 500 watts
Idaho Falls, Idaho both day and night; increase operating
hours to unlimited.

The applicant is at present licensed to operate on a part time schedule on 1320 kc. Recently the Commission authorized Station KIFI, Twin Falls, Idaho, which formerly shared time with the applicant, to change frequency and operate unlimited time. The present applicant now proposes taking over the time formerly assigned to

APPLICATIONS RECEIVED (Concluded)

FIFTH ZONE (Continued)

Station KTFI. The closest station to Idaho Falls on this frequency is Station KGHF, Pueblo, Colorado, a distance of approximately 535 miles. The Colorado station is operating unlimited time with 250 watts power. The recommended separation of the Commission Engineering Division mileage tables in similar circumstances is 770 miles.

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APPLICATIONS RETURNED

During the current week the Commission returned the following applications due to failure of the applicant to comply with regulations:

2-P-E-2459	Steubenville Broadcasting Co. Steubenville, Ohio	NEW	Construction permit for a new station on 1420 kc. (Not properly executed.)
3-P-B-2052	C. C. Carlson New Orleans, Louisiana	WJBW	Construction permit to move locally and change equipment. (No reply to Commission's letter).
3-P-B-2434	F. A. Martin & William Ross San Antonio, Texas	NEW	Construction permit for a new station on 1050 kc. (Did not comply with Rule 6 (a), (c), & (d).)
4-ML-B-940	Great Plains Brdcstg. Company North Platte, Nebraska	KGNF	Modification of license to increase power to 1 KW. (Rule 6 a & c).
4-P-B-2442	Mr. Marsh Ore Mount Vernon, Illinois	NEW	Construction permit for new station on 1310 kc. (rule 6 c & d.)

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LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations: KRKD, Los Angeles, California; WIBW, Topeka, Kansas.

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PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications requesting authority to make changes in equipment or install automatic frequency control from the following stations: WOCL, Jamestown, New York; WWNC, Asheville, North Carolina; KGH, Little Rock, Arkansas; KLS, Oakland, California.

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Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director.

March 5, 1932

LET'S KEEP IT FREE!

Strickland Gillilan, nationally known writer and humorist, made a plea for freedom of radio in his weekly talk over Station WRC in Washington this week.

Billed as "The Quizzical Observer" the author of "Off Again, On Again, Gone Again Finnegan" told his Capital audience:

"Almost on a par with that cruellest of crimes - kidnapping - is robbing people of rightful and helpful liberty and happiness. You and I, for instance, enjoy these little heart-to-heart air chats -- not only harmless but positively beneficial. A little merriment, a little laughing thoughtfulness. But this privilege of ours is threatened by legislation. There have been fools on the air here and there who have done wrong. So the privileges we have not abused and will not abuse are threatened because of those who HAVE abused them. Decent people everywhere and always are penalized for the folly and knavery of fools and knaves. One fool may rob all intelligent people of the right to USE their intelligence! One person exercising wrong motives can have right-motived persons deprived of the privilege of doing right. Let us guard very jealously this little liberty you and I are enjoying this minute! So much good and happiness can come and does come from its INTELLIGENTLY regulated use. Let's keep it free."

March 5, 1932

NAB OBJECTS TO LIBEL BILL

Henry A. Bellows, chairman of the Legislative Committee of the National Association of Broadcasters, appeared before the Committee on Codes of the New York State Senate at Albany, N. Y. this week and presented arguments against the passage of the Hickey libel bill which would make it impossible for broadcasting station owners to safeguard themselves against criminal penalties.

A companion bill, introduced by Assemblyman Dickey, has already passed the lower House.

Both Senator Hickey and Assemblyman Dickey were present at the hearing and questioned Mr. Bellows closely as to the effect of the bill. They agreed that the objections of the NAB were well taken and decided to prevent passage of the bill in the present form.

Mr. Bellows' testimony in part follows:

"Specifically, I want to urge that any legislation enacted by you extending the laws covering libel and slander to radio broadcasting should clearly distinguish between broadcasts completely under the control of the broadcasting company and broadcasts in which such control is neither possible nor desirable from the standpoint of public interest. Where the broadcaster has such control, we are entirely ready to accept responsibility analogous to that of the newspaper or magazine publisher. When, however, they are attempting to render their greatest service to the public, I am very much afraid that a law holding them liable for everything that might be said would seriously cripple and perhaps destroy their ability to render to the public the type of service which above all else has made radio a household necessity in more than fifteen million American homes." * * *

"Let us assume that you enact a law which fails to differentiate between the studio or completely controlled broadcasts on the one hand, and on the other hand broadcasts over which the broadcaster can exercise control only with great difficulty, and generally to the detriment of the service to the public. What will happen? No broadcaster in New York, including the headquarters of the two great network companies, will dare to offer his facilities to anyone who will not consent to submit in advance a complete manuscript of his speech, and agree absolutely to abide by it. We would hesitate to broadcast a speech even by one of the highest officials in our country or state, to broadcast the official welcome to a visiting dignitary, to broadcast a service from a church, without such a guarantee, and the moment we demanded such a guarantee we would find ourselves playing the unenviable part of censors of speech. You may say that on such occasions libel or slander are unlikely. True, but it is exactly on such occasions that libel or slander are doubly dangerous, and no sound lawyer could possibly advise us to run the risk involved in sending out a single broadcast for which we had not a complete manuscript in advance if we were to be held absolutely liable for everything that might be said.

I do not want to see radio broadcasting compelled to put a bridle on all freedom of speech. When we control every detail of our programs I agree absolutely as to our responsibility. I do not, however, and I do not think any of you gentlemen do either, want to see broadcasting limited solely to such productions. I do not want to see its greatest service to more than sixty million people curtailed and maimed by legislation compelling the broadcasters to exercise a degree of censorship which is clearly not in the public interest. In other words, I very urgently suggest that any legislation on this subject should clearly differentiate

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NAB OBJECTS TO LIBEL BILL (Continued)

between broadcasts over which we have full control and broadcasts which, in the very nature of things, are to a greater or less degree beyond our complete regulation. Why, if no such difference is made, no broadcaster would dare to put his microphone into a banquet hall to broadcast the speeches at a dinner, for fear the toastmaster might say something for which the broadcaster could under the law be held liable.

"There is one other matter to which I want to call your attention. One of the greatest services which radio broadcasting has rendered to the American People has been to make every radio equipped home a forum for intelligent political discussion. Today every candidate for political office is able to talk -- I had almost said face to face -- with those whose support he seeks. If radio broadcasting had accomplished nothing else in the past ten years, I believe its service in raising the level of political intelligence throughout the country would constitute a great enough public service to justify every cent that has been spent on receiving equipment. Now, when our Federal Congress enacted the Radio Law of 1927, it foresaw a very real danger if the broadcasters were to exercise any form of censorship over the radio utterances of candidates for political office. Accordingly, in Section 18 of that Act, it provides specifically that if a radio station makes its facilities available for a duly qualified candidate for any political office, it shall have no right to censor the speech of any such candidate.

"Suppose this state enacts a law holding a broadcaster liable for whatever is said over his station. Obviously there is more chance for libel or slander in the heat of a political campaign than at any other time. Your state law will hold the broadcaster responsible; the Federal Law expressly denies him all right of censorship. You can readily see what will happen. The broadcaster, guilty under your state law if a libelous or slanderous statement is made by a political candidate, guilty under the Federal law if he seeks to eliminate such a statement, will of necessity simply refuse to broadcast any political speeches whatsoever. Any state legislation by you which fails to give consideration to Section 18 of the Federal Radio Act would deprive the people of your state of all use of radio as a political forum. I can think of no greater calamity to the people of the State of New York so far as the service which radio is capable of rendering to them is concerned."

The New York Legislature will adjourn on March 11 and there is little hope that the bill in its amended form will be finally passed.

The Managing Director and Mr. Sprague of the National Broadcasting Company assisted Mr. Bellows at the hearing. Mr. Harold Smith of WOKO, Albany, and Mr. McNair of the same station also attended the hearing.

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DENTISTS ASK COOPERATION

The Board of Trustees of the American Dental Association have forwarded to the Federal Radio Commission a copy of the resolution pledging the organization to "cooperate with the American Medical Association, the Federal Radio Commission and the National Association of Broadcasters in an effort to prevent harmful, misleading and exaggerated statements from reaching the public."

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March 5, 1932

HERE IS WISE LEADERSHIP

Every member of the National Association of Broadcasters should read the following editorial from QST, the official publication of the A. R. R. L.:

"Occasionally there are 'propositions' of a different complexion. To some we reluctantly deny our cooperation because the proposed activity, while entirely aboveboard, is simply without any interest to amateurs. Such, for instance, as finding several thousand amateurs who would build special loop equipment and undertake to log several observations a day for a year or so on the apparent direction of static. But there are others that we turn down because they are improper, because they represent some more or less cleverly disguised attempt to "use" us to our disadvantage in somebody's axe-grinding scheme. We had a good example of that recently when a group of newspapers who have lost advertising to broadcasting, set out to lambaste the daylights out of the present structure of broadcasting with the idea of turning things topsy-turvy and running the Federal radio Commission ragged -- to demolish present-day broadcasting to gain some business advantage to themselves. It was part of their plan to enlist the cooperation of the amateur group, offering us publicity and support in return. Naturally we declined to associate ourselves with any such move, for as radio amateurs we have no quarrel with broadcasting or the Commission and it would be insane to bring down on our necks the wrath of other groups in radio by treading upon them unnecessarily. Yet these people still aspire to amateur participation in their campaign and are telling their associates over the country to establish contact with local amateurs, who will cooperate if the amateur cause is championed. We like publicity and support, all right, but not at that price.

"The point of all this is that if you are not sure about some request you have received for amateur cooperation, write to A. R. R. L. Hq. for advice and the 'low-down' on it. Every amateur is a free agent, responsible only to the Government for compliances with law and regulations, legally entitled of course to do anything he pleases within these limits. But why let yourself be 'used' as a chestnut-puller by unscrupulous or misguided interests to the injury of all of amateur radio, especially when it's so easy to find out for sure?"

The amateurs are to be commended for their refusal to participate in the selfish campaign sponsored by a group of newspapers fighting to destroy broadcasting. The amateurs are to be congratulated upon having as their chief, Captain Kenneth Warner, who has given them strong and intelligent leadership.

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COPYRIGHT RELATIONS WITH GREECE

Reciprocal copyright relations established between the United States and Greece by Presidential Decree issued in Greece and by proclamation issued by President Hoover became operative on March 1. Under the decree of the President of Greece the benefit of the copyright laws of Greece are extended to citizens of the United States and by the proclamation of the President of the United States the nationals of Greece are declared to be entitled to the benefits of the copyright act of 1909.

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March 5, 1932

RUIN OF RADIO BROADCASTING

The following editorial appeared in the March issue of the NATION'S BUSINESS:

"The Senate urged on by Mr. Couzens of Michigan has instructed the Federal Radio Commission to look into government ownership of broadcasting facilities, to what extent radio is used for advertising and, 'What plans might be adopted to reduce, to limit, to contrive and perhaps to eliminate the use of radio facilities for commercial advertising purposes.'

"Radio is a serious -- we almost said a dangerous -- competitor of the advertising in this magazine. For that reason, perhaps, we should encourage the Senator in his campaign to eliminate radio advertising.

"But we don't and for two reasons.

"First, a new form of advertising helps all advertising, makes advertisers out of non-advertisers. As radio advertising is out to the test the advertiser learns what the magazine and the newspaper can do for him that the radio cannot and all forms of advertising are helped. That's the pocket-book argument.

"Second, we object to any increased government control of, or interference with, functions of business. If the public feels that it's getting more advertising than it wants, then there will be a great silent boycott of radio that will ultimately make itself felt.

"And in addition to that we shudder to think what would leap out when the radio knob is turned if the Government controlled it and apportioned the time among the various departments and independent establishments."

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CUSTOMS MAY SLOW U. S. RADIO SALES

Although the fall of the pound from gold and the "Buy British Campaign" failed to stem the growing popularity of United States radios in England, it is possible that the 50 per cent duty imposed last November on radio equipment may prove a serious hurdle, according to a report from Consul Clement S. Edwards, Bradford, made public by the Department of Commerce.

Throughout the whole of last year, with the exception of the last six or eight weeks, radio distributors found 1931 one of the most prosperous they had experienced for many years, and they had difficulty in meeting the growing demand, the report states.

Until November United States sets sold in increasing numbers and their rapid growth in popularity was proved by their sales and the widespread use of advertising in local radio stores.

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March 5, 1932

PROPOSES LICENSE TAX

Broadcasting stations would be subject to state taxation if a bill introduced by Representative Swank of Oklahoma becomes law (HR 9692). The text of the bill follows:

"That each of the several States may levy and collect license, franchise, gross-revenue, registration, or any other forms of taxes upon, or measured by, any property employed, or business done, within such State, in interstate commerce, in the same manner and to the same extent as such taxes may be imposed under the constitution and laws of such State upon like property employed, and business done, in commerce wholly within the State, except that (a) in no case shall the tax imposed be at a greater rate than is assessed upon like property employed, and business done, in commerce wholly within the State, and (b) nothing contained in this Act shall be construed to authorize the taxation of the same property and business by more than one State."

The bill has been referred to the House Ways and Means Committee.

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ASKS HEARINGS ON LABOR BILL

Acting under the terms of a resolution unanimously adopted at the Detroit Convention and at the direction of the Executive Committee, the Managing Director addressed a letter to Senator Hatfield of West Virginia requesting an opportunity to be heard on the bill to set aside a clear channel for a representative labor group before a subcommittee of the Senate Interstate Commerce Committee of which Senator Hatfield is chairman. Other members of the subcommittee are Senators Brookhart of Iowa and Barkley of Kentucky. A similar bill was passed by the Senate in the last Congress. No date has yet been set for the hearing.

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VENEZUELA HAS ADVERTISING STATION

Maracaibo's first radio broadcasting station for public advertising purposes was inaugurated recently on a short wave license, with the call letters of Y V 11 B.M.O. according to a report from Vice Consul George A. Mohma, Maracaibo, Venezuela, made public by the Department of Commerce.

The station is now on the air each evening from eight to ten o'clock with a special Sunday afternoon program between the hours of three and five, and advertising time is offered at a tentative rate of Bs. 220 an hour (the present rate of exchange if NS. 6.60 equals \$1.00).

The programs now being given are announced in Spanish. They are broadcast both from phonograph records and by local talent. No artists are paid for their services at present, but the company expects to hire their performers after the first month of broadcasting.

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March 5, 1932

THE FUTURE OF TELEVISION

The Radio Manufacturers Association today (Saturday) issued a formal statement summarizing the present status and predicting the future of television. The present status of television is summarized as follows:

"First - for scanning, mechanical features using rotating parts are in wide use and offer a most practical means of securing passable Television pictures.

"Second - a direct pick-up system which has come to the front rapidly this year is that of the camera idea. This system can be used for Television pick-up in a lighted studio, for outdoor pick-up, etc.

"Third - a great deal of successful development has been made with the cathode ray tube system for transmission and reception. This system has proven technically sound and shows the greatest possibility. Its chief difficulties are in the production of large quantities of these systems at a reasonable cost.

"Fourth - the Television broadcast transmission spectrum allows only for five channels, namely: 2000-2100 kc, 2100-2200 kc, 2200-2300 kc, 2750-2850 kc, and 2850-2950 kc. This frequency spectrum for Television is not adequate for good picture transmission on account of the very wide side band frequency necessary for picture detail, so in addition to these bands, on the extreme short waves 5-7 meters, frequencies from 35000-80000 kc have been requested for Television service. Most of the present transmitters are operating in the first mentioned bands, but a few operate in the neighborhood of 46000 to 48000 kc.

"Fifth - the reception of Television has been possible by tuning with either a superheterodyne or tuned radio frequency receiver designed for Television reception. Synchronized sound very often accompanies the picture transmission and it is common practice to receive the voice transmission on the standard broadcast receiver. This required two receivers for receiving synchronized sound and picture transmission. In the Television receivers, mechanical scanning and cathode ray electrical scanning have been employed. The cathode ray type of scanning has been capable of excellent results and shows great possibilities for further development.

"Sixth - with the present economics of broadcasting, it has been impossible to secure much data on the entertaining value of the subjects that can be broadcast due to the cost in presenting programs. The Federal Radio Commission has up to the present time considered Television only experimental and will grant no commercial rights. This means that all broadcasting must be done for the experimental value only and no paid programs can be transmitted by Television. This ruling has made impossible the receipt of any money in staging Television programs. With commercial rights granted by the Federal Government, the problem will still be complicated as to whether advertisers will continue to assume the increased costs that Television must impose for its successful operation, or whether the public can satisfactorily be taxed to bear this burden."

Television's future is summarized in the statement as follows:

"1. Greater detail should be obtained in received picture.

"2. Television transmission pick-up equipment should be portable and as easily used as present day sound picture pick-up equipment.

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THE FUTURE OF TELEVISION (Continued)

"3. Transmittin systems must be evolved which will have a satisfactory and reliable service range.

"4. Receivers as simple in operation as our present radio receivers must be designed and built at a reasonable cost.

"5. Quiet and satisfactorily illuminated picture equipment for the home must be designed and built at a reasonable cost.

"Regardless of the present problems that confront the industry, there has been enough work done to justify some predictions which can be conscientiously made. With the development of the new short wave channels at frequencies higher than 35,000,000 cycles, reliable transmission of Television can be predicted. Ample room for an adequate number of transmitting stations can be visualized in this short wave region. It is perfectly conceivable that a sight and sound service can be worked out to be received on a single receiver with a simplified tuning and control mechanism.

"As never before, the new art of Television is going to require the rigid and sure hand of a governing body to set up the standards for both transmission and reception. Surely no better body is suited for this task than the Radio Manufacturers Association, which embraces both transmitting and reception. Surely no better body is suited for this task than the Radio Manufacturers Association, which embraces both transmitting and receiving set manufacturers. Because of this situation, Television presents a real challenge to the RMA which if accepted can and will bring new prosperity to its members but only if this challenge is correctly and courageously met by the entire cooperation of its members."

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RADIO MORE POPULAR IN SWEDEN

The old-fashioned "cat whiskers" are flying out of the Swedish homes as the new "Super-Tubes" set is demonstrating its technical superiority in picking up Continental and world programs, according to a report from Consul C. T. Steger, Malmo, made public by the Department of Commerce.

For a time public interest was so aroused that the supply could not keep up with the demand, it is said.

There are five broadcasting stations in operation in the Malmo district. The oldest of these stations was begun in Malmo in the latter part of 1924, and completed in August, 1925. While this station was undergoing construction, the Swedish government placed a temporary station in operation. During 1925 two other stations were opened in southern Sweden by private radio clubs, and in 1926 another private radio club constructed a fourth station in the city of Helsingborg. In 1929 the Swedish Telegraph Directorate completed and opened a new station at the municipality of Horby in the center of Scania, intended to cover southern and central Sweden.

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March 5, 1932

BLOW TO RADIO EDUCATION

The Teachers' Council of New York City, acting as a body created under a by-law of the School Board, this week voted against the use of radio as a supplement to the teacher in the class room. A copy of the resolution against radio in the schools was sent to the School Board and took the form of a recommendation against the issuance of a weekly digest of programs for school children.

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WMBC LICENSE RENEWED

The renewal application of Station WMBC, operated by the Michigan Broadcasting Company, Detroit, Mich. was issued this week by the Commission for the regular period on 1420 kc with 100 watts night and 250 watts daytime and unlimited time. The case has been pending before the Commission for more than twelve months. The application for permission to move the station's studio and transmitter sites locally in Detroit was also granted at the same time.

This action of the Commission reversed the recommendation of Examiner Yost in Report No. 242. Depositions were taken by the Commission at Detroit and a lengthy hearing was later held in Washington on the issues involved.

The Commission concluded that the applicant station since July, 1930, has been operating in a meritorious manner and in the public interest. "The evidence which tends to indicate that reprehensible practices were carried on and that the applicant knew, or should have known of these conditions, consists for the most part of strictly hearsay testimony and is contradicted by other competent evidence in this case," the Commission's decision stated. "Although this Commission would unhesitatingly find that the public interest would not be served by the future operation of Station WMBC or any other radio station, by this applicant, if the practices and activities complained of had been established by competent testimony, it appears that the questionable practices, if any, have been abandoned, the station is now rendering a public service and that the character of the evidence in this case as a whole is not such as would not justify the denial of the present application for renewal of license."

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FAVORS "AMERICAN PLAN"

Following an address by Herbert Glover, Director of Remote Control Department, Columbia Broadcasting System, the Rotary Club of Bay Shore, L.I. unanimously passed a recommendation that the School Board meet with officials of the American School of the Air to work out a plan whereby the school children could hear these educational broadcasts.

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SET SALES INCREASE

Receiving set sales during the third quarter of 1931 increased over the previous quarter. The number of sets increased from 78,302 to 91,050 and the value of sets sold increased from \$6,373,313 to \$6,497,288, according to figures made public this week by the Census Bureau.

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March 5, 1932

GOVERNMENT PROGRAM SPONSORSHIP

A warning to the radio industry that it must beware of the campaign for government ownership is contained in a letter written by Arthur V. May of Van Sant, Dugdale and Corner, Inc. New York, and published in the current issue of **ADVERTISING AND SELLING**. "Hands off Radio - and the Listener's Pocketbook" is the slogan advocated by the writer. The letter follows:

"IF GOVERNMENT CONTROLS RADIO - We have a striking example of the weakness of government control of broadcasting in that august body known as the B.B.C. (British Broadcasting Company).

"Programs are all 'sponsored' by the government. It has its different boards of censors. Nothing that smells like 'commercialism' can possibly get over the ether. You can imagine the monotony of entertainment when all radio programs are sponsored by the one concern, no matter how brilliant may be some of the programs. Picture in your minds, if you will, the state of domestic affairs if every program in America conformed to a pattern. If 80 per cent of the programs were classical music. If 10 per cent were comic, according to the sense of humor of the board of censors! If 10 per cent were dull lecturers! If anything of controversial nature were prohibited! Government sponsorship would not only punish the advertisers, but the public as well! True, in England the serious programs are oftentimes rendered by the best talent. True, they have the privilege of listening to the world's greatest authors, scientists, travelers. But radio without variety is lost on the ears of a nation. Variety is the spice of radio entertainment. That is why radio is such a success in this country, despite many inappropriate and sometimes dull programs now put over the ether by advertisers who should know better. Government control means nothing but dullness, monotony (or better still, may we say static?) all the time.

"Who pays for radio under government control? The answer is, so far as England is concerned, the already over-taxed radio owner. He pays his yearly tax and that supports the industry. Along with this taxation come the official snoopers, an extra cost to the taxpayer. These snoopers are supposed to look for aerials and check up with the home-owners as to whether they are dodging the tax or not. Should the owner have an indoor aerial, then it is the job of the telephone man to call, and while ostensibly inspecting the phone, he snoops around to see whether there is a radio or not. For the telephone, you must be told, is also under government control, through the post-office. American tourists will tell in very colorful terms how efficient it is.

"If this sort of thing can happen under the control of the most respected government in the world -- a government free from graft, a government that has the respect of every citizen regardless as to what party is in office -- think what will happen in America should the U. S. Government have control of the radio industry! The handling of the 'noble experiment' gives one a pretty good idea as to what will happen. Political parsons will choose our programs for us. Single-tracked politicians will use the air for selfish ends. There will be no freedom of speech. No variety of entertainment. Taxation will go on the up and up. More juggling of public funds. More . . . well, why go further?

"The radio industry must beware of this pending disaster. It must retain the support of the people of America by giving more and better entertainment and less commercialism. It must start some strenuous propaganda against such an awful pass as government control. Let it use as its slogan: "Hands OFF Radio - and the Listeners' Pocket Book."

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March 5, 1932

DENY KHQ 5 KW

The application of Station KHQ, Spokane, Washington, to increase licensed power from 1 to 5 KW on the 590 kc frequency was denied this week by the Commission sustaining the recommendation of Examiner Pratt (Report No. 314). The decision of the Commission in this case, as well as in those others that have already been decided, is based on the conclusions that the granting of such an increase would create serious interference with other stations of the frequency and the service areas of these stations would be reduced. It was further held that the granting of the application would work a violation of the Davis Amendment since it would create added facilities in a State that is already over quota.

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WEAO-WKBN HOURS SPECIFIED

Finding Station WEAO, Ohio State University, Columbus, Ohio, and Station WKBN, The WKBN Broadcasting Corporation, Youngstown, Ohio, are both rendering a generally meritorious service and the type of programs that are broadcast by both stations are most commendable, the Commission this week granted renewals of license to both stations but specified a different group of operating hours for the stations than those recommended by Examiner Walker in Report No. 318. Examiner Walker had recommended Station WEAO be granted the following daily hours of operation: 9 to 11 a. m.; 12:30 to 2:30 p. m.; and 5 to 7 p. m. The Commission reversed this finding and substituted the following schedule for WEAO:

Monday	9 to 11 a. m.;	1 to 3 p. m.	8 p. m. to 10 p. m.
Tuesday	" "	" "	" "
Wednesday	" "	" "	8 to 12 midnight.
Thursday	" "	" "	" "
Friday	" "	" "	7 p. m. to midnight.
Saturday	1 p. m. to midnight.		

The remainder of the hours are granted to Station WKBN. This schedule practically outlines the hours formerly used by the stations.

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MASSACHUSETTS MOVE DENIED

The Commission this week denied the application of Station WHDH, Gloucester, Massachusetts, for authority to move the transmitter to Saugus, Massachusetts. This decision reversed the opinion of Examiner Yost in Report No. 296. The station, operated by the Matheson Radio Company, on 830 kc with Limited Time operation and 1 KW, had asked to move the station closer to the metropolitan area of Boston. The Commission concluded that while the station was rendering a commendable public service, nevertheless the City of Boston and adjacent areas are now receiving abundant broadcast service from a number of broadcast stations. From the evidence in this present case, the Commission indicated there is no need for additional service. The Commission also concluded the removal of this station from Gloucester would tend to decrease the broadcast service to the fishing fleets and it was for this purpose that the station was originally established at its present location.

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March 5, 1932

WLWL TIME INCREASE DENIED

The Commission this week sustained the recommendations of Examiner Yost (Report No. 288) and denied the application of Station WLWL, New York City, for increased operating hours on the cleared channel frequency of 1100 kc. This station is now licensed to share time on this assignment with Station WPG, Atlantic City, New Jersey. Examiner Starbuck dissented from the majority opinion. The decision held both stations are rendering a meritorious broadcast service. The conclusions stated further that the granting of the application of Station WLWL to operate 60 hours a week would not be in the public interest for the reason that the metropolitan area of the City of New York now has an abundance of broadcast service from twenty-four broadcast stations, while Station WPG is the only station located in Atlantic City. It was found the applicant did not make a sufficient showing at the hearing to warrant the withdrawal of any facilities from the New Jersey station. The final ground for decision stated: "The granting of the applications for renewal of licenses for Station WLWL and WPG, to permit each station to operate in accordance with the hours specified in the present license and the time-sharing agreement under which both stations are operated, will enable the licensee of each station to continue to render any substantial public service which has heretofore been rendered".

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COMMISSION FILES WLBX BRIEF

"We submit that it is manifest that in a field where the number of available facilities is limited and where the business to be engaged in is impressed with a public interest (KFKB Broadcasting Association, Inc., v Federal Radio Commission), there is no room for an applicant who has neither the ability nor the intention of operating in accordance with the requirements of the law and of the Commission's regulations. This is such a case", said the Commission in concluding the argument presented on its behalf in the brief filed this week in the Court of Appeals involving the pending appeal of Station WLBX, Long Island City, New York. Station WLBX was recently denied renewal of license and appealed the Commission decision. (Docket 5414, Special Calendar). The action of the Commission was based on alleged violations of the regulations in connection with operation of the station.

Transcript of Record also was filed this week in the same Court by the appellants in the cases involving the appeals of the National Broadcasting Company. (WJZ) National Broadcasting Company (KGO); The Tribune Company (WGN); Stromberg Carlson Telephone Manufacturing Company, (WHAM); and Station WMAQ (Dockets No. 5567; 5568; 5569; 5570; 5571). The Record is made up of two volumes comprising 1079 pages of Commission testimony. All appellants have joined in filing the appeal.

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FAKE CALL LETTERS USED

The Radio Division of the Department of Commerce is receiving complaints from amateurs throughout certain sections of the country that unscrupulous operators of amateur stations are "bootlegging" the call letters of other transmitters in order to avoid detection of violations of the Radio Act while adjusting their equipment. This information was made public this week by Director W. D. Terrell.

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During the current week the Commission granted the following applications, subject to the provisions of Rules 44 and 45 which permit the filing of proper protests within twenty days from the date of the action:

FIRST ZONE

- WFEA New Hampshire Broadcasting Company Manchester, New Hampshire Granted permission to operate simultaneously with other regional stations on experimental basis beginning March 1st and ending May 1, 1932.
- WOR Bamberger Broadcasting Service, Inc. Newark, New Jersey Granted Mod. of CP approving 50 KW equipment.
- WFEA New Hampshire Broadcasting Company Manchester, New Hampshire Granted permission to operate between 11 and 12 PM, EST, to make tests and measurements to determine the interference that would be created by the operation of this station on 1430 kc with 500 watts during night hours.
- WHAZ Rensselaer Polyt. Institute Troy, New York Granted license covering installation of new equipment 1300 kc, 500 w. shares with WHAP, WEVD and WBBR.

SECOND ZONE

- WORK York Broadcasting Company York, Pennsylvania Granted Mod. of CP to move transmitter from York to W. Manchester TWP. near York, and move studio locally in York; also to change type of equipment.
- WFBG The William F. Gable Company Altoona, Pennsylvania Granted Mod. of CP to extend completion date to May 19th.

THIRD ZONE

- WBRC Birmingham Broadcasting Company, Inc. Birmingham, Alabama Granted authority to install automatic frequency control.
- WFBC First Baptist Church Knoxville, Tennessee Granted consent to voluntary assignment of license to Virgil V. Evans.
- WAPI Alabama Polytechnic Institute University of Ala. & Ala. College Birmingham, Alabama Granted permission to operate portable transm. in vicinity of Birmingham for purpose of making field intensity survey to select new site for transmitter.

FOURTH ZONE

- WLBC Voice of Eastern Indiana Muncie, Indiana Granted special authority to operate the following dates in order to broadcast sectional, regional and state basketball games simultaneously with WJAK on March 4, 5, 12, 18 and 19.

March 5, 1932

APPLICATIONS GRANTED (Concluded)

FIFTH ZONE

KMTR	KMTR Radio Corporation Los Angeles, California	Renewal application reconsidered and granted.
KMPC	R. S. MacMillan Beverly Hills, California	Granted Mod. of CP to extend completion date to April 1st.
KDFW	Donald L. Hathaway Casper, Wyoming	Granted CP to install new 500 watt equipment increase power from 100 to 500 watts and change frequency from 1210 to 1440 kc.
WGN- WLIB	The Tribune Company Chicago, Illinois	Granted consent to voluntary assignment of license to WGN, Inc.

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RECOMMENDS DENIAL OHIO STATION

Conceding the applicant is well qualified technically and financially to operate broadcast station at Cincinnati, Ohio, Examiner Pratt nevertheless recommended (Report No. 34C) denial of the application of the Pillar of Fire to erect a new unlimited time broadcast station on 1420 kc with 100 watts. The conclusions of the Examiner are based on existing adequate broadcast service in Cincinnati, even though the matter proposed to be broadcast by the applicant is educational and cultural in nature. In this latter connection, the Examiner said: "It does not appear that the Cincinnati area lacks this type of service or that there is a greater need therefor than is now, or can be, supplied by existing stations now servicing that area".

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The application of the Shreveport Broadcasting Company, Shreveport, Louisiana, for authority to erect a new television station was recommended for denial by Examiner Yost (Report No. 339) as in cases of default.

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ILLEGAL OPERATORS GUILTY

The Federal Court of the Eastern District of New York sitting at Brooklyn this week sentenced Stephen O'Neil and William Scholtz to a year and a day in the Federal penitentiary, after both defendants had pleaded guilty to the charge of operating a radio station without authority or license. In the same case, the charges against Frank Bloom and Katherine Gray were dismissed.

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March 5, 1932

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following action of a miscellaneous nature:

WGN	The Tribune Company Chicago, Illinois	Extended time to file exceptions to Examiner's report denying application for experimental relay broadcasting, to March 15th; Plea to withdraw application denied.
WLB	University of Minnesota Minneapolis, Minnesota	Request to hold hearing in Minneapolis to consider Mod. of Lic. of WCAL, KFMY, both of Northfield, WLB & WRHM, Minneapolis, denied. Hearing to be held in Washington.
KWEA	Hello World Broadcasting Company Shreveport, Louisiana	Authorized certain depositions to be taken for hearing scheduled in Washington March 31st, for renewal of license and to consider appl. to move station to Baton Rouge.
	Radiomarine Corporation of America Great Lakes Service	Granted oral argument March 10th, 10 AM in Mid-West Wireless, Inc. case.
	Radio Vision Company Pittsburgh, Pennsylvania	Denied request for reconsideration of Commission's action in denying application for experimental television station.
KMTR	KMTR Radio Corporation Los Angeles, California	Granted regular license. Conditional license was granted on February 16th, pending investigation of certain programs broadcast over station.
WSUI	Stare University of Iowa Iowa City, Iowa	Granted authority to operate from 10:00 p. m. March 4 to 1:00 a. m., March 5th; from 10:00 p. m. to 10:30 p. m. March 10; 10:00 p. m. to 12:00 p. m. March 18th; 10:00 p. m. to 10:30 p. m. March 31st.

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APPLICATIONS DISMISSED

The following applications were dismissed by the Commission this week at the request of the applicants:

4-PB-2443	Docket 1533 Caldwell Brothers Mt. Pleasant, Iowa	NEW	C. P. 1200 kc; 100 w. Share with KFJB.
4-MLB-869	Badger Broadcasting Company Madison, Wisconsin	WIBA	Mod. Lic, 1280 kc; 1 KW unlimited time.

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HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, March 7, 1932. All hearings commence at 10 a. m.

MONDAY, March 7, 1932

Docket

AMATEUR BROADCASTING

1489	W9CNG	Jack Frichard Vincennes, Ind.	Mod. Lic. Requests authority to change transm. location.
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TUESDAY, March 8, 1932

VISUAL BROADCASTING

1484	New	First Natl. Television Corp. Kansas City, Mo.	C. F. 3200-2300 kc Unlimited time	500 W.
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THURSDAY, March 10, 1932

AMATEUR BROADCASTING

1486	W8ECP	E. L. Somers Pottsville, Pa.	Renewal of License
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BROADCASTING

1459	New	Charles L. Bennett Jamaica, N. Y.	C. F.	1210 kc	100 watts
				Share with WGEF, WCOH, WJBI	

1444	WMRJ	Peter J. Frinz Jamaica, N. Y.	Ren. Lic.	1210 kc	100 W.
				Shares with WGEF, WCOH, WJBI	

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LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations:

KCMC (Formerly WDIX), Texarkana, Ark. KNO7 (Formerly KUT), Austin, Tex. WCFS, Springfield, Ill. WGEF, Freeport, N. Y.

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PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications requesting authority to make changes in equipment or install automatic frequency control, from the following stations: WGST Atlanta, Ga. KOAC, Corvallis, Oreg. WHD Kansas City, Mo. KSCJ Sioux City, Iowa. WCAC Storrs, Conn. KGME Elk City, Okla.

- - -

PERMIT APPLICATIONS GRANTED

During the current week the Commission granted applications from the following stations authorizing installation of new equipment: WGL Fort Wayne, Ind. WTRC, Birmingham, Ala. WETR Baltimore, Md. WLEY Lexington, Mass.

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March 5, 1932

APPLICATIONS RETURNED

During the current week the Commission returned the following applications either at the request of the applicant or for the reason that the applications did not conform to Commission procedure:

1-ML-B-729	The Outlet Company Providence, Rhode Island	WJAR	Request for 620 kc. 500 w. (Rule 123).
1-ML-B-945	The Outlet Company Providence, Rhode Island	WJAR	Increase power to 500 w. Day and Night. (Rule 123)
1-P-B-2457	New England Broadcasting Co. Boston, Massachusetts	NEW	New station on 1500 kc. (Rule 146).
2-P-B-2470	Richmond Development Corp., Roanoke, Virginia	WRBX	Construction permit to move station to Charleston, West Virginia. (Request of applicant).
4-ML-B-901	Nebraska Wesleyan University Lincoln, Nebraska	WCAJ	Increase power to 1 kilowatt. (Rule 6 a & c.)
4-P-B-2418	Arthur E. Chapman & Claude R. Brand, Rapid City, South Dakota	NEW	New station on 1200 kc. (Rule 6 a and c).
5-ML-B-929	KID Broadcasting Company Idaho Falls, Idaho	KID	Modification of license for 500 w. 1 KW LS & Unlimited time. (Rule 6 a & c).

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APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

WJAY	The Cleveland Radio Brdcstg. Corp. Cleveland, Ohio		Requests Mod. of Lic. to change frequency from 610 to 590 kc; change power from 500 watts to 250 w. night, 500 w. LS, and increase hours of operation from daytime to unlimited.
WTEL	Foulkrod Radio Engineering Co., Philadelphia, Pennsylvania		Mod. Lic. requesting that WCAM be required to enter into time sharing agreement with WTEL and WHAT so that WCAM cannot change its operating schedule without consent of WTEL and WHAT in accordance with Rules 155 and 156.

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March 5, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the

Commission:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
		<u>FIRST ZONE</u>	
1-MLB-919	WAAB	Bay State Brdcastg. Corp. Boston, Mass.	Mod. Lic. amended request 1 KW in- stead of 500 W. and 1 KW LS.

The applicant is now licensed to operate with unlimited time and 500 watts on 1410 kc. The closest stations to Boston on this frequency are Station WBCM, Bay City, Mich., approximately 650 miles distant and Station WRBX, Roanoke, Va., approximately 600 miles distant. The latter station is licensed to use 250 watts power, while the Michigan station operates with 500 watts. The mileage tables of the Commission Engineering Division recommend a separation of 1050 miles for simultaneous operation of stations of like powers in similar circumstances. The granting of the application would increase the quota 0.4 unit. The First Zone is under quota; Massachusetts is under quota.

1-MPB-307	WEVD	Debs Memorial Fund Inc. New York, N. Y.	Mod. C. P. requests extension completion date to May 1, 1932
1-MLB-961	WEBR	Howell Brdcastg. Co. Buffalo, N. Y.	Mod. Lic. increase day power from 200 to 250 watts.

The applicant is now licensed to operate unlimited time on 1310 kc with night power of 100 watts and this application seeks authority to increase the licensed daytime power. The granting of the application would not involve the quota. The closest station to Buffalo on this frequency is Station WMBO at Auburn, N. Y. approximately 120 miles distant and operating with 100 watts. The recommended separation for daylight operation under similar circumstances is 155 miles according to the mileage tables of the Commission Engineering Division.

1-PB-2492	WCOH	Westchester Brdcastg. Corp. Yonkers, N. Y.	C. P. moves station to White Plains, N. Y.
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The applicant is now licensed to operate on 1210 kc with 100 watts sharing time with Stations WJBI, WGEB and WMRJ. The granting of the application would move the station site approximately 10 miles north.

March 5, 1932

APPLICATIONS RECEIVED (Continued)

FIRST ZONE (Continued)

1-MLB-966 WOKO WOKO Inc.
Albany, N. Y. Mod. Lic. change from 1440 kc.
sharing with WHEC, Rochester, N. Y.
to 1430 kc with unlimited time.

The regular assignment of the applicant is on 1440 kc with the time limitation as outlined. For some time the applicant station and four others have been conducting matched crystal synchronization experiments on 1430 kc. This application would indicate this station is now seeking to have the 1430 kc assignment made permanent.

SECOND ZONE

2-PB-2459 NEW Steubenville Brdcastg. Co. C. P. resubmitted for new station,
Steubenville, Ohio 1420 kc; 100 watts, specified hours.

This application was returned by the Commission for the reason it was improperly executed. The requested frequency was formerly assigned to Station WIBR at Steubenville with half time. The closest stations to Steubenville on this frequency are WERE (Formerly WEDH) Erie, Pa. 125 miles distant; WTBO, Cumberland, Md. 120 miles distant. Both distances are less than that recommended in similar circumstances by the mileage tables of the Commission Engineering Division. The Second Zone is under quota; Ohio is under quota. The granting of the application would increase the quota.

2-PB-2446 WALR Roy W. Weller C. P. amended as to equipment;
Zanesville, Ohio also seeks local change in transmitter
and studio locations.

MLB-967 WTEL Foulkrod Engineering Co. Mod. Lic. increase operating
Philadelphia, Pa. time--time assigned to Stations WHAT and
WCAM but not used by them.

The applicant is now licensed to operate on 1310 kc sharing time with Station WHAT during the periods that Station WCAM 30 kc removed at Camden, N. J. is not broadcasting. Several applications have been received at the Commission during the past few weeks involving the operating assignments of these stations. It would not appear that the granting of this application would involve the quota.

2-PB-2494 NEW Myrtle K. Berger C. P. erect new station, 650 kc;
Upper Tyrone Twnshp., Pa. 100 watts; daytime.

The applicant requests authority to erect a new station on the clear channel frequency now assigned to the Third Zone and used by Station WSM Nashville, Tenn., a distance of approximately 600 miles. The power is less than is usually assigned to the proposed class of service. The Second Zone is under quota; Pennsylvania is under quota. The granting of the application would increase the quota 0.2 unit.

March 5, 1932

APPLICATIONS RECEIVED (Continued)

SECOND ZONE (Continued)

2-PB-2483 WIBG WIBG, Inc.
Elkins Park, Pa. Correction to Commission Release of
Feb. 24th--The applicant in addition to
requesting authority to move station to
Glenside, Pa. and increase power to 100
watts, also asks authority to change fre-
quency from 930 to 970 kc.

THIRD ZONE

3-MPB-308 KCMC No. Miss. Brdcastg. Corp. Mod. C. P. requesting approval trans-
(Formerly WDIX) Texarkana, Ark. mitter site in Texarkana.

3-PB-2488 KARK Ark. Radio & Eopt. Co. C. F. change equipment; and increase
Little Rock, Ark. power to 500 watts.

The applicant is now licensed to operate unlimited time with power of 250 watts on 890 kc. The closest stations to Little Rock on this frequency are WGST, Atlanta, Ga. operating with 250 watts, approximately 455 miles distant and KFNF Shenandoah, Iowa with 500 watts power, approximately 450 miles distant. The separation recommended in similar circumstances by the Engineering Division mileage tables of the Commission is 770 miles. The Third Zone is over quota; Arkansas is under quota. The granting of the application would increase the quota 0.2 unit.

3-MLB-933 KMLB Liner's Brdcastg. Station Mod. Lic. amended request unlimited
Monroe, La. time instead of from 6 a. m. to
3 p. m.

The applicant is now licensed to operate the hours specified on 1200 kc. The closest station to Monroe on this frequency is Station KGHJ, Little Rock, Ark., operating with 100 watts and approximately 155 miles distant. The recommended separation under Commission Engineering Division mileage tables in similar circumstances is 200 miles. The Third Zone is over quota; Louisiana is over quota. The granting of the application would increase the quota.

3-PB-2489 NEW Baton Rouge Broadcasting Co. C. P. new station on 1450 kc 1 KW;
Baton Rouge, La. to share with KTBS.

The applicant seeks authority to share time with Station KTBS, Shreveport, La., now operating unlimited time. The closest station to the proposed location is WTFI, Athens, Ga., approximately 510 miles distant, operating with power of 500 watts. The recommended separation under similar circumstances is 1050 miles. The granting of this application would not involve the quota.

3-MLB-965 WRBQ J. Pat Scully Mod. Lic. requests change from un-
Greenville, Miss limited time to specified hours.

This station is now licensed to operate on 1210 kc. The granting of the application would probably reduce the quota.

March 5, 1932

APPLICATIONS RECEIVED (Continued)

THIRD ZONE (Continued)

3-PB-2462 NEW Daily Independent & Mail C. P. amended request 1200 kc and
Anderson, South Carolina facilities of WFBC.

This application for a new station as originally submitted sought the use of the 1370 kc frequency. The present amendment now asks the use of the assignment of Station WFBC, Knoxville, Tenn., approximately 125 miles distant, sharing time on this channel with Station WBHS, Huntsville, Ala. The Third Zone is over quota; South Carolina is under quota; Tennessee is over quota. The granting of the application would increase the quota of South Carolina and reduce the Tennessee assignment.

3-PB-2432 NEW J. T. Griffin C. P. amended for new station on 1400
Tulsa, Oklahoma kc requesting unlimited hours except
when Station KUOA is operating.

The requested assignment is now assigned in this area to Station KOCW, Chickasha, Okla. The distance from Tulsa to Chickasha is approximately 135 miles. Station KUOA, Fayetteville, Ark., approximately 110 miles distant, is sharing time with Station KLRA on 1390 kc.

3-PB-2490 NEW Ilor Clive Lankford, Jr. C. P. erect new station on 1310 kc; 1
Seymour, Texas KW; 12 midnight to 6 a. m.

A person with the same name as this applicant plead guilty to a charge of operating a radio station without government license in a Federal District Court sitting in Texas on November 19, 1931, and was sentenced to ten days in jail and fined \$500. The frequency requested is a local assignment and the maximum power authorized in regular service is 100 watts night. In connection with the hours requested, attention is directed to Rule 88 of the Commission Rules and Regulations which reads: "The term 'experimental period' means that period of time between 12 midnight and 6 a. m. This period may be used for experimental purposes by the licensee of any broadcast station, on its assigned frequency and with its authorized power, provided no interference is caused to other stations maintaining a regular operating schedule".

FOURTH ZONE

4-PB-2481 WMBE Edwin H. Aber C. P. amended request authority
Joplin, Mo. move transmitter locally.

4-MLB-962 KGCA Charles Walter Greenley Mod. Lic. increase power from 50 to
Decorah, Iowa 100 watts.

The applicant is now licensed to operate as a daytime station on 1270 kc, sharing time with Station KWLC which is licensed to use 100 watts. The granting of the application would not increase the quota.

APPLICATIONS RECEIVED (Continued)

FOURTH ZONE (Continued)

4-FB-2487 NEW 31st St. Baptist Church C. P. new station 1310 kc; 30 W.
Merris H. Goers, Pastor unlimited time.
Indianapolis, Ind.

The applicant requests authority to erect a new station with less power than is ordinarily authorized for a local station assignment. The closest stations to the proposed location on the requested frequency are Station WFOV Terre Haute, Ind. approximately 65 miles distant and WLBC Muncie, Ind. approximately 55 miles distant. The Fourth Zone is over quota; Indiana is under quota. The granting of the application would increase the quota 0.2 unit.

4-ALB-419 WOS John D. Heiny Vol. assgn. Lic. to Missouri
Jefferson City, Mo. State Marketing Bureau.

4-FB-2493 KGDA Mitchell Brdcstg. Co. C. P. move station to Aberdeen, S. D.
Mitchell, S. D.

The station is now licensed to operate on 1370 kc with power of 100 watts. The granting of this application would move the station approximately 125 miles north of Mitchell.

4-MLB-968 WJAX The Truth Publ. Co. Change from sharing time with Station
Elkhart, Ind. WLBC, Muncie to simultaneous daytime
and share at night.

The stations involved are now licensed to share time equally on 1310 kc with 50 watts power. The distance between the stations is approximately 110 miles. The mileage tables of the Commission Engineering Division recommend under similar circumstances a separation of 95 miles. The granting of the application would increase the Indiana quota. The Muncie station recently made application for the same authority as is requested in this application.

FIFTH ZONE

5-MLB-964 KFXJ Western Slope Brdcasting Co. Mod. Lic. for change in specified
Grand Junction, Colo. hours of operation.

The applicant is licensed to operate with 50 watts and specified hours on 1310 kc.

5-MLB-963 KLX The Tribune Publ. Co. Mod. Lic. increase power to
Oakland, Calif. 1 KW.

The applicant is now licensed to operate unlimited time on 880 kc with power of 500 watts. This is a Canadian Shared Channel. The distance from Oakland to the closest Canadian boundary is approximately 825. Under Rule 123 of the Commission Rules and Regulations stations at a greater distance than 500 miles from the Canadian boundary may be assigned power in excess of 500 watts. The closest station to Oakland on this frequency is Station KPOF Denver, Colo. operating with power of 500 watts and approximately 940 miles distant. The recommended separation under similar circumstances is 1050 miles. The Fifth Zone is over quota; California is under quota. The granting of the application would increase the quota 0.4 unit.



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director.

March 12, 1932

FREEDOM OF RADIO AND PRESS

Here is a quotation from the book by Karl A. Bickel, president of the United Press Associations, entitled "New Empires" which is indicative of the manner in which leaders in the newspaper field view broadcasting:

"The remarkable development of broadcasting in the United States, where it has attained a standard of excellence and an effectiveness scarcely approached in any other nation of the world, has been largely due to the fact that broadcasting has been relatively free from governmental interference. At various times tentative efforts looking toward imposing upon radio a greater degree of governmental dictation have been initiated by either members of Congress or the Federal Radio Commission. So far the extension of bureaucratic control over radio has been avoided.

"The press of America became the greatest in the world because of this lack of the dead hand of governmental control, and regardless of future competitive possibilities between broadcasting and the press, the newspapers of America should never make the supreme mistake of standing idly by and permitting broadcasting to become a bureaucratic creature. Fundamentally, the hardily-yet won liberties of the press in America are also the rights of broadcasting, and an assault upon one is an assault upon all."

March 12, 1932

10 PER CENT TAX ON LINES

The new revenue bill just reported to the House this week contains a provision which would impose a ten per cent tax on all telephone and telegraph lines used in broadcasting. The National Association of Broadcasters, the National Broadcasting Company and the Columbia Broadcasting System are making a joint request that the provision be eliminated from the measure. Every station in the United States would be affected by the 10 per cent tax. The letter of the NAB follows:

"The revenue bill reported to the House of Representatives this week by your Committee in Section 701, subsection (a), paragraph (2) imposes a ten percent tax on amounts paid "to any telegraph or telephone company for any leased wire or talking circuit special service." While (A) of the same paragraph specifically exempts newspapers from the payment of this tax no similar exemption is made with respect to radio broadcasting stations.

"Undoubtedly this was due to an oversight on the part of your Committee inasmuch as the report on the bill points out on page 43 that Sections 701-703 "are substantially a re-enactment of the tax levied by the revenue acts of 1918 and 1921" except that the rate of taxation is changed. Radio broadcasting was not in existence in 1918, and in 1921 there were only a few stations none of which were operated commercially.

"As the provision now stands in the bill there is no doubt that radio broadcasting stations would be compelled to pay the ten percent tax and that newspapers would be exempt.

"It is stating the obvious to say that broadcasting stations render a public service as valuable, at least, as that rendered by the newspapers. Indeed, service to the public is the basis upon which the Congress of the United States has authorized the issuance of licenses to stations.

"Just as telegraph and telephone lines are an important instrumentality for the collection and dissemination of news for the press, so are similar telegraph and telephone lines indispensable to the nationwide distribution of music, education, literature and drama, religion and news by the broadcasting networks to their affiliated stations.

"Each of the 600 broadcasting stations in the United States, whether or not it is affiliated with one of the networks would also be compelled to pay the 10 percent tax on line services. Every station in the country leases costly wire circuits to connect its studio with its transmitting station or to connect its studio with a remote control point, or both.

"For example, most stations broadcast local religious services direct from churches or classroom lectures direct from schools. Special lines are required for such broadcasts and these line costs would be subject to tax under the bill as it now stands.

"While the amount of revenue which would be derived from such a tax would be very much smaller than the amount that would be realized from the imposition of a similar tax upon lines leased for the collection and dissemination of news, it nevertheless would seriously handicap each of the 600 broadcasting stations

March 12, 1932

10 PER CENT TAX ON LINES (Continued)

in the performance of many important and valuable services to the public. Since a large proportion of the cost for telephone and telegraph services is incurred in the broadcasting from remote control points such affairs as political meetings, religious services, classroom lectures, sport events, speeches by public officials and events of general news interest, for which the station receives no money, the tax certainly would tend to reduce the number of such broadcasts.

"It should be pointed out also that broadcasting stations are important users of electrical power and Section 604 of the bill would impose a power tax upon every station in the United States. In addition to this, of course, broadcasting companies would be subject to the corporation taxes.

"In view of the above and in the belief that the Committee did not intend to include such an important public service as broadcasting within the provisions of Section 701 and at the same time exempt the press, the National Association of Broadcasters, a business organization of 200 of the leading broadcasting stations in the United States, respectfully asks that your Committee amend Section 701, subsection (a), paragraph (2) so that it will read as follows:

"(2) a tax equivalent to 10 percentum of the amount paid on or after such date to any telegraph or telephone company for any leased wire or talking circuit special service furnished on or after such date. This paragraph shall not apply to the amount paid for so much of such service as is utilized (A) in the collection and dissemination of news through the public press, (B) IN OR IN CONNECTION WITH RADIO BROADCASTING, or (C) in the conduct, by a common carrier or telephone or telegraph company, of its business as such."

"(Part typed in capital letters is new matter)."

Judge Crisp, acting chairman of the Ways and Means committee, has stated that it was the intention of the committee to "remove from the tax all messages used in the dissemination of knowledge and information and publicity" and has promised to offer an amendment in Committee which would place broadcasting stations on the same basis as newspapers with respect to line charges.

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QUIETS UNLICENSED BROADCASTING STATIONS

"The voice of Muscle Shoals," an unlicensed radio station operated under the alias of W Y P C on "90,000 horsepower" in Sheffield, Ala. has been quieted, according to a letter received today by Director W. D. Terrell, of the Commerce Department's Radio Division, from the operator of test car No. 2, the traveling radio laboratory in that district. The letter stated that the station operated on various frequencies and afforded serious interference with reception in nearby states. The operator sold time to advertisers who paid for it by contributions to a church of which the station owner was pastor.

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March 12, 1932

DILL INTRODUCES COPYRIGHT BILL

Senator Dill (D) Washington, this week introduced a bill (S. 3985) to amend and consolidate the copyright laws of the United States which has been referred to the Committee on Patents. There are now six copyright bills pending in the Congress of the United States.

The Dill copyright bill is a splendid piece of draftmanship considering the breadth of the subject matter covered. Notice of copyright is required under the proposed law.

Section 20 of the Dill bill provides that in the case of unauthorized performance of a musical work the statutory damages shall not exceed a total of \$10,000 nor be less than \$50 for all infringement up to date of suit. The present law fixes the minimum statutory damages at \$250 per infringement.

Section 21 of the bill is an entirely new section designed to prevent abuses through the combination of copyright owners. The section follows:

"Sec. 21. If two or more persons owning or controlling copyrights or any rights therein combine either directly or by means of an association, society, or corporation to acquire or pool copyrights or rights therein, and to issue or grant licenses or other authorizations for public performance for profit, or for broadcasting performances of copyright works or for the manufacture, lease, or sale of recordings or mechanical reproductions, and to fix and collect fees, charges, or royalties for such licenses or other authorizations, then -

"(a) Every such combination of copyright owners shall file with the Register of Copyright:

"(1) Names and addresses of copyright owners, and if a corporation or association its name, officers, and principal place of business, together with a true copy of its agreement or articles of incorporation and by-laws.

"(2) Lists of all copyrighted works, and rights therein, over which such combination exercises or claims control, including those of foreign origin, together with dates of beginning and end of each copyright work.

"(3) Names of the owners of said copyrighted works and the dates on which the term of their copyright begins and ends.

"(4) Statements of all fees, charges, or royalties which such combination of copyright owners collects as compensation for the grants or other authorization together with such revisions thereof as from time to time shall be made.

"(b) The lists and statements required to be filed under the preceding subsection (a) shall be kept open for public inspection at the Copyright Office.

"(c) Any such combination of copyright owners upon compliance with the foregoing provisions shall be entitled to make a fair and reasonable charge for the rights conferred. Such charge shall be a fixed amount for a definite period of time.

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DILL INTRODUCES COPYRIGHT BILL (Continued)

"Proof of failure to comply with the provisions of this section shall be a complete defense to any suit for infringement of a copyrighted work, and no combination of copyright owners or individual owner shall be entitled to sue for or to collect any license fees or royalties with respect to any copyrighted works not specified in the lists filed by it with the Register of Copyrights as herein provided, nor to sue for or collect any fees or royalties which are unreasonable or discriminatory, nor withdraw the performance of more than 10 per centum of the works covered by a license during the period covered by the license.

"Whenever such combination of copyright owners has granted licenses for the use of copyrighted works which it controls, or changes its fees or its lists of copyrighted works covered by an outstanding license not yet expired, any person within each class of users operating under practically the same economic conditions and desiring to make similar use of such works shall, upon application therefor, be entitled to a license under the same terms and conditions as such licensees and it shall be the duty of said combination of copyright owners to grant such license upon payment of the stipulated fee.

"In any action or proceeding brought by such combination of copyright owners, or by any individual owner, for infringement of the copyright in any work which the said combination controls, the infringing party shall be liable -

"(a) To an injunction only with respect to works proved to have been infringed.

"(b) To pay to the owner of the right infringed in lieu of actual damages and profits, damages in accordance with the provisions of this Act, and, in assessing such damages, the court may, in its discretion, allow the amounts stated as payment in full for all infringements by the infringing party of all works controlled by such combination up to the date of suit.

"PROVIDED, That whenever any such combination of copyright owners shall discriminate or propose to discriminate against any person within a class of users operating under practically the same economic condition, or shall demand an unreasonable charge for license of the rights to any work which it permits to be used for public performance, then the Federal Trade Commission on request of the person desiring a license, or demanding equal treatment, shall designate a representative, who, together with the representative of the licensor and the representative of the person asking for a license or for equal treatment, shall constitute a committee of arbitration. Such committee is hereby authorized to revise or otherwise prescribe the fees or royalties which the said combination of copyright owners may collect from the aggrieved person in return for the grant or license, said fees and conditions to be such as to prevent discrimination.

"If such combination of copyright owners shall refuse to appoint a representative for arbitration on the request of any party aggrieved as aforesaid, the aggrieved party may petition the Supreme Court of the District of Columbia for an order directing that such arbitration proceed as hereinbefore provided. Ten days' notice in writing of such application shall be made upon the defaulting party and a certified copy of such notice shall be served upon the Federal Trade Commission, which, for purposes of accepting service thereof, shall be deemed its agent. Any petition to the court hereunder shall be made and heard in the manner provided by law for the making and hearing of motions, except as otherwise herein expressly provided."

March 12, 1932

SIROVICH BILL INTRODUCED

Chairman Sirovich (D) New York, chairman of the House Committee on Patents and Copyrights this week introduced a bill (HR 10364) to revise the present Copyright Act of 1909.

The chairman has been holding extensive hearings on the subject of copyright law revision and coincident with the introduction of his bill he issued the following statement:

"For the past 10 years the question of a revision and consolidation of the laws respecting copyright has been before the Committee on Patents of the House of Representatives. Hearings have been held from time to time and progress made in obtaining substantial agreement between the authors and the various industries affected as to a sound and proper basis for a modernized and consistent copyright law.

"During the present session the Committee on Patents has held extended hearings at which there have appeared representatives of all the various groups affected by the copyright law. Where these hearings developed minor conflicts of interest, conferences have been held between the representatives of the interests concerned, and a spirit of helpful cooperation has made it possible to arrive at a common understanding as to the protection necessary for the various industries dealing in copyright property.

"At the hearings before the Committee on Patents it was generally agreed:

1. That our existing copyright system is inconsistent with the constitutional authorization to Congress to secure to authors exclusive rights in their writings in that under the existing system legal title to the copyright in many cases vests in the publisher rather than in the author. This has become of great significance in view of the increased importance of a general international agreement as to the rights of authors in copyrightable material.

"Our authors publish their books abroad, the plays of our dramatists are produced abroad, and much literary material created abroad is used in this country. The existing system of law makes it impossible for this country to enter into the international conventions which would protect the rights of our authors abroad and enable them to secure revenue in other countries from their creative efforts here.

2. The present copyright law is antiquated in the sense that the last revision, enacted in 1909, antedated the development of many of the more important industries using copyright material.

"The motion picture industry and the radio industry in their present-day stage of development were hardly foreseen when the law of 1909 was passed. Even the magazine industry is in its commercial importance and in its relation to the authors in an entirely different stage of development today from that which existed in 1909.

3. The existing system of copyright law contains many drastic penalties which were no doubt appropriate at the time the last act was passed in 1909, but which under modern conditions have ceased to protect the author and yet serve as an invitation to litigation against well-conducted enterprises amounting almost to racketeering.

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SIROVICH BILL INTRODUCED (Continued)

"This copyright law which I am introducing, as chairman of the Committee on Patents of the House of Representatives, is the result of the hearings before the Committee on Patents. It fundamentally revises the existing law of copyright in the following respects:

"1. It puts title to the copyright in the author, the creator of the literary, artistic or scientific work which is the subject matter of the copyright.

"2. The various industries that use a copyright work in any medium or form of expression do so under license from the author; but to the licensees under the author are secured by the terms of the act all the essential rights necessary to protect the interest which they purchase from the author in the copyright work.

"3. The author does not lose his title to the work which he has created through any failure to observe at any particular time the formalities of registration and the giving of notice of copyright. Registration and giving of notice are, however, imposed upon the copyright owner, since the bill deprives him of most of his remedies as to infringements prior to his registration of the copyright work, and the giving of notice, when published, except a limited remedy against infringers.

"4. When an author has complied with the requirements of registration and notice, the proposed act gives him full and adequate remedies against all infringers. Like remedies are given to the licensee under the copyright owner to protect his interest under the copyright owner.

"The remedy clauses of the act have been so revised as to give to the owner available and more effective remedies, while at the same time removing completely the invitation to legal racketeering under guise of protection of the copyright law.

"5. Because of the fundamental changes in the law which placed the copyright in the author and protect the author from complete loss of his rights in the property through delay in complying with formalities, the way is open for this country to join in an international convention as to copyright and so secure to our authors protection throughout the civilized world.

"6. The proposed bill has rearranged and simplified the copyright law so that it will be clear and understandable to the author, composer, or editor.

It is believed that the enactment of the proposed act will represent a great step forward in our statute law as to copyright and will relieve authors and composers, as well as the great business enterprises that deal with copyright property, from burdens and difficulties which now exist, and will greatly facilitate the operations of all those industries which function under the copyright law."

March 12, 1932

COLUMBIA STOCK TRANSFERRED

The following statement was issued by the Columbia Broadcasting System in connection with the acquisition of stock in that company held by the Paramount-Publix Corporation:

"Columbia Broadcasting System announces the purchase of fifty percent of its stock, heretofore held by the Paramount-Publix Corporation, by a group headed by William S. Paley, president of Columbia. This step brings the ownership of the broadcasting system completely into the hands of Mr. Paley and his management, with no interests represented external to the company.

"Associated with Mr. Paley in the purchase is the investment banking house of Brown Brothers, Harriman & Company, who have placed a portion of the stock with interests associated with them, and also with Lehman Corporation, Field, Glone & Company and Herbert Bayard Swope, formerly Executive Editor of the New York World. The participations are for private investment with no public offering contemplated. The directors who have represented Paramount on the Board have resigned, and their places will be filled at the next meeting of the Columbia stockholders, to be held within a month.

"In announcing the reacquisition of the Paramount stock, which was sold to that company in June, 1929, Mr. Paley expressed regret at the severance of a pleasant business relationship, but, at the same time, made known his gratification that Columbia, the largest single broadcasting network in the world, will continue its development under single control.

"Mr. Paley, in association with a small group, bought Columbia Broadcasting System on September 25, 1928, when it had only sixteen station outlets and when it had not yet assumed a very significant role. When he sold a half interest to the Paramount-Publix Corporation, Columbia already had made great strides both in its multiphased service to the radio audience and in the volume of radio advertising entrusted to it. The network now has ninety-one associated stations, spreading its programs from coast to coast and to many foreign countries, and offering to an audience of tens of millions a continually growing variety of classical and popular entertainment, education and instruction."

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ASCAP SEEKING COPYRIGHT ADJUSTMENT

E. C. Mills, general manager of the American Society of Composers, Authors and Publishers, has invited the Copyright Committee to meet with him in an effort to settle the troublesome question of music license fees. Before the death of J. C. Rosenthal, Mills' predecessor, one meeting was held but no solution was reached.

President Shaw this week named Paul W. Morency, WTIC, as chairman of the NAB Copyright Committee, instead of A. L. McCosker, WOR, who asked to be relieved because he felt he could not give sufficient time to the work. Mr. Morency and Mr. Mills will probably confer upon a date for the conference between the NAB and the ASCAP.

In the meantime the Society is renewing all licenses, in most instances restoring the original expiration dates.

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SUPPLEMENTAL RCA SUIT FILED

The Attorney General of the United States on Monday filed with the District Court at Wilmington, Del. an amended and supplemental petition in the case brought by the United States against the Radio Corporation of America and its associates.

The following statement was issued at the Department of Justice:

"Three new defendants were added because of these allegations, viz International General Electric Company, Westinghouse International Electric and RCA Communications, Inc. The National Broadcasting Company is also added as a party defendant. The petition alleges that this defendant is owned by the Radio Corporation of America, the General Electric Company and the Westinghouse Electric and Manufacturing Company and that it was organized for the purpose of restraint of competition in the business of nationwide broadcasting.

"Negotiations have been continued for some time between the defendants and the Government and between the defendants themselves with regard to the possibility of creating an open patent pool which would obviate the trial of some of the important issues of the case. The filing of the amended bill does not mean that these negotiations have been broken off but the Government has been going on with its preparations for trial pending the outcome of these negotiations with the purpose of having the case heard this Spring and the filing of the amended bill is in line with these preparations."

Sometime ago the Department of Justice was advised by the District Court at Wilmington that the case would be dropped from the court docket unless there was some action taken by the Department before March 8, 1932.

Following the filing of the suit the Radio Corporation of America issued a statement from which the following is an excerpt:

"The present suit was instituted after the Department had won a decision in the lower court against certain gasoline companies which had executed so-called patent pooling agreements. After this decision was reversed in 1931 by the Supreme Court of the United States, active negotiations were had between representatives of the defendants and of the Department of Justice, looking toward a settlement of the radio litigation. In the course of these negotiations the representatives of the Department of Justice pointed out in detail features of the existing situation to which they took exception. While not agreeing with the Department as to the validity of its criticisms this Corporation expressed its desire to cooperate by altering in so far as was practicable, the arrangements which the Department criticized, irrespective of how such arrangements might eventually be regarded by the courts should the litigation be carried to final judgment.

"In carrying out this program, the Radio Corporation is in course of withdrawing from participation in the General Motors Radio Corporation, has changed its contractual relations with the United Fruit Company, has amended certain of its international traffic agreements and it gave favorable consideration to the creation of an 'open patent pool' which was suggested by the Department. All this was done to the end that prolonged and expensive litigation might be avoided, that the cost of such litigation might be saved to the Corporation's shareholders and the Government, that the energies of the officers and experts of the companies concerned might be devoted to constructive work in the interest not only of these

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SUPPLEMENTAL RCA SUIT FILED (Continued)

companies and their stockholders but as well in the interest of the radio industry as a whole, all in the hope that stable conditions might early be brought about in the radio industry, which has suffered as few industries have from present economic conditions.

"The amended and supplemental petition just filed by the Department makes issue of and seeks an injunction against some of the very arrangements altered to meet the Government's views. As to two of the corporations, parties defendant to the original complaint, the arrangements to which the Government made objections, are being changed to meet the Government's views. Also other features have been changed to meet the Department's views, but despite this they are still the subject of attack in the new petition which the Department has just filed.

"In view of all these circumstances we are unable to understand the action of the Department in persisting in doing unnecessary things and making unnecessary charges particularly in times of great business depression and even when there is and long has been great competition -- more than adequate from every point of view -- in the radio industry. The Department's demand for additional competition came when there were so many competitors in the field that over-production and cut-throat competition threatened the entire industry. This is even more true today, when surveys show that there now exist in the country radio plants with a capacity of approximately 25,000,000 radio sets per year while the market is estimated at approximately 3,000,000 sets per year, when prices for merchandise are lowest in the history of the industry and when few, if any, companies engaged in the manufacture and sale of radio devices are able to earn a profit on their business.

"The Radio Corporation of America and its associated companies, defendants in this case, together are doing less than 20% of the total business in radio receiving sets and less than 40% of the total business in radio tubes. It could hardly be contended that a monopoly is thereby threatened or that trade is thereby restrained."

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PROGRAM MANAGEMENT CHANGED

A new program arrangement between the Westinghouse stations, KDKA, WBZ, KYW and ~~WBZA~~ has been worked out with the National Broadcasting Company, according to an announcement made public this week. The new arrangement pertains to scheduling of programs over these stations and does not affect the ownership of the stations.

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BROWN STILL UNCONFIRMED

The nomination of Col. Thad Brown to become a member of the Federal Radio Commission came up in the Senate this week but was passed over at the suggestion of Senator Couzens, chairman of the Senate Interstate Commerce Committee who has been objecting to Brown's appointment. Senator Watson of Indiana inquired of Senator Couzens when he would be ready to have the nomination considered by the Senate and the Michigan Senator replied that he was not prepared to state.

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March 12, 1932

ATTACKS COMMERCIAL BROADCASTERS

Joy Elmer Morgan, editor, Journal of the National Education Association, in a speech before the Department of Elementary School Principals during the convention of the Association in Washington, said:

"Does your state have a radio station owned and operated by an educational institution and fully coordinated with the entire educational system of the state?" Education by radio has now established itself. There is no question as to its possibilities. It is used not only for informal educational activities but has also shown large possibilities as a means of direct instruction in the fundamental school subjects. In America we have allowed this new resource to fall almost exclusively into the hands of commercial interests seeking to destroy freedom of speech on the air. We have assigned to the two leading monopoly groups more than ten times as many radio channel units as we have allowed all educational stations taken together. Are you familiar with this problem? This is a matter too vital to leave entirely in the hands of greedy or commercial groups."

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SLANDER BILL PASSED

The Hickey bill, defining slander by radio and making the dissemination of such slander a misdemeanor, was passed by the New York State Senate this week. The bill in its original form was objected to by the National Association of Broadcasters and the bill which was passed by the Senate incorporated all of the major amendments offered by the Association. Under the terms of the measure the individual stations cannot be held criminally liable for defamatory matter which was obtained by or supplied to him from other sources. The bill also exempts broadcasts of "a fair and true report of any judicial, legislative or other public and official proceeding or of any political meeting or other public event, or of any matter uttered by any person who is a candidate for nomination or election to any public office."

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STATE INVESTIGATION PROPOSED

Appointment of a commission of five persons to investigate the subject of broadcasting in the state was authorized under a resolution (HB 1093) accepted in the Massachusetts House and Senate this week. The commission would be directed to "devise ways and means under which the commonwealth shall be enabled to erect radio broadcasting stations with such means of reception of radio broadcasting as will allow the citizens of the commonwealth to have free use of such radio methods, inventions or devices - - for the purpose of free discussion, education or entertainment or other purposes which will maintain inviolate our inalienable right of freedom of speech." The commission is to report at the next annual session.

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SEND IN YOUR QUESTIONNAIRE

Several weeks ago the Office of Education sent questionnaires to all broadcasting stations seeking information on educational broadcasts. The Association is cooperating with the Office of Education in the preparation of a pamphlet which should be of value to both broadcasters and educators and it is important that all questionnaires be returned. A large number of our members have sent in very helpful information. If you have not done so, please send your questionnaire at once.

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EDUCATION BY RADIO

Replies from educational institutions located in the Worcester, Mass. area in response to a questionnaire sent out by Ted Hill, director of Station WORC-WEPS, show conclusively that these institutions believe existing broadcasting stations should be used in connection with educational broadcasting work.

The first question asked was:

1. Is it your opinion that radio broadcasting is adaptable to the presentation of educational subjects?

Clark University, Assumption College, Worcester Academy, Worcester Polytechnic Institute and Holy Cross College replied in the affirmative.

2. In your opinion, is the general public interested in strictly educational programs?

Clark University, Assumption College and Holy Cross answered in the affirmative and Worcester Polytechnic Institute, and Worcester Academy in the negative.

3. Do you believe that the programs now broadcast (by this station for example including "Columbia's Public Affairs Institute," "American School of the Air," and other features dealing with music appreciation, chemistry, sociology, etc. occupy a sufficient amount of broadcast hours to meet the needs of those interested in educational programs?

Assumption College and Worcester Academy answered in the affirmative, the latter volunteering the opinion that there should be more music. Holy Cross stated more time should be utilized during evening hours and the other two institutions ventured no answer.

4. Should it be your opinion that more time should be devoted to educational programs, do you believe that existing stations should be used for the purpose (provided that such time is donated by the stations) or that stations whose time is devoted exclusively to educational programs would better serve the purpose?

"Ideally, a station whose entire efforts went into educational programs should be able to carry out its purpose better. I believe however that existing stations can be used very effectively." -- CLARK UNIVERSITY.

"Existing stations should be used for the purpose." -- ASSUMPTION COLLEGE.

"The programs now broadcast probably meet the needs of those who are interested in educational programs. I do not believe we need more stations for any purpose." -- WORCESTER ACADEMY.

"Very, very doubtful in our opinion." -- WORCESTER POLYTECHNIC INSTITUTE.

"To my mind the present stations are suitable for the broadcasting of educational programs and should be used in preference to new stations for educational programs exclusively." -- HOLY CROSS COLLEGE.

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EDUCATION BY RADIO (Continued)

5. Would the institution, of which you are the head, be interested, at present or in the near future, in presenting a series of educational programs, either as an individual institution or in collaboration with others, provided the broadcast time is made available to you without charge?

Clark University was not interested in any extensive program but expressed the belief that a series of ten programs could be arranged.

Assumption College was "willing to do its bit."

Worcester Academy was interested.

Worcester Polytechnic was not interested.

Holy Cross said it could not participate.

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LAUDS BROADCASTERS' ETHICS

The magazine BROADCASTING will publish in the forthcoming issue an interview with William E. Humphrey, chairman of the Federal Trade Commission, on the subject of radio advertising. The magazine will say:

"In the face of all the propaganda stirred up against commercial radio comes glowing tribute to the broadcasting industry from the Federal Trade Commission for the basic "quality and integrity" of its advertising and the ready willingness of stations to cooperate in the elimination of the questionable matter.

"William E. Humphrey, chairman of the Commission, which is known as one of Uncle Sam's most 'hard-boiled' agencies, disclosed that not since the advent of broadcasting has it been necessary for the Commission to issue a formal complaint against a station. The Commission has dipped into broadcasting several times, he said, but the stations involved without exception have voluntarily thrown out the questioned accounts in advance of formal Commission action."

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TO COMPLETE NAB SECTIONS

Quite a few members have not designated representatives for the Engineering, Commercial and Program Sections of the National Association of Broadcasters. If you are one of those who has not sent in this information please use this form (attached) and mail it immediately. Programs for these sections are now being worked out.

Each member station is entitled to one membership in each of these sections.

FILL OUT THE ATTACHED FORM, TEAR IT OUT, AND MAIL IT AT ONCE!

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Philip G. Loucks, Managing Director
National Association of Broadcasters
National Press Building
Washington, D. C.

Dear Sir:

Our station desires to name the following delegates
to serve on the newly created sections of the NAB.

Commercial Section _____

Title _____

Engineering Section _____

Title _____

Program Section _____

Title _____

Cordially yours,

(Signed) _____

(Station) _____

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COURT SUSTAINS WFI DENIAL

In an opinion made public this week the Court of Appeals of the District of Columbia sustained the decision of the Commission denying authority of Station WFI, Philadelphia, Pennsylvania, operated by Strawbridge & Clothier, to increase power from 500 to 1000 watts. Station WFI is licensed to operate on 560 kc sharing time with Station WLIT.

The Court, after declaring its jurisdiction was limited under the Radio Act to questions of law rising from decisions of the Commission, said: "Appellant contends that the commission erroneously interpreted the provisions of the act of March 28, 1928 (c. 263, 45 Stat. 373), known as the Davis Amendment, which provides that the licensing authority shall as nearly as possible make and maintain an equal allocation of broadcasting licenses, of bands of frequency or wave lengths, of periods of time for operations, and of station power, to each zone when and in so far as there are applications therefore; and that, 'the licensing authority shall carry into effect the equality of broadcasting service hereinbefore directed, whenever necessary or proper, by granting or refusing licenses or renewals of licenses, by changing periods of time of operation, and by increasing or decreasing station power, when applications are made for licenses or renewals of licenses.' It is insisted that because Philadelphia is in an underquota State and an underquota zone it was the duty of the Commission to reduce the power assignments of WQAM, WIBO, and WNOX (Now licensed to operate on the same frequency as WFI) to an extent that would avoid any interference caused by the granting of the appellant's application. In the present case the commission has found that Philadelphia is now receiving good broadcasting service and that the granting of appellant's application would not materially better that service, but would materially affect the service of other stations. Appellant has entirely failed to prove that the reduction of power of the stations at Miami, Fla; Chicago, Ill; and Knoxville, Tenn., operating on the same frequency would be to the public interest, convenience or necessity. We are constrained to affirm the decision."

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COURT UPHOLDS COMMISSION RULING

In deciding the appeal brought by Station WOW, Omaha, Nebr., on February 29th, the Court of Appeals of the District of Columbia has recognized the classification of regional and local stations. Station WOW, operated by the Woodmen of the World Life Insurance Association, appealed the decision of the Commission, denying its request for unlimited time, after the Examiner had made such a recommendation. The Omaha station is licensed to share time with Station WCAJ, Nebraska Wesleyan University, Lincoln, Nebr., on 590 KC.

After reviewing the services rendered by both stations, the Court said;

"If the time now allotted to WCAJ is taken from that station and granted to WOW, the former station will be eliminated unless concurrently some other time is allotted to it. The present case makes no provision for that contingency and the Commission states in its decision that the granting of the appellant's application 'would require the forfeiture of the entire assignment now used by the respondent.'

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COURT UPHOLDS COMMISSION RULING (Continued)

This is doubtless based upon the fact that the State of Nebraska is already over-quota on regional and local channels, and if the appellant's application be granted the Commission would be compelled either to make another assignment to WCAJ in Nebraska or delete the station. The former course would work a violation of section 9 of the Radio Act of 1927, known as the Davis Amendment, and of the Commission's General Order 92 promulgated there-under. It is true that station WOW would be benefited by such an arrangement, but it is doubtful whether the public would be substantially benefited thereby. And as we said in CHICAGO FEDERATION OF LABOR v. FEDERAL RADIO COMMISSION, 59 App. D. C. 333. 'The cause of independent broadcasting in general would be seriously endangered and the public interest correspondingly prejudiced, if the licenses of established broadcasting stations should arbitrarily be withdrawn from them and appropriated to the use of other stations.' The respective stations have performed useful public service, and doubtless can continue to do so, under the present allocation."

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CORRECTION

In outlining the action of the Commission, granting a renewal of license to Station WMBC, Detroit, Mich., last week, the BULLETIN stated the recommendation of Chief Examiner Yost was reversed by this decision. The statement should have been made that this action sustained the recommendations of the Examiner in Report No. 242.

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STILL AFTER US

The following editorial was published in the February 26 issue of the VENTURA FREE PRESS:

"It will interest you to know that the National Association of Broadcasters is vigorously opposing the automatic copyright bill. It took the same position last session, claiming that it sees 'pitfalls for the infringer' in the plan offered by the American Society of Authors, Composers and Publishers. The N. A. B. (ominous combination of letters, this) would let nabbers of copyright material off without penalty of any sort if the nabbing could be proved to be 'innocent infringement.' Keep your eyes on the wants, desires and wishes of N. A. B."

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MASSACHUSETTS BILLS KILLED

The Niles bill providing for the erection of a state broadcasting station to be located in Faneuil Hall (House Bill 809) was killed in both the House and Senate of the Massachusetts legislature.

Following an adverse committee report, the Murphy bill (S 156) providing for the construction of a short wave educational broadcasting station was killed in the House of the Massachusetts legislature.

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RECOMMENDS DENIAL KANSAS TELEVISION

Due to failure of the applicant to properly sustain the burden of proving its application for a new television station would be in the public interest, Examiner Pratt this week recommended denial of the request seeking visual broadcasting facilities, filed by Kansas State College of Agriculture, Manhattan, Kan., operators of broadcast station KSAC. The Report, No. 341, found the applicant was sufficiently qualified technically as well as financially, to erect the proposed station. The recommendation concluded, however, that no frequency was designated in the application, nor was the proposed program of research and development sufficiently definite, that assurances could be had that there would be any substantial contribution made toward the advancement of television transmission and reception.

According to the report, experiments in television have been conducted by the applicant for more than a year, and in October 1931, a television receiver using a superheterodyne circuit was installed. It is said this is the first receiver employing the superheterodyne principle and uses the circuit described in a paper read before the American Institute of Electrical Engineers at Kansas City, Mo., in October of last year.

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URGES DENIAL ILLINOIS-WISCONSIN MOVE

Finding the City of Racine, Wisconsin, now receives an abundance of broadcast service from outside stations and from Station W R J N, located in that community, Examiner Hyde (Report No. 342) this week recommended denial of the application of Station WJBC, La Salle, Ill., to move the station to Racine. According to the evidence the Examiner found the present operators of the La Salle have a tentative agreement with the publishers of the Racine Times-Call to take over the operation of the station if the Commission grants the pending application. The application for assignment of the license has not been filed with the Commission.

In the same Report, the Examiner also recommended denial of the application of Station WRJN to increase its day power to 250 watts. This decision is based on the possibility that the requested increase might cause interference with Stations WGES, Chicago and WJES, Gary, Ind., both stations now sharing time on 1360 kc with 1 KW, and 10 kc removed. The separation is less than that recommended by the Engineering Division of the Commission.

Station WRJN is operated by the publishers of the Racine Journal-News, with studios located in the Hotel Racine.

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W M C A TRANSMITTER MOVE APPROVED

Acting on Examiner's Report No. 323, the Commission this week granted the application of Station WMCA, New York City to move the station transmitter from Hoboken, N. J. to Flushing, N. Y. This decision sustained the recommendation of Examiner Hyde. The conclusions of the Commission stated the removal of the Transmitter "would result in substantial improvement of the quality and strength of the signal delivered by this station throughout the general New York City area. It would also be expected to extend the present good service area of WMCA to include the populous northern districts of the City of New York in which good service from this station is not now received." It was further found the proposed removal would not create any additional interference to existing stations.

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APPLICATIONS RETURNED

During the current week the Commission returned the following applications either at the request of the applicants, or for the reason they did not comply with regulations:

1-ML-B-936 & 1-P-B-2450	WAAT	Bremer Broadcastg. Corp. Jersey City, N. J.	Increase power to 500 watts. (Rule 6 c.)
5-APL-B-9	KGEW	City of Fort Morgan Fort Morgan, Colo.	Voluntary assignment of license to Sherwood H. Patterson. (Request of applicant).
5-P-B-2451	NEW	Copper Electric Co. Inc. Cochise, Ariz.	Construction permit for new station at Bisbee, Ariz., on 1110 kc., (Rules 6a & 117 & 146).

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LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations: WDOD, Chattanooga, Tenn.

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ASSIGN TELEVISION CALL LETTERS

Two new members were initiated into the small family of television stations scattered over the United States as the Commerce Department's Radio Division issued call signals to W8XF at Pontiac, Michigan, and W8XL at Cuyahoga Heights Village, Ohio, Director W. D. Terrell announced today. The signals were issued to the broadcast stations WJR and WGAR respectively.

The addition of these two television stations marked the most active day in the history of the Radio Division as far as this class of work is concerned, and brought the total of such stations to 27.

Director Terrell pointed out that all television stations are considered experimental, and also that the operators are, as a usual thing, very careful to observe regulations.

"There may come a time," said Director Terrell, "when it will become necessary for the Department of Commerce to install apparatus on its radio test cars to pick up the images being broadcast by the television sets. Any digression from the band assigned television stations may now be observed with regular apparatus."

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APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 & 45 which permit the filing of proper protests within twenty days from the date of the action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
NEW	Granite State Broadcasting Corp. Portsmouth, N. H.	Granted CP for new station to operate on 740 kc, 250 watts, daytime hours.
WAGM	Aroostook Brdcstg. Corp. Presque Isle, Me.	Granted license covering erection new station 1420 kc; 100 watts.
WHN	WHN Radio Brdcstg. Corp. New York City	Granted 60 day extension spec. auth. to make field intensity measurements to determine new site.
WEVD	Debs Memorial Radio Fund New York City	Granted Mod. C. P. extending comp. date to May 1, 1932
<u>SECOND ZONE</u>		
WASH	Kunsky-Trendle Brdcstg. Corp. Grand Rapids, Mich.	Granted Mod. of Lic. covering authority to use transmitter and studio of WOOD.
<u>THIRD ZONE</u>		
WSB	The Atlanta Journal Co. Atlanta, Ga.	Granted extension of 30 days to make field survey for location of new site of transmitter.
WQAM	Miami Broadcasting Co. Miami, Fla.	Granted auth. use auxil. trans. pending final action on renewal application.
<u>FOURTH ZONE</u>		
WEBC	Head of the Lakes Brdcstg. Co. Superior, Wisc.	Granted permission to make field intensity measurements in the metropolitan area of Superior, for purpose of determining a new site for transmitter of WEBC.
<u>FIFTH ZONE</u>		
KSEI	Radio Service Corp. Pocatello, Idaho	Granted CP to make changes in eqpt. and increase daytime power from 250 to 500 w.
KGEW	City of Fort Morgan Fort Morgan, Colo.	Granted Mod. C. P. extending comp. date to June 8, 1932

March 12, 1932

APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

KMJ	James McClatchy Company Fresno, California	CP to move transmitter from 1500 Block Van Ness, corner Calavaras, Fresno to a location to be determined by use of portable; change frequency from 1210 to 580 kc, increase power from 100 to 500 watts, and change equipment.
KDYL	Intermountain Broadcasting Company Salt Lake City, Utah	Temporary license granted and application for renewal designated for hearing because facilities have been applied for.
WJAS	Pittsburgh Radio Supply House Pittsburgh, Pennsylvania	Request modification of license change frequency from 1290 to 1020 kc; increase power from 1 KW; $2\frac{1}{2}$ KW LS, to 5 KW. (Facilities of Station KYW, Chicago, Ill.)

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APPLICATIONS DISMISSED

During the current week, the Commission dismissed the following applications at the request of the applicant:

2-FB-146	John Brownlee Spriggs Washington, Pennsylvania	WNBO	Automatic frequency control.
4-FB-2258	Iowa Broadcasting Company Clarinda, Iowa	KSO	C. P. to move to Des Moines

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RENEWALS GRANTED

During the current week the Commission granted renewal applications of the following stations for the regular period of six months:

WAAT, Jersey City, N.J., WACO, Waco, Tex., WBRC, Birmingham, Ala., WCAM, Camden, N.J., WCAP, Asbury Park, N. J., WCSH, Portland, Maine, WDAY, Fargo, N. D., WDBJ, Roanoke, Va., WDBO, Orlando, Fla., WDOD, Chattanooga, Tenn., WDSU, New Orleans, La., WDAE, Tampa, Fla., WEBC, Superior, Wis., WFBM, Indianapolis, Ind., WFBR, Baltimore, Md., WHN, New York, WIBA, Madison, Wis., WIS, Columbia, S.C., WLBW, Oil City, Pa., WNAC-WBI Boston, WODA, Paterson, N.J., WRC, Washington, D.C., WREN, Lawrence, Kans., WRNY, New York, WSBT, South Bend, Ind., WTAW, College Station Texas, WTOG, Savannah, Ga., WXYC, Detroit, Mich., KFIO, Spokane, Wash., KFKU, Lawrence, Kans., KFQD, Anchorage, Alaska, KGBZ, York, Neb. KGCU, Mandan, N.D., KGCM, Albuquerque, N.M., KGHL, Billings, Mont., KOIL, Council Bluffs, Iowa, KOIN, Portland, Ore., KOL, Seattle, Wash., KRGV, Harlingen, Tex., KROW, Oakland, Calif. KRSC, Seattle, Wash., KTAT, Fort Worth, Tex., KTRH, Houston, Tex., KTSA, San Antonio, Tex., KVOR, Colorado Springs, Colo., KWVG, Brownsville, Tex., KYA, San Francisco, WDEL, Wilmington, Del., KFBB, Greate Falls, Mont., KFOX, Long Beach, Calif., KLPM, Minot, N.D. and KQW, San Jose, California.

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March 12, 1932

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following action of a miscellaneous nature:

KGCCX	First State Bank of Vida Wolf Point, Mont.	Granted special authority to operate unlt'd. time March 10, 11 and 12, 1932.
WSAI	Crosley Radio Corp. Cincinnati, Ohio	Granted auth. operate with daytime power from 2 to 2:30 a. m. March 12th to determine transmission characteristics.
KSOO	Sioux Falls Brdcstg. Assn. Sioux Falls, S. D.	Granted auth. operate simultaneously with Station WRVA, Richmond, Va., on March 11 and 12 to broadcast basketball games.
KVI	Puget Sound Brdcstg. Co. Tacoma, Wash.	Granted auth. operate simultaneously with Station WJZ, New York City on March 10 to 13 inclusive, between 8 and 10:00 p. m.
KGCU	Mandan Radio Assn. Mandan, N. D.	Granted auth. operate special authorized hours on March 12th.
KLPM	John B. Cooley Minot, N. D.	Granted auth. to operate special hours on March 12th.
KTAB (now KABC)	The Associated Brdcsters, Inc. San Francisco, Cal.	Application for renewal of license set for hearing because of certain programs broadcast over this station and for failure to announce phonograph records.

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CONSTRUCTION APPLICATIONS RECEIVED

During the current week the Commission received applications requesting authority to make changes in equipment or install automatic frequency control, from the following stations: WPC, Washington, D. C; KMOX-KFQA, St. Louis, Mo; WLTH, Brooklyn, N. Y; WBBC, Brooklyn, N. Y; WJBU, Lewisburg, Pennsylvania; WEBG, Altoona, Pennsylvania; WMAZ, Macon, Ga; KFSD, San Diego, Calif; KID, Idaho Falls, Id.

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March 12, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, March 14, 1932. All hearings commence at 10 a. m.

MONDAY, March 14, 1932

ORAL ARGUMENT BEFORE COMMISSION EN BANC

Docket #1315 NEW Midwest Wireless Company, Inc. 18 Applications for CP's for
Cleveland, Ohio new stations.

Representing Applicant: L. C. Hinslea
Representing Radiomarine Corporation of America, Respondent:
Frederick Leuschner & Frank W. Wosencraft

Docket #1388	WCY	Radiomarine Corp. of America West Dover, Ohio	Lic. for addl. serv.	177 kc 750 w Unlimited time
	WGO	Radiomarine Corp. of America Chicago, Illinois	Lic. for addl. serv.	177 kc 750 w Unlimited time
	WRL	Radiomarine Corp. of America Duluth, Minnesota	Lic. for addl. serv.	1 KW
	WBL	Radiomarine Corp. of America Buffalo, New York	Lic. for addl. serv.	750 w

Representing Applicant: Frederick Leuschner and
Frank W. Wosencraft

Representing Respondents, Midwest Wireless Company, Inc.
and Central Radio Telg. Company,
L. C. Hinslea

TUESDAY, March 15, 1932

BROADCASTING

Docket #1344	KSO	Iowa Broadcasting Company Clarinda, Iowa	Mod. Lic.	1380 kc 500 w Simultaneous daytime operation with WKBH; THEREAFTER, 7 to 8 PM, 9 to 10, 11 to 12. Present Assignment: 1380 kc, 500 w Shares with WKBH
Docket # 1366	WKBH	WKBH, Inc. LaCrosse, Wisconsin	Mod. Lic.	1380 kc 1 KW Simultaneous operation with KSO until LS at Clarinda, Iowa, Dividing thereafter. Present Assignment: 1380 kc 1 KW Shares with KSO
Docket #1544	WMT	Waterloo Broadcasting Company Waterloo, Iowa	C. P.	600 KC 500 W Unltd. tir (Requests autho. to move to Des Moin. Present Assignment: 600 kc 250 w 500 w. Exp. unlimited time
Docket #1551	WMT	Waterloo Broadcasting Company Waterloo, Iowa	Ren. Lic.	600 kc 250 w. 500 w Unlimited time Exp.

March 12, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC</u>	<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-MLB-972		WGBB	Harry H. Carman Freeport, N. Y.	Mod. Lic. increase hours operation (Facilities of WMRJ)
<p>The applicant is now licensed to operate with 100 watts on 1210 kc, sharing time with Stations WJBI, WCOH and WMRJ. The granting of this application would not increase the quota.</p>				
1-PB-2497		WMBO	WMBO, Inc. Auburn, N. Y.	C. P. move transmitter locally
1-MLB-971		WHEC	WHEC, Inc. Rochester, N. Y.	Mod. Lic. change from sharing with WOKO to unlimited time. (Synchronize with WOKO, WHP and WCAH).
<p>The regular assignment of the applicant is on 1440 kc sharing with Station WOKO, Albany, N. Y. For some time this station and three others have been conducting matched crystal synchronization experiments on 1430 kc. This application would indicate the station is seeking to have the 1430 kc assignment made permanent.</p>				
1-R-A-38		W2XAL	General Electric Co. So. Schenectady, N. Y.	Renewal of Relay broadcasting license for 15330 kc. 25 KW.
1-R-S-E-225		W2XH	American Radio News Corp. New York, N. Y.	Renewal of spec. experimental license for 95,99 kc. 750 watts.
1-R-A-39		W2XAF	General Electric Co. So. Schenectady, N. Y.	Renewal of Relay broadcasting license for 95 30 kc. 40 KW.
1-P-F-126		W2XCD	DeForest Radio Co. Passaic, N. J.	Construction permit for 2000-2100 1550 kc. 5 KW. Experimental visual broadcasting.
1-M-P-A-18		W2XE	Atlantic Broadcasting Corp. Nr. Wayne, N. J.	Modification of construction permit for new transmitter, add'l frequencies of 11830, 15270 kc. Exp. Relay Broadcasting service.
1-R-A-41		W1XAZ	Westinghouse Elec. & Mfg. Co. E. Springfield, Mass.	Renewal of Relay broadcasting license for 9570 kc. 1 KW.
1-P-B-2335		NEW	Boston Herald--Traveler Corp., Boston, Mass.	Construction permit amended to request 100 w. 250 w. LS, $\frac{1}{2}$ time instead of 100 watts, unlimited time on 1500 kc.

March 11, 1932

APPLICATIONS RECEIVED (Continued)

SECOND ZONE

2-R-F-135	W8XAV	Westinghouse Elec. & Mfg. Co. E. Pittsburgh, Pa.	Renewal of visual broadcasting license for 2100 to 2200 kc. 20 KW.
2-R-A-40	W8XK	Westinghouse Elec. & Mfg. Co. E. Pittsburgh, Pa.	Renewal of relay broadcasting license for 6140, 9570, 11870, 15210, 17780, 21540 kc. 40 KW.
2-MLB-970	WHP	WHP, Inc. Harrisburg, Pa.	Mod. Lic. change from sharing with WBAK to unlimited time. (Synchronize with WCAH WOKO and WHEC).

The regular assignment of the applicant is on 1430 kc sharing with Stations WCAH, Columbus, Ohio, and WBAK, Harrisburg, Pennsylvania. For some time this station and three others have been conducting matched crystal experiments on 1430 kc. This application would indicate the station is now seeking authority to have the assignment made permanent.

2-MLB-369	WCAH	Commercial Radio Service Co. Columbus, Ohio	Mod. Lic. change from sharing with WBAK and WHP to unlimited time. (Synchronize with WCAH, WOKO and WHEC).
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The application should be considered in connection with the one immediately above filed by station WHP, Harrisburg, Pennsylvania.

2-ALB-421	WALR	Roy W. Waller Zanesville, Ohio	Vol. assgn. Lic. to WALR Broadcasting Corp.
2-PB-2499	NEW	H. Verne Spencer Jeanette, Pennsylvania	C. P, erect new station on 930 kc; 100 watts; daytime.

The closest stations to the proposed location are Station WIBG, Elkins Park, Pennsylvania, approximately 185 miles distant operating with daytime power of 25 watts and Station WDBJ, Roanoke, Virginia, approximately 250 miles distant, operating unlimited time with 250 watts night and 500 watts daytime. The granting of the application would increase the quota. The Second Zone is under quota; Pennsylvania is under quota.

2-MP-B-314	WHAS	The Courier-Journal Co. & The Louisville Times Co. Louisville, Ky.	Modification of construction permit for 25 KW. Request approval of proposed transmitter.
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THIRD ZONE
(Next Page)

March 12, 1932

APPLICATIONS RECEIVED (Continued)

THIRD ZONE

3-MP-B-311	KFYO	Kirksey Bros. Abilene, Texas	Modification of cons. permit to move transmitter to 2312 Fifth St. Lubbock Texas, instead of Texas Tech Campus.
3-MP-B-313	WSMB	WSMB, Inc. New Orleans, La.	Modification of cons. permit to request approval of proposed transmitter location at 901 Canal Street, New Orleans, La.
3-MP-B-309	WCAI	Southern Equipment Co. San Antonio, Texas	Extend completion date of construction permit to install auxiliary transmitter to 5-28-32.
3-PE-2498	NEW	Boyd Swallow Radio Shop Baxter, Tenn.	C. P. erect new station on 600 kc; 2 watts; limited time.

The closest station to the proposed location is Station WOAN-WREC, Memphis, Tennessee, operating unlimited time with power of 500 watts. The power requested is less than that usually recommended for regional service. The granting of the application would increase the quota.

3-AL-B-422	KFJZ	Ralph S. Bishop Fort Worth, Texas	Voluntary assignment of license to Fort Worth Broadcasters, Inc.
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FOURTH ZONE

4-R-F-134	WXXAP	Nat'l Broadcasting Co. Inc. Chicago, Ill.	Renewal of visual broadcasting license for 2100-2200 kc. 2.5 KW.
4-AL-B-420	WJJD	Supreme Lodge of the World Loyal order of Moose, Mooseheart, Ill.	Voluntary assignment of license to WJJD, Incorporated.
4-MP-B-310	WLBL	State of Wisconsin--Dept. of Agriculture & Markets Stevens Point, Wisconsin	Extend completion date of construction permit for local transmitter move and new equipment to 5-1-32.
4-P-B-2502	WDAY	WDAY, Incorporated Fargo, N. D.	Construction permit to move transmitter locally and install new equipment.

FIFTH ZONE

5-P-B-2495	KOB	New Mexico College of Agriculture & Mechanic Arts State College, New Mexico	C. P. to install new transmitter and decrease operating power from 20 KW to 10 KW.
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BROADCASTERS' NEWS BULLETIN

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

March 19, 1932.

LEGISLATIVE DEVELOPMENTS

The Senate Interstate Commerce Committee voted a favorable report on the Davis Bill with a number of amendments including one imposing license fees on stations.

The Hatfield subcommittee of the Senate Interstate Commerce Committee held hearings on the Hatfield Bill giving organized labor a clear channel.

President Shaw, president of the NAB, appeared before the Hatfield subcommittee, and objected to the labor bill.

The House Ways and Means Committee named a subcommittee to consider the amendment to the revenue bill submitted by the NAB which would exempt broadcasting stations from the 10 per cent tax on telephone lines.

The Sirovich Patents and Copyrights Committee announced hearings on the Sirovich copyright bill just introduced.

The Senate confirmed the appointment of Thad H. Brown as a member of the Radio Commission.

The Federal Radio Commission decided to submit additional testimony before the Hatfield subcommittee on the labor bill.

And these are busy days around NAB headquarters.

March 19, 1932.

REPORT DAVIS BILL WITH AMENDMENTS

The Senate Interstate Commerce Committee on Friday reported favorably the Davis Bill (HR 7716) with several important amendments.

The Davis bill, which passed the House, makes several minor changes in the Radio Act of 1927 and also places broadcasting stations on the same basis as the press with respect to lotteries.

The principal changes in the bill as it has passed the House, which were voted by the Senate Committee (and which have not yet been drafted) are as follows:

1. Guam and American Samoa are made subject to the jurisdiction of the Federal Radio Commission and the Navy's plea for jurisdiction was rejected.
2. The appeals section (Section 16 of the present law) was amended to conform with the wording of the appeals section of the Couzens Communications Bill (S. 6 Seventy-Second Congress). This section makes little change from the present procedure with respect to the method of deciding cases by the Commission or the filing of appeals in the courts.
3. The section of the present law relating to alien ownership of stations was amended to permit 1-5 stock ownership or board representation by foreigners.
4. An amendment making it mandatory upon broadcasting stations to allow any speaker for a political candidate to have a chance to answer his opponent on the same station. This is a substantial change from the present law and greatly liberalizes Section 29. It is not known if stations will be protected with respect to slanderous statements in such speeches.
5. A license fee section offered by Senator Dill which is reported elsewhere in this bulletin. This section is subject to modifications.
6. The bill consolidating the Radio Division of the Department of Commerce with the Commission, which has already passed the Senate, will be made a part of this bill.

The amendments were proposed in general terms and a subcommittee consisting of Senators Couzens, Dill and Pittman was named to put the proposals into final draft.

The Committee last Friday and Saturday (March 11 and 12) held hearings on the measure. Senator White of Maine appeared and offered a number of minor amendments to several sections of the bill and suggested that the provision preventing foreign interests from having control either directly or indirectly in stations licensed by our government would "wreck the International Telephone and Telegraph Company". This company now has four foreign directors on its board of 23 members. Senator White urged that the law be left as it is at the present time.

Senator Dill also expressed opposition to the same provision in the bill.

Frank C. Page, a vice president of the I. T. and T. told the Committee that

March 19, 1932

REPORT DAVIS BILL WITH AMENDMENTS (Continued)

the limitation in the bill would necessitate his company kicking off four members from the board and this, he said, might result in serious retaliation from countries these members represented. He believed the limitation should be held to one-fifth.

During the hearings it was imputed that the Commission was responsible for the recommendation in the bill. This was explained by Duke M. Patrick, assistant general counsel of the Commission, who pointed out that the Commission had recommended the provision only after it had the approval of Congress although it had never been finally enacted.

Captain S. C. Hooper, director of Naval Communications, was given permission to file a brief with the Committee setting forth the views of the Navy Department with respect to certain features of the bill dealing with the extension of the law to Guam and American Samoa.

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10 PERCENT TAX ON LINES

The House Ways and Means Committee held three meetings during this week but failed to act favorably upon the recommendations of the NAB that telegraph and telephone lines used in broadcasting be placed upon the same basis as lines used for the collection and dissemination of news.

At the Thursday session the committee appointed a subcommittee consisting of Chairman Crisp, Rainey and Hawley to consider the proposals submitted by the Association in which both the Columbia Broadcasting System and the National Broadcasting Company joined.

The new revenue bill as reported to the House does not exempt broadcasting lines although lines used by the press are expressly exempted. The Association and the two networks are seeking to have the committee give broadcasting stations the same consideration given to the press.

The bill as it now stands would impose a 10 per cent tax upon all lines used for broadcasting whether the lines are leased for network broadcasting, for remote control pickups or for use between studio and transmitter.

The bill is now being debated in the House and members of the NAB are urged to follow this legislation closely.

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March 19, 1932.

COLONEL BROWN CONFIRMED

The Senate on Friday afternoon, without a record vote, confirmed the nomination of Col. Thad Brown as a member of the Federal Radio Commission.

Col. Brown, who has been serving as general counsel of the Commission, succeeds Judge Ira E. Robinson who resigned last January.

Senator Couzens, chairman of the Senate Interstate Commerce Committee, led the opposition to Brown's confirmation and received the support of Senator Norris of Nebraska and Senator Robinson of Arkansas. Senator Couzens' principal objection to Brown's confirmation was based upon the grounds that he was active in Ohio politics and as Secretary of State some years ago he was dilatory in the handling of motor vehicle registration funds.

Defense of Brown's public record and of his record as general counsel of the Commission was made by Senator Fess of Ohio and Senator Dill of Washington, Senator Walsh of Montana and Senator Smith of South Carolina, also spoke in favor of Brown's confirmation. They refuted the charges which were made by Senator Couzens.

Col. Brown was appointed to the Commission by President Hoover following the resignation of Judge Robinson. Hearings were held on the nomination before the Senate Interstate Commerce Committee during which Senator Couzens made the same charges which he brought before the Senate on Friday. The Committee, nevertheless, voted a favorable report on the nomination 10 to 1, Senator Couzens casting the only opposing vote.

Colonel Thad H. Brown was appointed General Counsel on December 14, 1929 to succeed Bethuel M. Webster, Jr. who resigned.

Colonel Brown was born in Lincoln, Township, Morrow County, Ohio, January 10, 1887. He graduated from Cardington Ohio High School in 1904. An Alumnus of Ohio Wesleyan University, 1909, and an Alumnus of Ohio State University, 1913, being a graduate in the College of Law of the latter University. He was admitted to the practice of law in Ohio in 1912, and had since practiced law in Columbus. Since 1926 he had been a member of the firm of Brown and Reed.

On April 3, 1917, several days before the World War was declared he volunteered his services in the Army and was commissioned a captain on June 12, 1917. Following his discharge from the Army in February, 1919, he was commissioned a Major in the Officers Reserve Corps. He was later appointed Lieutenant Colonel, Infantry, O. R. C. and still later made a Lieutenant Colonel in the Judge Advocate General's Reserve Corps.

Colonel Brown served as Assistant Secretary of the Fourth Ohio Constitutional Convention in 1912. In February, 1920, he was appointed member of the Ohio State Civil Service Commission, where he served as member and chairman until December, 1922. He was elected Secretary of State of Ohio in November, 1922, and later re-elected in November, 1924 by a majority of 521,156.

He was a candidate for Governor of Ohio in 1926, but was defeated at the Republican primaries.

March 19, 1932

ADOPT LICENSE FEE SYSTEM

The Senate Interstate Commerce Committee on Friday adopted an amendment to the Davis Bill (HR 7716) proposing a license fee system for broadcasting stations.

The section, which is subject to revision before being finally put into the bill, is as follows:

"Section 14. Every applicant for a license under the Radio Act of 1927 shall accompany the application with the amount of fee for the license applied for as hereinafter provided and in case the application is finally refused by the Commission, the amount of the fee shall be returned to the applicant.

The fees for licenses shall be as follows:

Anateurs	\$1.00 per year.
Aircraft	10.00 per year.
Experimental	25.00 for each license.
Ship stations	15.00 per year.
Broadcasting	25.00 per unit per year as hereinafter set forth in schedule for broadcasting stations.

Telegraphic, telephonic, both national and international	50.00 for each license.
Television	100.00 " " "
All others	25.00 " " "

Units for broadcasting stations and the fees to be charged shall be reckoned as follows at the rate of \$25.00 per unit.

Each station, basic charge for one year	2 units.
100 watts or less	1 unit
500 watts or less (but more than 100 watts)	2 units
1000 watts or less (but more than 500 watts)	3 units
5000 watts or less (but more than 1000 watts)	7 units
10000 watts or less (but more than 5000 watts)	10 units
25000 watts or less (but more than 10000 watts)	15 units
50000 watts or less (but more than 25000 watts)	25 units
In excess of 50,000 watts, per 1000 watts of such excess in addition	1 unit
Cleared channel, in addition	10 units

The applicant shall accompany the application with an additional fee of \$10.00 as an administrative fee for handling the application. If the Commission grants a license for less than one year for which annual fees are charged, it shall pro rate the fee for the part of the year for which the license is granted."

This amendment, adopted in principle by the Committee, will be whipped into final form by a subcommittee consisting of Senators Couzens, Dill and Pittman and will be reported with the Davis Bill within the next few days.

March 19, 1932

LABOR FIGHTING FOR CHANNEL

The Chicago Federation of Labor this week renewed its fight for a clear channel with 50,000 watts power before a Subcommittee of the Senate Interstate Commerce Committee, determined to secure passage of the measure before the end of the present session.

The Hatfield bill, on which hearings were held, would inject an entirely new principle into the theory of allocation of wavelengths and probably would upset the present broadcast structure.

Confronted with the suggestion that a 50,000 watt station would not cover the entire United States, E. N. Nockels, general manager of Station WCFL, declared that "if Labor is given a cleared channel we will have more than one station."

"Oh, then it is your intention to have stations in different parts of the country and perhaps to connect them up by wire?" Senator Brookhart asked.

"I wouldn't connect them by wire but by air," Mr. Nockels replied.

This testimony revealed that Labor is seeking to establish a network of stations operating simultaneously on the same frequency or perhaps to establish a nationwide system of booster stations. If this is so, the necessary 50 kilocycle separation from other stations will have to be provided throughout the United States. In effect this would mean ten channels rather than one.

The hearings before the Subcommittee were opened on March 15 with Matthew Woll, vice president of the American Federation of Labor; Edward N. Nockels, general manager of Station WCFL, Chicago, Ill.; Timothy Shay, assistant president of the Brotherhood of Locomotive Firemen and Engineers; W. B. Rubin, attorney for WCFL, and John P. Frey, secretary-treasurer of the Metal Trades Department of the American Federation of Labor, testifying.

Mr. Woll stated that the bill had the approval of the American Federation of Labor and asserted that his organization was "greatly aggrieved" by the failure of the Commission to give Labor a cleared channel.

Mr. Nockels reviewed the history of Station WCFL's fight for a cleared channel from July, 1926 down to the present time. He charged the Commission with having granted Labor a cleared channel then reversing its decision. The Commission, he said, had treated Labor unfairly. He told of WCFL's plans for the future and presented photographs of the station's proposed new layout.

The Subcommittee had originally scheduled the NAB for hearing in opposition to the bill for next Thursday but a sudden shift in plans made it necessary for the Association to present its testimony on March 16, the day following Labor's hearing.

The testimony against the measure in its present form was presented by President Shaw who pointed out that the bill gave to Labor a vested right in a frequency excluded it from the policing powers of the Department of Commerce and from the regulations of the Commission with respect to frequency deviation and the like, and rendered its status very doubtful in the event a North American Conference were to be called to settle the allocation differences between this country and Mexico.

March 19, 1932

LABOR FIGHTING FOR CHANNEL (Continued)

Mr. Shaw also pointed out that if Labor were given special privileges under this measure the present theory of granting broadcasting licenses would be destroyed and the bars would be opened for other groups, such as the educators, to come in and claim similar consideration.

Mr. E. J. Flynn, a representative of the Chicago Federation of Labor, attended the hearing and continually questioned Mr. Shaw, although the Association took no part in the hearings on the preceding day.

The Federal Radio Commission, at the request of Chairman Hatfield, submitted answers to a number of questions propounded by the Subcommittee and the answers to these questions were at variance with the testimony of Labor representatives in several important particulars.

Despite the fact that the bill is revolutionary in principle, there seems to be much support for the measure in the Senate. Rumors are current that the bill will be reported favorably to the Senate and there is a likelihood that it will pass.

Because of the importance of this legislation the Commission is requesting an opportunity to be heard and to submit testimony in addition to the data included in response to the subcommittee's interrogatories.

There is a possibility that the Labor bill may be tacked on the Davis Bill in the Senate which would send the whole measure to conference.

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NEW ORLEANS MEETING POSTPONED

The press of important legislative matters in Washington led members of the Board to vote for postponement of the New Orleans regional meeting, originally scheduled to be held this month.

Not a single officer or member of the Board favored a meeting at this time when things are breaking right and left at Capitol Hill.

No definite date has been set for the meeting although a majority of the Board feel that the meeting should not be definitely called off.

A majority of the officers and directors felt that the many radio and copyrights bills now receiving consideration by the Congress may necessitate a board meeting in Washington if destructive legislation is to be avoided.

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March 19, 1932

COPYRIGHT HEARINGS NEXT WEEK

Chairman Sirovich of the House Committee on Patents and Copyrights has notified the NAB that hearings will be held next week on his bill (HR 10364) to amend and revise the copyright laws. Hearings will be held on Monday, March 21, and Thursday, March 24.

The NAB was represented at preliminary hearings and outlined in a general way the protection required for broadcasting stations under the new law. Many of these safeguards have been included in the Sirovich bill in its present form. The NAB is now studying the bill and will be represented at the hearings next week.

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LOCAL STATION SUED BY ASCAP

The American Society of Composers, Authors and Publishers has filed suit in the Federal District Court for the Middle District of Pennsylvania against Station WCOD, a 100-watt station located at Harrisburg, Pennsylvania. The Society alleges that the station has infringed copyrights controlled by the Society in that it operated without a license from that organization.

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NEW YORK SLANDER BILL DIES

The Hickey radio slander bill, which was passed by the New York State Senate on March 9, died in the House Rules Committee as the legislature adjourned on March 11. The bill as originally drafted made the broadcasting of defamatory remarks libel, placing broadcasting stations on the same basis as newspapers. The libel bill had passed the House and when it was considered by the Senate the NAB asked permission to be heard upon the measure.

During the hearing at Albany, the NAB through Mr. Bellows, chairman of the Legislative Committee, pointed out that the bill as originally drafted would make station owners criminally liable for material over which they had no control or were under a legal duty to accept. Senator Hickey accepted most, but not all of the suggestions offered by the NAB, and introduced an amended bill (Int.1607) which promptly passed the Senate.

The bill undoubtedly will be revived in the next session.

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ARKANSAS LEGISLATURE MEETS

Governor Harvey Parnell has called a special session of the Arkansas General Assembly. The Assembly, which convened March 15, enacted legislation relating to the fiscal affairs of the State and a public construction program.

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March 19, 1932.

AFA MEETS IN JUNE

The twenty-eight annual convention of the Advertising Federation of America will be held at the Waldorf-Astoria here next June, according to announcement made today by Gilbert T. Hodges, president of the Federation and member of the executive board of The Sun. The sessions will open June 19 and extend through June 23.

The greatest possible economy in time and money expenditure for the greatest number of advertising and business leaders expected to attend the Federation convention was the principal consideration of the board of directors in selecting New York as the meeting place, Mr. Hodges said.

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RADIO AND PRESS SHOULD COOPERATE

Louis Wiley, business manager of the New York Times, in a brief address to delegates of the Motion Picture Theatre Owners of America, assembled in Washington called attention to the close association of the newspapers, the motion pictures, and the radio with the public. He urged cooperation of the motion pictures, newspapers and radio to aid in the general reconstruction program which is now taking place in the United States. Mr. Wiley urged that the affairs of such industries be put in the hands of the wisest men, who "always by their actions and statements will place such public service in the best possible light before our people."

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FREQUENCY CONTROL GRANTS

At its sessions during the current week the Commission granted authorizations to install automatic frequency control equipment to the following stations:

KFOX, Long Beach, California; KOAC, Corvallis, Oregon; KGW, Portland, Oregon; WDSU, New Orleans, Louisiana; WNAX, Yankton, South Dakota; WHB, Kansas City, Mo.; WTMJ, Milwaukee, Wisconsin; WMBI, Chicago, Illinois; KSCJ, SIOUX CITY, Iowa; KLZ, Denver, Colorado.

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KPO GRANTED APPROVAL

The Commission this week approved the transmitter site specified for erection of the 50 KW Transmitter of Station KPO, operated at San Francisco, California, by Hale Brothers and the San Francisco Chronicle.

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EUROPEAN SOCIETY SUES NBC

According to an item appearing in Variety for March 15th, the European Stage Authors and Composers is suing the National Broadcasting Company for \$150,000, alleging infringement on European copyrighted works. The complaint is based on broadcast of 'Paganini' last June.

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March 19, 1932

SERVICE STANDARDS OUTLINED

The February issue of "Commercial Standards Monthly", official publication of the Bureau of Standards, Washington, D. C. carries a treatise, written by Professor C. M. Jansky, Jr., on "Radio Broadcasting Service Standards." The following paragraphs appear in the article:

"The operation of a radio broadcasting transmitter produces at any receiving location a radio-frequency field, the intensity of which may be measured. There are present at any particular receiving location in addition to the field from the desired broadcasting station, other electrical fields capable of producing noises and disturbances in the receiver. Some of these may be referred to as atmospheric (static). Others produced by man-operated electrical machinery are sometimes referred to as inductive interference. There may also be produced at the receiving location electric intensities from radio stations other than the one the listener desires to hear. The presence of these may be referred to as radio interference. (Some years ago some interference due to the operation of regenerative receiving sets was of importance, but this factor may be neglected now.)

"If attention is confined to the area immediately surrounding a broadcasting station, there will, in general, be a decrease in the intensity at the receiving location as the receiving location is moved in a line directly away from the transmitter location. (This does not mean that the rate of falling off will be the same in all directions.) Out to a certain point this falling off of intensity has no effect upon reception except to require different adjustments of the volume control on the receiving set. However, a point will finally be reached at which reception from the desired station is marred by the presence of interfering disturbances from static, inductive interference, or radio interference.

"There have been numerous grades of broadcast service defined and numerous standards set up for these grades. Also, different engineers have applied different names to these grades. However, there is now a distinct tendency to limit the grades of service to two and to define these as 'primary' and 'secondary'. Since nighttime conditions are sometimes radically different from those in the daytime, it is also becoming common practice to differentiate between night and day conditions. Thus it is common to speak of the 'primary' daytime and nighttime coverage area' of a station.

"Variations in interference conditions and the standards of service imposed by listeners preclude absolutely accurate word definitions of even primary and secondary coverage. However, the following description will serve to show the basis for determining the division line between the two:

"The primary coverage area of a station is that area throughout which the station can be received without objectionable interference from static, electrical interfering noises, or interference from other radio broadcasting stations practically all the time the station is in operation. Primary daytime coverage refers to daytime conditions while primary nighttime coverage refers to nighttime conditions.

"Secondary coverage is that coverage obtained by a station which does not meet the high standards set forth for primary coverage. In secondary coverage areas there may be times when static, interference, or fading prevent the fullest enjoyment of programs."

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, March 21, 1932. All hearings commence at 10 a. m.

WEDNESDAY, March 23, 1932

BROADCASTING

Docket #1375	KGMP	Homer F. Bryant Elk City, Oklahoma		Hearing on Commission's Order revoking license of station KGMP.
Docket #1470	KGMP	Homer F. Bryant Elk City, Oklahoma	C. P.	1210 kc 100 W. Unlimited time (Requests only authority to move station locally and change equip- ment).
Docket #1412	KGMP	Homer F. Bryant Elk City, Oklahoma	Ren. Lic.	1210 kc 100 W. Unlimited time
Docket #1465	KGMP	Homer F. Bryant Elk City, Oklahoma	Vol. Assign. of license to D. R. Wallace	1210 kc 100 W. Unlimited time
Docket #1467	KGMP	Homer F. Bryant	Vol. Assign. of license to E. M. Woody	1210 kc 100 W. Unlimited time
Docket #1473	KGMP	E. M. Woody Elk City, Oklahoma	C. P.	1210 kc 100 W. Unlimited time (Requests only authority to move station locally and change equip- ment).

The following parties were notified in the cases above:

Homer F. Bryant, (Station KGMP) Elk City, Oklahoma
D. R. Wallace, Oklahoma City, Oklahoma
E. M. Woody, Elk City, Oklahoma
Louie Brown, et al, D/B as WNAT Broadcasting Co. Natchez, Miss.

THURSDAY, March 24, 1932

Docket #1459	NEW	Charles L. Bennett Jamaica, N. Y.	C. P.	1210 kc 100 W. Shares with WGBB, WCOH and WJBI
Docket #1444	WNRJ	Peter J. Prinz Jamaica, New York	Ren. Lic.	1210 kc 100 W. Shares with WGBB, WCOH and WJBI
Docket #1555	NEW	Q. C. Taylor Austin, Texas	C. P.	1500 kc 100 W. Unlimited time
Docket #1483	KNOW	KUT Broadcasting Co. Austin, Texas	Ren. Lic.	1500 kc 100 W. Unlimited time

HEARING CALENDAR

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BROADCASTING

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Docket #1470	KGMP	Homer F. Bryant Elk City, Oklahoma	C. P.	1210 kc 100 W. Unlimited time (Requests only authority to move station locally and change equip- ment).
Docket #1412	KGMP	Homer F. Bryant Elk City, Oklahoma	Ren. Lic.	1210 kc 100 W. Unlimited time
Docket #1465	KGMP	Homer F. Bryant Elk City, Oklahoma	Vol. Assign. of license to D. R. Wallace	1210 kc 100 W. Unlimited time
Docket #1467	KGMP	Homer F. Bryant	Vol. Assign. of license to E. M. Woody	1210 kc 100 W. Unlimited time
Docket #1473	KGMP	E. M. Woody Elk City, Oklahoma	C. P.	1210 kc 100 W. Unlimited time (Requests only authority to move station locally and change equip- ment).

The following parties were notified in the cases above:

- Homer F. Bryant, (Station KGMP) Elk City, Oklahoma
- D. R. Wallace, Oklahoma City, Oklahoma
- E. M. Woody, Elk City, Oklahoma
- Louie Brown, et al, D/B as WNAT Broadcasting Co. Natchez, Miss.

THURSDAY, March 24, 1932

Docket #1459	NEW	Charles L. Bennett Jamaica, N. Y.	C. P.	1210 kc 100 W. Shares with WGBB, WCOH and WJBI
Docket #1444	WMRJ	Peter J. Prinz Jamaica, New York	Ren. Lic.	1210 kc 100 W. Shares with WGBB, WCOH and WJBI
Docket #1555	NEW	Q. C. Taylor Austin, Texas	C. P.	1500 kc 100 W. Unlimited time
Docket #1483	KNOW	KUT Broadcasting Co. Austin, Texas	Ren. Lic.	1500 kc 100 W. Unlimited time

March 19, 1932

RADIO ASSOCIATION OF AMERICA

The NAB this week directed a letter to the Radio Association of America requesting that organization to discontinue the use of the name of the National Association of Broadcasters in connection with its proposal to establish an open time clearing house and an exchange service for station information. Members of the NAB are advised that the National Association of Broadcasters has not in any sense placed its approval upon the work of the Radio Association of America.

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CANADIAN RADIO FUNDS CUT

The main estimates of the Dominion Government for the fiscal year ending March 31, 1933, tabled in the House of Commons at Ottawa February 15, include substantial reductions in the proposed expenditures for radio service according to a report to the Department of Commerce from Commercial Attache Lynn W. Meekins, Ottawa, Canada. The amount allotted for the construction and maintenance of radio ship-to-shore stations and the general administration of the Radio Act is \$716,000 as compared with \$841,000 for the fiscal year 1932; \$180,000 is included to provide for the general improvement of reception conditions to licensed broadcast listeners, as compared with \$225,000 for the present fiscal period; and the estimate for the maintenance and operation of the Northwest Territories Radio System is \$167,000 against \$218,000 for 1932.

The above appropriations do not include the salaries of the administrative personnel at Ottawa.

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IOWA MOVE CONTROVERSY

The application of Station WMT, Waterloo, Iowa, to move to Des Moines, Iowa, was heard at the Commission this week before Examiner Walker. Much of the testimony was devoted to the use of a special directional antenna proposed by the application of Station WMT. Those appearing in opposition to the move were Stations WREC, Memphis, Tennessee; WHO-WOC, Des Moines, Iowa; WDAF, Kansas City, Missouri, and WOW, Omaha, Nebraska.

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CONSTRUCTION APPLICATIONS RECEIVED

During the current week the Commission received applications requesting authority to make changes in equipment or install automatic frequency control from the following stations:

WSPA, Spartanburg, South Carolina; WSAJ, Grove City, Pennsylvania; WIOD-WMBF, Miami Beach, Florida; KFNF, Shenandoah, Iowa; KFJZ, Fort Worth, Texas; WCLO, Janesville, Wisconsin; KTAR, Phoenix, Arizona.

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March 19, 1932

DISTRESS WATCH RULE CLARIFIED

Answering the inquiry of a broadcast station, the Commission this week made public the following questions and answers interpreting the existing regulations governing maintenance of a distress watch:

QUESTIONS

"We would appreciate an interpretation of the requirements of Regulations 179 and 180, pertaining to distress traffic, particularly as to the following:

- a. Whether the listening watch on 500 kc heretofore maintained at certain broadcasting stations must be continued;
- b. Whether the general call of "QRT-SOS" transmitted by certain commercial or government stations is intended to apply to broadcasting stations;
- c. Assuming a negative reply to (a) and (b), whether specific notice to a broadcasting station in one manner or another may be expected from a commercial or government station in the mobile service if there should ever be an occasion when the transmission of the broadcasting station may in any way interfere with the reception of distress signals or traffic relating thereto."

REPLY

"A listening watch on the distress frequency is no longer required of broadcast stations. If, however, undue interference should be reported on the distress frequency against a broadcast station, or should it be determined that a broadcast station might cause interference to distress traffic, the Commission would then enforce its Rule No. 180 by requiring such broadcast station to maintain a continuous listening watch on the distress frequency during the hours when it is on the air.

"The general call "QRT-SOS" transmitted by a commercial or government station is normally intended to clear the medium-frequency band, 375 to 550 kilocycles, of interference which may result from stations that operate on these frequencies to distress traffic on 500 kc (410 kc on the Great Lakes). In addition, the call is intended to apply to broadcast and other stations which may hereafter be designated by the Commission to maintain a listening watch on the distress frequency as specified above.

"Should interference from a broadcast or other station be experienced by a commercial or government station which is handling, or may momentarily be expected to handle, distress traffic, under Rules Nos. 179 and 210, such station must immediately cease operation upon receipt of notice directly or indirectly from the station experiencing the interference. Under the provisions of Rules Nos. 180 and 211, stations so notified shall not resume transmission until informed by the station which requested silence that the need for silence no longer exists."

March 19, 1932

REFUSE KNICKERBOCKER TELEVISION

The television experimental station proposed by Knickerbocker Broadcasting Company, New York City, for operation on 2850-2950 kc with 1 KW and unlimited, was denied by the Commission this week reversing the recommendation of Examiner Walker (Report No. 322).

According to the grounds for decision, the Commission declared that while the application was filed in the name of the Knickerbocker Broadcasting Company, the evidence in the case indicated the proposed operation "would be in the nature of a joint undertaking between the applicant and the Baird Television Corporation." The Commission held further the applicant "has never engaged in visual broadcasting experimentation and that any and all actual research in this field would be conducted entirely by Baird Television Corporation. In view of these facts, it must be held that the granting of this application would in effect be the granting of authority to Baird Television Corporation to construct a radio station to be operated in the experimental visual broadcasting service and would be in violation of Section 12 of the Radio Act of 1927, in that the board of directors of said corporation are all aliens and the entire capital stock of the corporation is owned and may be voted by a corporation organized under the laws of a foreign country."

The decision concluded the program of research was to be devoted to the commercialization of the "Baird System" of television "rather than a bona fide program of research and experimentation in the visual broadcasting field". The decision found further the proposed program would not be expected to result in any substantial contributions to television, to the extent that the license of Radio Pictures, Inc., New York City, should be restricted. The latter company is now licensed to conduct television experiments on the requested frequency.

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NEWSPAPER APPLICATION DENIED

The Commission this week denied the application of the Sun Gazette Company, Williamsport, Pennsylvania, seeking authority to erect a new station to operate on 1370 kc with 100 watts and to share time with Station WRAK. This decision reversed the recommendation of Examiner Yost (Report No. 295). Station WRAK was granted a renewal of license at Williamsport, but the operating time of the station was restricted and the Commission specified the following daily operating schedule: 6-8 a.m.; 12 noon to 3 p. m.; 6-9 p. m. The Commission based this action on the testimony of Clarence Cummins, licensee of the station. The Commission said:

"It appears from the testimony of the applicant Cummins that station WRAK cannot be successfully operated upon a minimum regular operating schedule of 12 hours per broadcasting day because of the lack of necessary advertising accounts and insufficient program material to make such operation profitable and entertaining".

In denying the new station application, the Commission sustained the objection of Station WRAK in which it was claimed the Sun Gazette charter does not legally qualify that company to construct and operate a broadcast station. In this connection, the Commission concluded:

March 19, 1932

NEWSPAPER APPLICATION DENIED (Continued)

"It appears from this record that the applicant, the Sun Gazette Company, is not legally qualified to engage in the operation of a broadcast station. In general, a corporation has only such powers as are expressly granted in its charter or which are necessary for the carrying out of its express powers and the purpose of its incorporation. It is obvious the express powers granted in the charter of the Sun Gazette Company do not embrace the operation of a broadcast station".

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WELL INCREASE DENIED

Acting on the construction permit application of Station WELL, Battle Creek, Michigan, the Commission this week granted that station authority to move its transmitter locally, but denied the request to increase power from 50 to 100 watts on 1420 kc. This decision sustained the recommendation of Examiner Walker (Report No. 332).

In denying the increased power, the Commission concluded the operation of Station WELL with 100 watts would increase interference on an already congested frequency, and further no showing had been made in the record indicating a justification for the increased power which would result in decrease in service areas of other stations on the channel.

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APPLICATIONS RETURNED

During the current week the Commission returned the following applications either at the request of the applicants or for the reason they did not comply with regulations:

3-P-B-2368	NEW	Battery & Electric Co.Inc. Greenville, South Carolina	Construction permit for a new station on 590 kc. (No answer received to Commission letters.)
4-ML-B-794	KFKU	The University of Kansas Lawrence, Kansas	Use WREN's transmitter. (Did not reply to Commission letters.)
4-P-B-2487	NEW	Thirty-First St.Baptist Church Indianapolis, Indiana	Construction permit for a new station on 1310 kc. (Rules 6 a and 151).
1-ML-B-953	WEAN	Shepard Broadcasting Serv.Inc. Providence, Rhode Island	Increase night power to 500 watts (Rule 123).
3-P-B-2482	NEW	Charles F. Sheaffer Oklahoma City, Oklahoma	New station on 620 kc. (Rules 6 a & c, 146 & 151).
4-P-B-1019	WOWO	The Main Auto Supply Company Fort Wayne, Indiana	Increase power to 50 KW. (Request of applicant.)
4-ML-B-955	KFJB	Marshall Electric Co.Inc., Marshalltown, Iowa	Request for Unlimited Time. (Rule 6 a & c).

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March 19, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications:

FIRST ZONE

WLWL	Missionary Society of St. Paul New York, N. Y.	Granted special authority from 8 to 9 P. M. April 14th if WPG remains silent.
WOR	Bamberger Broadcasting Service Newark, New Jersey	Granted 60 day extension on 50 KW C. P. to select location and submit proof new equipment has been ordered.
WLCI	Lutheran Association of Ithaca Ithaca, New York	Granted special authority to operate from 7 to 7:30 A. M. and from 11 to 12 noon on March 25th.
WCAC	Connecticut Agric. College Storrs, Connecticut	Granted Mod. Lic. change hours of operation to Saturday and Sunday silent; Monday, Tuesday, Thursday and Friday: 12:30-1 P. M.; 7 to 8 P. M., Wednesday 12:30-1 P. M.; 4:30 to 5 P. M.; 7-8 P.M.
WICC	The Bridgeport Brdcstg. Station Bridgeport, Connecticut	Granted Mod. Lic. change operating hours to following spec. hours; Sunday 9:30 A. M. to 11 P. M.; Monday, Tuesday, Thursday, Friday, 7:45 A. M. to 12:30 P.M. 1-7 P. M.; 8-12 midnight; Wednesday 7:45 A. M. to 12:30 P. M.; 1-4:30 P. M.; 5-7 P. M.; 8-12 midnight. Saturday 7:45 A. M. to 12 midnight.
WABC	Atlantic Broadcasting Corporation New York, N. Y.	Granted authority to make exp. transmission from transmitter at Wayne, N. J. for 30 days on 800 and 860 kc with 50 KW between 2 and 4:30 A. M. daily.

THIRD ZONE

WBT	WBT, Incorporated Charlotte, North Carolina	Granted Mod. C. P. approving proposed equipment for 50 KW transmitter.
WSB	The Atlanta Journal Company Atlanta, Georgia	Granted Mod. C. P. approving proposed equipment for 50 kw transmitter.
WCSC	Lewis Burk Charleston, South Carolina	Granted consent voluntary assignment of license to South Carolina Brdcstg.Cc.Inc.
KCMC	No. Miss. Broadcasting Corporation Texarkana, Arkansas	Granted authority conduct program tests for additional ten days.
WQBC	Delta Broadcasting Company Vicksburg, Mississippi	Granted special license to operate nights for 60 days as an experiment on 1360 kc.

March 19, 1932.

APPLICATIONS GRANTED (Continued)

THIRD ZONE (Continued)

KCMC	No. Miss. Broadcasting Corporation Texarkana, Arkansas	Granted Mod. C. P. approving transmitter location.
KCMC	No. Miss. Broadcasting Corporation Texarkana, Arkansas	Granted license following C. P. and Mod. C. P. covering move to Texarkana, Ark.
WGCM	Great Southern Land Company Gulfport, Mississippi	Granted C. P. install new transmitter; change frequency from 1210 to 590 kc; change power from 100 to 1000 watts; and change hours from unlimited to day-time.
NEW	Attala Milling & Produce Company Kosciusko, Mississippi	Granted C. P. new station 1500 kc; 100 watts; unlimited time.
WSB	The Atlanta Journal Company Atlanta, Georgia	Granted 30 day extension on selection of 50 KW transmitter site.
KFYO	Kirksey Brothers Lubbock, Texas	Granted Mod. C. P. change proposed transmitter site at Lubbock.

FOURTH ZONE

WBBM	WBBM Broadcasting Corporation Chicago, Illinois	Granted permission mod. C. P. to include certain changes in equipment.
WIAS	Iowa Broadcasting Company Ottumwa, Iowa	Granted Mod. Lic. to exchange facilities with Station KWCR.
KWCR	Cedar Rapids Broadcasting Company Cedar Rapids, Iowa	Granted Mod. Lic. to exchange facilities with Station WIAS.
WOS	John D. Heiny Jefferson City, Missouri	Granted consent voluntary assignment of license to Missouri State Marketing Bureau.
KFAB	KFAB Broadcasting Company Lincoln, Nebraska	Granted 30 day extension to submit proof of purchase on equipment.
KGGF	Powell & Platz South Coffeyville, Oklahoma	Granted Mod. Lic. to move studio from South Coffeyville to Coffeyville, Kansas. (Commission states there will be no change in quota as the station is now charged to the 4th Zone.)
WLBC	Donald Burton Muncie, Indiana	Granted Mod. Lic. operate simultaneously with Station WJAK, Elkhart, Indiana, and share at night.

March 19, 1932

APPLICATIONS GRANTED (Concluded)

FIFTH ZONE

KRKD	Dalton's Inc. Los Angeles, California	Granted license covering C. P. to install new equipment and transmitter move.
KGKX	W. W. Von Cannon, Trustee Sandpoint, Idaho	Granted consent voluntary assignment to Sandpoint Broadcasting Company.

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PERMITS GRANTED

During the current week the Commission granted construction permits authorizing changes in equipment to the following stations: WGST, Atlanta, Georgia; KLS, Oakland, California.

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RENEWALS GRANTED

During the current week the Commission granted the following stations renewals of license for the regular period: WAAM, Newark, N. J.; WCAE, Pittsburgh, Pa.; KFVB, Hollywood, California; KMBC, Kansas City, Mo.; KUSD, Vermillion, S. D.; WIBG, Elkins Park, Pa.; WISN, Milwaukee, Wis.; WJDK, Jackson, Miss.; WNBZ, Saranac Lake, N. Y., KLCN, Blytheville, Ark.; KTFI, Twin Falls, Idaho; KWLC, Decorah, Iowa; KWSC, Pullman, Washington.

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APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

WAAB	Bay State Broadcasting Corporation Boston, Massachusetts	Mod. Lic. increase power to 1 KW.
KMLB	Liner's Broadcasting Station, Inc. Monroe, Louisiana	Mod. Lic. increase operating hours to unlimited.
WLB- WGMS	University of Minnesota Minneapolis, Minnesota	Mod. Lic. increase operating hours to take facilities of Station WRHM.
WCAL	St. Olaf College Northfield, Minnesota	Requests Mod. of Lic. to increase hours of operation from sharing time with KFMX, WLB-WGMS and WRHM to sharing with KFMX and WLB-WGMS (Facilities of WRHM).
KFMX	Carleton College Northfield, Minnesota	Requests Mod. of Lic. to increase hours of operation from sharing with WLB, WCAL, and WRHM to sharing with WLB & WCAL only. (Facilities of WRHM).

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March 19, 1932

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following action on applications of miscellaneous nature:

WKZO	WKZO, Incorporated Kalamazoo, Michigan	Denied authority for station to operate at night with 250 watts on April 2nd, 1932.
WSMB	Radio Station WSMB, Inc. New Orleans, Louisiana	Granted permission use 500 W. transmitter for 2 weeks while moving main transmitter.
WHDL	Tupper Lake Broadcasting Co. Tupper Lake, New York	Granted authority operate night of March 18th 7:30 P. M. to end of basketball finals.
WGBF	Evansville on the Air Evansville, Indiana	Granted authority broadcast state basketball tourney from Indianapolis, Ind., by remote control on March 18th.
WLAP	American Broadcasting Corp. of Kentucky Louisville, Kentucky	Granted authority to take depositions in Louisville to be used for hearing on April 11, 1932.
NEW	W. H. Allen & Company Alexandria, Louisiana	Granted authority to take depositions in Alexandria, to be used for hearing on March 31, 1932.
NEW	Stewart A. Heigold Yuma, Arizona	Granted authority to take depositions in Yuma and South Gate, California to be used for hearing April 4, 1932.

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WSIX GETS UNLIMITED TIME

The Commission this week issued a regular renewal license to Station WSIX, Springfield, Tenn., authorizing unlimited operation on 1210 kc. This reversed the recommendation of Examiner Pratt (Report No. 329), who had favored reduction of the station's operating time to certain specified hours.

The application of the Troy Broadcasting Company, Troy, Alabama, which had sought authority to erect a new station and asked the facilities of Station WSIX, was withdrawn from the Commission files and dismissed. The Commission found the Tennessee station is rendering a good broadcasting service and that the programs offered are of interest to the public.

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March 19, 1932.

APPLICATIONS RECEIVED

During the current week the following applications were received by the Commission:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-MLB-945	WJAR	The Outlet Company Providence, Rhode Island	Mod. Lic. change power from 250-500 W. LS to 500 W. day and night on exper. basis.

This application has been resubmitted without amendment, after having been returned by the Commission under Rule 123, providing no station on a Canadian Shared channel will be licensed to operate with night power of 500 watts located not more than 500 miles from the border. Providence is approximately 250 miles to the closest border point.

1-MLA-12	W3XAL	National Broadcasting Co. Bound Brook, N. J.	Mod. Lic. for additional freq. of 11770 kc for exper, relay broadcasting service.
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SECOND ZONE

2-MLB-973	WBEO	The Lake Superior Brdcstg. Company Marquette, Michigan	Mod. Lic. for change in operating hours.
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The applicant is licensed to operate on a specified hour schedule with power of 100 watts on 1310 kc.

2- MPB -315	WWVA	West Virginia Broadcasting Company Wheeling, West Virginia	Mod. C. P. extend comm. and comp. dates to 3/21/32 and 6/21/32.
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2-MLB-974	WIBG	WIBG, Incorporated Elkins Park, Pennsylvania	Mod. Lic. change freq. to 970 kc and increase power to 100 watts, and operate until sunset Chicago and move studio to Glenside.
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The applicant is now licensed to operate daytime only on 930 kc with power of 25 watts. On the requested frequency the closest station to Elkins Park is Station WCFM, Chicago, Ill., operating unlimited time experimentally with 1500 watts. The distance is approximately 665 miles.

2-PB-2509	WRAX	WRAX Broadcasting Company Philadelphia, Pennsylvania	C. P. move station locally; change equipment, change freq. to 920 kc with 250 w. and 500 w. LS, sharing time with WPEN and using same transmitter.
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March 19, 1932

APPLICATIONS RECEIVED (Continued)

SECOND ZONE (Continued)

2-PB-2510	WPEN	Wm. Penn Broadcasting Company Philadelphia, Pennsylvania	C. P. change freq. to 920 kc with 250 w. and 500 w. LS sharing with WRAX, using same transmitter.
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These two applications should be considered together. Both requests are contingent upon the granting of the application of Station WIBG to change frequency to 970 kc. Station WRAX is now licensed to operate as a daytime station on 1020 kc with 250 watts power. Station WPEN operates unlimited time on 1500 kc with power of 100 watts. The applications propose consolidation of both stations and the use of the same transmitter. The closest stations to Philadelphia on the frequency sought are Station WWJ, Detroit, Mich., approximately 450 miles distant and operating unlimited time with 1 KW; and Station WBSO, Needham, Mass., assigned daytime with power of 500 watts and approximately 280 miles distant. The distance recommended by the mileage tables of the Commission Engineering Division under similar circumstances is 1050 miles for 250 and 1000 watt stations operating simultaneously at night; and for two 500 watt stations on the same frequency in daytime the distance recommended is 260 miles. The granting of this application would not involve the quota.

2-MPA-18	W3XAU	Universal Brdcstg. Co. Philadelphia, Pennsylvania	Mod. C. P. extend completion date to 8/13/32 Exp. Relay Broadcasting.
2-MPB-316	WMBC	Michigan Broadcasting Company Detroit, Michigan	Mod. C. P. install new transmitter.
2-MLB-974	WHK	Radio Air Service Corp. Cleveland, Ohio	Mod. Lic. increase day power to 2½ KW LS.

The applicant is now licensed to operate unlimited time on 1390 kc with 1 KW. The closest station to Cleveland on this frequency is KLRA. Little Rock, Arkansas, operating with power of 1 KW and approximately 745 miles distant. The granting of the application would increase the quota 0.25 unit. The Second Zone is under quota; Ohio is due 19.07 units and is assigned 18.82 units.

THIRD ZONE

3-PB-2489	NEW	Baton Rouge Broadcasting Co. Baton Rouge, Louisiana	C. P. amended request 500 watts and 1 KW LS on 1450 kc.
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As originally submitted the application requested authority to erect a new station to operate on 1450 kc to share time with Station KTBS, Shreveport, La., with power of 1 KW. Station KTBS is now licensed to operate unlimited time. The closest station on the requested frequency to the proposed location is Station WFFI, Athens, Ga., operating with power of 500 watts and approximately 510 miles distant. The separation recommended by the mileage tables of the Commission Engineering Division under similar circumstances as proposed by the amended application is 770 miles. The granting of the application would not involve the quota.

March 19, 1932

APPLICATIONS RECEIVED (Continued)

THIRD ZONE (Continued)

3-PB-2505 WRBL WRBL Radio Station, Inc.
Columbus, Georgia C. P. increase power to 100
watts and make changes in
equipment.

The applicant is now licensed to operate with unlimited time and 50 watts on 1200 kc. The closest station to Columbus on this frequency is Station WBHS, Huntsville, Alabama, approximately 180 miles distant. The recommended separation under similar circumstances is 200 miles. The granting of the application would not involve the quota.

3-PB-2508 WFEC Virgil V. Evans
Knoxville, Tennessee C. P. move station to Greenville,
South Carolina, and increase power
to 100 watts.

The applicant is at present licensed to share time with Station WBHS, Huntsville, Alabama. This application proposes moving the station approximately 140 miles east of the present location. The closest station to Greenville on the frequency is Station WLBG, Petersburg, Virginia, approximately 240 miles distant. The Third Zone is over quota; Tennessee is over quota; South Carolina is under quota.

3-ALB-423 KMAC W. W. McAllister
San Antonio, Texas Voluntary assignment of License to
Walmac Company, Inc.

3-ALB-423 KUOA University of Arkansas
Fayetteville, Arkansas Voluntary assignment of License to
Southwestern Hotel Company.

3-MPA-19 W4XB Isle of Dreams Broadcasting Co.
Miami Beach, Florida Mod. C. P. extend completion date
to 7/17/32 Exp. relay broadcasting.

3-ALB-425 WTSL G. A. Houseman
Laurel, Mississippi Voluntary assignment of License to
Evangeline Broadcasting Company.

3-PB-2513 WTSL Evangeline Broadcasting Co.
Lafayette, Louisiana C. P. move transmitter to Lafayette,
Louisiana, and install new equip-
ment.

The station is now licensed to share time with Station KRMD, Shreveport, Louisiana, the former location of Station WTSL. Both station are assigned to operate on 1310 kc. The granting of the application would move the station into the State of Louisiana at a distance approximately 175 miles southeast of Station KRMD. The closest station to the proposed location on this frequency is Station KTLC, Houston, Texas, operating unlimited time with power of 100 watts. The recommended separation under similar circumstances is 200 miles. The Third Zone is over quota; Mississippi is under quota and Louisiana is over quota. The granting of this application would increase the Louisiana quota.

3-PB-2511 NEW Thomas E. Williams
Abilene, Texas C. P. new station on 1420 kc; 100 w.
unlimited time. Facilities of KFYO.



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C. March 26, 1932

PHILIP G. LOUCKS, Managing Director.

TAXES

The House of Representatives on Thursday by a vote of 223 to 153 defeated the sales tax provision of the 1932 revenue bill and with the failure of this provision the danger of a 10 per cent tax on leased wires is momentarily avoided.

The Ways and Means Committee met Friday morning and named a Subcommittee consisting of Representatives Ragon of Arkansas, Vinson of Kentucky, Canfield of Indiana, Hawley of Oregon, and Treadway of Massachusetts to draft a substitute proposal for the sales tax. This Subcommittee is now working upon the substitute proposal.

It is expected that the original Treasury Department recommendations will be urged before this Subcommittee, and there is some likelihood that the La Guardia proposal to levy a five per cent tax on broadcast advertising might be revived.

The House is put to the task of raising some \$595,000,000 in revenue to take the place of the revenues which would have resulted from enactment of the sales tax.

First class postage, gasoline and oils, bank checks and drafts. automobiles and trucks and tobacco are among the sources to which the Subcommittee may look to raise this money. But the proposal to tax radio advertising must be carefully watched.

March 26, 1932

SIROVICH BILL HEARINGS

The National Association of Broadcasters and the American Society of Composers, Authors and Publishers were among the last organizations to be heard during public hearings on the Sirovich Copyright Bill now before the House Committee on Patents and Copyrights.

Henry A. Bellows, chairman of the NAB Legislative Committee, appeared for the broadcasters and pointed out several defects in the Sirovich bill.

"The broadcasters do not recede from the position they have always taken with regard to automatic copyright," Mr. Bellows said, "but your Committee has so wisely provided safeguards in Sections 7, 8 and 9 of this bill that we do not feel inclined to emphasize at this time our basic objection to the automatic copyright principle."

"In Section 4 the bill provides copyright in arrangements for sound disc records, electrical transcription records, and other mechanical recordings," the witness said. "On this point I want to say a special word for the small broadcasting stations. The use of phonograph records has enabled many of these stations to give their listeners far better programs than were possible with the village band and the music pupils in the grade schools. I believe these smaller stations are rendering a very valuable public service, which should not be discouraged or handicapped by Congress. I am afraid that if arrangements for records are subject to a special copyright, in addition to the copyright already acquired for music itself, a very real hardship will be imposed on these small stations, and I earnestly commend their interest to your protection."

"It is obviously your intention to penalize severely the deliberate infringer," he continued, "with whom the broadcasters have absolutely no sympathy, and to make things as easy as possible for the innocent infringer who is simply the victim of circumstances. In doing this, let me suggest that you have not gone quite far enough. Your bill gives the court considerable discretion but in view of the facts that innocent infringement is frequently a matter of quoting not more than half a dozen bars of music, I believe the court should be permitted to estimate the minimum reasonable license fee as low as \$10. In the paragraphs in which the minimum damages are set at \$100, I suggest that this should cover all infringements up to the date that action is instituted rather than each separate innocent infringement for which claim is made."

Mr. Bellows went through the bill section by section and commented upon provisions which, the broadcasters felt, did not give the industry adequate protection. On the whole, he said, the bill is a substantial improvement over the present law but that it did not go far enough. He referred the Committee to Section 21 of the Dill Copyright Bill which was printed in the Bulletin two weeks ago. He believed the Dill bill afforded the broadcasters more protection than the House bill and referred specifically to Section 21.

Chairman Sirovich said he termed the Dill bill as a bill "to appoint undertakers for the American Society."

Gene Buck, president, E. C. Mills, general manager, and Nathan Burkan, general counsel, appeared for the American Society with Burkan doing most of the testifying. Mr. Burkan said he thought the bill, in so far as it reduced the common law right of the right of the author or composer, was unconstitutional. Chairman Sirovich then agreed to remedy this defect.

March 26, 1932

SIROVICH BILL HEARINGS (Continued)

Mr. Burkan went through the bill section by section and pointed out what he considered defects and agreed to submit perfecting proposals. He suggested that the bill be submitted to the Copyright Committee of the American Bar Association.

Mr. Burkan said the Society agreed with the principles of the bill which gave copyright in the name of the author, gave the author the right to assign parts of his work, and gave the author the right to license the use of his works either in whole or in part.

Chairman Sirovich then launched into an investigation of the composition of the Society. He learned that the Society was now collecting about \$2,000,000 for the use of the works it controls and that more than \$1,200,000 was distributed among the 700 composers and 100 publishers which make up the membership of the organization.

Mr. Buck suggested that the Committee look into the licensing arrangements which Electrical Research Products Incorporated has with the theatres and complained that while motion theatre owners had directed their attack on the Society, they had not attacked the licensing arrangements of ERPI.

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LABOR BILL HEARINGS NEXT TUESDAY

Further hearings on the Hatfield Bill to set aside a clear channel for organized labor will be held before a subcommittee of the Senate Interstate Commerce Committee next week, probably Tuesday. Members of the Federal Radio Commission will appear and present legal and engineering problems involved in the measure which, it is being freely predicted, will be passed by the Senate. The Commission voted last week to request an opportunity to be heard on the measure. The subcommittee consists of Senators Hatfield of West Virginia, Brookhart of Iowa, and Barkley of Kentucky.

The NAB appeared last week and objected to the principle involved in the measure.

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COURT CLEARS RCA

The Federal Circuit Court of Appeals in Philadelphia this week exonerated the Radio Corporation of America from the infringement charge brought by the Dubilier Condenser Corporation relating to the use of alternating current in the use of radio receiving sets. The suit involves the patents granted to Lowell and Dunmore, formerly connected with the Bureau of Standards. The lower court had found against the RCA.

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BROWN TO BE SWORN IN

Col. Thad H. Brown, recently confirmed by the Senate as a member of the Federal Radio Commission from the Second Zone to succeed Judge Ira Robinson, resigned, will be sworn in next week.

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HEARING ON SENATE BROADCASTS

Representatives of the National Broadcasting Company and the Columbia Broadcasting System appeared before the Senate Committee on Rules this week and informed members of the Committee that they considered broadcasts of Senate proceedings feasible. The hearing was on S. Res. 71 introduced by Senator Dill of Washington, and S. Res. 28 introduced by Senator Howell of Nebraska.

Frank M. Russell, vice president of the National Broadcasting Company, said that his company was of the opinion that microphones hidden in the walls of the Senate chamber would be practicable.

Harry C. Butcher, director of the Washington Office of the Columbia Broadcasting System, said his company was willing to broadcast any proceedings which the Rules Committee might authorize.

Six separate plans for pick-up installation were considered by the Committee. No action has been taken on the measures.

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HIGH COST OF GOVERNMENT OWNERSHIP

In Canada, where the Air Commission has recommended a governmental broadcasting system, the House of Commons Radio Committee has been told by Col. A. W. Steel, technical advisor, that it would cost \$2,225,000 to begin operations and \$2,500,000 a year thereafter to function. Members of the Air Commission claim the costs of operating a 50 kilowatt station, exclusive of programs, would be about \$225,000 yearly. Hook-ups with American stations, rebroadcast in Canada, are part of the plan. Included in the first year's cost of operation is a sum of \$1,000,000 to compensate owners of stations that might be taken over by the government.

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MUSIC LICENSE FEES

The American Society of Composers, Authors and Publishers will be prepared to make a definite recommendation with respect to the levying and collecting of music license fees in the near future, it was indicated here this week.

It is expected that the Society will make its offer within the next week and Chairman Paul W. Morency of WTIC has called a meeting of the NAB Copyright Committee for April 4 to consider any proposal which may be offered.

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ICC CASE SOON READY

The Interstate Commerce Commission is expected to make public next week the Examiner's report in the action brought by the Sta-Shine Company against the National Broadcasting Company and Station WGGB, Freeport, N. Y. which involves the right of the Commission to determine advertising rates for broadcasting stations. Hearing on the jurisdictional question was held in New York last December and it is likely that the entire Commission will want to hear argument on the exceptions which undoubtedly will be filed to the Examiner's report.

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March 26, 1932

BROADCASTERS ASKED TO COOPERATE

The following communication, requesting NAB members to participate in the Institute for Education by Radio, has been received from Professor Lumley of Ohio State University:

"The Third Annual Institute for Education by Radio will meet in Columbus this year from June 6 to June 9. At this meeting the leaders in the field of radio education will gather to discuss the work that is being accomplished at the present time. Papers will be read, round tables held, demonstrations staged, and various kinds of materials exhibited. The proceedings of this meeting are published in book form under the title, 'Education on the Air.'

"Because of your connection with the use of radio as an educational medium, we are anxious to secure your cooperation in putting on the exhibit. We are eager to make this exhibit as complete a display as possible of the results achieved by means of educational broadcasts. We hope, therefore, that you will be able to take part, so that the Institute members may have a full presentation of all the work which is now being carried on. Among the materials suitable for exhibit are the following:

- "a. Pupil's work such as drawings, notes, compositions, letters, art objects, tests.
- "b. Samples of scripts, talks, continuities used in putting on programs, printed announcements of educational programs.
- "c. Phonograph or other recordings of educational programs. These will be played at certain specified times.
- "d. Photographs of listening groups, classes.
- "e. Charts or other material showing in a graphic way the use of radio in education.
- "f. Publications dealing with radio, i. e. books, magazines, articles, reprints, mimeographed material. (In addition to material for display we would like to have material for free distribution.)

"If you have any such material or other material suitable for exhibit purposes, please communicate with F. H. LUMLEY, Bureau of Educational Research, Ohio State University, Columbus, Ohio."

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STATE LEGISLATURES MEET

The Maine Legislature will convene in special session on April 1 in response to a call by Governor Gardner. The legislature will consider tax laws.

The Ohio legislature will meet on March 29 to consider revenue measures.

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March 19, 1932

LAUDS U. S. RADIO REPORTS

The London Daily Herald, issue of February 23, praises American broadcasting and denounces the British Broadcasting Corporation's failure to adequately cover the Disarmament Conference. The article follows:

"Geneva is being put 'on the air'. This Disarmament Conference is historical in a lot of ways. One of them is that it is the first international conference to be reported regularly by wireless.

"Not, of course, by the B.B.C. Nobody would expect it to take trouble about a little thing like a World Disarmament Conference.

"So Savoy-hill ignores. Certainly Vernon Bartlett is here, and does his Thursday night talk over the telephone.

"But that is just chance. He is at Geneva as a League official, not as a B.B.C. star.

"Contrast the Americans. Two big U. S. broadcasting companies -- the National and Columbia -- have realized the enormous interest there is in such things among listeners-in.

"So each of them has set up here in Geneva a special Disarmament Conference service, with a world-famous journalist in charge.

"Bill Hard is here for National and Frederic William Wile for Columbia.

"Night after night their commentaries on the situation go out from Geneva by telephone (via Paris, Boulogne, Dover) to Rugby; Rugby to New York by air, thence to the half-dozen main stations and 50 or so subsidiaries served by each big company all over the United States and half of Canada.

"Frederic Wile's and Bill Hard's voices tell listeners-in every evening how things are going here.

"In addition to these news talks there are regular contributions by the big men of the Conference, either speeches or interviews.

"Thomas, Simon, Grandi, Tardieu, Benes, Gibson, Sato, Yen and Drummond, have all talked over one or other circuits.

"Bruning went home before any arrangements could be made. So Bill Hard dashed off to Berlin and interviewed him there. A radio interview, of course, with all North America listening while the two men talked.

"The initiative and energy that are going into these American wireless reports are pretty nearly as big as the apathy and sterility of the B.B.C.

"And these talks are not advertisements for anybody's tooth paste or whatnot. They are 'inspired' efforts, arranged by National or Columbia, for the use of everybody who cares to use their broadcasts."

KMO GETS FULL TIME

Reducing the quota of the State of Washington and the Fifth Zone, the Commission this week granted the application of Station KMO, Tacoma, Wash., authorizing a change in frequency from 860 kc to 1330 kc. The station had been assigned Limited Time on the cleared channel frequency with power of 500 watts. The application as granted decreases the power of the Station to 250 watts and permits unlimited operation. Examiner Walker (Report No. 326) had recommended denial of the application on the ground that it would increase the quota under the provisions of former G. O. 92. Under the present Rules and Regulations of the Commission, the quota is reduced 0.05 unit.

This action gives the station an additional three hours operation daily, according to the statement issued in the Commission's decision. In its conclusions, the Commission found the granting of the application would enable the station to render a more complete and efficient service in Tacoma and vicinity and that while there may be slight decrease in the present service area of the station, nevertheless, it was concluded, those portions of this area which would be deprived of service are now in the good service areas of other broadcast stations.

The Commission denied by default the application of the Eastern Ohio Broadcasting Co., New Philadelphia, Pennsylvania, for a construction permit to erect a new station on 850 kc with 500 watts and Limited Time. This application was declared in default (Report No. 338) by Examiner Walker.

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UNLICENSED OPERATOR CONFESSES

The efforts of the Commerce Department's Radio Division toward curtailing infractions of the radio laws by amateurs which have been disrupting radio communication, has resulted in specific information being placed in the hands of the Radio Commission according to W. D. Terrell, Director of the Radio Division. One of the cases was in Washington, D. C. This person, by his own affidavit, had been operating an unlicensed station and appropriating the call of another station. He made the confession when faced with evidence gathered by the Radio Division over a period of about eight months.

Two violations predominate, Director Terrell said. They are the "bootlegging" of call letters by amateurs who wish to avoid detection of off frequency violations while adjusting sets, and the other is the indiscriminate playing of phonograph records. The using of call signals other than those, assigned to a station is a serious offense, Director Terrell pointed out. Besides, those who use the call signals of another are working a hardship upon fellow amateurs. A large number of amateurs have written into the Radio Division protesting that they were not using their sets at the times they were said to be off frequency. There is a possibility, Director Terrell admitted, that innocent amateurs may lose their licenses as a direct result of the unsportsmenlike conduct of other amateurs who "bootleg" station call signals.

The transmission of phonograph records music, under certain conditions, is allowed. But stations which transmit phonograph record music are supposed to do so only after establishing contact with another station, and then for testing purposes only

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March 26, 1932

WNYC PROTESTS

Asking the Commission to deny the renewal application of Station WMCA, New York City, and the application for modification of license filed by Station WPCH, New York City, the City of New York this week filed a brief with the Commission this week on behalf of its broadcast outlet, Station WNYC. According to the brief, Station WNYC is the victim of an organized effort to prohibit its operation.

Stations WMCA and WPCH have applied for authority to share time on 570 kc. Station WNYC at present is licensed to share with Station WMCA on this assignment. Examiner Yost has recommended Station WMCA and WNYC continue to divide time on 570 kc, and that the application of Station WPCH to change frequency from 810 kc, its present assignment, be denied.

The brief on behalf of the municipal station asks the Commission to sustain the findings of the Examiner, with the exception that the renewal license of Station WMCA be denied.

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HOUSE CURRENT RECEIVER PATENT INVALID

The United States Circuit Court of Appeals for the Third Circuit sitting at Philadelphia has declared invalid the Lowell and Dunmore patent, claiming a means for the use of regular alternating current in lieu of direct current from batteries for the operation of receiving sets. This decision of the appellate court reversed the findings of the District Court for Delaware which held the claims involved to be valid and infringed. The appellate court further directed that the suits against the Radio Corporation be dismissed.

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TIME SIGNALS INCORRECT

Directing the attention of all broadcast stations to the provisions of Rule 177 of the Commission Rules and Regulations, and also to Section 28 of the Radio Act in connection with broadcasting time signals, the Commission this week made public a letter received from Captain S. C. Hooper, Director of Naval Communications for the United States Navy on this subject. Captain Hooper said the rebroadcasting of time signals received over telegraph wires are not accurate due to the "inherent time lag". It is understood that the Navy Department will continue to authorize stations to use time signals from the Naval Observatory, if the station intercepts the signal as directly transmitted from Washington. The Commission was requested to enact suitable regulations to be incorporated in the Rules and Regulations for the instruction of broadcast stations.

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TEMPORARY LICENSES ISSUED

The Commission granted temporary licenses to the following stations, pending action on the regular applications for renewal; WCAD, Canton, N.Y., WCAL, Northfield, Minn.; WLB-WGMS, Minneapolis, Minn.; WRHM, Minneapolis, Minn.; KFMX, Northfield, Minn., KFVI, San Francisco, Calif.; WOAX, Trenton, N. J., KGCA, Decorah, Iowa and WMCA, N.Y.C.

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March 26, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 & 45 which permit the filing of proper protests within twenty days from the date of the action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WFOX	Paramount Brdcstg. Co. Brooklyn, N. Y.	Granted extension comp. date C. P. for one week from March 22 and auth. to use trans. of WJGU for period of 3 days from March 24th.
W2XDU	Atlantic Brdcstg. Corp. New York City	Granted Mod. C. P. general exper. lic., to extend comm. date on C. P. to April, 1, and extension comp. date to July 1st.
<u>SECOND ZONE</u>		
WBEO	The Lake Superior Brdcstg. Co. Marquette, Michigan	Granted Mod. Lic. change operating hours to: Daily 7.30 to 9.30 a. m; 11.30 a. m. to 1.30 p. m; 4.30 - 7.30 p. m; Sunday 9 a. m. to 2 p. m.
WPSC	The Pennsylvania State Coll. State College, Pennsylvania	Granted ren. Lic. 1230 kc; 500 w; daytime; hours as follows: Sunday, 9 a. m. to 1 p. m; 2 p. m. to sunset; Monday to Saturday, 11.45 a. m. to 12.15 p. m; Monday, Tuesday, Wednesday, Thursday and Friday, 4 to 5.30 p. m.
<u>THIRD ZONE</u>		
WOAI	Southern Eqt. Co. San Antonio, Texas	Granted Mod. C. P. extend completion date to May 28, 1932.
WSMB	WSMB, Incorporated New Orleans, Louisiana	Granted Mod. C. P. approving transmitter site at 901 Canal St., New Orleans, La.
KGGF	Powell & Platz So. Coffeyville, Okla.	Granted renewal lic. 1010 kc; 500 w. share with WNAD, as follows: Sunday, 7.30 to 10.30 a. m; 1.30 to 5.00 p.m; Monday, 11.30 a. m. to 2 p. m; 5 to 10.30 p. m; Tuesday, 7.30 to 10.30 a. m; 11.30 a.m. to 2 p.m; 5 to 7.15 p.m; 9.15 to 1030 p.m; Wednesday, 7.30 to 10.30 a.m; 11.30 a.m. to 2 p.m; 5 to 8.15 p.m; 9.15 to 10.45 pm.

March 26, 1932

APPLICATIONS GRANTED (Cont'd)

THIRD ZONE (Cont'd)

		Thursday,
KGGF	Powell & Platz (Cont'd) So. Coffeyville, Okla.	7.30 to 10.30 a.m., 11.30 a.m. to 2 p.m.; 5 to 7.15 p.m.; 9.15 to 10.30 p.m. Friday, 7.30 to 10.30 a.m.; 11.30 a.m. to 2 p.m. 5 to 10.30 p.m.; Saturday 7.30 to 10.30 a.m. 11.30 a.m. to 2 p.m.; 5 to 9.30 p.m.
WNAD	University of Oklahoma Norman, Okla.	Granted ren. lic. 1010 kc; 500 w. share with Station KGGF to use hours as follows: Tuesday, 7.15 to 9.15 p.m.; Wednesday, 8.15 to 9.15 p.m.; Thursday, 7.15 to 9.15 p.m.

FOURTH ZONE

WDAY	WDAY, Incorporated Fargo, N. D.	Granted Mod. C. P. move transmitter locally and install new eqpt.
WLBL	State of Wisc. Dept. of Agric. & Markets Stevens Point, Wisc.	Granted Mod. C. P. extend comp. date to May 1, 1932.
WJAK	The Truth Publ. Co. Elkhart, Ind.	Granted authority operate simultaneously in daytime with Station WLBC and share at night.
WGBF	Evansville on the Air. Evansville, Ind.	Granted authority to change hours of operation in existing time sharing agreement.
WOS	John D. Heiny Jefferson City, Mo.	Granted authority to change hours of operation in existing time sharing agreement.
KFRU	Stephens College Columbia, Mo.	Granted authority to change hours of operation in existing time sharing agreement.
WPCC	North Shore Church Chicago, Illinois	Granted suspension of Rule 145 until pending case is decided. This rule required installation auto. freq. contr. before June 22nd.

March 26, 1932

APPLICATIONS GRANTED (Cont'd)

FIFTH ZONE

KUJ	KUJ, Incorporated Walla Walla, Wash.	Granted authority to operate unlimited time on account of flood conditions for 10 days.
KTAR	KTAR Broadcasting Co. Phoenix, Ariz.	Granted auth. make direct measure ant. input.
KFAC	Los Angeles Brdcstg. Co. Los Angeles, Calif.	Granted extension of test period until March 24th.
W6XS	Don Lee, Inc. Nr. Gardena, Calif.	Granted Mod. C. P. Visual brdcstg. change location of transmitter to 1076 W. 7th St., Los Angeles, Calif., and extend construction to June 1, 1932 and increase power to 1 KW and change eqpt.

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RENEWALS GRANTED

During the current week the Commission granted renewal applications of the following stations for the regular period of six months: WGCP, Newark, N. J., WHA, Madison, Wis., WHAD, Milwaukee, Wis., WQAO-WPAP, New York, KGFX, Pierre, So. Dak., WEAI, Ithaca, N. Y., WFIW, Hopkinsville, Ky., WRR, Dallas, Texas, KFUL, Galveston, Tex.

The Commission also granted renewal applications for auxiliary transmitters to the following stations: WCAO, Baltimore, Md., WQAM, Miami, Florida.

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LICENSE APPLICATIONS GRANTED

During the current week the Commission granted applications for license covering previously authorized construction permits to the following stations: WRDO, Augusta, Me., WDOD, Chattanooga, Tenn., WCBS, Springfield, Ill., WGL, Fort Wayne, Ind.

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PERMITS GRANTED

During the current week the Commission granted construction permits authorizing change in equipment to the following stations:

WCLO, Janesville, Wis., WWNC, Asheville, N. C., KFBB, Great Falls, Mont., WFB, Altoona, Pennsylvania

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March 26, 1932

MISCELLANEOUS COMMISSION ACTION

At its sessions during the current week the Commission took the following action of a miscellaneous nature:

KGMP	Bryant Radio & Electric Company Elk City, Oklahoma	Granted extension of existing license to June 1, 1932, subject to result of decision on any pending proceeding affecting this station.
KGIZ	Grant City Park Corporation Grant City, Missouri	Granted permission to intervene in the matter of the application of the American Legion for a new station at Albany, Mo., which is only 22 miles from Grant City.
	Shortwave Broadcasting Corporation Boston, Massachusetts	Petition asking Commission to reconsider its decision of February 19, 1932, granting CP for an experimental relay broadcasting station at Miami, Florida. (station WIOD-WMBF) and requesting a hearing in that case, denied.
KDYL	Intermountain Broadcasting Corp. Salt Lake City	Granted motion to rescind action designating the application for renewal of license of this station for a hearing. KDYL issued regular renewal license. This application for renewal of license was set down for a hearing because the facilities of this station had been illegally applied for in terms of units by applicants for a new station at Gillette, Wyo. The application of those parties will be heard in conformity with Rule 6. It will not be necessary for them to specify the facilities of station KDYL.
WSYB	Philip Weiss Music Company Rutland, Vermont	Granted permission to operate from 11:00 A. M. to 12:30 P. M. on March 27th.

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BRITISH PROPOSES ABOLISH COUPONS

All gift coupons will be abolished if the bill recently introduced into Parliament by a private member should pass, according to a report to the Commerce Department from Assistant Commercial Attache Homer S. Fox, London. The recent agitation in Great Britain over the question of gift coupons, particularly in the tobacco trade, resulted in the present bill, which if it receives in the fate of the usual private bill will have an uncertain life, it is believed in local trade circles.

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March 26, 1932

APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

NEW	J. T. Griffin Tulsa, Oklahoma	Requests CP 1400 kc, 250 watts night 500 W LS, unlt. (facilities of KOCW except when KUOA is operating).
WTEL	Foulkrod Radio Engr. Co. Philadelphia, Pa.	Requests Mod. of Lic. to increase hours of operation from sharing with WHAT (WHAT and WTEL not to operate when WCAM is operating) to time assigned to but not used by WHAT and WCAM).
KFWI	Radio Entertainments Ltd. San Francisco, Calif.	Application for renewal of license set for hearing because of nature of programs broadcast, including fortune telling etc.
KTM	Pickwick Broadcasting Corp. Los Angeles, Calif.	Application for renewal of license set for hearing because of nature of programs broadcast, including fortune telling etc.
NEW	A. V. Tidmore Hagerstown, Maryland	C. P. new station; 1210 kc; 100 w; unlimited.
WJW	John F. Weimer Mansfield, Ohio	C. P. move transmitter and studio to Akron, Ohio.

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CONSTRUCTION APPLICATIONS RECEIVED

During the current week the Commission received applications requesting authority to make changes in equipment or install automatic frequency control from the following stations: WHOM, Jersey City, N. J; WCDA, New York, N. Y; WCAE, Pittsburg, Pennsylvania; KFH, Wichita, Kansas; WKBZ, Ludington, Michigan; WHAT, Philadelphia, Pennsylvania; WCAT, Rapid City, S. D.

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FREQUENCY CONTROL GRANTS

At its sessions during the current week the Commission granted authorizations to install automatic frequency control apparatus to the following stations: WLBG, Petersburg, Va; KGHL, Billings, Mont; KMOX, St. Louis, Mo; KFSD, San Diego, Calif; WMAZ, Macon, Georgia.

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HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, March 28, 1932. All hearings commence at 10 a. m.

TUESDAY, March 29, 1932

Docket #1454 WJBK James F. Hopkins Inc. Ren. Lic. 1370 kc 50 w.
Detroit, Michigan Simultaneous day operation
with WIBM, sharing at night.

Docket #1455 WIBM WIBM, Inc. Ren. Lic. 1370 kc 100 w.
Jackson, Michigan Simultaneous day operation
with WJBK, sharing at night.

WEDNESDAY, March 30, 1932

Docket #1501 WMIL Arthur Faske Mod. Lic. 1300 kc 100 w.
Brooklyn, New York Share time with WEVD, WBBR, WHAZ.
Present Assignment: 1500 kc 100 w
Shares time with WWRL, WLBX, WMBQ.

Docket #1538 WFAB Defenders of Truth Soc. Inc. Ren. Lic. 1300 kc 1 KW
(Formerly New York, N. Y. Shares with WEVD, WBBR, WHAZ
WHAP)

THURSDAY, March 31, 1932

Docket #1274 NEW W. H. Allen, Eugene Levy, C. P. 1210 kc 100 w.
and S. B. Pearce Daytime.
Alexandria, Louisiana

Docket #1295 KWEA Hello World Brdcstg. Corp. Ren. Lic. 1210 kc 100 w.
Shreveport, Louisiana Unlimited time.

Docket #1472 KWEA Hello World Brdcstg. Corp. C. P. 1210 kc 100 w.
Shreveport, Louisiana Unlimited time.
(Requests authority to change
equipment and move station to
Baton Rouge, Louisiana).

FRIDAY, April 1, 1932

Docket #1385 WFIW WFIW, Inc. C. P. 940 kc 5 KW
Hopkinsville, Kentucky Unlimited time
(Requests authority to install
new equipment).
Present Assignment: 940 kc 1 KW
Unlimited time.

Docket #1466 WFIW WFIW, Inc. Mod. Lic. 940 kc 5 KW
Hopkinsville, Kentucky Unlimited time

Docket #1541 WFAN Keystone Broadcasting Co. Mod. Lic. 610 kc 1 KW
Philadelphia, Pennsylvania Shares with WIP
Present Assign: 610 kc 500 W. Share WIP

Docket #1542 WIP Gimble Brothers, Inc. Mod. Lic. 610 kc 1 KW
Philadelphia, Pa. Shares with WFAN
Present Assign: 610 kc 500 w. Share WFAN

March 26, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-PF-132	W3XK	Jenkins Laboratories, Inc. Silver Spring & Wheaton, Md.	C. P. install new trans. Exp. visual brdcstg.
1-RF-141	W3XK	Jenkins Laboratories, Inc. Silver Springs & Wheaton, Md.	Ren. Lic. Visual Brdcstg. 2000-2100 kc; 5KW
1-PF-129	W3XJ	Jenkins Laboratories, Inc., Silver Springs, & Wheaton, Md.	C. P. new trans. on 1550 kc 50 watts; Sound track for exp. vis. brdcstg. service.
<u>SECOND ZONE</u>			
2-PB-2514	WKBZ	Karl L. Ashbacker Ludington, Mich.	C. P. make changes in equipt. and increase power to 100 w.
<p>The applicant is now licensed to operate with power of 50 watts and unlimited time on 1500 kc. The closest station to Ludington on this channel is Station WMPC, Lapeer, Mich., approximately 170 miles distant. The Lapeer station is licensed for unlimited time with 100 watts. The granting of the application would not increase the quota.</p>			
<u>THIRD ZONE</u>			
3-PB-2517	NEW	Troy Brdcstg. Co. Troy, Alabama	C. P. erect new station 1210 kc 100 watts; daytime.
<p>This applicant recently applied for authority to erect a new station on this same frequency with unlimited time, and sought the facilities of Station WSIX, Springfield, Tennessee. The Commission renewed the license of the Springfield station for full time and dismissed the first application of the Alabama Company. The closest station to the proposed location on the requested frequency is Station WJBY, Gadsden, Ala., approximately 150 miles distant and operating unlimited time with power of 100 watts. The Third Zone is over quota; Alabama is under quota. The granting of the application would increase the quota 0.1 unit.</p>			
3-PB-2518	WMC	Memphis Comm. Appeal Memphis, Tennessee	C. P. for auxiliary trans. to operate with 500 watts.
3-PB-2522	NEW	Bernard Hanks Abilene, Texas	C. P. Erect new station on 1340 kc; 100 watts; unlimi- ted time.

APPLICATIONS RECEIVED (Cont'd)

THIRD ZONE (Cont'd)

The applicant requests authority to erect a new regional station. The closest station to the proposed location on the requested frequency is Station WCOA, Pensacola, Florida, operating unlimited time with 500 watts and approximately 745 miles distant. Station KFPW, Fort Smith, Ark., approximately 375 miles distant, is also operating as a daytime station on this channel with 50 watts. The Third Zone is over quota; Texas is over quota. The granting of this application would increase the quota. The power sought is considerably less than that usually assigned for unlimited operation on a regional frequency.

FOURTH ZONE

4-MPB-318	WCCO	Northwestern Brdcstg. Inc. Minneapolis, Minn.	Mod. C. P. requesting approval 50 KW trans. eqpt.
4-MLB-962	KGCA	Charles Walter Greenley Decorah, Iowa	Mod. Lic. amended request 100 instead of 90 watts.
4-PB-2520	NEW	Claude Raymond Brand Deadwood, S. D.	C. P. erect new station on 1200 kc; 100 watts; 4 hours daily (Fac. of WCAT).

The applicant requests authority to erect a new station at a location approximately 40 miles from Station WCAT, Rapid City, S. D. The granting of the application would not involve the quota.

4-PB-2493	YODA	Mitchell Brdcstg. Co. Mitchell, S. D.	Correction to Commission Press Report of March 3rd In addition to moving station to Aberdeen, S. D., application also requests authority to change frequency to 1420 kc.
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At present the station is licensed to operate as an unlimited time station on 1370 kc with power of 100 watts. The closest station to Aberdeen on the requested frequency is KICK, Red Oak, Iowa, operating unlimited time with power of 100 watts and approximately 350 miles distant.

FIFTH ZONE

3-MLB-977	KELW	Magnolia Park, Inc. Burbank, California	Modification Lic. to operate unlimited time.
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At present the applicant is licensed to operate on 780 kc with power of 500 w. and shares time with Station KTM, Los Angeles, Calif. The granting of the application would not involve the quota.

